

At a regular meeting of the Board of Supervisors of the County of Warren held in the Warren County Government Center on August 5, 2014 at 9:00 a.m.

Present: Daniel J. Murray, Jr., Chairman (North River District); Linda P. Glavis, Vice-Chairman (South River District); Tony F. Carter, (Happy Creek District); Richard H. Traczyk, (Shenandoah District); Archie A. Fox (Fork District); also Douglas P. Stanley, County Administrator; Blair D. Mitchell, County Attorney; Robert B. Childress, Deputy County Administrator; Carolyn W. Stimmel, Finance Director; Taryn G. Logan, Planning Director; David Beahm, Building Official; Dan N. Whitten, Assistant County Attorney; Matt Wendling, Planner; Janice C. Standridge, Deputy Clerk of the Board; Alex Bridges, Northern Virginia Daily; Roger Bianchini, Warren County Report; and Joe Farruggia, Warren Sentinel

Absent: None

Adoption of Agenda - Additions or Deletions

On a motion by Mr. Traczyk, seconded by Mrs. Glavis, and by the following vote, the Board of Supervisors adopted the agenda as presented:

Aye: Carter, Fox, Glavis, Murray, Traczyk

**Report - Virginia Department of Transportation - Ed Carter/
Clifford Balderson**

Mr. Ed Carter, Assistant Residency Administrator for the Virginia Department of Transportation (VDOT), reported on the following VDOT activities:

Maintenance performed in July:

- Brush cutting for sight distance on Routes 624, 609, 635, 647, and 55 East and at the intersection of Routes 522 and 604.
- Brush removal for sign visibility on various routes.
- Repairs to slides caused by heavy rains on Routes 658, 629, and 603.
- Dust control to all non-hard surfaced roads.

- Shoulder repairs on Routes 647, 609, 649, 710, 619, 615, 637, 55 East, and 55 West.
- Asphalt spot patching on Routes 632, 630, 619, and 613.
- Graded and applied stone to various non-hard surfaced routes.
- Opened pipes on various routes.

Maintenance planned for August:

- Second round of mowing on primaries and move to secondaries.
- Brush removal for sign visibility.
- Skin patching on various secondary routes.
- Asphalt spot patching on southbound lanes of Route 340/522.
- Grading of various non-hard surfaced roads.

Projects:

- Rockland Park - Bids being evaluated; low bid was \$14,000 under estimate.
- Major Bridge Projects - On schedule.
- Guardrail at Seal's Curve - Waiting on design completion.
- Success Road - Funding issues resolved; project moving forward.
- Oregon Hollow Road - Under construction and on schedule.
- Totten Lane - Project moving forward.
- Morgan Ford Bridge - Mr. Matt Dana, District Location Design Engineer for VDOT, provided an update on Route 624 and the Morgan Ford Bridge replacement project. This project was particularly challenging due to environmental and public issues. VDOT was working with the Virginia Department of Historic Resources (DHR) and Federal Highways to develop a Memorandum of Agreement (MOA). Federal Highways was in agreement with VDOT's proposal and Mr. Dana felt they were as close as they had been to reaching an agreement. The greatest challenge was with DHR regarding the aesthetics of the bridge. VDOT had received some direction from DHR with respect to DHR's concerns, e.g. wooden guardrail and VDOT felt it was a safe alternative since the speed limit was low in that area and truck traffic was restricted. DHR has asked VDOT to develop a more park-like bridge and VDOT solicited input from the Bureau of Federal Lands, an agency in charge of bridges in national parks, on aesthetics. The Piedmont Environmental Council hired a consultant to provide input on the project.

Mr. Traczyk noted that he had written an article on the Morgan Ford Bridge replacement project that was published in the Warren County Report.

Mr. Fox inquired about the estimated timeframe on the Morgan Ford Bridge replacement project. Mr. Dana hoped the MOA would be signed by the end of the month, then they would receive a finalized environmental document, and go to public hearing. He said this bridge was in desperate need of replacement.

Mrs. Glavis thanked VDOT for improvements to the Indian Hollow Bridge. She had received an inquiry from an area resident if large trucks could negotiate the turn onto Indian Hollow Road to reach the turkey farm. Mr. Dana said his group analyzed turning movements in the design process and he would look at that site and report back to the Board.

