



Meeting RETREAT Agenda
Town of Orange Community Meeting Room
Monday, October 2, 2023 – 4:00 p.m.

1. Call to order by the Mayor.

2. Roll Call – Town Council:

Mayor Martha B. Roby

Vice-Mayor Frederick W. Sherman, Jr.

Councilmember Jason Cashell

Councilmember Jeremiah Pent

Councilmember Donna Waugh-Robinson

3. Discussion Of –

A) Trash (Larry Bond)

a. Truck Status

b. Trash Can Status

c. Ordinances

B) Sidewalks (Larry Bond & John Cooley)

a. New (Map & Cost Estimate) (L. Bond)

b. Repair (List, Schedule & Estimate) (J. Cooley/L. Bond)

c. Replacement (List, Schedule & Estimate, if applicable) (J. Cooley/L. Bond)

C) Public Works Upcoming Projects (I. Bond)

D) ARPA Status (John Cooley)

a. Standpipe

b. Standpipe Phase II

c. Liquid Feed System

d. Millimeter Intake Screen

e. Sewer Engineering projects

f. Misc. (Mixers Etc.)

g. Dark Fiber Project

E) Economic Development Manager's Position (Greg Woods)

F) ODA Contract and Status (Greg Woods)

G) New Member Pamphlet (Catherine Lea)

H) Park updates (John Cooley)

a. Chatter Island

b. Gardner Property

Please note DINNER BREAK is from 6:00 – 6:30 p.m.

4. Council Adjournment – 8 p.m.



**Town of Orange
Public Works Department**

235 Warren Street, Orange, Virginia 22960 - 1401

Phone: (540) 672-4791 Fax: (540) 672-9250

Email – l.bond@townoforangeva.org

General Information about changes to trash collection

In June of 2022, Public Works presented to Town Council a proposal to update our trash collection process for many different reasons:

- The quantity of trash being set out by residents and Commercial accounts
- Trash collection labor turnover, creating inconsistencies with collection process
- Oversize cans, overweight cans/items,
- The safety issue with our employees lifting tons of trash daily
- The new system would eliminate residents placing bags and boxes out for collection allowing birds and animals to rip open bags leaving messes on our streets
- Eliminate our guys damaging or breaking cans that were purchased by residents, which we would end up replacing due to most of the damage being caused during the dumping process

With new system, the intent is to make the following improvements:

- Safety for our employees is first and foremost.
- The new system allows the workers to simply roll can to the back of truck and let a hydraulic system dump container into the hopper of the truck and return can to curb
- With proper codes in place and proper enforcement our town and neighborhoods will be cleaner and not have piles of trash bags and loose trash items. Trash will only be collected from cans, no items can be placed on ground beside cans
- We will be more efficient in collection by planning to cut back collection days to once a week for residential and 2x/week for commercial saving fuel, wear, and tear on trucks, as well as having time for guys do other projects on off days. In time the cans will require maintenance that will also be done on off days



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FY 2024

Trash Truck Status/Changes

- Freightliner Chassis build complete Dec/Jan
- Chassis sent to Heil for trash body installation Expected completion Mar/April 24'

Trash Can Order

- Cans will be ordered when Chassis is complete and sent for trash body installation (Dec/Jan)
- Expected cost of cans \$65 per 95 gallon can (one per resident) Ordering approximately 1680 cans. Commercial "Hand Collection" would receive up to 2 -95 gallon cans at \$26/month Additional cans (4 Max) at \$13 Ea.
- We are also planning to purchase 75 -45-gallon cans at \$55 ea., these cans would be used for residents that may have issues with the size of the 95 gallon can. Including the elderly, obstacles getting cans to Sidewalk/ROW, Ex., along N Madison Rd near Newton St where houses have steep steps from residence to street. These cans would only be issued upon approval by the Director of Public Works/Town Manager. This use of the issued containers would need to be strictly enforced as we are attempting to eliminate residents by just placing bags out on the street for appearance and preventing wildlife creating messes by ripping bags and leaving a mess.
- Expense Summary:
80-Otto 45 gallon Cans, 1750- Otto 95 gallon Cans, Freight, Custom Stamp Fee, Assembly/Distribution
Total: \$130,000
- For a cost of \$6 (onetime charge) per can, the supplier will assemble cans, deliver cans, and document each cans address with Can ID Number
- Suggest possible \$0.50- \$1.00/ monthly Can Maintenance/replacement fee
- Cans will have a custom stamp TBD
- Choose 2 different colored cans. One color for residential-one color for commercial

Trash Code and Ordinances Changes

- Changes to Town trash code and ordinances will be needed. Attached are staff recommendations for consideration are attached for review with suggested changes in red
- Included is the need to change our year around bulk brush collection also for consideration (see attached)

Commercial Trash (Dumpsters)

Staff has discussed the potential of eliminating our 4&6 Yard dumpster Commercial service by Public Works. We currently provide dumpster service to 11 commercial businesses, 6-4yard. and 5-6yard dumpster. This provides revenue for Trash Collection but with a cost of \$10-13,000 expense every 3-5 years to replace the dumpster's.

One of our future issues with growth in town is the amount of trash collected daily. We are considering that by eliminating Commercial dumpster service this would allow the truck to hold the increase in Residential trash on a day-to-day basis. Staff is suggesting a \$0.50 to \$1.00 monthly fee (to all residential/ "hand" commercial trash accounts) for new trash can maintenance/replacement for future cost of new trash cans, this monthly fee would cover lost revenue and would be put into a budget for maintenance of cans and future can replacement. All while giving us more collection capacity day-to-day operations.

Advertising trash collection/service changes to residents

Once all rules and fees have been established it will be very important to communicate these changes to our resident's and customers. Staff is considering the following:

- Town wide Code Red notification
- Notice on water bills
- Flyers at business throughout town
- Town's Facebook page
- Town wide mailing
- Town's website
- Town's community access channel

Current Trash Customers

1642 – Residential accounts

60 – Commercial 2x/week ("hand" Collection)

6 – 4 yd dumpster

5 – 6 yd dumpster

Current Revenues

- Commercial Dumpsters
6 yd --5 X \$255 X 12 months= \$15,300/yr
4 yd --6X\$185 X 12 months= \$13,320/yr

Total 28,620

- Commercial "hand "Stops

60 X \$40/month X 12 = **\$28,800**

- Residential

1642 X \$5.50/month= **\$108,372**

Total Rev. \$165,792

Potential Revenues

- Commercial "hand "Stops

60 X \$40/month X 12 = **\$28,800**

(\$5 increase per month would increase Rev \$3,600)

- Residential

1642 X \$5.50/month= **\$108,372**

(a **\$0.50** increase would = \$9,852/yr therefore balancing lost Rev from Dumpsters)

- Maintenance fee

\$1.00/ month X 2002 (Res. and Comm) =**\$24,000/yr**

Total Rev with Maintenance fee: \$161,172

Total with Maintenance fee and min. increases to service =\$ 171,024

95MILLENNIUM

BUILT FOR TODAY'S COLLECTION NEEDS

Longevity increased with contoured lid that reduces warp and water entrapment

Increased durability with "double-pinned" lid attachment

Unique, contoured body designed for automated lifting equipment

Molded foot access and large handle make maneuvering easier, even with heavy loads in place

Sanitary, easy-open lift lip

Lasts longer with UV resistant plastic for long-term exposure to sunlight

Corrosion-resistant hardware protects and increases durability

Engineered for stability: able to resist tipping and does not blow over - even in 40 mph winds

AVAILABLE COLORS

The Millennium container is available in 8 standard colors. Over 80 custom colors available upon request.



68 - Dark Blue



51 - Light Blue



56 - Green



65 - Forest Green



50 - Dark Gray



51 - Light Gray



63 - Brown



60 - Black

YOUR CART YOUR WAY!

Your cart is your billboard; every trash day passersby see your company name. Take the opportunity to stand out from the rest.

At Otto, we work with you to design your carts, so you get the most from your investment.

Customize your cart with color logos, lid graphics, or custom color. We can also include serialization, RFID, barcodes, and more.

Make your carts, *Truly Your Carts.*

Contact your Area Sales Manager to explore your options.

Otto Environmental Systems North America, Inc.
12700 General Drive, Charlotte, North Carolina 28273
800-227-5885 • info@otto-usa.com • otto-usa.com

info

OTTO VATION



Full Service Solutions

Bulk Brush Issues/Changes

We currently provide bulk brush collection as a service and has been for many years. Over the last 3-5 years this has gotten out of hand and created issues

We currently collect bulk brush when our schedule (typically every 6-8 weeks) allows us to. This in many cases may mean that brush has sat on our streets, ditches, curb and gutters and sidewalks for weeks. There are many locations where brush is collected on one day and within 2-3 days, a pile starts again but we may not get to for 5-6+ weeks before we collect again. To my knowledge there are NO codes/ordinances that require Public Works to provide this service. Currently only bundled brush for normal trash collection is allowed but we have provided bulk collection through the years as an additional service, to keep our streets and neighborhoods looking as good as possible.

Included in this we often see some issues during our Fall/Spring cleanup. The intent originally with the cleanup weeks was to enhance the appearance of our residences' yards and property by allowing residents place unwanted items out for collection. Such as yard rubbish, bushes, and limb debris including other household items (furniture appliances) for disposal. We have found instances where a resident may pay a contractor to remove a tree but place it in right-of-way for our collection and timed with cleanup periods. This is not what cleanup was intended for, but we do not have any rules against something like this besides the landfill rules for what items they will and will not accept.

If agreed to change the current bulk brush collection to only during cleanup weeks, we would make the changes and give notice to residents as part of notifying them as part of new trash rules.

notifications in the coming months.



Both of these pictures were taken 1 week after a town wide collection in September

ARTICLE I. DEFINITIONS

Sec. 20-1. Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings ascribed to them:

Garbage means wastes resulting from the processing, handling, preparation, cooking and/or consumption of foods, including putrescible animal and vegetable matters.

Inoperable motor vehicle means any motor vehicle, trailer, or semitrailer, which is not in operating condition; or which for a period of sixty (60) days or longer has been partially or totally disassembled by the removal of tires, wheels, the engine, or other essential parts required for operation of the vehicle or on which there are displayed neither valid license plates nor a valid inspection decal. However, the provisions of this section shall not apply to a licensed business, which on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer, or scrap processor.

Malodorous means any condition having an offensive or objectionable odor.

Patron means an individual, partnership, business, institution, public or private corporation or other entity.

Person means any person, firm, partnership, association, corporation, company or organization of any kind, whether that person be owner, tenant, lessee or occupant of private property.

Premises means both public and private property.

Private property means any lot or area which is subdivided or under one (1) ownership.

Reasonable notice means fifteen (15) days from the receipt of any violation notice or corrective order.

Receptacles means containers for the storage of trash and garbage.

Refuse means garbage, trash, debris, tin cans, glass, ashes, small dead animals, rubbish, paper of all kinds, tree and garden trimmings or other plant growth and other forms of waste.

Rubbish means tin cans, bottles, crockery, paper, rags, rubber and leather goods, toys, items of metal, wood and plastic and other such refuse.

Shielded or screened from view means not visible by someone standing at ground level from outside of the property on which the subject vehicle or refuse container is located.

Transfer station means any area provided and maintained by the County of Culpeper for disposal of refuse.

