At a regular meeting of the Orange County Board of Supervisors held on Tuesday, April 10, 2007, beginning at 4:00 p.m., in the Meeting Room of the Gordon Building, 112 West Main Street, Orange, Virginia. Present: R. Mark Johnson, Chairman; Clement L. Dodson, Jr., Vice-Chairman; Thomas E. Graves; Teri L. Pace; and Richard D. Wallace. Also present: William C. Rolfe, County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Dodson moved, seconded by Mr. Wallace and carried, to adopt the agenda as presented. Ayes: Johnson, Graves, Dodson, Pace. Wallace. Nays: None.

RE: CONSENT AGENDA

Mr. Dodson moved, seconded by Mr. Graves and carried, to approve the following consent agenda items as presented:

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

- $55.00 from Donations – 12/20/06 (18990-0320) to Youth Substance Abuse Programs, VA Operation Prom/Grad Workshop Grant (53710-5563);
- $150.00 from Madison County BOS-Ck# 10123503 Dep. 12/20/06 to VA Juvenile Crime Control Act, Anger Management (53600-5654);
- $1,350.00 from Sponser Fee-Royce Publications Ck# 6184 Dep. 3/21/07 to Sheriff's Office, Police Supplies (31200-6010);
- $15.00 from Rebate – Canon Ck# 00115955 Dep. 3/22/07 to Sheriff's Office, Police Supplies (31200-6010);
- $22,150.40 from VDH-Grant – Emergency Medical Svcs Program 3100-24040-200 to E911, Emergency Medical Dispatch Program (31400-3700);
- $897.77 from Carry forward of project funds FY06 to At Risk Program, Supplies (GBES) 53780-6001).

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

- $4,500.00 from Solid Waste Disposal, Communications (513-42400-8230), $279.00 from Solid Waste Collections, Contracted Collections (513-42300-3180), $500.00 to Solid Waste Disposal, Advertising (513-42400-3600), $2,650.00 to Solid Waste Disposal, Uniforms (513-42400-6011), $1,000.00 to Solid Waste Disposal, Heating Oil (513-42400-5120);$200.00 to Solid Waste Disposal, Office Supplies (513-42400-6001), $75.00 to Landfill Collection Center, Janitorial Supplies (513-42317-6005), $75.00 to L.O.W. Collection Center, Maintenance Supplies (513-42312-6007), $234.00 to Solid Waste Collections, Employee Physicals (513-42300-3110), $45.00 to Solid Waste Collections, Criminal History Checks (513-42300-3111).

RE: MINUTES

The Board approved the following minutes as presented:
February 20, 2007 – Continued Meeting
February 27, 2007 – Regular Meeting
March 1, 2007 – Budget Worksession
March 6, 2007 – Budget Worksession
March 8, 2007 – Subdivision Ordinance Worksession

RE: RESOLUTION FOR BUSINESS & INDUSTRY APPRECIATION

The Board approved the following resolution for Business & Industry Appreciation Week:

RESOLUTION FOR BUSINESS & INDUSTRY APPRECIATION WEEK

WHEREAS, Orange County is the home of over 900 business and industry employers providing approximately 9,500 jobs and generating annual payrolls in excess of $250,000,000; and

WHEREAS, business and industry in Orange County offers a broad range of employment opportunities in agriculture, commercial and manufacturing services, and provide a stable revenue base to help support County and Town public services including education and public safety; and

WHEREAS, Orange County has always endeavored to promote balanced growth and development by recognizing the importance of its historic and scenic land and water resources along with the need to provide jobs and incomes to the citizens of Orange County and future generations; and

WHEREAS, the jobs and investments created by business and industry have contributed greatly to Orange County's growth and prosperity and recognition as one of Virginia's most outstanding communities to work and live;

NOW, THEREFORE, BE IT RESOLVED THAT: the Orange County Board of Supervisors, Gordonsville Town Council, Orange Town Council, and Orange County Chamber of Commerce hereby salute our existing business and industry employers and express sincere appreciation for their outstanding contributions to Orange County's economy and employment base;

AND BE IT FURTHER RESOLVED THAT: the week of May 13 – 19, 2007 is hereby declared Business and Industry Appreciation Week in Orange County and the Towns of Gordonsville and Orange.