Mr. Fox noted that he had received a call from a constituent regarding the striping of roads when the resurfacing project was complete. Mr. Balderson said the roadway would be striped approximately 21 days upon completion of resurfacing.

Mr. Traczyk noted that later in the meeting the Board would consider a proposed resolution to enter into an agreement with VDOT to enforce the provisions of the state code regarding the removal of signs from within the VDOT right-of-way and collecting the penalties and costs. He asked if Mr. Carter or Mr. Balderson had any objections to the proposed resolution. Mr. Balderson said they supported the proposed resolution and Mr. Carter agreed.

Mr. Tony Carter noted that improvements to Oregon Hollow Road were progressing nicely. It appeared that it was shifting to the north and cutting down the bank. Mr. Ed Carter said that was correct.

Mr. Tony Carter asked how all the snow events from the previous winter had impacted the snow removal budget. Mr. Ed Carter said they used funds from their maintenance budget to offset the difference. The construction projects awarded at that time were not impacted.

Mr. Tony Carter inquired about the collection of cobble in Happy Creek. Mr. Ed Carter said VDOT did look at it and they were working with the Town on this matter. The Army Corps of Engineers was involved as well.

Mrs. Glavis noted that VDOT was making progress on the Gooney Creek Bridge project. She asked if these improvements would take into consideration that Route 340 was a scenic route, e.g. clearing and reseeding. Mr. Dana said that was correct and they were doing the same in other areas. Mrs. Glavis asked if they would keep Route 340 scenic and Mr. Dana said they would. He added that improvements would be similar to the Overall Run Bridge.

Mr. Murray noted that about two years ago, VDOT had cleared the ditches on Guard Hill Road near the Elks Lodge. After the last heavy rain, water was crossing the road again and residents hoped this could be addressed in the fall before winter weather.

Report - Town of Front Royal - Steve Burke

Mr. Steve Burke, Front Royal Town Manager, reported the following:

- The grading of the Riverton substation was near completion. The project was on schedule for operation this winter.
- Town and County staff completed training on the new building permit software from EnerGov and they were developing on-line permit applications.
- The Town's Economic Committee provided to Council a Strategic Plan recommending initiatives, one of which was to work with the Small Business Development Center (Lord Fairfax Community College). Town Council endorsed those recommendations and the committee will move forward with them.
- They completed all regulatory reviews and grants and low interest loan for the waste water treatment plant upgrade. The project would be advertised in August.
- Crews were installing flashing pedestrian signalization at the Happy Creek Trail crossing on South Street.
- The EDA continued to pursue acquisition of the necessary easements and rights-of-way for the Leach Run Parkway project. They were awaiting the environmental study to determine if there were actual Indiana Bats in the project area.
- Relative to the Route 522 Loop Study, Town staff was working with its consultant to identify alternative locations that were not encumbered by easements or other initiatives that prohibit installation.

- The Town had completed acquisition of property at Monroe Avenue and Kendrick Lane for the Front Royal Police Department headquarters. Town staff was developing the request for proposals for architectural services.
- He invited everyone to National Night Out at the gazebo beginning at 6:00 p.m., which was an opportunity for residents to become familiar with public safety initiatives.

Mr. Fox commended the Town for the landscaping around the substation on Route 55.

Report - Economic Development Authority - Jennifer McDonald

Mrs. Jennifer McDonald, Executive Director of the Economic Development Authority (EDA), reported the following:

- Mr. Mitchell and she continued to work with the Environmental Protection Agency (EPA) and Department of Justice on the revisions to the restrictive covenants on the Avtex site. Congressman Goodlatte's office continued to work with the EDA on a weekly basis to ensure this moved forward. The Environmental Protection Agency stated that they would have the "Letter of No Further Interest" to the EDA at the open house event on September 20.
- County Business Activity -
 - The EDA continued to work with one fast-food establishment, one pharmacy, one grocery store, one hotel, and one gas station interested in locating in the corridor.
 - The EDA submitted two responses to the Virginia Economic Development Partnership; one for a distribution center and one for a food processing facility.
 - The EDA continued to work with a heavy industrial user interested in locating to the Stephens Industrial Park, but it was a large water user and it might not be economically feasible for this company to locate here.
 - Interchange will build a new facility on Toray Drive.
- Town Business Activity -
 - The EDA was working with four fast-food restaurants, one bakery, one retail store, and one sporting goods store.
 - Two private developers were looking at properties on Main Street. The EDA believed they came to agreement with the bank on one of the properties for one of the developers.

