BOARD OF SUPERVISORS MINUTES **OCTOBER 23, 2007**

At a regular meeting of the Orange County Board of Supervisors held on Tuesday, October 23, 2007 beginning at 7:00 p.m., in the Lake of the Woods Clubhouse, Locust Grove, Virginia 22508. Present: R. Mark Johnson, Chairman; Clement L. Dodson, Jr., Vice-Chairman; Thomas E. Graves; Teri L. Pace; and Richard D. Wallace. Also present: Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: WELCOME

Eldon Rucker, President of the Lake of the Woods Association, welcomed the Board. He thanked the Board for bringing its meeting to their community.

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 following consent agenda items as presented:

RE: SUPPLEMENTAL APPROPRIATIONS

- $4,393.82 from Four for Life (3-100-32500-5643) to Fire and EMS, Four for Life Program (4-100-32500-5643);
- $745.03 from Insurance Recoveries (3-100-41010-0100) to Fire and EMS, Salaries (4-100-32310-1111);
- $6,663.12 from Insurance Recoveries (3-100-41010-0100) to Fire and EMS, Repairs: Vehicles (4-100-32310-6009);
- $135.53 from Bounce Back (3-100-16020-0105) to Commonwealth's Attorney, Bounce Back, Inc. (4-100-22100-6040);
- $505.00 from Expenditure Refund (3-100-18030-0100) to Sheriff, Vehicle Insurance (4-100-31200-5305);
- $100.00 from Miscellaneous (3-100-18990-0800) to Sheriff, Dare Program (4-100-31200-5843);
- $2,475.00 from OAG Triad Grant (3-100-24040-0176), to Sheriff, Office Supplies (4-100-31770-6001);
- $49.00 from Expenditure Refund (3-100-18030-0100) to Human Resources, Insurance/Property General Liability (4-100-12220-5308);
- $167.38 from Miscellaneous (3-100-18990-0800) to Library, Telephone (4-100-73110-5230);
- $392.49 from Miscellaneous (3-100-18990-0800) to Library, Telephone (4-100-73110-5230);
- $297.51 from Miscellaneous (3-100-18990-0800) to Library, Telephone (4-100-73120-5230);
- $1,660.13 from Miscellaneous (3-100-18990-0800) to Library, Data Processing (4-100-73100-3165);
- $1,660.13 from Miscellaneous (3-100-18990-0800) to Library, Data Processing (4-100-73110-3165);
- $1,660.12 from Miscellaneous (3-100-18990-0800) to Library, Data Processing (4-100-73120-3165);
- $1,800.00 from Miscellaneous (3-100-18990-0800) to Library, Data Processing (4-100-73100-3165);
- $25.00 from Friends of the Library Donations (3-100-16150-0700) to Library, Audio Visual Materials (4-100-73110-6024);

- $409,884.00 from ISTEA Montpelier Project (3-100-32010-1101) to Montpelier, ISTEA Montpelier Gateway Enhancement (4-100-81200-5691);
- $42,618.00 from ISTEA Montpelier Project (3-100-24040-1101) to Montpelier, ISTEA Montpelier Gateway Enhancement (4-100-81200-5691).

RE: BUDGET TRANSFERS

- $11,869.00 from Other Fire & Rescue, Four for Life (100-32310-5850) to Fire & Rescue, Four for Life (100-32500-5643);
- $34,651.86 from Human Resources, HR Contingency (100-12220-9210) to Human Resources, Professional Srvcs-Springsted (100-12220-3130);
- $2,000.00 from Capital Project, Fire/Rescue Paging/Radio (312-94520-1067) to Emergency Management, Uniforms (100-35500-6011);
- $275.00 from Triad program, Local Match-Grant (100-31770-6001) to Senior Security Program Grant, Local Match-Grant (100-31780-6001).

RE: MINUTES

The Board approved the minutes of the August 28, 2007-Regular Meeting as presented.

RE: RESOLUTION TO ABANDON A PORTION OF ROUTE 689

The Board approved the following resolution to abandon a portion of Route 689 as presented:

RESOLUTION

WHEREAS, it appears to this Board that Secondary Route 689 from Rte. 636 to 0.31 Mi. N.W. of Rte. 636 a distance of 0.31 miles, serves no public necessity and is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE BE IT RESOLVED, The Clerk of the Board is directed to post and publish notice of the Board's intent to abandon the aforesaid section of Route 689, pursuant to §33.1-151 of the Code of Virginia of 1950, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Commissioner of the Virginia Department of Transportation.

