At a regular meeting of the Orange County Board of Supervisors held on Tuesday, March 25, 2008 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; Teri L. Pace, Vice-Chairman; Zack Burkett; S. Teel Goodwin; and Lee H. Frame, Jr. Also present: William C. Rolfe, County Administrator; Todd G. Patrick, County Attorney; and Donna D. Curry, Chief Deputy Clerk.

RE: ADOPTION OF AGENDA

Mr. Frame moved, seconded by Mr. Goodwin and carried, to adopt the agenda as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: CONSENT AGENDA

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

RE: SUPPLEMENTAL APPROPRIATIONS

The Board approved the following supplemental appropriations:

DEPT	ACCOUNT DESCRIPTION	AMOUNT	Funding Source
Planning & Zoning	Motor Vehicle	$ 5,196.93	Insurance Recovery
Subtotal Planning & Zoning		**$ 5,196.93**	
Sheriff	Overtime external events	$ 3,533.01	
Sheriff	Triad	$ (266.71)	Duplicate appropriation
Subtotal Sheriff		**$ 3,266.30**	
Animal Shelter	Pet Food	$ 456.75	Expenditure Refund
Subtotal Animal Shelter		**$ 456.75**	
County Admin	Professional Services	$ 312.39	Expenditure Refund
Subtotal County Administration		**$ 312.39**	
OFEMS	Motor Vehicle	$ 4,437.90	Insurance Recovery
Subtotal OFEMS		**$ 4,437.90**	

March Total	**$**	**13,670.27**
Fiscal Year to Date Total	**$**	**849,859.05**

RE: BUDGET TRANSFERS

The Board approved the following budget transfers:

Transfer from department	Transfer from line item	Transfer to department	Transfer to line item	Amount
Human Resources	Res for Raises	OFEMS	Salaries	990.00
Human Resources	Res for Raises	OFEMS	FICA	75.74

Human Resources	Res for Raises	OFEMS	Retirement	139.79
Human Resources	Res for Raises	OFEMS	Group Life	9.90
Human Resources	Res for Raises	OFEMS	Workers Comp	1.44
Human Resources	Res for Raises	OFEMS	Salaries	1,192.00
Human Resources	Res for Raises	OFEMS	FICA	91.19
Human Resources	Res for Raises	OFEMS	Retirement	168.31
Human Resources	Res for Raises	OFEMS	Group Life	11.92
Human Resources	Res for Raises	OFEMS	Workers Comp	1.73
Human Resources	Res for Raises	Building & Grounds	Salary	953.00
Human Resources	Res for Raises	Building & Grounds	FICA	72.91
Human Resources	Res for Raises	Building & Grounds	Retirement	134.57
Human Resources	Res for Raises	Building & Grounds	Group Life	9.53
Human Resources	Res for Raises	Building & Grounds	Workers Comp	1.39
Human Resources	Res for Raises	Sheriff	Salaries	1,167.00
Human Resources	Res for Raises	Sheriff	FICA	89.28
Human Resources	Res for Raises	Sheriff	Retirement	164.78
Human Resources	Res for Raises	Sheriff	Workers Comp	1.70
Human Resources	Res for Raises	Sheriff	Salaries	2,135.00
Human Resources	Res for Raises	Sheriff	FICA	163.33
Human Resources	Res for Raises	Sheriff	Retirement	301.46
Human Resources	Res for Raises	Sheriff	Group Life	21.35
Human Resources	Res for Raises	Sheriff	Workers Comp	3.11
Animal Control	Advertisement	Sheriff	Maintenance Contr	200.00
Animal Control	Postage	Sheriff	Maintenance Contr	89.58
Animal Control	Dues	Sheriff	Maintenance Contr	290.00
Animal Control	Supplies	Sheriff	Maintenance Contr	65.14
Animal Control	Camera/film	Sheriff	Maintenance Contr	169.67
Animal Control	Protective Equipment	Sheriff	Maintenance Contr	418.87
Animal Control	Vicious Dog Supplies	Sheriff	Maintenance Contr	200.00
Animal Control	Mach & Equip	Sheriff	Maintenance Contr	384.43
Animal Control	Comp Equip	Sheriff	Maintenance Contr	292.31
Sheriff	Triad Supplies	Sheriff	Senior Programs	2,475.00

RE: WAIVER OF FEES – SOMERSET STEAM & GAS ENGINE ASSOCIATION

The Board approved a waiver request of landfill tipping fees for the Annual Somerset Steam & Gas Pasture Party which is scheduled to be held on August 29, 30 and 31, 2008.

RE: BOYS & GIRLS CLUB PROCLAMATION

The Board approved the following proclamation proclaiming April 6 through April 12, 2008, as Boys and Girls Club Week in Orange County:

PROCLAMATION

WHEREAS, the young people of Orange County, Virginia are tomorrow's leaders; and

WHEREAS, many such people need professional youth services to help them cope with a wide range of social and financial hardships; and

WHEREAS, there is one Boys and Girls Club in Orange County – Taylor Education Administration Complex – providing services to more than 200 young people annually; and

WHEREAS, the Boys and Girls Clubs are at the forefront of efforts in Character and Leadership Development programs, Health and Life Skills programs, Education and Career Development programs, Arts, Sports, and Recreation; and

WHEREAS, the Boys and Girls Club organizations in our state help ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, the Boys and Girls Club of Orange County will celebrate National Boys and Girls Club Week 2008 along with some four thousand Clubs and more than four million young people nationwide;

NOW, THEREFORE, the Orange County Board of Supervisors, does hereby proclaim April 6 through April 12, 2008, as BOYS AND GIRLS CLUB WEEK in Orange County, and call on all citizens to join the Board in recognizing and commending the Boys and Girls Club organization in our state for providing comprehensive and effective services to the young people in our communities.

RE: MONTH OF THE YOUNG CHILD PROCLAMATION

The Board approved the following proclamation proclaiming April, 2008, as the "Month of the Young Child" in Orange County:

MONTH OF THE YOUNG CHILD PROCLAMATION

WHEREAS, the Central Virginia Association for the Education of Young Children is celebrating the **Month of the Young Child** in April, 2008, in conjunction with the Virginia Association for Early Childhood Education and the National Association for the Education of Young Children; and

WHEREAS, these organizations are working to improve early learning opportunities, which are crucial to the growth and development of young children and to building better futures for everyone in Orange County, Virginia; and

WHEREAS, all young children and their families across the country and in Orange County, Virginia, deserve access to high-quality early education and care; and

WHEREAS, in recognizing and supporting the people, programs, and policies that are committed to high-quality early childhood education as the right choice for children.

