BOARD OF SUPERVISORS MINUTES **JULY 10, 2007**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, July 10, 2007 beginning at 7:00 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 approve the agenda as revised. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriation:

- $12,968.00 from SNAF Spay/Neuter (3-100-16060-0150) to Animal Shelter, Prof. Services – Spay/Neuter (Adoption) (100-35200-3116).

RE: MINUTES

The Board approved the minutes of the May 22, 2007, Regular Meeting as presented.

RE: REQUEST TO SCHEDULE A PUBLIC HEARING TO APPROPRIATE GRANT MONEY FOR AIRPORT APRON PROJECT

The Board directed the County Administrator to advertise a public hearing on July 24, 2007, for the consideration of a supplemental appropriation to the FY 08 budget in an amount not to exceed $1,878,947.37 to support execution of Phase I of the Airport Apron Project.

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

RE: PUBLIC APPEARANCES

RE: SERVICE AWARD PRESENTATION

The following employees received recognition for their years of dedicated service to Orange County:

- Mark Amos, Orange County Sheriff's Office – Twenty Years
- Donna Curry, County Administrator's Office – Ten Years
- Jayne Rogers, Office of the Commissioner of the Revenue – Ten Years.

RE: VDOT UPDATE, DON GORE, RESIDENT ENGINEER

Don Gore, VDOT Resident Engineer, updated the Board on the status of projects within Orange County. He provided a statistical report to the Board regarding accidents from Route 3 to Route 20 in comparison to other roadways in the state of Virginia. Mr. Gore indicated that VDOT plans to extend the 45 MPH speed limit and post additional speed limit signs to help alleviate accidents on Route 20. Major Mark Amos of the Orange County Sheriff's Office commented on the new speed signs located in the Town of Orange and indicated that the Town Manager is checking into the matter as they have received numerous complaints regarding the change. Mr. Gore stated that VDOT was not consulted by the Town regarding the speed limit change.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mr. Rolfe explained that the Executive Board and Board of Directors of the Thomas Jefferson Partnership for Economic Development (TJPED) have been transformed into a more unified group consisting of private sector partners and the highest ranking non-elected government officials (County Administrator, City Manager) of the public sector. The hope is that the public sector representatives will more directly have the access to and hold the vision of the local elected bodies. He stated that as part of the re-organization, all of the local economic directors have or are in the process of resigning from the Board of Directors. A new marketing team has been formed including the economic directors and their emphasis will be on marketing, branding, business expansion/retention; business attraction and product development.

Mr. Graves moved to accept Julie Jordan's resignation from the Thomas Jefferson Partnership for Economic Development (TJPED) and to appoint Bill Rolfe to serve on the Committee. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: CLUSTER SUBDIVISION ORDINANCE WORKSESSION

Chairman Johnson stated that the Board had adopted an ordinance regarding Cluster Subdivisions as it has been mandated by the State. The Board agreed to lose no time in getting back to adopting a permanent ordinance. Mr. Dodson inquired about model ordinances from other localities. Chairman Johnson indicated that the biggest hurdle will be identifying the 40% allocation which prompted legislation by the State. Mr. Graves agreed and stated that that will be the critical part. Mr. Rolfe stated that staff has asked the Piedmont Environmental Council to prepare maps with their GIS system which shows the number of acres in Orange County zoned Agricultural and Residential because the 40% is based off of that; and to look at the areas that are designated growth areas in the Comprehensive Plan.

Discussion ensued regarding the 40% allocation. Mr. Wallace questioned why the County was having the PEC prepare maps. Mr. Rolfe stated that MSAG Data Consultants can prepare the maps; however there is a cost involved. The PEC can prepare the maps at no charge. Mrs. Kendall commented on what other localities have done with cluster ordinances. Mr. Rolfe felt that identifying the 40% allocation will be difficult and suggested that the Board consider a "Conservation" zoning classification, take everything that is shown on the Future Land Use map as Conservation. He indicated that State law requires localities to have 40% of agriculture and residential land identified; thus reducing the total number of acres that the zoning ordinance would be applicable to.

Discussion ensued including: the total number of acreage currently in the agricultural conservation easement; identifying 40% allocation without input from the citizens; the current process for rezoning land; and the limitation of by-right cluster subdivisions.

The Board requested that this item be added to its July 24, 2007 agenda for further discussion.

RE: DISCUSSION ITEMS

RE: SIGNAGE ON ROUTE 3

Supervisor Wallace requested that this item be added to the agenda for discussion. He distributed copies of signage that he had obtained to be located at each entrance welcoming drivers to Orange County.

Mr. Wallace moved to authorize the County Administrator to get bids for two County signs stating *"Welcome to Orange County, Home of James Madison, Father of the U. S. Constitution"* installed along Route 3, not to exceed $8,400. Chairman Johnson seconded the motion for discussion and requested that "U. S." be removed. Discussion ensued. Mrs. Pace and Mr. Wallace requested that "U. S." not be removed. Chairman Johnson withdrew his second to the

motion. Mrs. Pace seconded Mr. Wallace's original motion. Ayes: Johnson, Wallace. Nays: Graves, Dodson, Pace.

By consensus, the Board requested that the County Administrator obtain signage designs and prices for its consideration at a future Board meeting.