RE: REQUEST FOR A WAIVER OF BUILDING PERMIT FEES – GORDONSVILLE RESCUE SQUAD

Mr. Dodson moved, seconded by Mr. Graves and carried, to approve a request from Orange County Rescue Station #24 (Gordonsville) for a waiver of building permit fees associated with changing temporary electrical service on a pole to permanent service.

RE: REQUEST FOR A WAIVER OF BUILDING PERMIT FEES – ORANGE COUNTY PUBLIC SCHOOLS

Mr. Dodson moved, seconded by Mr. Graves and carried, to approve a request from the Orange County Public Schools for a waiver of building permit fees associated with the installation of lights on the softball field at Orange County High School and the soccer field at Prospect Heights Middle School; and also for the upgrades to the refueling stations located at Unionville Elementary, Gordon Barbour and Locust Grove Elementary.

RE: REQUEST TO SCHEDULE A PUBLIC HEARING – YORK PROPERTY

Mr. Dodson moved, seconded by Mr. Graves and carried, to schedule a public hearing on May 8, 2007, to consider the transfer of the County's portion of the York Property to the Orange County Economic Development Authority.

Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: JANUARY 6, 2007 – BOARD RETREAT MINUTES

Mrs. Pace requested that this item be pulled from the consent agenda for discussion. She made a motion to revise the January 6, 2007 – Board Retreat Minutes as follows: *Appointment of Board*

Members and Staff to Various Boards, Commissions and Organizations to read as follows: *'This item was tabled at the January 2, 2007, Organizational Meeting. Mr. Graves stated that he could no longer support Mrs. Pace serving on the Economic Development Authority because of his perception that she was not supportive of economic development. Mrs. Pace stated that there was no basis for that perception and she is very supportive of positive economic development. The Board voted 4 to 1 to remove Mrs. Pace and then voted 4 to 1 to have Mr. Graves serve on the EDA. The Board determined that a Tourism Committee would be beneficial to the County and appointed Mr. Dodson and Mrs. Pace to serve on the committee. Mr. Wallace moved, seconded by Mr. Graves and carried, to approve the following list of Board Member appointments . . . .'*

Discussion ensued among the Board regarding the term expiration date for Board members serving on various Boards, Commissions and Committees. Following a lengthy discussion, Chairman Johnson asked if there was a second to Mrs. Pace's motion. There being none, the motion failed for lack of a second.

Mr. Graves stated that the Board did not vote to remove Mrs. Pace from the EDA because all of the terms ended on December 31st and suggested that the following language be removed: '*voted 4 to 1 to remove Mrs. Pace and then'.*

Mr. Wallace moved, seconded by Mr. Dodson and carried to approve the January 6, 2007 Board retreat minutes as revised. Ayes: Johnson, Graves, Dodson, Wallace. Nays: Pace.

RE: PUBLIC APPEARANCES

RE: SERVICE AWARD PRESENTATION

Thomas "Moose" Mallory was recognized for his ten years of dedicated service to the County.

RE: VDOT UPDATE

Don Gore, VDOT Resident Engineer, update the Board on the status of various projects within Orange County, and the Supervisors discussed various projects within their districts.

RE: AIRPORT TERMINAL DESIGN UPDATE

Ted Coberly, Assistant County Administrator, and Adam Switzer of Delta Airport Consultants, briefed the Board on the proposed Airport Terminal Project and new cost figures associated with the project.

RE: DISCUSSION OF POSSIBLE REFINANCING OF EXISTING DEBT

Ted Cole of Davenport and Company briefed the Board on current debt service; debt associated with Courthouse and Animal Shelter project; and bank qualified loans. He concluded by saying that Davenport is watching the market to see if it would be beneficial for the County to refinance current debt.

RE: ACTION ITEMS

RE: BARBOURSVILLE FIRE STATION LEASE AGREEMENT

Craig Johnson, Assistant Director of Fire & EMS, explained that the proposed lease agreement is representative of the former lease agreement between the Barboursville Volunteer Fire Company and the County of Orange. The lease includes the use of the station living facilities and the bay space. He stated that the agreement is basically the same agreement that was in place two years ago when the department operated from the Barboursville Fire Station. He concluded by saying that this will be the base of operations to provide emergency medical services to the citizens of western Orange County, twenty four hours per day seven days per week. Mr. Johnson noted that the proposed lease agreement has been reviewed and approved by the County Attorney as well as the Keith Green, Chief of Barboursville Volunteer Fire

Company.