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Supervisors does hereby proclaim April, 2008, as the "**Month of the Young Child"** in Orange County, Virginia, and encourage all citizens to work toward high-quality early childhood education for all children in Orange, County, Virginia.

Mr. Goodwin moved, seconded by Mr. Frame and carried, to approve the consent agenda as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: PUBLIC COMMENT/PUBLIC APPEARANCES

Chairman Johnson opened the floor for public comment. The following individuals spoke:

- Harvey Gold, 1239 Harbor View Circle, Oak Grove, VA commented on Senate Bill 768;
- Rick Wilkinson, 305 Cadmus Circle, Gordonsville, commented on the proposed County budget;
- Stuart Andreason, Executive Director of the Orange Downtown Alliance (ODA), commented on two Milestone Awards that ODA had recently received.

RE: BOARD COMMENT

Chairman Johnson responded to Mr. Wilkinson's comments regarding the use of reserve funds.

RE: ACTION ITEMS

RE: SUP-07-3: TOWN OF ORANGE EXISTING WASTE WATER TREATMENT PLANT EXPANSION

Chairman Johnson stated, *"We had a public hearing on this on March 11th. The Board made the decision at that time to continue the meeting . . . this subject to this time . . . . after we'd had a chance to do a little bit more detective work. So at this time . . . we will consider this application."*

Mr. Frame stated, *"yeah, I would a . . . since I was the one . . . first people that asked for continuation to get some more information. Some of the information I'd like to conduct ask . . . I would ask if the Town would have somebody come up and talk us a little bit about. . more about the Town's ability to pay on this. One of the . . . one of the things that we had during our discussion was the fact that this . . . that part of the reason for the capacity was to make sure that we had . . . there was enough . . . hook-ups to be able to pay for the . . . pay for the . . . cost of the bonds . . . cost of bond servicing. Somebody want to address that at all? I mean . . . I don't know maybe it's . . . you sent me the letter . . . Cole . . . I'm not really sure that everybody had a chance to . . . not everybody else has seen it. So, maybe you could address some of the facts in that."*

Cole Hendrix, Orange Town Manager, stated, *"well this week we had some discussions with Mr. Burkett and Mr. Frame with regard to the capacity issue and the financial issue surrounding the proposed waste water treatment plant. The plan is proposed to be financed from two sources: one are availability fees and the other is from the rate payers, in other words from the sewer service charges which would be in the future. We hired an independent consultant to look at our performance with regard to how we were going to pay for the bond issue. The bond issue from the loan from DEQ is about a little over $800,000 a year based on a borrowing of about $16.2 million. We initially projected that at about 35 houses per year. We have revised that since the down turn in the housing and beginning with I believe it's the year 2012 or 2013 we're expecting it to be about 25 houses a year. The debt service from that combined with the rates would repay the loan."*

Mr. Frame stated, *"so, okay. Now one of the things in that . . . one of the assumptions that the consultant used was an assumption that you were holding availability fees steady. Any reason that you didn't increase those the same way you are increasing the rates?"*

Mr. Hendrix replied, *"We did not consider increasing those . . . the availability fees for the simple reason that they are fairly high right now; and that when you combine availability fees for water and sewer it increases the cost of a home. So in terms of having to depend on the market, as this community will have to in the future, we felt like we could not raise those fees at the present time."*

Mr. Frame stated, *"Okay. You're looking at 25 per year and yet you're saying that even in 25 . . . . in 20 years that's only . . . 500 roughly 500 homes?"*

Mr. Hendrix replied, *"Well, I think as I also pointed out in my email to you, that we planned from a fairly liberal stand point in terms of the capacity. We have indicated to you that there is excess capacity that we had been willing to work with you all on in some way controlling that capacity. On conversely as we put together a financial plan, we wanted to be fairly conservative because we didn't want to over estimate our ability to raise funds to pay for this only to find out that we had over estimated that ability. And so we have sent . . . essentially shot low in terms of our expectations of the number of houses or units, commercial units or industrial development units that would be built."*

Mr. Frame stated, *"Now, there's this disconnect between what the Town says they need in terms of capacity and what DEQ says they felt what was needed. The DEQ came across and said it was like 2 million gallons basically would take you out to the year 2035 . . . that's what their*

letter said and I talked with to them today and they re-confirmed that and that included population growth and yet you're saying that you need like 2 ½."

Mr. Hendrix stated, *"Let me explain the reason for that. You build these plants in increments of one million gallons and so as we looked at the needs of the Town to build out the Town according to the Comprehensive Plan. And taking into consideration that we had a tremendous amount of I and I . . . infiltration and inflow and that's stormwater that gets into the sanitary sewer. We began at 1.4 million because that is where we got cited by DEQ for being in violation of our permit originally because we had flows in the plant today that exceed 2 million gallons a day. Most of that during the rainy season . . . and when you have three months . . . when it exceeds your permitted . . . capacity, then you have to start planning on adding on to the plant and adding more capacity based on our permit from DEQ. So if we start with the proposition that we are already at 1.4 million gallons based on that scenario and we build the build-out of the Town plus our allocation for some commercial and for some industrial development, we get over the 2 million gallon mark.*

Mr. Frame questioned, *"Did you make that argument to DEQ?"*

Mr. Hendrix stated, *"We made that argument with DEQ for some time and at that time we were planning on building the intersector which we believed and they believed would take something like a million gallons out of the equation. But we can't afford to build the intersector. The intersector will cost about $2.5 million. We can't afford to build it and as the Town Manager, I don't see any time in the foreseeable future that we can build it because we will have to borrow the money and with the cost of the wastewater plant; and the only difference between the cost of a 2 million and a 3 million plant is, our contractor has told us, is $1.3 million. So, we do not, we're not able to take as much I & I out as DEQ wanted us to and that they were planning on when they made . . . arrived at their decision that we ought to build a 2 million gallon a day plant."*

Mr. Frame questioned, *"Now, you have sometimes when you actually get overflow through the man holes. Is that correct?"*

Mr. Hendrix replied, *"That is correct."*

Mr. Frame stated, *"Now, given that that is more a matter of your pipe capacity, is that gonna change if you increase the capacity of your plant?"*