- o The EDA continued to work on the Leach Run Parkway. Rights-of-way were needed from four property owners.
- o The EDA continued to work on the Afton Inn swap and should close on that property within the next 45 days.

Report - Civil War Sesquicentennial Committee - Patrick Farris

On behalf of the Civil War Sesquicentennial Committee, Mr. Wendling reported the following:

- A commemorative event of the Battle of Guard Hill would be held August 16 from 12:00-2:30 p.m. at the Warren Heritage Society for a lecture by former professor and historian Joe Whitehorn with a battlefield tour at 12:30 p.m. between Front Royal and Cedarville. The event will conclude at the Elks Lodge located in the core area of the battlefield.
- Darryl Merchant, GIS Manager for the Town of Front Royal, was working on a battlefield map for Guard Hill based on historic primary resources of Jedidiah Hotchkiss, Confederate mapmaker to Stonewall Jackson and Jubal Early.
- The committee was working on the grant program. This was the final year the state will offer grants for the Civil War Sesquicentennial. He will work with Brandy Rosser, County Grants and Special Projects Coordinator, on the submission of the grant request and will act as fiscal agent for that grant. They will request funding for a brochure for the 1862, 1863, and 1864 campaign driving tours, directional signage for the Battle of Wapping Heights on John Marshall Highway, and Civil War trails marker to further interpret the Battle of Guard Hill.
- The Shenandoah Valley Battlefields Foundation and other partners will host commemorative and re-enactment events for the Battle of Third Winchester in September. Additional information was available at www.shenandoah@war.org.
- The Cedar Creek and Belle Grove National Historic Park will host a series of tours and events for the Battle of Cedar Creek in October.

Report - Virginia Cooperative Extension Service - Corey Childs

Mr. Corey Childs, Agent for the Virginia Cooperative Extension Service, reported on the following activities:

4-H Program:

- Final preparation for 4-H camp.
- Partnered with Farm Bureau to present Agricultural Literacy Week in local elementary schools.
- In conjunction with the Fair Association, held major fund-raising activity - Easter egg hunt and spring event.
- Prepared youth for 4-H livestock events at the Warren County Fair.

Agriculture Education Programs:

- Stacey Swain attended the Ag-in-the-Classroom Conference and was recertified for classroom training in the school system.
- Worked with fair swine committees to develop recommendations for local producers in the swine industry to implement biosecurity controls to prevent the spread of the Porcine Viral Diarrhea Virus that was negatively impacting the swine industry across the country. There was one confirmed case in Virginia.
- Conducted a 2014 Annual Agriculture Summit with the Farm Bureau and Farm Credit, businesses, and landowners within the PD7 to identify area needs and to develop a plan of action.
- Conducted damage assessment for Gypsy Moths. There were some small areas that had been defoliated, but it was due largely to other types of caterpillars and insects.
- Worked with 4-H staff and others throughout the state to implement the Virginia Youth Meat Quality Assurance Program to increase food safety awareness among the younger producers of livestock.

Agricultural & Natural Resources, Horticulture:

- Conducted a series of commercial fruit producers educational programs held primarily in the Winchester and Shenandoah areas with approximately 150 participants.
- Sixteen area individuals completed the master gardener training to become certified Virginia Cooperative Extension Master Gardener Volunteers.

Family & Consumer Sciences (FCS), Nutrition & Financial Management:

- FCS staff provided on-going monthly nutrition sessions for about 100 students offering two ServSafe Managers' Certification courses in food safety.

- Provided eight Master Financial Education Volunteer Training sessions in Warren County. Karen Poff was trying to expand that program to help citizens become more financially responsible.

Mr. Childs invited everyone to the Warren County Fair. He noted that the 4-H livestock education program was a large component.

Mr. Murray noted that he had attended the Warren County Fair and the number of volunteers was impressive.