Unightly means any condition that is visually offensive or objectionable including, but not limited to, garbage, rubbish and refuse, weeds or grass in excess of twelve (12) inches in height and sanitary fill that is not graded and seeded or covered within one (1) year from the date of deposit. However, weeds or grass within the following areas are only unsightly if over thirty-six (36) inches in height: (i) area shown on current flood hazard maps as floodplain or (ii) area within a stormwater detention or retention basin approved by the town under article III of chapter 7 of this code or (iii) wetlands, streams and other natural waterways that are protected by the Federal Clean Water Act or vacant land tracts that are used for agricultural purposes. Weeds or grass within any area shown on a town-approved site plan as delineated wetland are exempt from any mowing requirement.

(Ord. No. O-2006-012, 1-9-07; Ord. No. O-2009-013, § 1, 1-12-10; Ord. No. O-2011-003, § 1, 10-11-11; Ord. of 12-9-14)

State law reference(s)—Definitions relating to the Virginia Waste Management Act, Code of Virginia, § 10.1-1400; definitions relating to shielded or screened from view, Code of Virginia, § 15.2-905.

Sec. 20-1.5. Violations.

Any person shall be deemed in violation of any section or provision of this chapter if such conditions as are hereinafter provided exist on any one (1) lot or area irrespective of whether or not such person owns or controls areas or lots contiguous or adjacent to the lot or area alleged to be in violation of this section.

(Ord. No. O-2006-012, 1-9-07)

ARTICLE II. REFUSE AND WEEDS

Sec. 20-2. Duty of property owner to remove trash, garbage, litter and unsightly material; duty of property owner to cut grass, weeds and other unsightly growth; disposal of trash and garbage; removal by town.

- (a) Every property owner shall remove from his property any and all unsightly or malodorous weeds, grass, trash, garbage, refuse, rubbish, litter and other substances which might endanger the health or safety of other residents of the town, all of which is hereby declared a nuisance. If after reasonable notice of a violation of the above provision a property owner fails to have such trash, garbage, refuse, litter and other like substances removed, the town manager, or his or her designee, may have the same removed by the town's agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected in the manner as taxes are collected.
- (b) The owners of vacant developed or undeveloped property within the corporate limits shall cut the grass, weeds, and other foreign growth on such property or any part thereof. If after reasonable notice of a violation of this provision a property owner fails to cut or remove such grass, weeds or other foreign growth, the town manager, or his or her designee, may have the same cut or removed by the town's agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected in the manner as taxes are collected.
- (c) Trash, garbage, refuse, rubbish, litter and other debris shall be disposed of in town-owned receptacles that are provided for such use and for the use of persons disposing of such matter or in authorized facilities provided for such purpose and in no other manner not authorized by law.
- (d) Every charge authorized by this section with which the property owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Code of Virginia, tit. 58.1, ch. 39, arts. 3 and 4.
- (e) This section shall not apply to land zoned for or in active farming operation.

(Ord. No. O-2006-012, 1-9-07; Ord. No. O-2009-013, § 1, 1-12-10; Ord. No. O-2021-003, 9-14-21)

Cross reference(s)—Animals, Ch. 3.

State law reference(s)—Noxious Weed Law, Code of Virginia, § 3.1-296.11 et seq.; removal of trash, garbage, weeds, etc. from property, Code of Virginia, § 15.2-901; authority of town council to control Johnson grass and multiflora rose, Code of Virginia, § 15.2-902; weeds and plants on highway rights-of-way, Code of Virginia, § 33.1-209.

ARTICLE III. OLD VEHICLES, INOPERABLE MOTOR VEHICLES

Sec. 20-3. Reserved.

Sec. 20-4. Authority to restrict keeping of inoperable motor vehicles, etc. on residential or commercial property; removal by town.

- (a) It shall be unlawful for any person, firm or corporation to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property zoned or used for residential, commercial, or agricultural purposes, any motor vehicle, trailer or semitrailer which is inoperable.
- (b) If after reasonable notice of a violation of the above provision a property owner fails to remove any such inoperable motor vehicle, the town, through its own agent or employees, may remove any such motor vehicle, trailer or semitrailer. In the event the town, through its own agents or employees, removes any such inoperable motor vehicle, trailer or semitrailer, the town may dispose of same after having given additional reasonable notice to the owner of the vehicle.
- (c) The cost of any such removal and disposal shall be chargeable to the owner of the vehicle or premises and may be collected by the governing body in the same manner as taxes are collected. Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, the lien to continue until actual payment of such costs has been made to the governing body.

(Ord. No. O-2006-012, 1-9-07)

Cross reference(s)—Animals, Ch. 3; motor vehicles and traffic, Ch. 11; zoning, Ch. 27.

State law reference(s)—Inoperable motor vehicles, Code of Virginia, § 15.2-904 et seq.

Secs. 20-5—20-30. Reserved.

ARTICLE IV. COLLECTION

DIVISION 1. GENERALLY

Sec. 20-31. Overflow.

No bulk or loose refuse, piles of debris or materials which may overflow from the receptacles will be collected by the town, except as provided in section 20-34 of this division and as further provided in this article.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-32. Frequency of collection.

All refuse collections will be made once per week, except that refuse collections may be made up to three (3) times per week in the Historic District as defined in section 27-127 of the Code, for restaurant and food service businesses requiring such additional refuse collections as determined by the town manager. However, no collection will be made on holidays observed by the town or in unusual weather conditions, or other emergencies when, in the opinion of the town manager, and/or Director of Public Works, it is not safe or practical for personnel or equipment to operate. On town holidays, Mondays will be utilized to ensure once per week refuse collection.

(Ord. No. O-2006-012, 1-9-07; Ord. No. O-2012-003, § 1, 4-10-12)

Sec. 20-33. Collection of Christmas trees.

Collection of Christmas trees will be provided by the town on the regularly scheduled trash collection days beginning the first operating day following Christmas and for two (2) weeks from that day, or on such special days as may be designated by the town manager and/or Director of Public Works.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-34. Acceptable refuse.

The following unseparated refuse shall be considered acceptable for collection by the town when properly stored and placed in accordance with other sections and provisions of this chapter:

- (1) *Garbage.* Wet garbage should be drained and wrapped in paper in order to reduce odor, prevent sticking and freezing to the receptacle.
- (2) *Rubbish.*
- (3) *Leaves.* Bags of leaves will not be accepted unless they are placed in town-issued receptacles. The leaves will be collected at curbside by means of vacuuming on scheduled days during leaf collection season and only between October 1-January 14th.
- (4) *Cardboard boxes.* In bulk shall be broken down and bound in bundles not exceeding fifty (50) pounds each in weight. The string, rope or wire used for binding shall be of sufficient strength to permit the bundle to be picked up by it.
- (5) *Tree laps and limbs, yard and garden trimmings (brush).* In bulk shall be bound in bundles not exceeding fifty (50) pounds each in weight, four (4) feet in length or two (2) feet in diameter. The string, rope or wire used for binding shall be of sufficient strength to permit the bundle to be picked up by it.
- (6) *Bulk Brush (that does not fit description in (5)) will need to be disposed of by resident owner EXCEPT during the bi-annual Townwide Cleanup (Spring and Fall) or as designated by the Town Manager. Example: Bad storms, high winds, ice storms, etc. causing extensive damage to residents trees or property on a large scale. If able manage quantities??*

(Ord. No. O-2006-012, 1-9-07)

Cross reference(s)—Animals, Ch. 3; disposal of dead animals, § 14-39.

Sec. 20-35. Unacceptable refuse.

The following refuse shall be considered unacceptable and will not be collected by the town:

- (1) *Construction and cleanup debris.* The residue from excavation, construction, building and remodeling cleanup, such as lumber, dirt, rock, brick, concrete or cinderblock, wallboard, metal roofing, asbestos and asphalt shingles, electrical or plumbing materials or fixtures (including toilets, sinks, bathtubs).
- (2) *Tree stumps, logs, laps and limbs.* Tree stumps, logs, laps and limbs more than four (4) feet in length or four (4) inches in diameter.
- (3) *Ashes.* The residue from the burning of wood, coal, coke and other combustible materials.
- (4) *Residential or commercial junk.* Wood or metal furniture, bed springs and mattresses, large household appliances such as stoves, refrigerators, washing machines, dryers, and sewing machines. Automotive parts such as tires, batteries, cushions, wheels, springs, running gears, fenders, bodies, frames, etc.

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- (5) *Dead animals and offal.* Dead animals from pet shops, veterinary hospitals or those from research laboratories. Offal from establishments primarily engaged in the commercial processing of animals, fowl and seafoods.
 - (6) *Dangerous material or substances.* Such items as poisons, acids, caustics, explosives and containers of flammable liquids.
 - (7) *Industrial wastes.* Wastes or debris resulting from any manufacturing or processing operation which relate directly to the raw material or product being manufactured.
 - (8) *Human and animal wastes.* All forms of human or animal wastes.
 - (9) *Paint.* Containers of paint.

(Ord. No. O-2006-012, 1-9-07)

Cross reference(s)—Animals, Ch. 3; buildings and structures, Ch. 4; fire prevention and protection, Ch. 8; licenses, Ch. 10.

Sec. 20-36. Tipping fees.

The town requires all businesses and commercial and industrial users of its refuse collection service to pay tipping fees to offset those charged by the County of Culpeper at its transfer station. Town council shall, from time to time, set the tipping fees to be charged.

(Ord. No. O-2006-012, 1-9-07)

Secs. 20-37—20-50. Reserved.

DIVISION 2. POINTS AND PLACES OF PICK-UP

Sec. 20-51. Generally.

The town will make refuse collection as provided in sections 20-52 and 20-53.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-52. Residential.

Collection will be made on ground level, outside, from the curb or edge of the street abutting the premises of single and multifamily residences and apartment buildings. Receptacles shall face the street with the arrows on top of the receptacles pointing towards the street. Receptacles shall not be blocked by cars, mailboxes, or other obstructions.

(Ord. No. O-2006-012, 1-9-07; Ord. No. O-2007-006, § 1, 12-11-07)

Sec. 20-53. Commercial and industrial.

Collection will be made on ground level, outside from the rear or side of commercial and industrial premises. Collection will also be made from the front of the premises when the refuse receptacles are placed at the curb by the patron. Unless otherwise approved by Director of Public Works

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-54. Personnel not to enter residence, apartment, etc.

Under no circumstances shall any operating personnel of the town enter a residence, apartment, commercial establishment, porch, garage or a building of any kind, except sheds used exclusively for the storage of refuse, to collect or assist in the collection of refuse Unless otherwise approved by Director of Public Works???

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-55. When receptacles to be set out for collection.

Garbage and refuse receptacles shall be set out for collection by 6:30 7:00 a.m. on days of collection. Refuse receptacles shall not be placed out earlier than 7:00 p.m. on the day before collection and shall be removed by 7:00 a.m. on the day following collection.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-56. Storage of receptacles.

Refuse receptacles, except on the days that they are placed out for regular collection, shall be stored not closer to the street than the front building line of the residence or establishment served by the receptacles.

(Ord. No. O-2006-012, 1-9-07)

Secs. 20-57—20-75. Reserved.

ARTICLE V. RECEPTACLES

DIVISION 1. GENERALLY

Sec. 20-76. Town to supply receptacles.

Each resident is provided one (1) ninety-five-gallon receptacle free of charge. Considering we have/supply 45 gallon cans for special circumstances (age/health of resident, access to placement of cans, request for smaller cans shall be approved by Town Manager and/or Director of Public Works. Should a resident require additional receptacles, they may be purchased Consider what additional Can fees may be?? from the town at a price set by town council. The free receptacle is the property of the town and is registered to each address. This receptacle must be left at the residence should a patron move. Small businesses that are served by the town will be allotted 2 cans but up to four (4) ninety-five-gallon receptacles. Should a business need more than four (4) receptacles, the owner shall install a dumpster as required by division 3 of this chapter if dumpsters re removed from service would need trash collected by others/private contractor. Tipping fees, as set by council, will be assessed per the number of receptacles required.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-77. Protection of receptacles.