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

RE: VDOT REQUEST FOR ABANDONMENT AND ADDITION OF VARIOUS ROUTES

The Board approved the following resolution for the abandonment and addition of various routes in Orange County as presented:

RESOLUTION

WHEREAS, the Virginia Department of Transportation has provided this Board with a sketch dated October 3, 2000 depicting the additions, discontinuances and abandonments required in the secondary system of state highways as a result of Project 0631-068-189,C501 which sketch is hereby incorporated herein by reference; and

WHEREAS, the new road serves the same citizens as those portions of the old road identified to be abandoned and those segments no longer serve a public need; and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add to the secondary system of state highways those portions of road identified by the sketch to be added, pursuant to §33.1-229, Code of Virginia; and

Project: 0631-068-189, C-501

Type Change to the Secondary System of State Highways: Abandonment

Basis for Change: VDOT Project
Statutory Reference: §33.1-155

- Brick Church Road, State Route Number: 631
  From: 0.012 Mi. East of Rte. 612
  To: 0.332 Mi. East of Rte. 612
  A distance of: 0.32 miles.

Type Change to the Secondary System of State Highways: Addition

Basis for Change: VDOT Project
Statutory Reference: §33.1-229

- Brick Church Road, State Route Number: 631
  From: 0.012 Mi. East of Rte. 612
  To: 0.332 Mi. East of Rte. 612
  A distance of: 0.32 miles.
  Right of Way Record: Filed on in the Land Records Office, with a width of 50 Feet.
  Recordation Reference:

NOW, THEREFORE, BE IT RESOLVED, this Board abandons as part of the secondary system of state highways those portions of road identified by the sketch to be abandoned, pursuant to §33.1-155, Code of Virginia.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

RE: PUBLIC COMMENT/APPEARANCES

RE: SOLID WASTE UPDATE

Lynn Klappich, Draper Aden Associates, updated the Board on the progress of the Solid Waste Management Program and the next phase of evaluation and development.

RE: BOARD COMMENT

Mr. Wallace thanked the Lake of the Woods Association for hosting the Board of Supervisors meeting. He thanked everyone for their support of him as their representative for the past twelve years on the Board of Supervisors. He also thanked all of the individuals who have served on various committees in Orange County during his tenure on the Board.

Mr. Johnson thanked the Lake of the Woods Association for hosting the Board meeting for the past twelve years. He thanked Mr. Dodson and Mr. Wallace for their twelve years of service on the Board of Supervisors and to Orange County.

Mr. Dodson expressed his thanks to the Lake of the Woods Association and noted that they have always been the most gracious host. He commented on the well attended meetings and stated that the community should be commended for what has been done.

Mr. Graves expressed his thanks to the Lake of the Woods Association for hosting the Board meeting and their continued hospitality. He personally thanked Julia Barnes for her service on the Nursing Home Commission.

RE: ACTION ITEMS

RE: APPROVAL OF ADDITIONAL TASK ORDERS RELATING TO SOLID WASTE CONSULTING SERVICES

Kurt Hildebrand, Director of Public Works, explained that at its June 27, 2006 meeting, the Board authorized the County Administrator to execute a Professional Agreement for Solid Waste Management Consulting Services with Draper Aden Associates for the following:

Task Order No. 1 – Solid Waste Disposal Options Evaluation
Task Order No. 2 – Solid Waste Permit 090 Capacity Analysis
Task Order No. 3 – Tipping Fee Evaluation
Task Order No. 4 – Recycling Expansion Evaluation
Task Order No. 5 – Collection Center Evaluation

Thus far, Draper Aden Associates has completed Task Orders No. 1 through 3 and has made progress toward the completion of task orders No. 4 and No. 5.

He explained that Task Order No. 6 (Soils Delineation and Quantification) totaling $13,780, has been authorized by the County Administrator and completed by Draper Aden.