Report - Warren County Department of Social Services - Beth Reavis

Ms. Beth Reavis, Director of the Warren County Department of Social Services (DSS), reported the following:

- Fraud Prevention Program - DSS has come under criticism about its welfare fraud efforts. DSS programs were controlled by the federal and state government. The U.S. Department of Agriculture played a large role in fraud prevention and was supported at the local level by DSS's efforts. Fraud was generally defined as misleading government officials in determining remuneration resulting in benefits not appropriate to their situation. There were different types of fraud: benefits could be exchanged for cash known as trafficking, applicant includes false information on his or her application to qualify or increase the amount of his or her benefits, a retailer is disqualified from the SNAP program for abuse or includes false information on an application to be reinstated. Trafficking in the SNAP program had declined dramatically mainly due to improved oversight and program management and due to electronic benefits. Data matches used across the country provided information on people receiving benefits from more than one state. DSS was mandated to investigate each match as a possible fraud case. There had been 220 matches in the last two years. DSS had employed a fraud case worker who had extensive experience as a police investigator. This part-time employee had investigated approximately 280 matches or possible fraud cases.
- DSS had approximately 2,200 SNAP cases and about 120 TANF cases.
- DSS had 10 full-time employees and 4 part-time employees.
- DSS had collected approximately \$40,000 in claims. These

claims included fraud, client error, or caseworker error.

- During the recession, DSS experienced a 123% increase in cases with no additional staff.
- About 20 fraud cases in development will probably be forwarded to the Commonwealth's Attorney for prosecution.
- With regard to the unaccompanied children coming into the country, Virginia received the 5th largest number of children. DSS was not impacted by the influx of these children.

Public Presentations - Public Presentation time is intended as an opportunity for the public to give input on relevant issues and not intended as a question and answer period.

Mr. Herb Dunkle, Linden, addressed the Board on the following matters:

- Needed improvements to the intersection of Route 55 at High Knob subdivision entrance. Marks on the pavement were evident.
- Inadequate quality of the RSW Regional Jail and inadequate training of those operating the facility. The facility has been front page news in the Northern Virginia Daily during the last week or two illuminating problems that had occurred. He recommended that the Board require the RSW Regional Jail to institute ISO 9000 standards. He asked the Board to hire someone who was familiar with business management and the ISO process including medical care for the inmates and having the Northwest Center (Northwestern Community Services) interview people in there to determine who needs help. People in the facility were not receiving proper medical care. Every person in the RSW Regional Jail should be added to the County's public health insurance program. A rational process was needed to allow minor children to visit their incarcerated parents while unaccompanied by a legal guardian. Mr. Stanley should relinquish his position with the Regional Jail so he can focus on the County and allow someone else to take his place with the Regional Jail.

Reports - Board Members, County Administrator, County Attorney

Mr. Fox reported that he met with the Coffeys, Mr. Stanley, and Mr. Childress and he would have more to report in the closed

meeting.

Mr. Traczyk reported the following:

- He participated in firemen's parade riding in a County vehicle. They did not throw candy due to state regulations.
- He wrote an article on the Morgan Ford Bridge replacement project that was published in the Warren County Report.
- He received a number of calls on short-term tourist rentals. The Board did not have any answers at this time and would discuss the matter in work session today.

Mr. Stanley introduced Doug Sexton, Jr. as the County's new GIS Coordinator. Mr. Stanley provided information on Mr. Sexton's background.

Mr. Sexton said he was looking forward to facilitate the County's goals through the use of geographic information systems.

Mr. Stanley reported the following:

- *Leach Run Parkway* - VRA successfully priced the summer VFPF pool the week of July 28 with great results for the County's \$6.35 million borrowing for the Leach Run Parkway Project. The all-in true interest cost of funds was 3.396%.
- *Catlett Mountain* - The County received three bids for the Catlett Mountain project. The low bid of \$177,100 was within the window of the estimate of \$175,000-\$200,000. Once the Town and County have approved the award of the bid, the County will work to move forward with the project as quickly as possible.
- *Simpson's Landing Boating Access Project* - Staff commenced construction of the boat slide. The project will be completed by October 1.
- *Reassessment* - The reassessment process continued. To date approximately 18,014 of the 26,451 parcels have been completed. The contractor was currently in Shenandoah Farms, Browntown, Chester Gap areas, and the Town of Front Royal. Appraisers will be viewing properties, which may include taking photographs and knocking on doors to verify information. Each vehicle used by Wingate will be marked with a magnetic sign that reads "Real Estate Assessment - Wingate Appraisal Service".