Each patron shall be responsible for the protection of the receptacles on his premises and for such refuse that may become spilled or scattered.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-78. Unacceptable receptacles.

Only refuse contained in the ninety-five-gallon receptacles supplied by or purchased from the town will be accepted. Any refuse outside of the receptacle will not be collected with the exception of cardboard and brush as provided for in section 20-34.

(Ord. No. O-2006-012, 1-9-07)

Secs. 20-79—20-110. Reserved.

DIVISION 2. REAR LOADING CONTAINERS

Sec. 20-111. Scope of division.

This division provides for the collection of refuse in front and/or ~~remove~~ rear loading containers.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-112. Specifications; purchase; maintenance.

Containers shall be the front and/or rear loading type specifically designed for the purpose. The size of containers shall be two (2) through eight (8) **4 and 6 yrd only** cubic yards. Containers shall have lids, drain plugs and, at the option of the town, casters.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-113. Location.

Containers shall be located on the property to be served at a site approved by the town. Container owners shall be responsible for seeing that there is sufficient space provided around the container for the operation of the collection truck.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-114. Reserved.

Sec. 20-115. Concrete platforms.

Containers shall be placed on concrete platforms furnished by the user and built to town specifications. The platform shall be flush with the finished grade and shall be at least ten (10) feet by ten (10) feet by four (4) inches. The site shall be approved by the town, and the forms for the concrete slab shall be inspected and approved before concrete is poured.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-115.1. Screening of refuse containers.

All outdoor refuse containers or areas used for the storage or collection of refuse, including trash dumpsters, shall be screened from view of adjacent properties and the public right-of-way. Screening shall be obtained through the use of fences, walls, evergreen vegetation, earthen berms, or a combination of these methods. Double-bay enclosures, accommodating both refuse and recycling containers, are required where both are an integral part of the operation.

(Ord. No. O-2006-012, 1-9-07)

Sec. 20-116. Violations.

- (a) Each violation of this chapter is subject to a civil penalty of up to fifty dollars (\$50.00) as well as subsequent violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the second violation shall be one hundred dollars (\$100.00). Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of one thousand dollars (\$1,000.00) in a twelve-month period.
- (b) The town may, at its sole option, charge a violator of this chapter criminally if three (3) civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a twenty-four-month period. In that event, any person, whether as principal, agent, employee or otherwise, violating, causing or permitting the violation of any section or provision of this chapter shall be guilty of a Class 3 misdemeanor. Each business day during which the same violation is found to have existed shall constitute a separate offense.

(Ord. No. O-2006-012, 1-9-07; Ord. No. O-2009-014, § 1, 1-12-10)



1 inch = 59.22 feet

0 30 60 90 120 Feet

Approximately 450 feet of 5 foot wide sidewalk with 4 new ADA ramps, and 2 new crosswalks

5 foot wide sidewalk (\$160 per foot)	\$ 72,000
ADA Compliant Crosswalks	\$ 30,000
Parking Area	\$ 25,000
Total	\$ 127,000

New parking area to replace parking impacted by the construction of the new sidewalk



Potential Sidewalk Work Spicers Mill Road

TOWN OF ORANGE
Department of Community Development

9-29-2022

Virginia Geographic Information Network (VGIN)



Approximately 1300 feet of 5 foot wide in-fill sidewalk with 4 ADA Compliant Crosswalks

1300 feet of 5' Sidewalk (\$160 per foot)	\$208,000
ADA Compliant Ramps	\$60,000
=====	
Total	\$268,000



Potential Sidewalk Work North Street

TOWN OF ORANGE
Department of Community Development

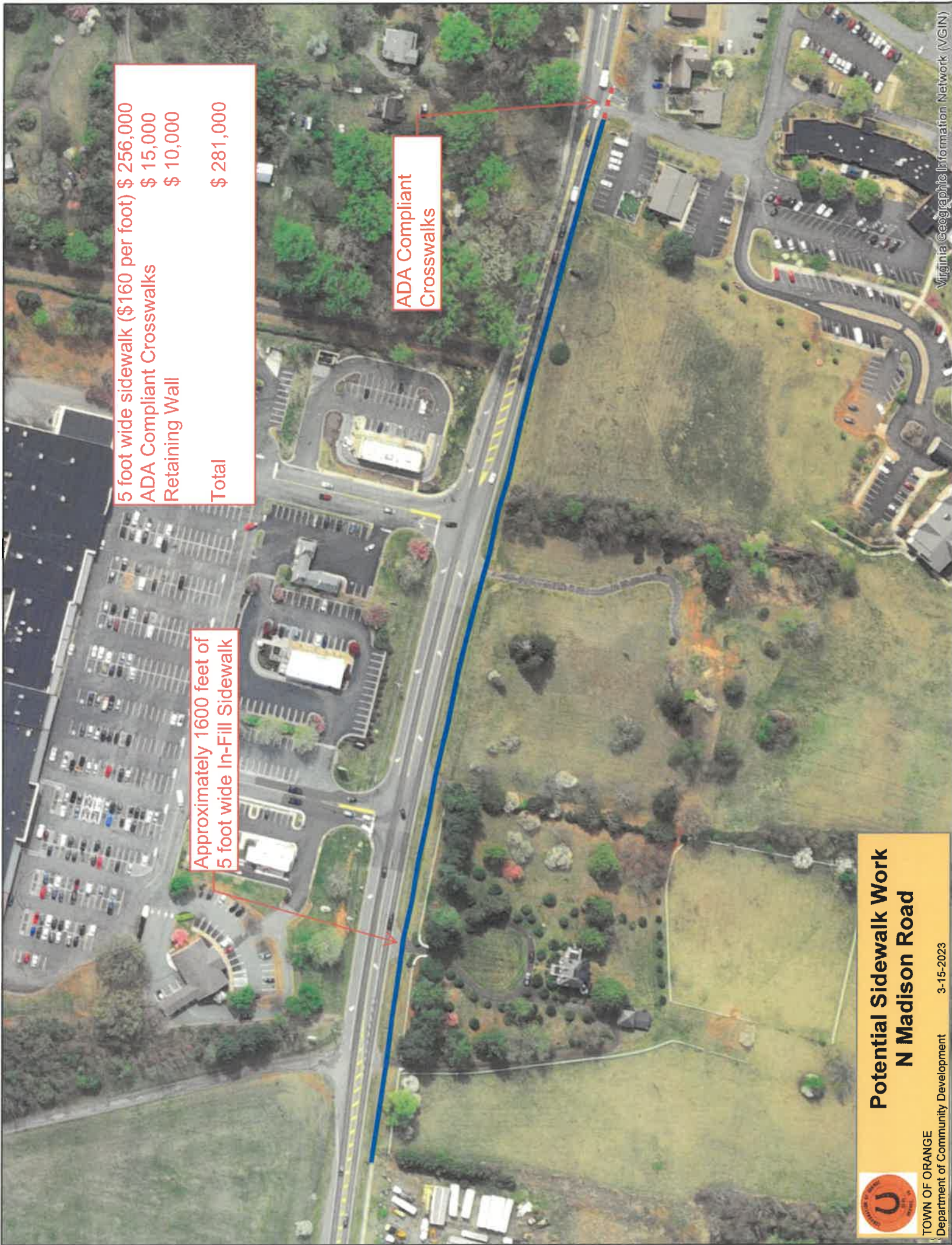
5-9-2019



Potential Sidewalk Work North Street

TOWN OF ORANGE
Department of Community Development

5-9-2019



5 foot wide sidewalk (\$160 per foot) \$ 256,000
ADA Compliant Crosswalks \$ 15,000
Retaining Wall \$ 10,000
Total \$ 281,000

Approximately 1600 feet of
5 foot wide In-Fill Sidewalk

ADA Compliant
Crosswalks



**Town of Orange
Public Works Department**

235 Warren Street, Orange, Virginia 22960 - 1401

Phone: (540) 672-4791 Fax: (540) 672-9250

Email – l.bond@townoforangeva.org

Sidewalk Repair /Replacement

- Public Works is currently working on identifying and correcting trip hazards and failed areas of Main St. from Byrd St. to Caroline on Main St. This will include some grinding of trip hazards, some cut/remove/replace sections as well as some “skim” patching of areas.
- Madison Rd. from Main St to Nelson St. This will include some grinding of trip hazards, some cut/remove/replace sections as well as some “skim” patching of areas.
- Belleview Ave, plan on upgrading section of Belleview Ave., from Main St. to Sprouse Dr. or as funding allows. Spring 2024

3-Year sidewalk Repair/Replacement plan

- E Main St. from Landon Ln. to S Almond St. (Northern Side)
- Sidewalk repairs along Harper Dr. once trees are removed. Trees are causing pedestrian and traffic hazards and need to be removed. PW's is working on a plan for removal while considering input from residents in neighborhood for removal and want for replacement in other locations
- Continue curb/gutter/sidewalk replacement on Belleview Ave from Main St to Washington St. (that doesn't get completed Spring 24')



**Town of Orange
Public Works Department**

235 Warren Street, Orange, Virginia 22960 - 1401

Phone: (540) 672-4791 Fax: (540) 672-9250

Email – l.bond@townoforangeva.org

Scheduled Upcoming Projects

New Town Logo Signage, Etc.

- Working to upgrade signs that have town logo's, Main St., parking lots, facilities, parks
- Add new Town logo flags to poles at Taylor Park, PD, Town Hall and Public Works
- Upgrade flag pole at Town Hall 24'

Depot

- Make repairs to brick pavers at Kiosk, possibly install stamped concrete or simply repair failed brick
- Remove rock and place concrete at entrance to fountain
- Pressure wash Depot and surrounding sidewalks and areas
- Install fence along RxR side of Depot, allowing pedestrian access around entire Depot

Paving

- Dabney St.
- E Washington St.
- Caroline St (Rt.15S)
- Jefferson St.
- Spicer's Mill Rd.
- Milling and replacing various areas of town

Storm Repairs

- E. Washington St.
- Caroline St/Rt 15S
- Strom DI box replacement Caroline St near Daily Dr./Old Macon rd.

Fire Hydrant Replacement/Upgrade

- Relocate fire hydrant at corner of Landon Ln., and E Main St.

Water

- Project to reroute 8" water main on S Madison Rd. near Church St.
- Oversee Marshall Heights Standpipe improvement project
- Macon Rd. Mixer project



**Town of Orange
Department of Community Development**

119 Belleview Avenue, Orange, Virginia 22960 - 1401

Phone: (540) 672-6917 Fax: (540) 672-4435

Email – townplanner@townoforangeva.org

MEMORANDUM

TO: Mayor Roby and Town Council Members

FROM: John G. Cooley, Director of Community Development

DATE: 9-27-2023

SUBJECT: Town Council Retreat – ARPA Projects List

Mayor Roby and Town Council members,

Staff will be providing updates to the following ARPA projects at your October 2, 2023 Town Council retreat:

1) ARPA Status (John Cooley)

- a. Standpipe
- b. Standpipe Phase II
- c. Liquid Feed System
- d. Millimeter Intake Screen
- e. Sewer Engineering projects
 - i. Greenfields Subdivision
 - ii. Brizzolara Subdivision
 - iii. Houseworth Street Subdivision
- f. Twyman Street/Macon Road Water Line Connection
- g. Misc. (Mixers Etc.)
- h. Dark Fiber Project



**Town of Orange
Town Manager's Office**

119 Belleview Avenue, Orange Virginia 22960 - 1401
Phone: (540) 672-5005 Fax: (540) 672-4435
Email - townmanager@townoforangeva.org

MEMORANDUM

TO: Council Members
FROM:  Greg Woods, Town Manager
DATE: September 26, 2023
SUBJECT: Economic Development Manager

This topic has been added to the agenda for a continued discussion of the proposed hiring for the position. This position would be utilized to implement the economic development vision for the Town. It would used to assist in grant applications and be utilized as the liaison to the IDA. I would expect this position would also attend the EDA meetings and keep the Town aware of the what information that could be shared from the County.