Mr. Hendrix replied, *"Not if we don't, not if we don't increase the capacity of the interceptor that runs from the town to the plant."*

Mr. Frame questioned, *"So you still have to fix that?"*

Mr. Hendrix replied, *"We still have to fix that eventually, but we can't afford to do it anytime that I can see in the near future."*

Mr. Frame questioned, *"But if you're . . . but if you're talking about toilet paper running down the streets, I mean you're really talking about something that DEQ is gonna be on your case for independent of how much you're dumping into the river."*

Mr. Hendrix stated, *"They have indicated that we have to do something to take some of the I & I out of the system. And we have agreed to that, we just placed an order for a brand new camera system that we will use to begin . . . running through the various lines and where we find problems . . . digging those lines up and repairing them. But that is a long term process and if you talk with DEQ at any great length, they would agree that it's a long term process. So, it's not something that's gonna happen overnight. And I guess it's gonna take, it's gonna be 10, 12, 15 years before we get measurable amounts of I & I out of the system. They're gonna require us to treat everything that goes down there, and so we've gotta have the capacity because they're gonna charge it against us when we exceed the capacity. And so if we only build a 2 million gallon plant, we believe that in not too long a time, we're gonna find ourselves with one of those*

clauses in a 2 million gallon plant. And therefore, in projecting our needs we have to consider the I & I which is there and something we're not gonna be able to take out in great amount any time soon because the town has very little money. We have a $6 million budget and $2 million of that is utilities. So the General Fund is $4 million. We don't have any other sources of revenue. We either have to borrow it and then we have to be able to pay that back. The rate payers are the only ones that we can truly look to day in and day out. And when there is building going on then we look to those who are building projects whether they be homes or multi-family dwellings or businesses, we look for them to pay the availability fees which helps. We are fortunate that we're gonna be able to start out with a little over $1 million in availability fees which we've been bank rolling for some time now. And that allows us to get started in a very healthy sort of way. But as the material we sent you indicates, and I don't remember the exact year but it's about 2017, 18, 19, we run out of money without an increase in the rates. And if we can't keep up, we're . . ."

Mr. Frame commented, *"Wait a minute at the time you run out of money, you still haven't run out of capacity of 2 million yet."*

Mr. Hendrix replied, *"No, that's true. But we're building this plant for really thirty years. Now it's a twenty year bond issue DEQ says you know as far as we're concerned, we're only going to loan you money for twenty years that's the life of the plant. But that plant, assuming they don't change all the rules and regulations somewhere in between, has more than a twenty year life span."*

Mr. Frame stated, *"That's all my questions. I don't know if anyone else has any."*

Mrs. Pace asked, *"What do you base that it's gonna be more than twenty year usefulness because DEQ is constantly changing requirements and your current facility is not twenty years old and it's obsolete so . . . "*

Mr. Hendrix replied, *"Unfortunately our present plan was somewhat in trouble in terms of regulations the day after it was built and put in operation. That's neither here nor there at this particular time, but that's not a good analogy in my opinion to draw. The fact that it's built out of concrete and steel and motors and so forth and so on, means that it will last. The water plant we now operate is some 40 plus years old. It has had no absolute major rehabilitation repairs done to it. It still operates very fine. Now it needs some work on it. So, I don't think the plant is going to be obsolete in twenty years."*

Mrs. Pace stated, *"Well, I'm just thinking that since DEQ sets the regulations for the state, that you know it would be wise to listen to them cause I'm thinking that they're thinking their standards are going to increase, and what functions now to their standards in twenty years are going to be greatly changed and they are going to make people comply to the new standards."*

Mr. Hendrix replied, *"Well, I've listened to them for the last three years and I've never been able to get from them anything in terms of regulations and permits any different than where they are in the Chesapeake Bay. That seems to be their thinking at the present time. And of course they've got to get a multitude of plants either upgraded or rebuilt before the end of the year 2010 in order to meet the state's commitment to the Chesapeake Bay Accord entered into by the various states that are adjacent to the Chesapeake Bay. Now, will there be some new regulations? I suspect there will be but I don't think DEQ could tell you today what they are or when they might come into effect. So one of the things if we can't build a plant we're gonna be in violation immediately and on the first day of January, 2011, we're going to be fined $300 to $500 per day because we're going to be in violation of our permit. Our permit today says that we have to take these nutrients out of the system, we have to have a plant in operation and on line by that time and we have to start almost tomorrow in order to make that deadline. If we can't build a plant, there's no way in the world that we can meet those regulations and we're going to be in all kinds of difficulty with DEQ and in all kinds of financial difficulty."*
Mrs. Pace questioned, *"And what is the difference between the offer of a 0% interest rate and a 3% interest rate?"*

Mr. Hendrix replied, *"The difference, I have no idea."*

Mr. Johnson inquired, *"What do you mean by the difference?"*

Mrs. Pace stated, *"Well, you're gonna have to borrow at a 3.1 for your 3 million gallon capacity and . . ."*

Mr. Hendrix stated, *"DEQ is loaning us money on $16.2 million. They determined the original cost difference between the 2 and a 3 was thought to be $3 million. Now that we've got a contractor with a contract he says it's $1.3 million. So, they have blended a 3% rate on the $3 million and a 0% on the $13 million. And so that comes out to one half of one percent on the entire $16 million. And that was based on our discussions back in the days when they believed we were going to be able to take major amounts of the I & I out."*

Mrs. Pace inquired, *"Now what what accounted for the almost $2 million difference in what they quoted you before? First you thought it was going to be a $3 million difference and then now its 1 what?"*

Mr. Hendrix stated, *"$1.3."* Mrs. Pace asked, *"Okay, so what accounts for that difference?"*

Mr. Hendrix stated, *"The contractor's price."*

Mrs. Pace confirmed, *"The contractor's price."* Mr. Hendrix replied, *"That's the answer. We have a contractor who's willing to build the plant. He says if you want . . . we've asked him what would you build the plant for . . . the 2 for $1.3 million less than you build the 3 for."*

Mrs. Pace stated, *"Okay."*

Mr. Frame inquired, *"Under those circumstances, would you be able to get the 0% interest on that money then if you were doing that?"*

Mr. Hendrix replied, *"If we were to build a 2 we would go back to DEQ and say we think you ought to give us the loan at 0% interest."*

Chairman Johnson stated, *"Okay, let me interrupt because we do have a public hearing so we'll pick this up after the public hearing. Thank you Cole."*

RE: PUBLIC HEARING – SUP08-01: OAKLAND HEIGHTS FARM

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:

- SUP 08-01: An application for a special use permit to host bull riding/horse riding events at Oakland Heights Farm. The site is located at 17110 James Madison Highway, and is identified on Orange County zoning maps as a portion of parcel 57-15. The property is zoned Agricultural.