- *Warren County Health and Human Services* - The final site plan for the parking lot expansion and building addition will be on the Town's Planning Commission agenda for approval at its August 20 meeting. Pending approval, they anticipated bidding the project the following week.
- *Dominion Project* - As of the week of July 28, the project was approximately 93% complete. They have started to test-fire the equipment.
- *Warren and Clarke Counties Microenterprise Assistance Program* - County representatives continued to work with People Inc. and Clarke County on finding small existing or start-up businesses looking for an opportunity to grow. Professional advice, services, and funding were available along with competitive interest rates. Interested parties should contact People Inc. at (540) 459-9096 or the Economic Development Authority at (540) 635-2182.

Mr. Fox said he noticed that the power lines along scenic highway 55 west had been sprayed and the foliage was turning brown as a result. He understood that the power lines in that area would not be sprayed and any vines, etc. would be cut instead. Mr. Stanley said he would check into that and report back to the Board.

Mr. Mitchell reported the following:

- In June his office collected approximately \$4,562 in delinquent taxes and various accounts.
- The Assistant County Attorney and he met with the Treasurer and Commissioner of Revenue regarding a restaurant that was extremely delinquent on the payment of meals taxes. They explored a number of ways to collect the taxes. His office received notification from a local bank that was holding approximately \$42,000, which was owed to the County and would be remitted to the County in the near future. The delinquent establishment would then be current.
- Dan Whitten and VDOT had drafted an agreement for the removal of signs within the VDOT right-of-way.
- Mr. Whitten drafted sponsorship agreements with Edward Jones Financial Company and Valley Health to add sponsorship logos and information to the Bing Crosby Stadium scoreboard.
- His office reviewed a proposal to consolidate approximately 60 lots in Shenandoah Farms into 10 lots. A number of lots and roads platted were never developed. The consolidation will allow the construction of a road to access these lots.

- The VRA bond closing for the Leach Run Parkway project was scheduled for noon August 5. They were awaiting rights-of-way on a couple of properties. He felt they should be able to move forward with the project in the fall.

Mr. Murray reported the following:

- He attended the ribbon cutting for The Studio on Main Street.
- The Backroom Brewery at Sunflower Cottage had its second hops festival and over 150 people were on site.
- He attended the RSW Regional Jail meetings.
- He attended the ribbon cutting at TLC Green.
- He visited the Warren County Fair.
- He thanked Mr. Traczyk, Mr. Carter, and Mr. Carter's daughter and for riding along in the firemen's parade.
- Volunteers and vendors were needed for the Air Show and USO Show. Interested persons should contact Mr. Murray or Reggie Cassagnol, Front Royal-Warren County Airport Manager.

Approval of Minutes - Regular Meeting of July 15, 2014

On a motion by Mrs. Glavis, seconded by Mr. Fox, and by the following vote, the Board of Supervisors approved the minutes of its regular meeting of July 15, 2014 as written:

Aye: Carter, Fox, Glavis, Murray, Traczyk

Consent Agenda

1. **Erroneous Assessment - 2011 Personal Property - Shenandoah Mobile Company - \$15,645.96 - Commissioner of the Revenue**
2. **Acceptance of Sponsorship Proposal for Bing Crosby Stadium Scoreboard from Valley Health and Edward Jones - Dan Lenz**
3. **Transfer of Funds for Brighter Futures Learning Community - Carolyn Stimmel**
4. **Award of Contract for Catlett Mountain Landfill Storm Sewer and Grading - Bob Childress**
5. **Removed and considered separately.**
6. **Donation of Sheriff's Office Vehicle to Rappahannock Regional Criminal Justice Academy - Danny McEathron**
7. **Proposed Amendment to Bylaws of the Warren County Youth Advisory Board - Doug Stanley**