Mr. Graves moved, seconded by Mr. Dodson and carried, to approve the Barboursville Fire Station Lease Agreement as presented. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: REVISED INTERLOCAL AGREEMENT TO IMPLEMENT THE WORKFORCE INVESTMENT ACT

Mr. Rolfe stated that the Piedmont Workforce Network has revised the Interlocal Agreement for jurisdictions participating in the Piedmont Workforce Network. The original agreement was signed in 2000 to establish the council and board. He explained that because changes were made to the board structure last year and the names of the council were changed, the Interlocal Agreement must be changed to reflect the current organization. Mike Shareck, who serves as the business representative of Orange, voiced his support for the new agreement as presented.

Mr. Dodson moved, seconded by Mr. Wallace and carried, to adopt the revised Piedmont Workforce Network – Interlocal Agreement as presented. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: ADDITIONAL FUNDING FOR LEGAL SERVICES

Ted Coberly, Assistant County Administrator, stated that the current year's costs associated with processing parcels on which there are delinquent taxes have substantially exceeded the budget. He indicated that there is a deficit of $8,655.81 in the account for suit filing fees. Further, there are shortfalls of $860 in the appraisal account and $850 in the survey account. Mr. Coberly stated that Henry Carter, attorney representing the County in these matters, estimates that a total of $15,000 is required to cover the bills already incurred and to last through the end of the fiscal year. Mr. Coberly indicated that approximately $3,000 of the required funds can be transferred from the advertising account in Legal Services and the remaining $12,000 must come from the contingency fund. He concluded by saying that the contingency fund currently has a balance of $98,032.57 and if the Board approves the proposed action, the new balance will be $86,032.57.

Mr. Carter stated that the shortfall occurred when the Board approved the payment of funds to Kathryn Spellman.

Mr. Dodson moved, seconded by Mr. Wallace and carried, to approve the transfer of $10,000 from the contingency fund to budget line 12210-3153 and $2,000 from the contingency fund to budget line item 12210-3170 to fund delinquent tax suit operations through the end of the fiscal year. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: CRACKERJACKS REQUEST TO DISPLAY FIREWORKS

Mr. Rolfe stated that Crackerjacks, Inc. has requested permission to display fireworks on the following dates on property owned by Herbert Jenkins, located at 32740 Indiantown Road, Locust Grove:

May 18, 2007 and 19, 2007 with a rain date of May 20, 2007; July 20, 2007 and July 21, 2007 with a rain date of July 22, 2007; August 4, 2007 with a rain date of August 5, 2007; and October 12, 2007 and October 13, 2007 with a rain date of October 14, 2007. He stated that he had heard from several Board members and citizens that, due to the growth in that area, there may be individuals who would not appreciate the noise associated with the displays. Mrs. Pace stated that she had spoken with David Clark, Vice President of Crackerjacks, Inc., who indicated that the dates in August can be removed. She stated that he agreed to advertising the display dates in

the *Orange County Review* and the *Free Lance Star* to notify citizens in the area, as well as sending out a survey to see if people are negatively affected.

A brief discussion ensued among the Board. No action was requested or taken.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES
The Board made no appointments at this time.

RE: PIEDMONT WORKFORCE NETWORK – COUNTY REPRESENTATIVE
The Board requested that this item be added to its April 24, 2007 agenda.

RE: CLOSED SESSION
At 5:30 p. m., Mr. Dodson stated, "Mr. Chairman, I move this meeting be recessed and that the Orange County Board of Supervisors immediately reconvene in closed session for the following purposes:

- Discussion or consideration of acquisition of real property for a public purpose, that being for a school, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code section 2.2-3711(A)(3);

- Discussion of the award of a public contract involving the expenditure of public funds for a new school, and the discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code section 2.2-3711(A)(30);

- Consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, regarding a claim by Robert and Anne Reinhardt, as permitted by Virginia Code section 2.2-3711(A)(7);

- Discussion or consideration of the acquisition of real property for a public purpose, that being for the Route 20 sewer line project, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, as permitted by Virginia Code section 2.2-3711(A)(3); and

- Consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, regarding a letter agreement between the County and W. L. Herndon and Donald L. Herndon, as permitted by Virginia Code section 2.2-3711(a)(7) ."