Thanks,

Greg

**"A Main Street Community"
&
"A Designated Enterprise Zone"**



**Town of Orange
Town Manager's Office**

119 Bellevue Avenue, Orange Virginia 22960 - 1401
Phone: (540) 672-5005 Fax: (540) 672-4435
Email - townmanager@townoforangeva.org

MEMORANDUM

TO: Council Members
FROM:  Greg Woods, Town Manager
DATE: September 26, 2023
SUBJECT: Orange Downtown Alliance

This topic has been added to the agenda for a discussion on the funding for ODA and compliance with the contract. It is for discussing the Main Street Program and expectation of the Organization.

Thanks,

Greg

***"A Main Street Community"
&
"A Designated Enterprise Zone"***

Agreement
between
The Town of Orange, Virginia
and
The Orange Downtown Alliance

This agreement, effective the latest date of signature below, is made and entered into by and between the Town of Orange, Virginia (Town), a Virginia Municipal Corporation and the Orange Downtown Alliance (ODA), a nonprofit corporation (collectively, the “Parties”).

WHEREAS Main Street America (MSA) is the nationally-recognized downtown revitalization program anchored by the National Main Street Center’s Four Point Approach; and

WHEREAS, the Town of Orange is a designated Virginia Main Street Community, and a Nationally Accredited Main Street Community; and

WHEREAS the Town has established a Main Street District; and

WHEREAS the Main Street Program requires the maintenance of a public-private partnership between the Town and a private, non-profit organization in support of the Town’s Main Street District; and

WHEREAS ODA is a private, non-profit 501(c)(3) corporation, located within the Main Street District and participates as a Virginia Main Street Designated Community Organization.

NOW THEREFORE, the parties agree as follows:

The ODA shall:

1. Operate according to the terms of the current Virginia Main Street Biennial Memorandum of Understanding Designated Community (MOU). Said MOU shall be attached to and become part of this Agreement as APPENDIX A, and shall be updated each time a new MOU is executed.
2. Maintain Accreditation as a National Mainstreet Community and provide Program Management.
 - a. Maintain Main Street certification and utilize MSA’s project format and process and provide to the Town documentation of said certification.
3. Provide a quarterly written report to the Town Manager on the activities of the ODA, including financials, due on or before the 2nd Monday of October, January, April and July.
 - a. Develop and/or maintain the systems necessary to track and report as required by the Main Street Organization and or the Department of Housing and Community Development (DHCD). The ODA agrees to incorporate such data into its quarterly reports made to the Town Manager.
 - b. Participate in an annual review, attended by the Executive Director and members of its Board of Directors, with the Town Manager and members of the Town Council. Said review meetings will discuss the ongoing relationship between the

Parties, the ODA work plan, and other topics of interest to both parties. Additional review sessions may be called quarterly on request of the Town Council.

- c. Provide the Town Manager a list of all members of its Board of Directors a list of all Committee Chairs and a copy of its current Bylaws on or before June 30th of each year and shall update said documents, in writing, within thirty (30) days of any change thereto.
4. Conduct all operations in compliance with all statutes, ordinances, procedures and policies of the Commonwealth of Virginia and the Town of Orange. This conduct shall include the referral of any decisions or operations under the authority of the Town to the Town Manager or their designee. The ODA agrees to neither plan nor make any use of Town property or resources, including Town staff, without the prior, written approval of the Town Manager or their designee.
5. Meet with the Town Manager or their designee in order to develop such best practices guidance documentation as necessary to provide guidance to the ODA.
6. Designate a member of its board to act as liaison ("ODA Liaison:") to the Town Manager or any designee assigned by the Town Manager with respect to the work to be performed under this Agreement.
7. Design and enact a campaign to recruit, coordinate, manage and maintain a corps of volunteers to assist in the work of the ODA with a goal of increasing the volunteer corps of the ODA by twenty-five percent (25%). A copy of the annual volunteer report prepared and submitted to the Department of Housing and Community Development shall be submitted to the Town Manager along with quarterly progress reports to be included in that submitted to the Town Manager, and/or any updates to said report which may be prepared or presented to any other organization or agency.
8. Design and enact a campaign to increase sponsorships of the ODA from businesses located within the Main Street District. Said campaign shall increase the number of sponsoring businesses within the Main Street District by twenty (20).
9. Produce two (2) events designed to promote the Main Street District and support tourism and small business development.
 - a. Upon the request of the ODA, these events shall be the Halloween Walk Through Main Street event and the Holiday Village event.
 - i. Said events shall be designed to maximize foot traffic to the perimeters of the Main Street District, with a focus on the area between Short Street and Taylor Park.
 - ii. The ODA shall prepare and submit to the Town Manager a written plan and budget in advance of each event and provide a report after the event, which shall include sales and attendance numbers and vendor contact information.
 - iii. The ODA shall confer with the Town Manager or their designee regarding any promotion of said events. Said promotion(s) shall identify the Town of Orange as a sponsor of these two events.

The Town Shall:

1. Designate the Town Manager, or any designee assigned by the Town Manager, to act as its representative with respect to all work to be performed under this Agreement.
2. Not interfere with the ODA, as an independent non-profit organization with its own governing body, in its pursuit of other interests not in conflict with those listed herein and which preserve the goals of that organization.
3. Cooperate with the ODA liaison in order to develop such best practices guidance documentation as necessary to provide guidance to the ODA.

Promotional Materials

ODA shall not conduct any marketing or branding which includes the Town without obtaining written authorization for said marketing or branding, for any promotions, branding and design which market the Town (including but not limited to campaign themes, materials and designs, written or electronic) from the Town Manager or their designee prior to production or release. The Parties understand that this agreement is not intended to exclude Town branding from such marketing or branding efforts, but instead to promote cooperative messaging from the Parties.

Matching Funds

As part of this agreement, where the ODA works with appropriate public agencies at local, state and federal levels to obtain necessary funding and leverages its 501(c)(3) status to receive grant awards and programs for projects within the Main Street District, and on such occasion that said grant awards and funding requires matching cash funding, the Town will provide matching funds in an amount up to \$5,000.00 per instance up to a total amount of \$10,000.00 per year.

Any request for matching funds shall be made to the Town Manager in advance of any grant applications to which said funds would be applied. All supporting documentation of such grant must be provided at the time of the request to the Town Manager. Said funds will be released upon the award of the applied-for grant, the approval of the Town Manager and the receipt of any reports or other supporting documentation regarding each grant awarded.

Conduct

The parties covenant and agree each to the other that the conduct of each under this agreement, and the interpretation and enforcement of the provisions hereof, shall be characterized by good faith and fair dealings to ensure that the objectives of each party as set forth in this agreement and the attachments hereto may be achieved.

Best Practices

The parties acknowledge that certain actions undertaken under this agreement need to meet certain best practices criteria. As such, they agree, as indicated in paragraph (5) above, that it will be beneficial to develop certain memoranda as guidance. The Parties further acknowledge that while said memoranda cannot be fully inclusive by their very nature, and that such documentation shall not limit the definition of best practice, they shall endeavor to promote communication that will support the covenant of conduct and intent inherent to this agreement.

Time of Performance

The term of this agreement shall be from July 1, 2023 to June 30, 2024.

Compensation

The Town shall pay to the ODA a total of **\$70,000.00 per year** as compensation for the services provided under this agreement, which payment shall constitute full and complete compensation for such services as completed.

\$40,000.00 shall be provided for the achievement and maintenance of accreditation with the Main Street Program and administrative updates as indicated herein.

\$10,000.00 shall be provided for the production of the Halloween Walk through Main Street and Holiday Village events.

\$20,000.00 shall be provided for the design and enaction of the campaigns to develop and maintain a volunteer workforce and to increase sponsorship of the ODA by businesses located within the Main Street District.

The compensation will be provided at the rate of \$17,500.00 at the end of the first quarter of the term of this agreement.

The compensation will be provided at the rate of \$17,500.00 at the end of the second quarter of the term of this agreement.

The compensation will be provided at the rate of \$17,500.00 at the end of the third quarter of the term of this agreement, provided that the ODA has initiated the campaigns to expand its cadre of volunteers and the sponsorships provided herein. If said campaigns are not initiated, the compensation will be provided at the rate of \$10,000.00 at the end of the third quarter of the term of this agreement.

The compensation will be provided at the rate of \$17,500.00 at the end of the fourth quarter of the term of this agreement, provided that the ODA has met the goals set herein for the campaigns to expand its cadre of volunteers and the sponsorships provided herein. If said campaigns are not initiated, the compensation will be provided at the rate of \$10,000.00 at the end of the fourth quarter of the term of this agreement.

Audit and Evaluation

Inasmuch as the funds to be provided to the ODA by the Town are public funds, the ODA agrees that it shall maintain books of account in accordance with Generally Accepted Accounting Principles (GAAP), together with all necessary documentation to support all expenditures. The records of the ODA, including payroll accounts and other records of disbursements and receipts, and other records relating to the performance of the activities herein specified, shall be made available for inspection to the Town Manager or his designee or to any Certified Public Accountant acting on behalf of the Town, upon request of the Town, in order to ascertain performance of the

ODA under this Agreement. The ODA agrees to retain such records for not less than three (3) years.

Discrimination

In carrying the services under this Agreement, the ODA shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, sexual orientation, gender identity or disability. The ODA shall take affirmative action to ensure that applicants for employment are employed, and that employees are treated during employment, without to their race, color, religion, sex, age, national origin, sexual orientation, gender identity or disability. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship,

The ODA agrees and will undertake whatever affirmative measures are necessary so that no person shall be excluded from participation in, be denied the benefits or, or be subjected to discrimination under any program or activities funded in whole or in part with any of the funds made available to the ODA under the terms of this Agreement because of race, creed, color, religion, national origin, sex, age, degree of handicap, sexual orientation, gender identity or disability.

Termination of Agreement

If through any cause, the ODA shall fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the ODA shall violate any of the covenants, agreements or stipulations of this Agreement, the Town shall thereupon have the right to terminate this Agreement by giving written notice to the ODA of such failure, specifying the effective date thereof not less than thirty (30) days before dissolution.

Upon termination of this Agreement, the ODA shall return to the Town all unexpended funds and/or any funds utilized for purposes other than stated in this Agreement.

Assignability

The ODA shall not assign any interest in this Agreement without the prior written approval of the Town.

Severability

If any provision of this agreement or the application thereof to any person or circumstance shall be invalid, illegal or unenforceable to any extent, the remainder of this agreement and the application thereof shall not be affected and shall be enforceable to the fullest extent permitted by law.

Force Majeure:

Neither Party will be liable for any failure or delay in performing an obligation under this Agreement that is due to any of the following causes, to the extent beyond its reasonable control: acts of God, incidences of terrorism, war or riots, labor strikes or civil disturbances, floods, earthquakes, fire, explosions, epidemics, hurricanes, tornadoes, governmental actions and restrictions.

For the avoidance of doubt, Force Majeure shall not include (a) financial distress nor the inability of either party to make a profit or avoid a financial loss, (b) changes in market prices or conditions, or (c) a party's financial inability to perform its obligations hereunder.