Staff has identified the need for the following additional Task Orders to be performed:

Task Order No. 7 – Operational Survey
Task Order No. 8 – Engineering Support of Landfill Operations
Task Order No. 9 – Engineering Support of Landfill Closure
Task Order No.10 – Engineering Support for the Conceptual Transfer Station

Mr. Hildebrand explained that previously approved Task Orders have allowed for evaluation of the County's existing operation and programming. The newly proposed Task Orders provide support for the findings of those evaluations and represent the beginning steps necessary to implement measures toward landfill closure and Solid Waste services beyond landfill closure. Mr. Hildebrand concluded by saying that staff recommends that Draper Aden Associates be authorized to proceed with proposed Task Order No. 7 through No. 10.

Mr. Wallace moved, seconded by Mr. Dodson and carried, to authorize the County Administrator to proceed with Task Order No. 7-Operational Surveys, not to exceed $30,000; Task Order No. 8 –Engineering Support of Landfill Operations, not to exceed $15,000; Task Order No. 9-Engineering Support of Landfill Closure, not to exceed $88,0000; and Task Order No. 10-Engineering Support for the Conceptual Transfer Station, not to exceed $10,000 based on compliance with the Agreement between the County of Orange and Draper Aden Associates for Solid Waste Management Consulting Services dated June 16, 2006, and the individual Task Orders, descriptions and fees, to be paid for from the current Landfill Fund Budget. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: REPLACEMENT OF FOUR GAS METERS

Melissa McDaniel, Director of Emergency Management & Operations, explained that the gas meters the volunteer fire departments are currently utilizing have become operationally deficient and have never been user-friendly. Carry-over funds were requested at the end of FY07 for this project; however, they were subsequently denied. She stated that typically another request would be submitted during the budget process; however, time is of the essence in this instance and public safety is an overriding factor. Ms. McDaniel explained that the meters currently in use were purchased through a grant in April, 2003. They are used to detect, monitor and analyze gases present in the environment. The cost of the new meters based on state contract pricing from Safeware, Inc. is as follows:

Five meters for the volunteer fire departments:	$5,192.00
Two meters for the emergency management department with PID capabilities	$3,379.30
Extended four-year warranty per meter:	$4,655.00
Six truck mounts:	$ 184.80
Total Request from Contingency Fund:	$13,411.10

Discussion ensued including: life expectancy and warranty information.

Mr. Dodson moved, seconded by Mr. Wallace and carried, to transfer $13,411.10 from the contingency fund to line item 35500-8213 for Four Gas Monitors within the Emergency Management budget to cover the purchase of seven (7) new four gas meters, the extended four-year warranty per meter and six (6) truck mount costs from Safeware, Inc. for the volunteer fire departments and the emergency management department. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: COURTHOUSE SECURITY PERSONNEL FUNDING FEE ORDINANCE

Mr. Rolfe explained that the General Assembly recently changed the code section allowing for the collection of fees to help fund the cost of security personnel for the courthouse. The General Assembly increased the allowable amount from $5.00 to $10.00. These fees are assessed as a cost in the proceedings involving criminal or traffic cases tried at both the General District Court and the Circuit court. The fee is only assessed upon a conviction of the offense. He stated that the fee is utilized only for personnel costs associated with the security of the courthouse. Representatives from both the General District Court and the Circuit Court have requested that the Board consider increasing this allowable cost from the current level of $5.00, to the new maximum of $10.00. Mr. Rolfe concluded by saying that if the Board wishes to proceed, a public hearing must be held.

Mr. Dodson moved, seconded by Mrs. Pace and carried, to schedule a public hearing on the proposed ordinance on November 13, 2007 at 7:30 p.m. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: PROPOSED FY 08-09 BUDGET MEETING SCHEDULE

Mr. Rolfe stated that staff had drafted for the Board's consideration a schedule of meeting dates and advertising deadlines for the development and adoption of the fiscal year 2008-2009 County budget. The Board requested that this item be added to its November 13, 2007 agenda for further discussion.

RE: PROPOSED RESOLUTION REQUESTING VDOT TO UNDERTAKE ROAD IMPROVEMENTS TO THE PRIMARY ROAD SYSTEM IN ORANGE

Mr. Rolfe explained that, per the Board's direction, staff drafted a resolution requesting VDOT to undertake road improvements to the Primary Road System in Orange County and also request that the Virginia Department of Transportation include some projects in the FY 2009-2014 Six Year Improvement Plan.