The motion was seconded by Mr. Wallace and carried. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: OPEN SESSION
At 7:00 p.m., Mr. Dodson moved, seconded by Mr. Wallace and carried, to reconvene in open session whereupon the Board adopted the following resolution:

WHEREAS, the Orange County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by this Orange County Board

of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Orange County Board of Supervisors.

The motion carried. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: PUBLIC COMMENT

- Frank Beverina commented on Route 20.
- Lee Frame commented on Route 20.

RE: BOARD COMMENT

Mrs. Pace suggested having the County Administrator contact the Sheriff's Office to request that more deputies patrol Route 20.

Mr. Dodson stated that he has lived in a subdivision off of Route 20 since 1983 and traffic has grown exponentially. He concluded by saying that Richmond officials are the only ones who can do something.

Mr. Wallace suggested that the Board compile a letter of statistics and send to Richmond.

By consensus, the Board requested the County Administrator to draft a letter to legislators regarding the need for improvements to Route 20 to make it a safer highway.

RE: DISCUSSION ITEMS

RE: 7TH DISTRICT REGIONAL VACO COURTHOUSE MEETING – DESIGNATION OF COUNTY ATTENDEE

By consensus, the Board designated the County Administrator to be the spokesperson on behalf of the County. The Board requested that the County Administrator prepare speaking points for Board's review at its April 17, 2007 meeting.

RE: INFORMATION ITEMS

RE: TREASURER'S REPORT

The following information was presented to the Board for its information:

- Orange County Treasurer's Report.

RE: CALENDAR

RE: SCHEDULE WORKSESSION FOR SUBDIVISION ORDINANCE

By consensus, the Board scheduled a Worksession at its meeting on Tuesday, April 17, 2007, to discuss the Subdivision Ordinance.

RE: BUDGET WORKSESSION

Mr. Rolfe gave a brief overview of the budget. Discussion ensued among the Board regarding

changes made to the budget, including revenue and expense categories.
Discussion continued following the public hearing.

RE: PUBLIC HEARINGS

RE: VDOT - PROPOSED SECONDARY SIX-YEAR PLAN

At 7:30 p.m., this being the time and place as advertised in the Orange County Review, Chairman Johnson called the public hearing to order to receive comments on the following:

> Proposed Secondary Six-Year Plan for Fiscal Years 2007/08 through 2012/13 in Orange County and on the Secondary System Construction Budget for Fiscal Year 2007/08.

Roy Tate, VDOT Assistant Resident Engineer, briefly explained the Secondary Six-Year Plan and answered questions from the Board.

Chairman Johnson opened the floor for public comment at 7:41 p.m. There being none, the public hearing was closed.

Mr. Wallace moved, seconded by Mr. Dodson and carried, to approve the Six Year Road Improvement Plan and Construction Budget as presented. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: WILDERNESS SHORES SUBDIVISION PLAT – VACATION OF CERTAIN PORTIONS

Chairman Johnson called the public hearing to order to receive comments on the following:

> A proposed ordinance to vacate certain portions of the Wilderness Shores subdivision plat, executed by B. Calvin Burns on April 6, 1967, and of record in the Clerk's Office of the Circuit Court of Orange County, Virginia at Plat Cabinet B, Slot 85, and continuing, and encompassing approximately 435 acres, more or less, and to validate, declare effective and/or approve corresponding lot line adjustments and (re)subdivision plats.