Mr. Rolfe stated that he would be giving the staff report as soon as it could be located. He requested that the applicant go first. Chairman Johnson asked if the applicant was present and wished to speak. Barbara Bannar stated that the applicant was running late so he asked her to speak on his behalf. Mr. Rolfe stated that he had not received a staff report from the Department of Community Development so he may be dependant on Mrs. Pace to brief the Board on the public hearing held by the Planning Commission. Mrs. Pace stated that the recommendation from the Planning Commission was approved unanimously.

The Board took a short recess and reconvened at 7:43 p.m.

Mr. Rolfe gave a brief staff report stating that the events would be held during the months of June through September with the hours of 5:30 p.m. to 10:30 p.m. He indicated that the expected attendance

would be 1,500 – 2,000. He noted that traffic and parking issues had been resolved with the appropriate authorities. He concluded by saying that the Planning Commission held a public hearing recommended of the application with two slight changes: Flexibility would be given on which Saturday nights the events would be held depending on the weather and changing the name of the event from bull riding to rodeo.

Barbara Bannar spoke in support of the application on behalf of the applicant.

At this time, Chairman Johnson opened the floor for public comment.

Barbara Bannar, Executive Director of the Orange County Chamber of Commerce, spoke in support of the application on behalf of the Orange County Chamber of Commerce.

There being no additional speakers, Chairman Johnson closed the public hearing at 7:49 p.m.

Following a brief discussion, Mr. Goodwin moved, seconded by Mr. Burkett and carried, to approve SUP 08-01 as presented. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: ACTION ITEMS CONTINUED

RE: SUP-07-3: TOWN OF ORANGE EXISTING WASTE WATER TREATMENT PLANT EXPANSION CONTINUED

Mr. Frame stated, *"The question that I asked is he mentioned something about DEQ fines and I have talked to DEQ this afternoon and they indicated that as long as there is progress being made, it is unlikely that the Town would be fined."*

Mr. Johnson stated, *"Okay. I actually think that the question had to do with the interest rate and I think Cole was saying that if you only build a 2 million gallon plant you will probably go back and ask for the 0% rate. Is that correct?"* Mr. Hendrix indicated that that was correct.

Mr. Goodwin stated, *"I have questions. On the I & I and whether it's Cole or Mike or whoever wants to address this, for where we've gotten to where we are now . . . obviously we need to do something. With the I & I now if we have heavy, heavy rains, where does the actual water go? Obviously it goes into the treatment plant."*

Mr. Hendrix stated, *"When we have heavy rains, some of that water goes into the storm sewers and goes into drainage ditches and creeks and so forth. Eventually most of it finds its way to the river. But there is a fair amount of it that finds its way into the sanitary sewer and it does that because we have an old system, much of it is clay pipe which leaks. The joints are bad and there are probably still some rough drains that are connected to the sanitary sewer and they're not supposed to be any more. And the line to from the town to the plant will not handle all of the sewage that is running through it at that time and the additional storm water at the same time. So one of the things that happens you see water coming up out of manholes and some of those manholes have holes bored in them so the water comes up without necessarily knocking the manhole cover off itself. And all that goes down to the plant at the current time we can only measure up to two million gallons of flow a day. Our metering system just doesn't go beyond that. And there are numerous times when it's above that. I think in the last several years I counted there were 29 times when it was above a 1.5. So, that's the problem . . . if we build, rebuild the interceptor we will build it with a larger pipe and so it may very well take more water down there."*

Mr. Frame questioned, *"So, the water that's coming out of the manholes is not going into the into the plant?"*

Mr. Hendrix replied, *"No, that water's going all the way from somebody's driveway off the street into a drainage ditch because most of those manholes, except the ones that are on the interceptor line itself, run across rural land. The rest of those manholes are all in an urban area in streets and sidewalks."*

Mr. Frame clarified, *"Which means that water isn't going in there and when you correct the interceptor problem that water would then go into there?"*

Mr. Hendrix explained, *"Our theory is, that's all it is at this time, that once we enlarge the line and we may get more water in the line, simply because it can't get in there today. But if you have a larger line it will get in there, so there's no guarantee that the interceptor, that doing just the interceptor by itself is going to do anything but deliver the water better to the plant and keep the manhole lids or water shooting out of them . . . but a . . . ."*

Mr. Burkett stated, *"Now, the interceptor is a different issue from the plant itself."*

Mr. Hendrix stated, *"Well, the two are combined. We've got to get the sewage to the plant and the interceptor does that."*

Mr. Burkett questioned, *"But this SUP before us, does it include building the interceptor?"*

Mr. Hendrix replied, *"It does not."*

Mr. Goodwin stated, *"Alright, now the question still goes back . . . when you get this excess water and its all coming down we can process all that?"*

Mr. Hendrix replied, *"With the plant that we have proposed, we will process every bit of it."*

Mr. Goodwin clarified, *"No, no. Can we process it all now?"*

Mr. Hendrix replied, *"No. It goes through the plant but it's not processed to the degree that it would be with the new plant and it's not processed completely as it would be if it was normal sewage."*

Mr. Goodwin inquired, *"What if we get floods, which we have been fortunate enough not to have since '96? Does that impact it further?"*

Mr. Hendrix stated, *"It would. In all probability it would yes. To what degree I don't know but it would. The thing about it is under the new regulations and our permit has already been written, it was written in 2006, which gives us a 3 million gallon a day plan. And has the various Chesapeake Bay nutrient requirements in there and has the requirements that we get the copper out which we cannot do in the present plan, and that we don't bypass any of the sewage that comes into the plant, and that we treat it all. And the new plant will have surge levels which would normally handle that but the present plan does not."*

Mr. Goodwin stated, *"Okay, but the result is that until we do something we're still dumping things in that we're not supposed to?"* Mr. Hendrix stated, *"Essentially."* Mr. Goodwin inquired, *"And there's nothing we can do to get around that with the present facility?"* Mr. Hendrix replied, *"No and we don't have the money to fix it at this point."* Mr. Goodwin stated, *"Okay."* Mr. Hendrix stated, *"And we're not likely to have the money. Orange is not a . . . ."*