Insurance

At the time of execution of this Agreement by the ODA, the ODA shall provide to Town copies of the ODA's insurance certificates showing compliance with the insurance requirements of Insurance Schedule D, included as Appendix D.

Notice

Notices pursuant to this Agreement may be given by postage-prepaid first-class mail or hand-delivered to the following contacts.

For the Town

Town Manager
Town of Orange, Virginia
119 Belleview Avenue
Orange, VA 22960

For the ODA

President
Orange Downtown Alliance
PO Box 283
Orange, VA 22960

Jurisdiction

The Orange County, Virginia Circuit Court shall have sole and exclusive jurisdiction over any dispute arising out of this agreement.

Appropriations

The obligations of the Town are contingent upon and subject to the appropriation of sufficient funds for the purpose of this agreement.

Enforceability

Failure of either Party to enforce any of the terms of this Agreement shall not be construed as a waiver of rights thereunder preventing the subsequent enforcement of such provisions or the recovery of damages for breach thereof.

Final and Entire Agreement

This agreement includes all of the terms of agreement between the Town of Orange, Virginia and the Orange Downtown Alliance and there are no other agreements, promises, inducements or understandings between the parties.

Town of Orange, Virginia

Signed: _____ Date: _____
Martha B. Roby, Mayor

Orange Downtown Alliance

Signed: _____ Date: _____
Cameron Hamilton, President

Approved as to form: _____
Town Attorney

APPENDIX A
Main Street MOU

APPENDIX B

The ODA's General Liability Insurance Policy certifying the Town of Orange as an Additional Insured

APPENDIX C

Map of the Main Street District

[Date]

APPENDIX D
The ODA Work Plan

TOWN COUNCIL

A PRIMER FOR CANDIDATES AND
NEW COUNCIL MEMBERS



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WELCOME TO LOCAL GOVERNANCE

Thank you for your decision to run for a position on the Town Council for the Town of Orange, Virginia. Informed participation by citizens in local government is vital for successful communities.

Congratulations to you as a new Councilmember! You are beginning your first term as an elected official and there's so much to learn.

This introductory primer is a resource to help you understand your role as a member of Council and is designed to provide and direct you to the information you need in the role and necessary to help you achieve whatever goals you had in mind when you took this path.

Inside you'll find information, links to vital resources and an overview of your new (or prospective) role. You can reach out to the Town Manager, Town Attorney, and Town Clerk if you have additional questions or concerns.

ABOUT THIS GUIDE

This document is provided as an overview for the new or prospective councilmember. While not exhaustive, it should provide you with the information you need to find your footing on Town Council and get you started. In all cases, the Town Manager, Clerk and Attorney are your contacts for questions and information.

As we wrote this document, we are aware that many who run for office do so with a goal or goals in mind. If you are new to local government structure and operations, some things may not work in the ways you expected. Some of the contents were added in response to questions asked by previous councilmembers. We hope this primer will help you start this journey in the most productive way, to help all of us meet our goal of creating and maintaining a successful community for our citizens.

TOWN HISTORY

The Town of Orange was created in 1734 and named after Prince William of Orange. The unincorporated town of Orange Court House began serving as the county seat in 1749. In 1859, the fourth courthouse, which still stands today, was built and was in use until the current courthouse was built.

Orange achieved town status in 1872, and continued to grow as a hub for business, manufacturing and agriculture into the 20th century. In 1908, a fire swept through the eastern half of town, destroying many buildings there. It was in the aftermath that the water system in town was built to provide future fire protection.

You can learn more about the history of the Town of Orange and Orange County by visiting the Orange County Historical Society at 130 Caroline Street, or their website at <http://www.orangecovahist.org>

ORANGE TODAY

The Town of Orange is a municipal corporation of the Commonwealth of Virginia in Orange County. A municipality has its own government structure which works within and independent of county government. The Town offers its own water and sewer services, maintains its own roads and rights of way, assesses and collects taxes. Town residents are also county residents, and both pay county taxes and receive county services. The town covers an area of approximately 3.4 square miles at the crossroads of state routes 20 and 15.

The town's population as of the last census is just over 5,000 people, in about 1,800 households. The median age is 35. Median income per household is \$59,000. Approximately 83% of residents have a high school diploma, while nearly 20% hold a bachelor's degree or higher. The town's poverty rate of 15.7% is about 1.5 times the rate in the Commonwealth of Virginia as a whole.

GOVERNMENT STRUCTURE

The Town of Orange, by charter, has a town manager form of government with a council of five members, elected to staggered four-year terms. The Town Manager is appointed by Council and is vested with the executive powers of the Town, including the appointment, direction and removal of nonelective officers and employees other than those who may be subject to appointment by the town council.

TOWN MANAGER

The Town Manager manages the organization of and has the authority over the executive branch (operations) of the town, reports to Council, negotiates and enforces contracts of the town, and prepares the annual budget for council approval. As the executive, the Town Manager is responsible for the efficient administration of the town's affairs, with responsibility and general duties requiring that they see that within the town the laws, ordinances, resolutions and bylaws of the town council are faithfully executed; attend all meetings of the town council and recommend for adoption such measures as he shall deem expedient; make reports to the town council from time to time upon the affairs of the town; keep the town council fully advised of the town's financial condition and its future financial needs; prepare and submit to the town council a tentative budget for each fiscal year; and perform such other duties as may be prescribed by the town council not in conflict with the foregoing.

WORKING TOGETHER

What's the secret to good local governance? Successful localities balance the manager/council relationship – to learn more, check out the March 2023 issue of Virginia Town and County, the magazine of the Virginia Municipal League, at https://www.vml.org/wp-content/uploads/pdf/VTCMar23_web.pdf

TOWN COUNCIL

Council's role, in contrast, is best described as being legislative and policy oversight. Council has authority to establish town government policy, set tax rates, approve the annual budget, appoint members to the town's boards, provide policy guidance for the Town Manager and act on local resolutions and ordinances. Council elects from its membership a mayor, who serves as the official head of the town and leads council meetings, and a vice-mayor, for one-year terms at its meeting each January.

Council generally meets on the first Monday of each month at 6:00 pm for a work session and on the third Monday of each month at 7:00 pm for a formal council meeting. All meetings are open to the public and a quorum of at least 3 members is required in order for business to be enacted. Council has adopted Roberts Rules of Order as its parliamentary guideline.

Councilmembers may serve on committees as assigned by the Council, including as ex-officio and liaison representatives to related organizations.

OTHER TOWN OFFICERS

TOWN CLERK

The Town Clerk is the custodian of all records for the town, is the custodian of the town seal, and acts as official clerk for the Council, maintaining the minutes and, with the Town Manager, prepares the agenda for Town Council meetings. The Town Clerk also serves as the FOIA officer and HR manager for the Town. The Town Clerk is appointed by Town Council.

TOWN ATTORNEY

The Town Attorney is the legal representative for the Town of Orange, acting as counsel for Council, town boards and officers. The attorney drafts and reviews legal instruments, assists the police department and serves as an advisor on any interest of the town of a legal nature: information, potential litigation issues and in regard to statutes, codes, parliamentary procedure, and representation as necessary in negotiations and litigation. The Town Attorney does not advise on matters of policy, except in reference to legal principles. The Town Attorney is appointed by Town Council.

TOWN TREASURER

The Director of Finance, hired by the Town Manager, serves as treasurer for the Town of Orange. The treasurer provides monthly reports to Council on the assessment and collection of taxes and levies and enforces the town code relative to those matters. The Director of Finance keeps and maintains all books, papers and accounts and manages payments.

TOWN DEPARTMENTS

DIRECTOR OF COMMUNITY DEVELOPMENT

The Director of Community Development works as the town planner and liaison to the planning commission. The Director is hired and supervised by the Town Manager. The zoning administrator for the town is appointed by the Council. The current Director has been appointed as zoning administrator.

POLICE DEPARTMENT

The Police Department serves the Town of Orange, with the Chief of Police as commanding officer under the direction of the Town Manager.

PUBLIC WORKS

The Public Works Department oversees all infrastructure and maintenance of town infrastructure, including water and sewer services trash and leaf collection, snow and ice removal, storm drainage, sidewalks, curbs and gutters, streets and bridges, grass cutting, signage, street sweeping, fleet maintenance, buildings and grounds maintenance and maintenance of parks. The Department has four divisions: Parks, Refuse, Streets, and Water and Sewer Infrastructure. The Department Manager is hired and supervised by the Town Manager.

WATER AND SEWER

The Water and Sewer Departments operate under permits from the DEQ to provide potable water to the Town and to RSA for resale to Gordonsville. Wastewater collected within the town is treated and discharged to the Rapidan river by permit.

REACHING OUT

Councilmembers are a point of contact for many citizens seeking answers or action from their elected officials. How do you reach out for those answers or that resolution, since Council acts as a whole?

Individual councilmembers can utilize their direct line to the Manager, Clerk and Attorney for information and to discuss resolutions. Individual members do not have the power to act for the Town, except as authorized by Council as a whole and may create a legal liability for themselves and the Town if they do so. Executive authority rests solely with the Town Manager.

BOARDS AND COMMISSIONS

INDUSTRIAL DEVELOPMENT AUTHORITY

The Industrial Development Authority of the Town of Orange (IDA) was re-established by Town Council in 2020. It is made up of seven directors appointed by Council. The IDA is empowered by the legislature to promote industry and develop trade by inducing manufacturing, industrial, governmental, nonprofit, and commercial enterprises, and institutions of higher education to locate in or remain in the Commonwealth and further the use of its agricultural products and natural resources to benefit the citizenry through the increase of their commerce, or through the promotion of their safety, health, welfare, convenience, or prosperity. The IDA meets monthly with one town council member serving as a nonvoting liaison. The Deputy Town Clerk acts as secretary to the IDA. The Town Manager and Town Attorney also attend as advisors to the IDA. An IDA is authorized by statute to acquire, own, lease, and dispose of properties and make loans to the end that such authorities may be able to promote industry and develop trade (Va. Code Sec. 15.2-4901)

PLANNING COMMISSION

The Planning Commission is made up of 5 voting members appointed by Council to promote the orderly development of the town and its environs. (Town Code Sec. 2-171 and Va. Code § 15.2-2200). The planning commission serves as an advisory to the Town Council through review of zoning questions and applications and the preparation and presentation of a comprehensive plan. Advised by the Zoning Administrator, with the Deputy Town Clerk acting as secretary and with one town council member assigned as a nonvoting liaison, the planning commission meets on the fourth Monday each month at 6:00 pm.

BOARD OF ZONING APPEALS

The Board of Zoning Appeals is made up of five members appointed by the Orange County Circuit Court by recommendation of Town Council to hear and decide appeals of decisions made by the Zoning Administrator (Va. Code § 15.2-2308). As such, the BZA meets as needed. The Deputy Town Clerk serves as secretary to the BZA.

ORANGE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Town Council recommends a Town representative to the County EDA.

AFTER YOUR ELECTION

Once the election is over, the Orange County Board of Elections must certify the election. The Registrar then sends the certification paperwork to the Town Clerk, who notifies the council member as to the next steps. These steps include providing information for taking the oath of office before the Clerk of the Orange County Circuit Court, arranging for equipment provided to councilmembers by the Town, and organizing paperwork and training.

All new councilmembers are encouraged to attend a training program from the Virginia Municipal League.

You are **required** to take the oath of office before the first meeting of the Town Council in January of the new year. You should provide a copy of the documentation from the court to the Town Clerk for verification.