Mr. Dodson moved, seconded by Mr. Graves and carried, to approve the following resolution requesting VDOT to undertake road improvements to the primary road system in Orange County as presented:

A RESOLUTION REQUESTING VDOT TO UNDERTAKE ROAD IMPROVEMENTS TO THE PRIMARY ROAD SYSTEM IN ORANGE

WHEREAS, Orange County is composed of 341 square miles and according to the 2000 census has a population of 25,881, an increase of 20.82 percent from the 1990 census; and

WHEREAS, according to the latest population estimates, the County's population has increased from 25,881 as of July 1, 2000, to 31,387 as of July 1, 2006, an increase of 16.87 percent; and

WHEREAS, the 2000 Census determined that 55.27 percent of the County's workers commuted outside the County daily for work thereby increasing the need for a primary road system to adequately and safely meet the growing needs of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Orange County, Virginia, hereby requests that the Virginia Department of Transportation fund the following turn lane projects using Safety Funds wherever possible:

Route 611 and Route 20
Route 522 at the intersection of Route 20
Route 2016 and Route 20

BE IT FURTHER RESOLVED that the Board of Supervisors of Orange County, Virginia, hereby requests that the Virginia Department of Transportation include the following projects in the Fiscal Year 2009-2014 Six Year Improvement Plan:

Implementation of all short term recommendations in the Route 20 Corridor Study, dated July, 2006, from U. S. Route 522 to Route 3;

Implementation of the recommendations in the Route 20 Corridor Study – Phase, dated June, 2007, from U. S. Route 522 to Route 15;

Stop light installation at the intersection of Route 601 and Route 20;

Stop light installation at the intersection of Route 611 and Route 20;

Expedition of the Gordonsville Bypass.

BE IT FURTHER RESOLVED by the Board of Supervisors of Orange County, Virginia that a copy of this resolution be sent to the Virginia Department of Transportation, the County's General Assembly Delegation and to the County's representative on the Commonwealth Transportation Board.

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

RE: REQUEST TO SCHEDULE A PUBLIC HEARING FOR CONSIDERATION OF FLOOD PLAIN ORDINANCE AMENDMENT

Mr. Rolfe explained that Orange County staff has been contacted by the National Flood Insurance Program and advised that the Flood Insurance Rate Maps (FIRMS) for Orange County have been updated and amended. This necessitates the amendment of Orange County Code Chapter 34, Section 34-111(a) to reflect the effective date of these new maps. Mr. Charley Banks of the Department of Conservation and Recreation (DCR) State Flood Plain Management Program, has informed staff that the deadline for this amendment to local ordinances is January 2, 2008. After this date, if the amendment to local ordinances has not occurred, the local jurisdiction risks suspension of their flood insurance program.

Mr. Dodson moved, seconded by Mr. Wallace and carried, to schedule a public hearing on November 13, 2007 for consideration of a flood plain ordinance amendment. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mr. Johnson nominated Daman Irby for reappointment to the Economic Development Authority as the Town of Gordonsville representative for a four year term, with said term expiring December 31, 2011.

Mr. Graves nominated Linda Treakle for reappointment to the Rappahannock Rapidan Community Services Board for a four year term, with said term expiring December 31, 2011.

Mr. Dodson nominated Bill Rolfe for reappointment to the Rappahannock Rapidan Regional Commission for a four year term, with said term expiring December 31, 2011.

Mr. Wallace moved to approve the Youth Council nominations as presented. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.

RE: DISCUSSION ITEMS

RE: CENTRAL VIRGINIA RAIL

Chairman Johnson requested that this item be added to the agenda for discussion.

By consensus, the Board authorized Mr. Rolfe to choose a staff member to attend meetings concerning the Cville Rail on behalf of the County.

RE: HABITAT FOR HUMANITY

Chairman Johnson requested that this item be added to the agenda for discussion.

By consensus, the Board directed staff to add the Habitat for Humanity to its November 13, 2007 agenda for further discussion and consideration.

RE: CALENDAR

The Board received copies of its October, November and December, 2007 calendar.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Graves moved, seconded by Mr. Wallace and carried, to adjourn the meeting at 7:51 p.m. Ayes: Johnson, Graves, Dodson, Pace, Wallace. Nays: None.