Mr. Johnson inquired, *"Your plant capacity right now . . . the max that you can . . . what is the max that you can treat and basically have it treated to the extent that you can treat it now?"*

Mr. Hendrix replied, *"Well, it depends on the time of the year. We have a split capacity permit at the present time."* Mr. Johnson stated, *"No, no, I don't mean . . . I'm talking about what can the plant actually handle?"* Mr. Hendrix referred to Michelle Steinberger. She questioned, *"Right now?"* Mr. Hendrix stated, *"Right now."* Ms. Steinberger stated, *"It can barely handle 1.5. In February we almost violated our permit for B & D. Our limit was 25 and we hit just 25."* Mr. Hendrix stated, *"This is Michelle Steinberger, she's the Chief Operator at the wastewater treatment plant."*

Mr. Johnson stated, *"Okay, so, if you were to build a plant, we're talking about 2 and 3, but let's just talk for the moment about if you went back and built a plant that was 1.5, the same limit that you got on there now, would . . . would that still apply when you had these overflows would you . . . would that water basically be going through there not treated properly?"*

Mr. Hendrix replied, *"Under the . . . with the new plant it would be."* Mr. Johnson clarified, *"Even with the 1.5 capacity?"* Mr. Hendrix stated, *"No, no."* Mr. Johnson stated, *"Well, that's the point I'm trying to make here. What I hear you saying is when you get these over . . . when you get more than you can handle it runs through the plant but it's not really being treated."* Mr. Hendrix replied, *"No, not as well as it ought to be."* Mr. Johnson stated, *"Right, it's being treated to some extent but it's not being treated to the standard that you currently have. So, my question is, if we were to go back in and put a new updated plant but do it at the same capacity that we've currently got, would you be in that same situation?"* Mr. Hendrix replied, *"Sure."* Mr. Johnson stated, *"So, this new plant is not . . . doesn't . . . it's not some you know it doesn't have some of the elasticity to it that the current plant doesn't have. Basically the limit is the limit, that's how much it can properly treat in a 24 hour period is is whatever it is."* Mr. Hendrix stated, *"Right, plus it doesn't meet the new requirements."* Mr. Johnson stated, *"Right, that's not . . . I'm trying to understand when you talk about these overflows it's not just that there's above what you're supposed to be putting in there they also don't meet the regulations."* Mr. Hendrix replied, *"Oh yeah, that's correct."*

Mr. Frame stated, *"They need a new plant in any case."* Mr. Burkett stated, *"Yeah, there's no question about that."* Mr. Johnson stated, *"Right, but if if if you it it it seems to me that if you if you if you slice it too close here which you are assuring is that even with the new plant you're going to be dumping water back into the Rapidan that is not treated properly when you have a significant event."* Mr. Hendrix replied, *"That's that's entirely possible because because we need to remember that when you get to 95% of your capacity you've gotta start planning for a new plant and we know now that we have flows that are over 2 million gallons a day now. So if we build a 2 million plant we're already going to have periods of time in which we have . . . we're over our limit . . . permitted limit."*

Mr. Frame asked, *"Does the DEQ consider occasional exceeding capacity is that a problem if your averages are way down?"* Mr. Hendrix stated, *"Well, the the rule that they have is that when you exceed your capacity on an average of three months running then you've gotta got to a re . . ."* Mr. Frame clarified, *"So it has to be an average of three months so given a single storm is not going to . . ."* Mr. Hendrix stated, *"A single storm will not do it; however the fact the fact that we are in violation today and have been cited for that violation is because we did have three months in which we exceeded the permitted flow of the plant. And that's one of the reasons we have to build the plant."*

Mrs. Pace stated, *"Well . . . the whole reason for the plant is to purify the wastewater."* Mr. Hendrix replied, *"That is correct."* Mrs. Pace continued, *"And . . . if you don't make adjustments to the interceptor, we still have huge amounts of wastewater, whether it's running through ditches, down swales, whatever it's still going to the river untreated. It's raw sewage."* Mr. Hendrix stated, *"Well, there is not raw sewage running rampantly."* Mrs. Pace stated, *"Well, during the surges, if it's coming up out of the manholes, that's where it's going so you still have whether it goes down to the treatment plant and it's too much and gets thrown in untreated in the Rapidan or it goes down . . . a ditch and gets to the Rapidan, either way, it's untreated. So, it seems like to build over . . . build a 3 million gallon and not treat the interceptor we really haven't effectively done . . . you've kinda mitigated the purpose of the treatment plant in the first place when you know we're gonna have these surges where it's gonna get thrown off anyway."* Mr. Hendrix responded, *"It's unacceptable to have any of it going into the Rapidan River . . . untreated but once we will get everything that goes through the pipes will be adequately treated with a new plant. Now, and we do admit that we have to do the interceptor at some point and time and if somebody should give us $2.5 million we'd do it today. But nobody's gonna do that that we know of."* Mrs. Pace stated, *"It just seems like you have a lot more to work on."* Mr. Frame stated, *"When DEQ tells you gotta do it then they need to come up with the money."* Mr.

Hendrix stated, *"Well, we did apply to DEQ for a loan for it last year and they turned us down. So, I don't think that's gonna happen."* Mr. Frame stated, *"Well, they haven't cited you for that yet."* Mr. Hendrix stated, *"Well, our consent order says we will work on the I & I problem and we will but not to the extent that they would like to have it done I'm sure. We need the 3 million gallon plant in order to carry out the tenants in the Comprehensive Plan for the Town, and there is an excess capacity in the plan and as we've indicated to Mr. Burkett and Mr. Frame, the Town Council is willing to consider the excess capacity in relation to the County's needs and desires but if at the same time, if we don't get a favorable decision on this matter in the next couple of weeks, we're not gonna be able to sign the loan contracts, we're not gonna be able to sign accept the grant, we're gonna have to let the contractor go, we won't have any bids, and we'll be back to square one. And to get back to where we are today we'll probably be six to eight months and it will cost us a lot more money, money that we don't have. So, this is a very, very important decision for the Town."*