You are also **required** to:

1. Read the Virginia Freedom of Information Act:
<https://law.lis.virginia.gov/vacode/title2.2/chapter37/> The Town Attorney will provide additional training to Council. All FOIA requests go to the Town Clerk, as FOIA officer.
2. Read the Virginia Conflict of Interest Act:
<https://law.lis.virginia.gov/vacode/title2.2/chapter31/>. Confer with the Town Attorney if you have any questions or concerns about conflicts of interest.
3. Complete COIA training through the Ethics Advisory Council in order to qualify for office and every two years thereafter, visit <https://ethicswebinar.dls.virginia.gov/> to access the training.
4. Submit a Statement of Economic Interests and Financial Disclosure Statement as a condition of assuming office and thereafter annually on or before February 1. For more information and the forms, visit the Ethics Council website at <http://ethics.dls.virginia.gov/conflict-of-interest.asp#officials>.

The clerk will also set up your town email account, for all town business after you take office in January and ask for your contact information at this time.

YOUR FIRST COUNCIL MEETING

The January meeting of the Town Council is an organizational meeting.

The Town Manager will open the meeting, get approval of the agenda and call for nominations for the position of mayor from within the council. Upon the election of the mayor, the town manager will pass the gavel over to the mayor. The mayor will call for nominations for vice mayor. Both mayor and vice mayor are chosen for one-year terms.

During this meeting, council will determine or may adjust committee assignments. These are primarily assignments as liaison to boards and committees or nominations for acceptance as ex-officio members of outside organizations, including:

- Liaison to the Planning Commission
- Liaison to the Orange County Board of Supervisors
- Regional Planning District Director
- Ex officio appointee to Orange Downtown Alliance

Council may also make recommendations for a representative to the Orange County EDA and the Town BZA, depending on term expirations. Council appoints the members of the IDA.

Council will consider an ordinance authorizing the Commonwealth's Attorney to prosecute _____

The Town Manager will typically notify council regarding the preparation of the next year's budget, which must be approved before the end of the current fiscal year (July 1-June 30).

The Director of Finance will make a report.

Staff may provide updates and training presentations as relevant.

Other matters may be included on the agenda as determined by the Town Manager.

The Town Clerk will provide an agenda package to all qualified members of Council by the Wednesday prior to the meeting, which all members should review prior to the session.

A public version of the package (excluding any confidential material or reports) will be distributed and posted on the town's website.

COUNCIL MEETINGS ARE PUBLIC MEETINGS

Try to attend council meetings once you're elected – or as soon as you start your campaign. Not only will you observe the practicalities about how meetings work, you'll also be informed on the issues currently before council. You might be called to vote on items that were discussed at previous sessions. You will at least participate in approval of the minutes – and can do so with the necessary knowledge if you were present at the last meeting. If you couldn't be present, consider whether you should abstain on that issue.

ANATOMY OF A COUNCIL MEETING

CALL TO ORDER

The mayor will call the meeting to order.

PLEDGE OF ALLEGIANCE

The mayor will lead or invite another councilmember to lead those assembled in the pledge of allegiance.

ROLL CALL

The Town Clerk will call the roll, present members answering in turn.

AGENDA

The Town Clerk provides an agenda for each meeting, included in the agenda package released by the Wednesday before the meeting. This agenda is compiled by the Town Manager. Council members may request that the Town Manager add items to the agenda beforehand, at his discretion. The agenda will be adopted by Council at the start of each meeting. Councilmembers or staff may also propose additions to the agenda, which will be discussed, and an amended agenda may be rejected or adopted.

MINUTES

The minutes from the previous meeting or meetings will be prepared by the Town Clerk and included in the agenda package. Council will be asked to approve those minutes. Corrections may be suggested and the minutes, or minutes as amended, will be presented for motion and a vote will be called to approve the minutes for addition to the record.

REPORTS

The Director of Finance will present the financial report at each meeting. Other reports may also be given by staff, contractors or other parties as determined.

UNFINISHED BUSINESS

Any items from a prior meeting for consideration by Council which were not previously resolved.

NEW BUSINESS

New items for consideration by Council which were not previously presented.

ADJOURNMENT

The mayor may close the meeting with relevant comments or announcements.

ORDINANCE OR RESOLUTION?

Ordinance: sets forth a continuing, permanent rule of action.

Resolution: adopted to dispose of administrative matters of a temporary or special nature.

Motion: becomes an official action of the governing body once adopted.

PROCEDURES AND CONDUCT

OATH OF OFFICE

In order to qualify for office, each councilmember is required by law to take a legally-binding oath before the clerk of the circuit court: "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the Commonwealth of Virginia, and that I will faithfully and impartially discharge all the duties incumbent upon me as _____ according to the best of my ability, (so help me God)."

FOIA

The Virginia Freedom of Information Act is a part of the Code of Virginia and exists to establish the balance between government and the goal for open government, allowing citizens and the media operating in the commonwealth to access information in regard to government operations and actions. It underlies everyday application of government, balances the right of action with the need for government to function, assigns a predictable procedure which must be followed and relates to public records.

COIA

Impartially discharging duties means that elected officials should have no conflicts of interest – and should disclose potential conflicts where they may call transactions of a public body into question. Undisclosed conflicts can invalidate

ROBERTS RULES OF ORDER

Town Council has not formally adopted Roberts Rules but uses them as a guide in practice, with adaptations in practice in consideration of local needs. Consistent parliamentary practice is recommended to the presiding officer until a formal adoption of a parliamentary guideline by the body.

CODE OF CONDUCT

The following Code of Conduct is presented to the Town Council for discussion and inclusion herein pending approval.

GOVERNING BODY DISCIPLINE

Governing bodies, like a town council, are self-governing, meaning that each member has ethical and legal responsibility to ensure the body acts appropriately. Bodies have authority to discipline their members. See https://newsvirginian.com/news/local/government-politics/augusta-supervisor-scott-seaton-censured-stripped-of-committee-assignments/article_563516b4-212f-11ee-9466-e77499d8bfd1.html for one example.

CODE OF ETHICS AND STANDARDS OF CONDUCT
FOR MEMBERS OF THE TOWN COUNCIL
OF THE TOWN OF ORANGE

CODE OF ETHICS

Recognizing that persons who hold public office have been given a public trust and that the stewardship of such office demands the highest levels of ethical and moral conduct, any person serving on the Town Council of the Town of Orange should adhere to the following Code of Ethics.

1. Uphold the Constitution, laws and regulations of the United States and of all governments therein and never knowingly be a party to their evasion.
2. Put loyalty to the highest moral principles and to the town as a whole, above loyalty to individuals, districts, or particular groups.
3. Give a full measure of effort and service to the position of trust for which stewardship has been granted; giving earnest effort and best thought to the performance of duties.
4. Seek to find and use the most equitable, efficient, effective, and economical means for getting tasks accomplished.
5. Adopt policies and programs that support the rights and recognize the needs of all citizens regardless of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, status as a service disabled veteran, or any other basis prohibited by state law. Avoid adopting policies, supporting programs or engaging in activities that discriminate against or offend individuals because of race, religion, color, sex, sexual orientation, gender identity, national origin, age, disability, status as a service disabled veteran, or any other basis prohibited by state law.
6. Ensure the integrity of the actions of the Town Council by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone, whether for remuneration or not. A member should never accept for himself or herself or for family members any gifts, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties. In addition, each member shall comply with all applicable provisions of the State and Local Government Conflict of Interests Act, including those provisions that regulate the solicitation and acceptance of gifts, money or other things of value for services performed within the scope of the member's official duties.
7. Make no private promises of any kind binding upon the duties of any office, since a public servant has no private word which can be binding on public duty.
8. Engage in no business with the town government, either directly or indirectly, which is inconsistent with the conscientious performance of government duties except as may be consistent with the conflict of interest statutes in the Code of Virginia.
9. Never use any information gained confidentially in the performance of governmental duties as a means of making private profit.
10. Expose through appropriate means and channels, corruption, misconduct, or neglect of duty whenever discovered.
11. Adhere to the principle that the public's business should be conducted in the public view by observing and following the letter and spirit of the Freedom of Information Act using closed meetings only to deal with sensitive personnel, legal matters, contractual matters or as otherwise provided by the Code of Virginia.
12. Avoid using the position of public trust to gain access to the media for the purposes of criticizing colleagues, citizens or personnel, impugning their integrity or vilifying their personal beliefs.
13. Make sure, when responding to the media, that a clear distinction is made between personal opinion or belief and a decision made by the Council.
14. If requested by any member of the Town Council, review orally and in public session at the annual organizational meeting each of these principles.
15. Pledge to honor and uphold these principles, ever conscious that public office is a public trust.

STANDARDS OF CONDUCT

Recognizing that persons holding a position of public trust are under constant observation by the media and

interested town residents, and recognizing that maintaining the integrity and dignity of the public office is essential for maintaining high levels of public confidence in our institutions of government, every member of the Town Council of the Town of Orange should adhere to the following Standards of Conduct:

1. In responding to questions, from the media or citizens, Council members should remind the listener that they are not speaking for the entire Council, clarify their position on a particular item, and make "no public comment" on closed meeting matters in reference to individuals, real estate, and other areas addressed pursuant to Section 2.2-3711 of the Code of Virginia.
2. Remember that personnel matters are to remain confidential and that it is the obligation of the Council and its membership to protect the privacy of the individual.
3. Focus on issues and avoid making public comments about individuals, staff members, fellow Council members, community residents or media representatives.
4. Ensure that e-mails on matters of public business before the Council which are sent to more than one member shall be sent to all other Council members. Such emails should be routed through the appropriate staff member to avoid an inadvertent meeting.
5. Avoid during public meetings and during the performance of public duties the use of abusive, threatening or intimidating language or gestures directed at colleagues, citizens, or personnel.
6. Pay all taxes due to the county, state, or national government.
7. Attend all regularly scheduled meetings of the Council or committees to which he or she has been assigned, resigning whenever personal circumstances preclude regular attendance.
8. Avoid a private lifestyle that casts public doubt upon the integrity and competence of the town government.
9. Make a conscientious effort to be well prepared for each meeting and, upon review of the agenda for any upcoming meeting, notify the Town Clerk in writing of any matters for which there exists a conflict of interest.
10. Offer criticism of colleagues or town employees only in private meetings with appropriate individuals or in closed meetings.
11. Work to create a positive environment in public meetings where citizens will feel comfortable in their roles as observers or participants.
12. Maintain an attitude of courtesy and consideration toward all colleagues and staff during all discussions and deliberations.
13. Be tolerant. Allow citizens, employees, or colleagues sufficient opportunity to present their views.
14. Be respectful and attentive. Avoid comments, body language or distracting activity that conveys a message of disrespect for the presentations from citizens, personnel or colleagues.
15. Be concise. Avoid the practice of taking more time to address an issue before the body than is necessary and essential for an adequate consideration of those matters being discussed.

If a resident of the Town of Orange makes a complaint that a Council member has violated the Code of Ethics and/or Standards of Conduct, then the following procedure shall be followed:

- A. The Clerk shall forward the complaint to all Council members and the Town Attorney.
- B. The Town Attorney shall review the complaint and determine if it is a valid complaint; a valid complaint is one from a resident which alleges conduct that may constitute a violation of the Code of Ethics or Standards of Conduct.
- C. The Town Attorney will report his/her determination and the grounds therefor to the Council. If the Town Attorney determines that it is not a valid complaint, then the Town Attorney will notify the complainant and no further action will be taken.
- D. The accused member shall then be given a reasonable period of time to respond in writing to the allegations, and his/her response shall be forwarded to all Council members.
- E. The Council and the Town Manager and/or Town Attorney, if needed, may meet to discuss the allegations and the member's response.
- F. At a public meeting, the mayor shall poll each member, except the alleged violator, regarding

- whether a violation occurred. If a majority of the Council members find that a violation has occurred, then the Council, by motion, shall take appropriate action with respect to that violation.
- G. The Chair shall direct the Town Manager to draft a response to inform the complainant of the Council's disposition.