Mr. Rolfe explained that it was recently brought to the attention of County staff that the vacation of lot lines within the Wilderness Shores development has not occurred in accord with the processes outlined in the Code of Virginia. Upon review of the Code and consultation with the County Attorney, the County now desires to hold a public hearing for the vacation of lot lines and rededication of recently recorded lots within the subdivision in order to clear up any title issues that may arise with respect to lot lines and easements. Mr. Rolfe noted that the vacation of lot lines for sections not yet "redivided" will allow Tricord to proceed with the redivision of these sections in accord with the development concept approved upon rezoning of the southern portion in 1995. He stated that the redivision as intended by Tricord for this area will include preservation of a portion of the property in observance of the flood inundation zone for the Lake of the Woods Dam. He indicated that this is purely a housekeeping item intended to protect current and future owners of property within Wilderness Shores and will not result in any change of zoning or the increase of the number of lots within the subdivision.

Deborah S. Kendall, Director of Strategic Planning, briefly reviewed a map of the area and answered questions from the Board.

At 7:49 p.m., Chairman Johnson opened the floor for public comment. The following individuals spoke:

Doug Rogers, 113 Birchside Circle, Locust Grove; Douglas Crain, 146 Monticello Circle, Locust Grove; Lee Frame, 103 Woodland Train, Locust Grove; William Edens, 35410 Wilderness

Shores Way, Locust Grove; Eldon Rucker, 214 Mt. Pleasant Drive, Locust Grove; Jeff Flynn, 208 Madison Circle, Locust Grove; John Bailey, 102 Lakeview Parkway, Locust Grove; Jim Hopkins, 135 Green Street, Locust Grove; Neil Buttimer, 256 Washington Street, Locust Grove; Connie Buttimer, 256 Washington Street, Locust Grove; Christa Falb, 35175 Pheasant Ridge Road, Locust Grove; Tim Hall, Tricord representative, PO Box 42150, Fredericksburg; and Jim Curtiss, 9114 Snowy Egret Court, Spotsylvania.

There being no further comment, Chairman Johnson closed the public hearing at 8:14 p.m.

Discussion ensued among the Board concerning building in an inundation zone.

Following discussion, Mr. Wallace moved, seconded by Mr. Dodson and carried, to adopt the following ordinance as presented:

AN ORDINANCE TO VACATE CERTAIN PORTIONS OF THE WILDERNESS SHORES SUBDIVISION AND VALIDATE, DECLARE EFFECTIVE AND/OR APPROVE CERTAIN PLATS OF RECORD IN THE CIRCUIT COURT CLERK'S OFFICE

WHEREAS, in 1967 a plat of subdivision of land, to be known as Wilderness Shores, was recorded in the Clerk's Office of the Circuit Court of the County of Orange, Virginia; and

WHEREAS, since 1967 the land subdivided and known as Wilderness Shores has been owned by different individuals and entities; and

WHEREAS, certain parts of the Wilderness Shores subdivision have been developed by the individuals and entities over a period of time; and

WHEREAS, Section 15.2-2272 of the Code of Virginia, 1950, as amended provides for the vacating of a subdivision both before and after a lot(s) has been sold from a recorded plat of subdivision; and

WHEREAS, the Board of Supervisors has the authority pursuant to Section 15.2-2272(2) of the Code of Virginia, 1950; as amended, to adopt an ordinance to vacate a plat or portion thereof, and

WHEREAS, the Board of County Supervisors has advertised this proposed ordinance, in accordance with the of the Code of Virginia, 1950, as amended

NOW THEREFORE, BE IT ORDAINED that pursuant to Section 15.2-2272(2) of the Code of Virginia, 1950, as amended, the following parts of the Wilderness Shores Subdivision Plat, as originally recorded in Plat Cabinet B, Pages 85-98, (inclusive) and in Map Book 2, Pages 19 through 32 (inclusive), are vacated with the lot lines concurrently adjusted, replatted and/or (re)subdivided by validation and/or approval pursuant to, *inter alia,* Section 54-178 of the Orange County Subdivision Ordinance, of the following plats:

(a) Lots 35-42 (inclusive), 48-50 (inclusive), 846, 848-860 (inclusive), 867-878 (inclusive), 891-897 (inclusive), as adjusted, replatted and/or resubdivided by plat recorded in Plat Cabinet D Pages 394-396, inclusive/Deed Book 515, Page 590; and

(b) Lots 454, 468-480 (inclusive), and 575-584 (inclusive), as adjusted, replatted and/or resubdivided by plat recorded in Plat Cabinet F Pages 1 and 2/Deed Book 553, Page 217; and