Mrs. Pace questioned, *"And what . . . did you say that . . . these capacities are always done in million gallon increments?"* Mr. Hendrix replied, *"Generally speaking, in other words we discussed it with our engineer, we said at one time when we were negotiating with DEQ, we said what if we build a 2 ½ million gallon plant and the answer from the engineer was it . . . you're gonna build virtually the same plant for 3 as you are for 2 ½ . And essentially, if we could build a 2 ½ I think that would be fine. That would take care of this community through the build out period that the Comprehensive Plan talks about. But you end up having to build a 3 million plant in order to get a 2 ½."*

Mr. Burkett stated*, "We've had this discussion over and over and I imagine nothing has changed but as you know, I know nothing about building sewage treatment plants, I also do not feel it is the place of the Board to get into the management of the Town. My concern remains the fact that an extra million gallons of sewage treatment capacity works out to 5,000 homes for every new home you build this Board has to build $38,000 worth of classrooms. And, as we were talking, I would . . . my concern was limiting the number of new homes that you would put on the sewage treatment plant. You said you expect 25 hook ups a year maybe 35, I was more than willing to agree to three times that, and . . . you kept saying well that limits us, we can't do it. Yeah it does limit you to three times what you say you want to do. I mean I . . . I felt like my position at least, I can't speak for Mr. Frame, was that we tried to work and get something that would keep this . . . County Board from having to float a couple of hundred million dollars worth of bonds to build schools for this and all we ever ask was that . . . you agree to do, not a whole lots more than you said you wanted to do and that led to some rather interesting threats and certainly some interesting meetings. And I'm sorry, without some sort of agreement like that I can't vote for a 3 million gallon plant; I can vote for a 2 but not a 3 or perhaps some agreement in between. You know, it's just . . . it's the county liability that I'm concerned with, and it'd be almost cheaper for us to build the plant than to agree to this contract."*

Mr. Frame stated, *"Can I ask Todd a question here? Todd, if the special use permit is for 2 ½ million gallons, can they build a 3 million plant and only be able to use 2 ½ million of it?" Mr. Patrick stated, "It would depend upon how the conditional set would be. If the condition was set for 2 ½ million you could file an injunction to prevent construction of a capacity over that." Mr. Frame questioned, "But what if they . . . can they build . . . can they build the existing plant but just not use it beyond the 2 ½ without . . . as long as . . . in other words, can the condition be such that the use can't be more than 2 ½ million as opposed to the size of the plant?" Mr. Patrick stated, "The conditions are to minimize the impact as far as on the neighborhood and the public." Mr. Frame clarified, "And that would be the 2 ½ million capacity . . . the use . . . in other words if they have 2 ½ million capacity allowed, they could still build the same plant they just can't use more . . . they just can't do more than 2 ½ million? What that does is it gets into the I & I situation that . . . that throws more water in it. The capacity is there but they can't use it until the Board agrees to it. Is there a possibility of doing that?"* Mr. Patrick stated, *"You can always come back and amend the special use permit."* Mr. Frame clarified, *"But what I'm saying is can we make a special use permit for just the . . . not the design of the plant but the capacity that they're allowed to process?"* Mr. Patrick stated, *"I could see you could be able . . . I could see you opposing that, I could also see it being challenged. Whether or not it would be upheld would be a different*

situation. But then it could be something you could impose upon it as a special use condition." Mr. Frame questioned, *"In other words, that would not disrupt their current plans to build it they just can't use it more than 2 ½?"* Mr. Patrick stated, *"They could still construct the 3 million but if your put the condition that could restrict the capacity as far as processing 2 ½ million plant, that would be a separate item."* Mr. Frame questioned, *"Can we make that part of the special use? Would that be a condition? Is that a condition that you can put on a special use?* Mr. Patrick stated, *"You can place . . . special use permits are allowed to be . . . have unilaterally imposed conditions."* Mr. Frame replied, *"Okay."* Mr. Burkett inquired, *"Lee, can I ask you a question?"* Mr. Frame responded, *"Sure."* Mr. Burkett stated, *"Again, I'm not an engineer but the problem is water running down off the streets and down the lines, how are you going to control how much water gets to go through the plant? I mean just . . . just from a mechanical."* Mr. Frame stated, *"You put a throttle on a valve . . . basically is what you do."*

Mrs. Pace stated, *"DEQ is going to override that because if they're building a 3 million gallon capacity that that's not gonna hold that that 2.5. We have to specify it's a 2.5 capacity because otherwise it will be over . . . you know overridden by DEQ."* Mr. Frame stated, *"Well, if you got into a situation where you had a 2 ½ million authorized use, and they had a 3 million dollar 3 million gallon plant built, then they are dumping water into the into the streams and stuff that has not been processed yet. DEQ will say open the throttle . . . open the valve more."* Mr. Johnson stated, *"Oh but you . . . we're . . . I mean it really is not up to us or DEQ or anybody else when the water goes through the plant, it's gonna go through the plant and there's nothing that anybody can do short of putting a big valve on there then you would start blowing manholes a lot higher than they're going now."* Mr. Hendrix stated, *"What you're looking at with that kind of scenario, you're looking at averages over the months and so the 3 million gallon plant will have surge capacity for twenty-four hour flows of a high velocity or a high capacity."* Mr. Burkett asked, *"Do I remember the engineering that that would be 7 million?"* Mr. Hendrix replied, "Yea, 7 or 8, something like that." Mr. Burkett stated, "I thought that I had read that somewhere." Mrs. Pace agreed.