If the mayor is the alleged violator, the vice-mayor shall perform the mayor's duties, as outlined-above.

DRAFT

VIRGINIA FREEDOM OF INFORMATION ACT

PUBLIC RECORDS

FOIA applies to public records, that is, all writings or records, that consist of letters, words, numbers or their equivalent, related to the transaction of the public business and which are owned by or prepared or in the possession of a public body or its officers, employees or agents in the transaction of public business, however stored. When in doubt, it is a public record.

MEETINGS

FOIA applies to all meetings of a public body. Meetings occur any time 3 or more members of a public body gather to conduct public business. And 'gather' can be in person or by telephone, video conference – or even email! A meeting is only legal if it has been properly noticed, the public is invited, and minutes are taken and preserved. While one-on-one conversations (or emails) are not public meetings, they are public records. Attorney-client communications are privileged.

CLOSED MEETINGS

FOIA permits closed sessions of a public body, so long as there is a motion stating the purpose, the subject and a citation to the code permitting the closed session. Members can discuss only the subject stated in the motion and will certify that when returning to the open meeting. FOIA only allows a public body to keep certain information confidential, it does not prohibit the disclosure of the information. If a member of a public body will not honor the confidentiality of a closed meeting the public body has the inherent power to discipline such member. There are some court decisions recognizing the right of a public body to discipline wayward members. Discipline is limited to such things as public censure of the wayward member by the other members of the public body, fines, removal from committee appointments, refusal to allow the offending member to attend conferences, and similar types of actions.

EXCEPTIONS

FOIA contains over 100 exemptions for records. Although many of these exemptions apply to specific agencies or to very content-specific records, there are several records exemptions of general applicability that may be used by virtually all public bodies.

ENFORCEMENT

FOIA violations by a public body are enforced through a lawsuit filed by an injured party. The individual violator is the defendant in any lawsuit – not the public body. If a violation is found, penalties may include payment of the legal bills of the petitioner, a mandamus or injunction against the violator, bad press and fines for knowing and willful violations up to \$2,000 for the first violation and up to \$5,000 in fines for subsequent violation - Paid by VIOLATOR, not the locality!

FOIA COMPLIANCE

Public Records can include your personal email and social media accounts if you use them to conduct public business. Avoid reply-all on emails and use only your town email accounts to protect your personal records. The Town Clerk is the FOIA officer for the Town – when in doubt, ask the Clerk or the Town Attorney.

FOIA WORKSHEET

IS IT A MEETING?

Which of the following are meetings under FOIA?

1. Council members Natasha, Tony and Clint run into each other at the grocery store and talk about a contract on next week's council work session agenda.
2. Council members Carol, Steve and Natasha attend a meeting of the of the citizens advisory board regarding recent police activities at a public demonstration held the day before. They later attend an emergency town council meeting to discuss the actions of the police department.
3. Council members Carol and Steve chat with each other via text messages about the same contract.
4. Planning Commission member Diana has a conference call with Tony and Carol to discuss the commission's progress on the comprehensive plan.
5. Carol, Clint and Steve meet onstage at a public Q&A sponsored by the OCHS debate team and answer questions from the students.
6. Town Manager Nick sends an email to all five council members. informing them about a phone call he received from the DEQ.
7. Natasha replies to all to Nick's email, stating she would like to have further discussion on the agenda for the next council meeting.
8. Clint, Tony and Steve run into each other at a Chamber event and Tony shares photos of his new grandnephew.
9. Carol invites the other four members to follow her new "Council Member Carol Danvers" Facebook group.

PUBLIC RECORDS

Which of the following are public records, subject to FOIA examination and publication?

1. An email from Clint's town email account to Town Clerk Maria's town email account, inviting her to lunch on Thursday.
2. An email from Clint's personal email account asking Maria to add an item to next week's work session agenda.
3. A memorandum written by Town Attorney Jennifer distributed to Town Council members.
4. A video tape of the latest council meeting.
5. Posts on the "Council Member Carol Danvers" Facebook page.
6. Photos on Carol's private Facebook page of her cat at a Town Council meeting.
7. The spreadsheet Maria maintains with personal contact information for all council members.
8. The results of the math test completed by Director of Finance Pepper during her job interview.

VIRGINIA CONFLICT OF INTEREST ACT

PERSONAL INTEREST

COIA states that any officer or employee of local government, who has a personal interest involving that individual or their immediate family in a transaction or contract by that public body, shall disqualify him or herself from participating in the transaction if the transaction has application solely to property or a business or governmental agency in which he has a personal interest or a business that has a parent-subsidary or affiliated business entity relationship with the business in which he has a personal interest," unless certain exemptions apply (Va. Code §2.2-3107).

DISQUALIFICATION

A conflicted member is prohibited from both attending any portion of a closed meeting when the matter in which he has a personal interest is discussed a discussing the matter in which he has a personal interest with other governmental officers or employees at any time. The procedure is for the member to notify the Clerk of the conflict upon review of an agenda and to announce the conflict, and the reason for it, when the matter comes up at a meeting. They should remove themselves from the council table for the discussion and vote. There may be times the member may participate where a personal interest is disclosed. Should any member of council, including the disclosing member, feel that the personal interest creates a conflict, the disclosing member should be disqualified.

DISCLOSURE

All Town Council members are required to submit a disclosure statement, both as a condition of assuming office and each year.

GIFTS

COIA restricts the receipt of certain gifts. In general, at a local level, it is a better idea to not receive gifts -- better safe than sorry. This applies to employees, officers and members of their immediate family. Exceptions exist. All gifts must be reported but some may be accepted. Return, donation or payment for a gift voids the violation.

INFORMATION

COIA restricts the sharing of confidential Information: Section 2.2-3103(4) prohibits members from using confidential information acquired by reason of their public position and which is not available to the public for the officer's own economic benefit or that of another party.

ENFORCEMENT

A knowing violation of COIA, and conviction thereof constitutes malfeasance of office and may result in removal from office and a fine or penalty as provided by law. Such a violation may void any contracts or other transactions executed by the Town in the wake of such violation.

COIA WORKSHEET

IS IT A CONFLICT?

Which of the following are conflicts of interest under COIA?

1. Clint volunteers as a member of the board at a local nonprofit school for deaf children. The school has submitted a request for funding from council.
2. Clint's wife, Laura, instead serves on the board. Does this change the answer?
3. Tony, owner of a company applying for a contract with the Town, gives a birthday present to James Rhodes, his childhood friend who is the Director of Community Development.
4. Clint's wife, Laura, runs a company which has responded to an RFP under consideration by town council.
5. The town needs to purchase an emergency replacement for batteries for vital equipment after a lightning storm. Can the batteries be purchased from Pepper's company?
6. Carol lives with her sister, Monica. Monica is the CFO for a company which purchased a piece of town-owned property last month. Carol did not disclose the relationship or recuse herself from the deliberations
7. The agenda package for the next planning commission meeting includes an application for an SUP from entrepreneur Oswald with plans for his new club, the Iceberg Lounge. Bruce, a planning commission member, is in negotiations with Lex for sale of a property near the proposed site of Oswald's planned club. Sharing this information would increase the value of the property he is planning to sell.
8. The agenda package for the next planning commission meeting includes an application for an SUP from entrepreneur Oswald with plans for his new club, the Iceberg Lounge. Bruce's new girlfriend, Selina, has been hired as a bartender at the Lounge.

IS IT A GIFT?

Which of the following are gifts that must be reported on the disclosure filing? Are the gifts legal?

1. The town pays for all five council members to attend the VML conference.
2. Council appoints Natasha to serve as its representative on the board of a local non-profit. The organization provides a meal or snacks during meetings.
3. Clint receives a voucher for \$75 off a one-year membership in the Virginia League of Archers.
4. Clint, as a member of town council, receives a voucher for free one-year membership in the Virginia League of Archers. Annual dues are \$125.
5. Steve's teenage son's baseball team wins the state finals. The son invites the team for shawarma when they return to town. The cost is over \$100. The owner of the restaurant, recognizing the boy as the son of a council member refuses payment, saying it is 'on the house.'
6. The president of a local association pulls out his wallet and pays for the teens' meal.
7. The local chamber of commerce is holding their fundraiser. Natasha has used personal funds and become the biggest donor this year. The chamber offers her a free ticket as their major donor.
8. Natasha, as mayor, is invited to speak at the widely attended fundraiser, her ticket and meal are paid for by the organization.

See page 18 for answers

LAYOUT PLAN FOR
CHATTER ISLAND DOG PARK
TAX MAP #44-124A
TOWN OF ORANGE, VIRGINIA

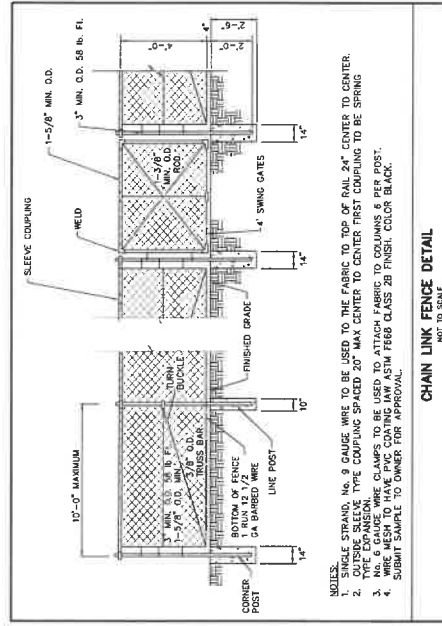
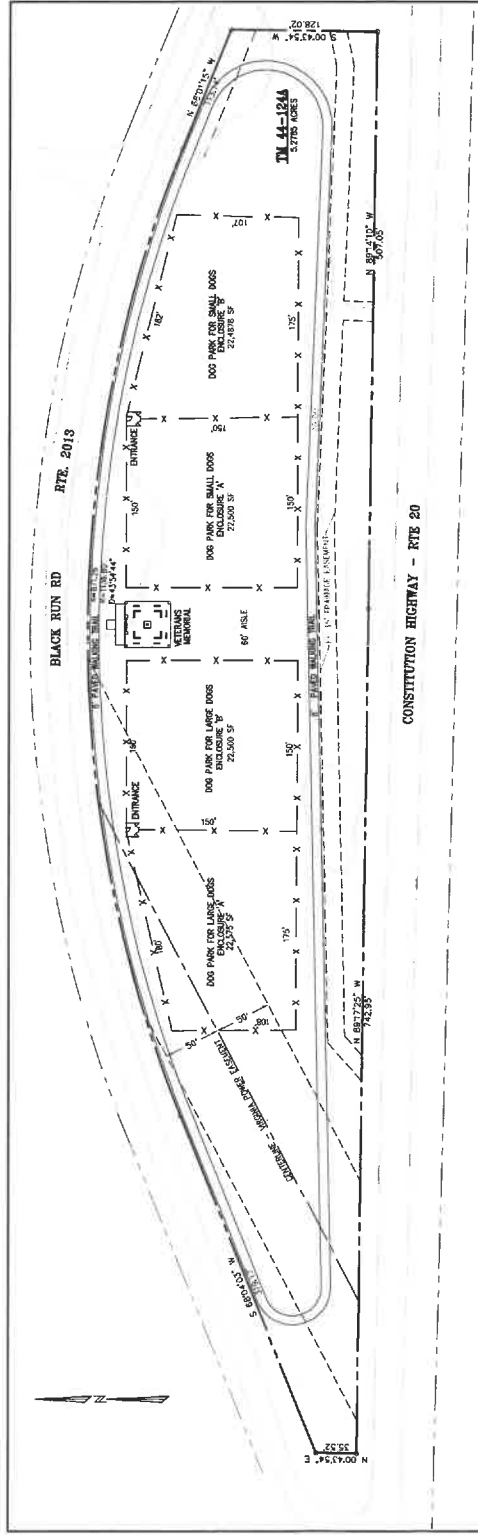
HINCHEY & BAINES, PLC
ENGINEERING AND LAND PLANNING
125 EAST DAVIS STREET
SUITE 201
ORANGE, VIRGINIA 22951
PHONE (540) 828-2220
FAX (540) 828-2230



LAYOUT PLAN
CHATTER ISLAND DOG PARK
TOWN OF ORANGE, VIRGINIA

SCALE:	AS NOTED
DATE:	06/20/2023
DESIGNED BY:	
CHECKED BY:	
REVISIONS:	

SHEET	1	OF	1
FILE NO.	1625		



NOTES

1. TAX MAP #44-124A
2. OWNER: TOWN OF ORANGE
3. PROJECT NAME: CHATTER ISLAND DOG PARK
4. CREDIT LINE: VACANT
5. PROPOSED USE: DOG PARK
6. BOUNDARY INFORMATION TAKEN FROM A SURVEY PERFORMED BY STRAIN & COLEMAN, CLAUDED AUGUST 2, 1994.
7. NO WATER OR SEPTIC SERVICE SHALL BE REQUIRED.