RE: TOURISM COORIDOR OVERLAY

Mrs. Pace requested that this item be added to the agenda for discussion. She requested that the Board consider asking the Planning Commission to look at a Tourism Corridor Overlay that would have only three criteria: (1) 35 feet, year round, vegetative screening buffer with a minimum of three tiers of trees and shrubs; (2) all light pollution would remain on the owners property; and (3) the maximum sign size be 12 feet x 10 feet in order to keep Orange County looking nice as it is know for its beauty.

Discussion ensued regarding the need for stronger restrictions on new developments. Mr. Wallace suggested that the Board go back and review the original document. Mr. Dodson indicated that this is long overdue as there needs to be something in place for future development. Chairman Johnson stated that businesses don't typically like to be invisible to the public as it defeats the purpose. He stated that the County needs a way to address building components that major corporations are using to get around sign ordinances but he is not sure that a Tourism Corridor Overlay is a way to effectively do that.

By consensus, the Board requested that this item be added to its August 28, 2007 agenda for review and discussion.

RE: INFORMATION ITEMS

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

- Treasurer's Report
- RRCSB Executive Director's Report – June, 2007.

RE: CALENDAR

The Board received copies of its calendar for the months of July, August and September, 2007.

RE: RECESS

The Board recessed at 5:27 p.m. for dinner and reconvened at 7:00 p.m.

RE: PUBLIC COMMENT

Chairman Johnson opened the floor for public comment. There being none, public comment was closed.

RE: BOARD COMMENT

There were no comments made by Board members at this time.

RE: RECESS

The Board took a short recess at 7:01 p.m. and reconvened at 7:30 p.m.

RE: PUBLIC HEARINGS

RE: AMENDMENT TO THE FISCAL YEAR 2006-07 ORANGE COUNTY BUDGET TO RECOGNIZE AND APPROPRIATE FEDERAL GRANT FUNDS

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:

- To adopt an amendment to the Fiscal Year 2006-2007 Orange County Budget to recognize and appropriate federal grant funds.

Mr. Rolfe explained that in accordance with an Agreement dated May 25, 2000, for the utilization of Transportation Enhancement Program Funds for the Montpelier Gateway Enhancement and Beautification Project, the County has been reimbursed for project costs in the amount of $1,114,046.32 incurred by Montpelier. As previously agreed, the reimbursement for project costs must be passed-through to The Montpelier Foundation. Such reimbursement will require a budget amendment for fiscal year ending June 30, 2007 recognizing the additional revenue and appropriating the same amount as a pass-through to the foundation. He indicated that payment will not be processed until the budget amendment is approved, but due to the fact that the revenue was received in FY07, accounting rules require an accrual to The Montpelier Foundation be recorded in the same year.

Chairman Johnson opened the floor for public comment at 7:32 p.m. There being none, the public hearing was closed.

Mr. Graves moved, seconded by Mr. Wallace and carried, to amend the fiscal year 2007 budget by recognizing $1,114,047 Transportation Enhancement Program grant funds (3-100-32010-1101) and appropriating (4-100-81299-5691) the same amount to reimburse The Montpelier Foundation. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: PROPOSAL TO GRANT EASEMENT ACROSS THE SOUTH EAST SIDE OF PROPERTY OWNED BY ORANGE COUNTY MORE COMMONLY KNOWN AS THE BARBOURSVILLE SOLID WASTE CONVENIENCE CENTER

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

- Proposal to grant a 50 foot wide easement across the south east side of the property for a distance of approximately 425 feet on a piece of land owned by the Board of Supervisors of Orange County, Virginia which is known as Tax Map 53, Parcel 50 and is more commonly known as the Barboursville Solid Waste Convenience Center. The purpose of said easement is to allow access to an adjoining lot.

Chairman Johnson opened the floor for public comment at 7:33 p.m. There being none, the public hearing was closed.

Chairman Johnson stated that after speaking with folks in his district and reviewing the request with Board members individually, he voiced his support in granting the easement with the following conditions: the easement will be ingress and egress only; the County will have continued use of the easement area if it deems necessary; and that the persons getting the easement shall pay taxes on the eased portion of property, presumably at the rate their other property is appraised. He stated that Mrs. Pace expressed concern regarding the note on the plat which says that Lot 2 does not represent an individual building lot. He indicated that the landowner is aware of that and will have to track down the original heirs to the sellers to get the language removed. Chairman Johnson stated that Mrs. Pace suggested that if the easement is approved, it be approved contingent upon the language being removed from the plat. He

indicated his agreement to Mrs. Pace's suggestion. He noted that the proposed property is located on landfill property which will never be sold.

Chairman Johnson moved, seconded by Mr. Wallace and carried, to approve the easement with the following conditions: the easement will be ingress and egress only; the County will have continued use of the easement area if it deems necessary; the adjacent property owner receiving the easement shall pay taxes on the eased property , and the granting of the easement shall not occur until the adjacent property owner has obtained the removal of all restrictions on the adjacent property which currently prohibits the property from being built upon. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: ADOURNMENT

There being no further business to discuss, Mr. Wallace moved to adjourn the meeting at 7:37 p.m. Mr. Dodson seconded the motion. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.