8. Waiver of Building Permit Fees (exception of 3rd-party electrical inspection fees) - Warren County Habitat for Humanity - David Beahm
9. Acceptance of Grant Funding from Virginia Department of Aviation for 2015 Virginia Air Show - Brandy Rosser
10. Acceptance of Grant Funding from Virginia Department of Criminal Justice Services School Resource Officer Grant Program - Brandy Rosser
11. Purchase of 0.3698 Acres of Real Property and 1.9615 Acre Avigation Easement and Acceptance of Deed from William & Deborah Keeler for Front Royal-Warren County Airport - Bob Childress
12. Purchase of 0.7281 Acre Avigation Easement and Acceptance of Deed from Gregory T. Grigsby for Front Royal-Warren County Airport - Bob Childress
13. Proposed New Name for unnamed Falls in Shenandoah National Park in Warren County (Previous Recommended Name - Rattle Snake Falls) - John J. Miller Falls - Linda Glavis/Brandy Rosser
14. Authorization to Advertise for Public Hearing - Taryn Logan
 - a. Z2014-07-01 K.I.P, LLC - Proposed Ordinance to amend Section 180-28 (D) of the Warren County Code (Zoning Ordinance) to allow "Kennel, Commercial" as a Use permitted by Conditional Use Permit in the Industrial (I) Zoning District
 - b. 2014-07-07 K.I.P. LLC - Conditional Use Permit for Commercial Kennel (dog training facility)
 - c. 2014-05-02 Keith and Kimberly Hartke - Conditional Use Permit for Short-term Tourist Rental
 - d. 2014-06-01 Paul and Jennifer Hill - Conditional Use Permit for Short-term Tourist Rental
 - e. 2014-06-02 Jason Miller - Conditional Use Permit for Short-term Tourist Rental
 - f. S02014-06-01 - Proposed Ordinance to amend Sections 155-22, 155-23, 155-28, 155-29, and 155-30 of the Warren County Code (Subdivision Ordinance) to require the Submission of a Preliminary Subdivision Plat if the Subdivision results in More than 50 Lots and to provide for the Submission of the Preliminary Plat at the Owner's Option if the Subdivision results in 50 Lots or Less
 - g. Z2014-06-01 - Proposed Ordinance to amend Sections 180-8 and 180-55.1 of the Warren County Code to replace the Term Mental Retardation with Intellectual Disability and to amend the Definition of Residential Facility to allow Resident as well as Nonresident Staff Persons

h. SV2014-07-01 Janet M. Noel - Subdivision Variance to allow the Creation of 2 Family Subdivision Lots for Immediate Family Members before having held Fee Simple Title to the Property for 5 Years

On a motion by Mrs. Glavis, seconded by Mr. Traczyk, and by the following vote, the Board of Supervisors approved the above consent agenda items:

Aye: Carter, Fox, Glavis, Murray, Traczyk

Request - Appropriation of \$1,844 to Sheriff's Salary included in Sheriff's Office FY 2015 Budget (State Comp Board Budget Reduction) - Danny McEathron

Mr. Stanley noted that the Sheriff Danny McEathron had submitted a request that the County maintain his salary level. With the commencement of the operation of the RSW Regional Jail, the Sheriff will no longer receive the supplement from the State Compensation Board for Corrections, which resulted in a loss of approximately \$1,844 in his base salary. Mr. McEathron contended that although he was no longer responsible for the safety and security of inmates 24-7, he was still responsible for their safety and security within the court holding facility and he was required by state code to serve on the RSW Regional Jail. The \$1,844 was approved in the Sheriff's FY 2015 budget and while the Compensation Board did not provide those funds, he could find it within his existing budget.

Mr. Carter made a motion that the County fund \$1,844 of the Sheriff's salary to cover the loss of funding by the State Compensation Board. Mr. Fox seconded the motion.

Mr. Carter stated that he appreciated the work the Sheriff did, but his duties had been curtailed and he would not support the motion.

The motion failed by the following vote:

Carter, nay; Fox, aye; Glavis, aye; Murray, nay; Traczyk, nay

Mr. Murray said that as a result of the failed motion to approve, the request was denied.

Request - Resolution Opposing Construction of Underground

Natural Gas Transmission Line - Doug Stanley

Mr. Stanley presented for the Board's consideration a proposed resolution in opposition to a proposed underground natural gas transmission pipeline that would run through Warren County in close proximity to the existing 500kV power lines.

The proposal was being developed by Spectra Energy Partners, LP (Spectra). Spectra was a pipeline transporter of natural gas and provided natural gas to local utility and electric generating facilities for almost 70 years. Spectra's representatives started collecting and evaluating information necessary to determine the path of the pipeline.

Spectra was initially conducting project outreach efforts with landowners, community leaders, and elected officials to inform those most impacted about the various aspects of the proposed project such as surveys. Civil, environmental, and cultural resource surveys were required to thoroughly evaluate a pipeline route. The survey activities were fully described in "Description of Survey Activities," which was available on-line.