Mr. Frame questioned, *"What if I, I'm looking for a solution here . . ."* Mr. Hendrix stated, *"We are looking for a solution also."* Mr. Frame continued, *"but . . . if we say that . . . . your capacity of normal, normal use is 2 million and you build a 3 million to handle the to handle surge. . ."* Mr. Burkett stated, *"And if I remember the engineering . . . I didn't bring it with me tonight because I . . . surge capacity on a 2 million gallon plant is 5 million gallons and I think on the 3 million gallon plant it's 7."* Mr. Frame stated, *"That's right. . . that was it."* Mr. Johnson stated, *"That's surge."* Mr. Burkett stated, *"The surge is already taken care of."* Mr. Johnson stated, *"But if I understand correctly, that's that's not the surge that where that water is actually being treated as it should be. It's gotta go . . . DEQ won't let you get away with that for a for a . . ."* Mr. Frame stated, *"Well as long as your averages aren't up there because the the it's enough non-sewage water going through there that its . . ."* Mr. Johnson stated, *"We have the environmental issue here which is that you're gonna be shooting water in there that's . . . we're building this plant to save the Chesapeake Bay yet on the other hand we're talking about intentionally leaving it and relying on this this loophole that DEQ puts out there so it basically assures that you're gonna have stuff going into the Rapidan that . . ."* Mr. Burkett added, *"On the other hand the number of homes that can be put on this thing you're greatly increasing the problem because if they start using the plant to the capacity . . ."* Mrs. Pace stated, *"Well I . . . legally I don't think that we could impose how the Town operates this system. I think that we need to approve the special use permit for a 2 million gallon and . . . based on DEQ's recommendation. I think DEQ deals with this you know every day across the state. I think they know what their figures are . . . they have looked at our plant and I think that with that saved money we can start working on that interceptor because it seems rather ridiculous to worry about a 3 million gallon capacity so that you can deal with surges when the interceptor is going to be throwing away throwing out all that sewage that doesn't ever . . ."* Mr. Johnson stated, "*It doesn't throw it all out. Some of it some of it comes out. . ."* Mrs. Pace replied, *"No, but . . . ."* Mr. Johnson continued, *"But a lot of the surge makes it to the plant."* Mrs. Pace stated, *"Well a lot of it doesn't and so it's . . ."* Mr. Johnson stated, *"But my question here . . . there was an idea thrown out there that maybe ½ million gallons of this would be . . . could be reserved in some type of agreement between the Town and the County. Has Council addressed that issue?"* Mr. Hendrix stated, *"Council is aware of that issue and it has not*

debated it but has looked at it and is something, that I think if properly worded, I could recommend to it." Mrs. Pace stated, *"And I think that obligates the County then. If we get into something like that the County is obligated and . . ."* Mr. Johnson stated, *"No, you're not obligated unless you're obligated so it all comes down to however the agreement is worded but just because you have an agreement doesn't mean you're obligated to something. Dooms day scenario. It seems like we're quibbling about ½ million gallons here where we feel comfortable worth 2 ½ but 3 is too much. . ."* Mr. Burkett stated, *"Let's keep it straight I'm quibbling about a million."* Mrs. Pace stated, *"Yea, I think . . ."* Mr. Burkett continued, *"There's still 2,500 . . ."* Mr. Johnson stated, *"Can I ever make any comments here without being interrupted from by right or my left? I mean I'm not interrupting other Board members I appreciate not being interrupted myself. Obviously there are five different opinions here and you know I think I think Teel would actually like 2.99 gallons if he could actually get it down exactly what he wants. That's a joke Teel. Teel will throw a piece of steel at me here. I don't . . . I'm uncomfortable with the idea that we're going to use a special use permit that is required for a 2 million gallon plant. We're going to use that to hold over the Town's head and say you know no we're not going to let you have 3 million. I think the Town are is the is the entity, the Town Council is the entity that needs to make this decision. We're only being brought into this because they need and SUP on 2 ½ acres and they need that no matter what size the plant is. And I think that . . . you know if there was . . . if there was some instance in the last four or five years where the Town had done the County dirty and we could kinda say okay, you know, here is pay back, I could understand this, but I just don't think that holding this . . . holding the Town hostage on something like an SUP of 2 ½ acres I just don't think it's good business. And I think it's going to make it . . . I think it's going to make a lot more issues between the two entities a very rare thing for the next two years if we don't bend on this a little bit." Mr. Goodwin stated, "One thing I would like to say too, that if you look at it, everybody that is sitting out there it elected officials same as we are and everybody of course on the Town Council represents people in my district. But the same as we're sitting here, they were elected to serve in that position so that they can do what they think is right for their citizenry. And whereas the same thing that we're trying to do for ours, but in getting to what we're doing now, is becoming micromanagement and I don't believe that's really where we want to go otherwise we can start micromanaging everything else and I'd rather supervise than get in and do it all myself. And whether it be 2, 2 ½, or 3, I think we can all agree that 2 ½ would probably be something everybody can live with, if we've got a little extra capacity, having a little too much is better than not having enough because not having enough, we're exactly back in the same boat that we are now where you have stuff that's not properly processed and DEQ is offended and at some point and time somebody is gonna want us to take care of it. Maybe not us, the Board here, but that Board there and at some point and time it costs money. And it's better to take care of it now times are slow prices are low. You get it done now cause if you wait two years when things start going again that $1.3 million will become $3 million and the difference on the interest will be more."*

Mr. Burkett stated, *"The exception to that is with every special use permit, we put in conditions that won't hurt the County and that extra million gallons is still a potential of $200 million worth of bonds that the this Board will have to come up with and I am . . . they say they don't want to do it, that's fine but when you ask them to agree to that they so no and we're trying to limit them. And I'm sorry, I can't vote for it."* Mr. Johnson stated, *"I think the key thing for me in what you said Zack is potential. Just because this plant is built that's not going to in and of itself cause growth and that's the that's the objection that I'm hearing is that this is this is going to cause growth or encourage growth and . . . I don't see it that way. I mean yea theoretically the potential is there but there are good sound reasons for the Town doing this. I don't know if what the Town's doing is right or not I haven't . . . you know . . . I think there's . . . there's good arguments in both directions but they're the ones who've been living with this for quite a while and they've come to a conclusion that this is the way they want to go and I think to just assume that because there's 3 million gallons instead of 2 million gallons capacity that that's gonna cause some great boom in housing, I think that's taking a leap farther than I'm comfortable with."* Mr. Burkett stated, *"Alright, then take the memorandum to Lee Frame from Cole Hendrix dated March 24, 2008, the first paragraph shows that they double the size of the town."* Mr. Johnson stated, *"I haven't seen that email so I am not familiar with it. I thought you said from Lee Frame to Cole Hendrix."* Mr. Burkett stated, *"No, from Cole Hendrix to Lee Frame."* Mr. Johnson stated, *"I'm*

sorry I have seen that. I misunderstood what you said."