(c) Lots 1- 6 (inclusive), 7-34 (inclusive), 35A-42A, 48-146 (inclusive), 406-430 (inclusive), 431A-435A (inclusive), 436-456 (inclusive), 489A, 764-819 (inclusive), 821-846 (inclusive), 848A-859A (inclusive), 860-866 (inclusive), 867A-878A (inclusive), 879-892 (inclusive), 893A-896A (inclusive), 897-981 (inclusive), 982A-993A (inclusive), and 994-1006 (inclusive), and Parcel A, containing 4. 3543 acres, more or less, and the

remainder of Parcel B, containing 3.57 acres, more or less, and Parcel C, containing 24.8643 acres, more or less, and an "Open Space" parcel containing 5.1306 acres, more or less, as shown the plat entitled "Wilderness Shores" dated April 1967, and recorded in Plat Cabinet B, Pages 85-98, (inclusive) and in Map Book 2, Pages 19 through 32 (inclusive), and Final Plat of Subdivision recorded in Plat Cabinet D, Pages 394-396 (inclusive), and Final Plat of Subdivision recorded in Plat Cabinet F, Pages 1 and 2 and in Deed Book 553 Page 217, as hereby adjusted, replatted and/or resubdivided by:

(i) Vacation of Subdivision Plat of a Portion of Wilderness Shores Subdivision and Re-Subdivision of Certain Lots and Common Areas, Wilderness Shores Sections 2 through 8, and Conveyance of 50' Ingress/Egress and Public Utility Easement, dated January 13, 2004 between Tricord, Incorporated and Rapidan Service Authority, recorded as Instrument No. 040000984, together with "Plat of Lot Line Adjustment & Vacation, A Portion of Wilderness Shores", dated February 5, 2003, prepared by Webb and Associates, also recorded in Plat Cabinet J, Pages 205-222; and

(ii) Subdivision Plat, Wilderness Shores, Section Two, dated July 18, 2003, revised December 23, 2003, recorded as Instrument No. 040000986 and in Plat Cabinet J, Pages 223-228; and

(iii) Vacation of Subdivision Plat of Section Three Wilderness Shores Subdivision and Re-Subdivision of Section Three Wilderness Shores, dated August 23, 2004, recorded as Instrument No. 040010034, together with Plat of Lot Line Adjustment & Vacation, Wilderness Shores Section Three, dated March 9, 2004, and also recorded in Plat Cabinet J, Pages 380-386; and

(iv) Vacation of Subdivision Plat of Section Four Wilderness Shores Subdivision and Re-Subdivision of Section Four Wilderness Shores, dated June 20, 2005 recorded as Instrument No. 050010990, together with Plat of Lot Line Adjustment & Vacation, Wilderness Shores Section Four, dated June 1, 2005, and also recorded in Plat Cabinet K, Pages 313-318; and

(v) Vacation of Subdivision Plat of Section Seven Wilderness Shores Subdivision and Re-Subdivision of Section Seven Wilderness Shores, dated May 16, 2005 recorded as Instrument No. 050006922, together with Plat of Lot Line Adjustment & Vacation, Wilderness Shores Section Seven, dated November 5, 2004, and also recorded in Plat Cabinet K, Pages 234-240; and

(vi) Deed of Correction and Confirmation dated December 15, 2005, recorded as Instrument No. 060000387, with Plat of Correction, Wilderness Shores, Section Seven, dated December 6, 2005, also recorded in Plat Cabinet L, Page 31; and

(vii) Plat of Lot Line Adjustment & Vacation, Wilderness Shores Sections Five, Six & Eight, prepared by Webb and Associates, dated August 4, 2006, revised November 29, 2006; and

(d) Lots 147-351 (inclusive), 362-404 (inclusive), 457-467 (inclusive), 519-548 (inclusive), and 585-763 (inclusive), as adjusted, replatted and/or resubdivided by:

(i) Preliminary Plat, Wilderness Shores, Revised Lot Layout—South of Wilderness Shores Drive, dated October 8, 2004, approved by Orange County Planning Commission on January 6, 2005 and executed by the Orange County Director of Planning on June 24, 2005; and

(ii) Plat of Vacation & Lot Line Adjustment, Wilderness Shores, Southside & Revised Parcel D, prepared Webb and Associates, dated September 1, 2006, revised November 30, 2006; and

(iii) Plat of Subdivision, Wilderness Shores, Section 9, prepared by Webb and Associates, dated September 19, 2006.