NOTICE REQUIRED

CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION OR BLASTING AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS, PRIOR TO COMMENCEMENT OF CONSTRUCTION.



Any other thoughts you have about how to utilize the former Gardner Property?

Should the park be for different age groups and have different activities

Your Address

Open-Ended Response

The set up of this survey leads the survey taker to say yes to the first leading question where survey puts forth the idea of "multi-use pad" and gives very little detail to the second choice for skate park. Why were details not given about what a "skate park" can be which, as can often be the case be a multi-use space for roller blades, roller skates, skate boards, bikes, scooters, etc. with a track and flat areas for multi-use as well as for skateboard tricks? I feel that the way this survey has been set up was done so that the town has an excuse to say, "Well, we had a survey and people checked yes to multi-use pad more that to "skate park." I am disappointed that a better survey with more explanation and choices and details couldn't have been designed to actually gather creative ideas and solutions. Do better.

Orange needs to provide for its youth. There are no movie theaters, no bowling alleys, no facilities that say "Orange loves its youth." Skateboarding is banned at all malls and major parking lots. The message to youth: you have no place here. No other use for this property would send a youthful message.

Something for the kids to do would be amazing!
Make it happen 😊

Open-Ended Response

Roller sports are for all ages! And seating can have concretes tables for chess playing. And why not have a couple of swings for resting. And a sculptural something for art and climbing. No reason to be so close-minded about possibilities that can be incorporated into a thoughtfully designed "skate park."

This modest space would not support major activities or gatherings. Installing a putt-putt facility would require major changes and entertain few. How would you handle its equipment needs? Could it hold two pickleball courts, which might entertain 8 to 16 (doubles)? Who would maintain the nets and surfaces? Store the equipment? Community activities? Are we saying there are no existing facilities for community activities? If there are, why duplicate what already exists, but does nothing for the youth? Different age groups have multiple locations to enjoy themselves from Iron Pipe Brewery to Veterans Park. They do not need special attention. they are not the ones being left out.

Yes, it would be great to have a place right here in town that anyone for all ages can enjoy without having to leave the area.

Sure , but it's also ok to have something for teens to do that is all their own.

Open-Ended Response

Grayson
Butterfield
11499
Rapidan Rd
Orange, VA
22960

748 Round
Hill Drive,
Orange VA
22960

345 Mimosa
Lane Orange,
VA 22960

188 W Main
St, orange va

Any other thoughts you have about how to utilize the former Gardner Property?	Should the park be for different age groups and have different activities	Your Address
	yes	181 Jefferson St Orange Va 22960
Booster Park is for teens. Hazel Park is for childrens. The older people looks for a place that has the facilities they need it. For example: bathrooms for disabled, paved roads for safe walking; chairs with backrest; trees, etc.		16342 Shannon Ln. Orange, VA
	No an all wheels sport park is what should be there. There r other places for other activities	312 Newton st
Open Park	Yes	182 Burgess St
The town should be proactive in beautifying its gateways. This property is highly visible on a major gateway into town. Efforts should include adding trees and other items to increase the aesthetic value.	Of course; any park should be inclusive.	256 Landon Ln
Activities for kids	Yes	29063 Cottontail Dr. Rhoadesville VA 22542
Keep an open mind and listen to your constituents.	Yes	11428 Westwind Drive, Orange, VA 22960
Public art in addition to other activities	Yes, although permanent skateboard facilities do not preclude other activities or prevent any age group from engaging with the space. Skateboarding, rollerblading, etc. are for all ages!	391 Piedmont Street

Any other thoughts you have about how to utilize the former Gardner Property?

Should the park be for different age groups and have different activities

Your Address

We need something, anything for our youth in this spot and the Skate Park really seems to be thoughtfully planned and have a lot of energy behind it. I see both Cville Skate Parks every day on my Cville commute and they are always teaming with youth and instructors of all ages, in all seasons. It's great exercise and an affordable sport. This location will attract many youth in the Town due to it's walkable location.

A skate park can be for different age groups, but mainly one activity. I just don't want to see inaction on this space for years to come. Strike while the iron is hot. Skateboarding debuted in the 2021 Olympics and an optional sport, will be in the Paris 2024 Olympics as optional and then part of the permanent core program 2028+. The time for hometown skate parks is now. You never know who the next Tony Hawke might be.

The town should make a financial commitment for the MAINTENANCE of this park so that it remains safe, clean and appealing for continued community use for years to come. Many of the other parks in town area not cleaned, landscaped or kept up with usable bathrooms and this makes them feel unsafe and unappealing for families to use them

It should have areas that are for different age groups so that the whole community can enjoy it.

yes

Yes, it should benefit all citizens of the town not just one group of citizens.

The skate park would speak to a population that doesn't have a space for using ramps. We need more youth opportunities for activities in our community!

If there was a way to have the skate park with other space available for other activities that would be amazing but I think the skate park should be a priority. Youth need ACTIVE play areas! Thank you!

Yes, would love something that caters to toddlers as well as teens and everyone in between.

I like the energy created by Just Orange.

Nope, let's not dilute the vision. Keep this skatepark idea focused.

Making it the most multi functional property possible. Something that can be rented out to generate income for the town, and a event location for organizations and families.

Yes

Any other thoughts you have about how to utilize the former Gardner Property?

Should the park be for different age groups and have different activities

Your Address

Splash pad / bigger park

Yes

Business location

Yes

Splash park

All ages

Lets get it done! Too much time has passed since buying the right of way/easement first came up. We have a dedicated and energetic bunch ready to do the heavy lifting to get something done in the town!

There are already many playgrounds and splashpad that cater to the toddler and early grade school ages. Pre-teens and teenagers have zero things available to them. This is a no brainer!

A skatepark can be designed to support all ages and skill levels

Something that the youth can enjoy.

Absolutely!

A skate park would be a fantastic idea.

Yes

Needs to be a site everyone can use.

Yes

A permanent skate park is a recreational space that can be used by ALL ages in the community whether they are participating in skateboarding or grandparents bringing their grandkids for fun...

Any other thoughts you have about how to utilize the former Gardner Property?

Should the park be for different age groups and have different activities

Your Address

As a park that has something for everyone

All ages should be able to utilize the park for recreation purposes!

John Cooley

From: Anna Weatherly <AWeatherly@teci.pro>
Sent: Wednesday, August 30, 2023 12:40 PM
To: John Cooley
Subject: Phase II Estimate and Description

Mr. Cooley

We have an estimated range for a Phase II for Berry Hill Road and have provided a brief summary below. Based on our previous conversations, the below proposed SOW is geared toward the assumption that the Town's future plans for the property involve surface construction (e.g. athletic fields) and do not include extensive excavation. TEC is available for additional discussions on this prior to any Phase II work.

Based on all the information from the previous work conducted at 299 Berry Hill Road, combined with the recent Phase I, it seems that a ground penetrating radar would be prudent prior to collecting soil samples via Geoprobe. That would allow us to 'see' any underground anomalies and help ID where to collect the soil samples relative to past activities. The GPR event would be conducted on one day and the Geoprobe sampling would follow approximately a week later. Due to the nature of the proposed development, the depth of the probes would range from 5-10 feet below ground surface. At this point, we would estimate 17-18 soil samples be collected and this would hopefully take only one day.

The oil that flowed from the former shear building was reported to extend 20-30 feet outside of the door. TEC would collect four samples from each side of the building, two at 20 feet and two at 30 feet. Except for the northern side where only two samples will be collected due to the proximity of the adjoining property and where the previous building was located. In addition, three probes would be advanced through the former location of the concrete floor of the shear building.

Based on site history, each sample should be analyzed for the following parameters:

BTEX/MTBE/Naphth, TPH GRO, TPH DRO, TCLP RCRA 8 Metals, PCBs, PAHs, Sodium/Aluminum Testing, and Fluoride

Estimated cost for Phase II*:

- | | |
|--|----------------------|
| - GPR +Geoprobe, labor, professional geologist, travel, mileage, report.
\$16,000 | Range of \$13,000 to |
| - Geoprobe – add'l day, if needed including labor, equip, supplies
\$8,000 | Range of \$6,000- |
| - Laboratory analysis for above parameters
\$1,400/sample | Approx. \$1,300- |
| o Not all soil samples need to be analyzed for all parameters, and cost will reflect | |

*excludes any offsite soil disposal (and associated add'l lab analyses) generated from cuttings

Anna Weatherly

John Cooley

From: Anderson, Meade (DEQ) <J.Meade.Anderson@deq.virginia.gov>
Sent: Wednesday, September 27, 2023 9:29 AM
To: John Cooley
Subject: Re: Town of Orange - Gardner Property Development

John

DEQ has no "open requirements" of Orange for this property. With that said, what does Orange want to do with the property?

If the property is enrolled into VRP, capping is an option to get a closure and capping is an option outside of VRP but it would not come with the protections provided by being in the program. But I would suggest again, what is the goal. To refresh my memory, was the property ever sampled once the building were razed and the site brought to grade? Those results would have a bearing on any decision.

Thanks

J. Meade R. Anderson, CPG
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Virginia Department of Environmental Quality
1111 East Main Street, Suite 1400
Richmond, Virginia 23219
<https://www.deq.virginia.gov/our-programs/land-waste/land-remediation/voluntary-remediation>

From: John Cooley <townplanner@townoforangeva.org>
Sent: Wednesday, September 27, 2023 8:26 AM
To: Anderson, Meade (DEQ) <J.Meade.Anderson@deq.virginia.gov>
Subject: Town of Orange - Gardner Property Development

Good morning Meade,
We are still working on how best to proceed with the development of the former Gardner property located at 299 Berry Hill Road in the Town of Orange. I have been asked to find out if we encapsulated the property with a gravel base and asphalt overlay, would that address potential environmental concerns of the DEQ?
Please let me know your thoughts.
Regards,



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This correspondence is intended to provide information only and does not constitute a decision or determination pursuant to Section 15.2-2311 of the Code of Virginia.