Mrs. Pace stated, *"And I think that it's really important to consider the information from DEQ. I think that is essential and that must be considered in making this . . . offering this special use permit. And they certainly recommend the 2 million gallon."*

Mr. Johnson asked, *"Is there any further comment by the Board? Anyone care to make a motion?"* Mr. Goodwin stated, *"I make a motion that we take a recommendation of the Planning Commission and approve the SUP."* Mr. Johnson stated, *"I'll second for discussion. Now we enter the discussion phase."* Mr. Burkett stated, *"I think we've discussed it. Question?" Mr.* Johnson stated, *"The question has been called."* Mrs. Curry called the role: *"Mr. Burkett?"* Mr. Burkett stated, *"Nay"* Mrs. Curry called, *"Mrs. Pace?"* Mrs. Pace stated, *"Nay."* Mrs. Curry called, *"Mr. Frame?"* Mr. Frame asked, *"Can I take and make a speech here to explain my vote?"* Mr. Johnson stated, *"No you really have to do it afterwards. I will let you do it afterwards"* Mr. Frame stated, *"Alright. I vote aye."* Mrs. Curry continued with the roll call, *"Mr. Goodwin?"* Mr. Goodwin stated, *"Aye."* Mrs. Curry called, *"Mr. Johnson?"* Mr. Johnson stated, *"Aye."* Mr. Johnson stated, *"Mr. Frame, you wanted to make some comments?"* Mr. Frame stated, *"Yea, I'm a little irritated that this thing came up so late. I would have thought that we would have had plenty of opportunity many months ago for this whole issue to be raised and got into this last minute thing and I am irritated as hell about that. Our Comp Plan says that we do want to keep a small town with moderate and manageable growth and I'm not sure that this necessarily deviates from that but it certainly doesn't support that. I know darn well that if we have too much growth it's gonna impact on the on the County costs. For one thing we don't have a decent proffer agreement between the Town and the County. I'm concerned about that. If we had a stronger proffer agreement I might have felt a little more comfortable voting for this. This thing is not exactly but a little bit like the middle school. We had maybe some more capacity than we needed and that's probably the case here. I really do want to be able to make sure that we've got plenty of opportunity for economic development and having the capacity to provide to provide sewage to businesses who might come and need that kind of sewage and having it available. I think that's good because we do need economic development and I would hate to see ourselves anywhere in near term constrained by the inability to provide sewage service for potential businesses. I do have a little concern about the I & I and what we would do if we ever do fix that. The Town's ability to pay, I have concern about that, I still have concern about that because if they're not getting those hook up fees. I'm sure that they're going to be in serious trouble but that's the Town's elected officials have to decide that. I do believe that the Town has a right to control its own affairs to some degree. There is a cost to disruption. I know that. I don't know how much it is but I know that there would be a cost. I did check on the fines from DEQ and I don't think that would occur but again I'm a little ticked off and so by discussion with regard to the Town's controlling of the parking space for our County employees, that ticked me off a little bit. But in spite of that, that's why I gave a good cross section of why I think I needed to support this. This was not an easy decision. Probably one of the tougher ones because there are so many things weighing in the balance."* Mrs. Pace asked, *"Donna on this discussion, will you make sure in the minutes that you record our questions and our comments?"*

RE: <u>PROCESS FOR BOND DISBURSEMENT</u>

Karen Karasinski, Finance Director, explained that this item is requesting approval of a process to disburse bond proceeds for school capital projects. She stated that historically, after the Board has appropriated bond proceeds, the School Finance Department had checks to disburse funds directly from State Non-Arbitrage Program (SNAP) account. The revised procedure is more efficient and includes the appropriate internal controls for the disbursement of funds.

Discussion ensued including: the efficiency of the proposed process; and how the School Board feels about the proposed process.

Mr. Burkett moved, seconded by Mr. Goodwin and carried, to approve the following procedures as presented and to pay invoices related to school capital projects funded by County bond proceeds. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: SYSTEM WIDE SCHOOL FACILITY ASSESSMENT

Mr. Rolfe explained that the Orange County Board of Supervisors and the Orange County School Board have indicated that an assessment of school facilities is needed. This assessment will provide the information necessary to accurately forecast future school capital improvements, ensuring that adequate classroom space is available to accommodate enrollment and programs. A Request for Proposals (RFP) was distributed for the Board's review.

Discussion ensued including: whether to issue the Request for Proposals for Phase I only so that Phase II could be more specific; the need to include additional language regarding state standards; and that the scope of services may be expanded, not all inclusive, based on the outcome of Phase I.

Mr. Goodwin moved, seconded by Mr. Frame and carried, to authorize the County Administrator to advertise Requests for Proposals for Professional Services to conduct a system-wide School Facility Assessment. Further, funds will be transferred from contingency to pay for these services at such time that a firm has been selected and the cost of the assessment has been negotiated with that firm. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: VACo TOWN MEETING

Mr. Rolfe stated that at its last meeting, the Board requested that staff develop a list of talking points for the VACo Town Meeting. He reviewed the following points:

- Lack of funding for education;
- Lack of funding for transportation and a shift in responsibility from the State to local governments; and
- Provide local governments with the tools necessary to effectively manage growth including proffers and impact fees.

Discussion ensued among the Board as to what the priority should be. By consensus, the Board approved the list with the third point being the top priority and authorized Mr. Rolfe to present the points on the Board's behalf at the VACo Town Meeting.

RE: PROPOSED LEAVE BUY-BACK

Mr. Burkett moved, seconded by Mr. Frame and carried, to authorize the County Administrator to transfer funds in an amount not to exceed $10,000.00 from budget line number 100-12220-9210 into accounts as necessary to pay for excess leave accrued by employees of Constitutional Officers. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

Mrs. Pace nominated Lee Frame to serve as an At Large representative on the Rapidan Service Authority for a four year term, with said term beginning June 25, 2008 through June 30, 2012. Ayes: Johnson, Goodwin, Pace, Frame. Nays: None. Abstain: Burkett.

RE: DISCUSSION ITEMS

RE: ORANGE FREE CLINIC

The Board took this information under advisement and requested that this item be added to its April 22, 2008 agenda for further discussion.

RE: UNMANNED COLLECTION SITE

By consensus, the Board directed the Director of Public Works to have a green box placed outside of the fenced area at the landfill for citizen to use after hours.

RE: PENDING ITEMS

a. Proffer Policy Update
b. Tourism Corridor Overlay
c. Booster Park Agreement

RE: CALENDAR

The Board received copies of its calendar for the months of March, April and May 2008.

RE: ADJOURNMENT

There being no further business to discuss, Mr. Goodwin moved, seconded by Mr. Frame and carried, to adjourn the meeting at 9:43 p.m. Ayes: Johnson, Burkett, Goodwin, Pace, Frame. Nays: None.