AND BE IT FURTHER ORDAINED that the foregoing vacation shall vacate all streets, roads, rights-of-way dedications and/or easements for:

(a) Lots 7-34 (inclusive), 35A-42A, 48-146 (inclusive), 406-430 (inclusive), 431A-435A (inclusive), 436-456 (inclusive), 489A, 764-819 (inclusive), 821-846 (inclusive), 848A-859A (inclusive), 860-866 (inclusive), 867A-878A (inclusive), 879-892 (inclusive), 893A-896A (inclusive), 897-981 (inclusive), 982A-993A (inclusive), and 994-1006 (inclusive),

and
(b) Lots 147-351 (inclusive), 362-404 (inclusive), 457-467 (inclusive), 519-548 (inclusive), and 585-763 (inclusive), as shown on the plats recorded in Plat Cabinet B, Pages 85-98, (inclusive) and in Map Book 2, Pages 19 through 32 (inclusive), and Final Plat of Subdivision recorded in Plat Cabinet D, Pages 394-396 (inclusive), and Final Plat of Subdivision recorded in Plat Cabinet F, Pages 1 and 2 and in Deed Book 553 Page 217, *except for:*
(i) that portion of Wilderness Shores Way (formerly known as Robey Drive) beginning at the easterly line of Lot 468A/Lot 584A and continuing westward to westernmost portions of Lot 1/Lot 357, and
(ii) any utility easements and/or rights-of-way adjacent to the immediately foregoing described portion of Wilderness Shores Way; and
(iii) the easements reserved to the Virginia Department of Highways (now the Virginia Department of Transportation) from the street line to the top or bottom of cut and fill slopes (respectively) adjacent to the immediately foregoing described portion of Wilderness Shores Way.

AND BE IT FURTHER ORDAINED that pursuant to Section 15.2-2276 of the Code of Virginia, 1950, as amended, after the effective date of this ordinance, the Clerk of the Circuit Court of Orange County, Virginia is directed to concurrently with the forgoing mark as "Vacated" on the subdivision plat recorded in Map Book 2, at Page 19 through Page 32 (inclusive), and Plat Cabinet B, Pages 85 to 98 (inclusive), those lots and/or parcels that are specifically listed herein as being vacated, and record a certified copy of this ordinance in the Office of the Clerk of the Circuit Court of Orange County, Virginia indexed to Map Book 2, Pages 19 through 32 (inclusive) and Plat Cabinet B, Pages 85 to 98 (inclusive), pursuant to Section 15.2-2272(2) of the Code of Virginia, 1950, as amended.

AND BE IT FURTHER ORDAINED that this ordinance shall become effective thirty (30) days after its adoption unless an appeal pursuant to Section 15.2-2272(2) of the Code of Virginia, 1950, as amended, is filed within that time period, in which case, this ordinance shall become effective as directed by a court of competent jurisdiction.

Ayes: Graves, Dodson, Wallace. Nays: Johnson, Pace.

RE: RECESS
The Board took a short recess at 8:26 p.m. and reconvened at 8:44 p.m.

RE: BUDGET WORKSESSION CONTINUED
Discussion resumed concerning: debt service, airport project; and the need to cut spending rather than using savings.

RE: ACTION FOLLOWING CLOSED SESSION
Mr. Wallace moved, seconded by Mr. Dodson and carried, to authorize the County Attorney to schedule public hearings as necessary to seek authority from this Board for condemnation powers to acquire property necessary for the Route 20 force main sewer project. Ayes: Johnson, Graves, Dodson, Wallace. Nays: Pace.

Mr. Graves made a motion, seconded by Mr. Wallace and carried, to resolve the claim of Robert and Anne Reinhardt for the amount of $10,000.00, which is to be transferred from the Contingency Fund to line item 81100-5860, Planning and Zoning Miscellaneous, leaving a balance in the Contingency Fund of $76,032.57. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 9:08 p.m.