Spectra's efforts to develop a new natural gas transportation system was in response to growing market needs to provide firm natural gas transportation in the South Atlantic region for power generation and local distribution company core load growth needs by the fourth quarter of 2018. Spectra indicated that the proposed project will benefit the South Atlantic region in several ways; by making more diverse natural gas supplies available, by creating new pipeline transportation facilities necessary to support the needs of other regional power generators and natural gas customers, and by addressing the growing demand for environmentally friendly natural gas.

Mr. Stanley noted that Warren County had historically been a cross-roads community and since Colonial times, the County had seen its share of roads/interstates, railroads, power lines, and gas lines crossing through it and connecting the valley and the Piedmont of Virginia. Historically gas lines from the Gulf of Mexico area brought gas to the northeast. Three lines ran through the Nineveh/Rockland area. Over the last five to ten years, the growth in shale gas in western Pennsylvania and western New York reduced the cost and gas was being transported back to the gulf where they can get the best price. Duke Energy was trying to get natural gas to its area including south of Charlotte, North Carolina. The pipeline would run through Virginia east of the Interstate 81 Corridor to North Carolina.

Dominion was also proposing to construct a line through West Virginia to southwestern Virginia as an option.

Residents who already had various utilities run through their property were concerned. The proposed resolution would inform those making these decisions how Warren County felt about the proposal.

Mr. Fox asked if the County would benefit tax-wise from the natural gas lines coming through the County. Mr. Stanley said the County would benefit. The County's Public Service Corporation Tax increased when the second 500 kV power line was constructed. He noted that the power line had a greater impact than a natural gas line. He pointed out that there would also be a reduction in the value of the land through which the line passed. There was potential that the proposed route ran very close to or through the Happy Creek Industrial Park and there might be potential to connect the Industrial Park to natural gas, which would aid in the marketing of that property. He was not sure if it would be available to Warren County, but property owners could negotiate that as part of the process.

Mrs. Glavis asked if the proposed natural gas transmission line would run the same path as the 500 kV power line. Mr. Stanley said it did not follow the 500 kV power line path across the river near Shenandoah River Estates. The proposed route would be north of Bennys Beach, cross the river near Shenandoah Shores and Shenandoah River Estates near Christendom College, cross the interstate, come north of the Happy Creek Industrial Park, cross Mr. Atwood's farm to the south of the 500 kV lines, and then follow that route to Green Hill Forest, then generally east of High Knob.

Mrs. Glavis asked if the proposed resolution's reference to the need for a comprehensive review with special attention to reviewing environmental and public health impacts would make a difference. Mr. Mitchell said it could make a difference. The decision makers will hear the Board's concerns and take that into consideration. He pointed out that the proposed natural gas transmission line was a high-pressure line and an electrical transformer would be required to step down the pressure to serve anything locally, but it was something they could explore. He emphasized that the environmental concerns included the possibility of a gas line bursting and leaking. He added that there would be a number of hearings by the State Corporation Commission and these concerns should be addressed at that time.

Mr. Murray noted that he had worked for a local industrial complex until he retired and twice that company had to have the grounds excavated to repair leaks. He agreed that there were definitely environmental concerns associated with this proposal.

On a motion by Mrs. Glavis, seconded by Mr. Traczyk, and by the following vote, the Board of Supervisors adopted the resolution shown below stating that the Warren County Board of Supervisors opposed any plan that proposed a proposed natural gas pipeline location that would harm the lives and livelihoods of its citizens; and requesting that should it be determined that the construction of the proposed underground natural gas pipeline through Warren County was necessary, the construction be completed in the least intrusive manner possible minimizing the impact on historic areas, conservation easements, agricultural and forestal districts, and the residents and property owners of Warren County:

Aye: Carter, Glavis, Murray, Traczyk

Nay: Fox

RESOLUTION OF THE
BOARD OF SUPERVISORS OF WARREN COUNTY
OPPOSING THE CONSTRUCTION OF
UNDERGROUND NATURAL GAS TRANSMISSION LINE

WHEREAS Duke Energy has issued a Request for Proposals (RFP) to construct a natural gas transmission line connecting resources in western Pennsylvania to its facilities in North Carolina, and

WHEREAS Spectra Energy, a firm responding to the RFP, proposes a corridor through Warren County, and

WHEREAS the Warren County Board of Supervisors believes that this project must receive a comprehensive review under all applicable state and federal regulations and requirements with special attention to reviewing environmental and public health impacts, and

WHEREAS that portion of the proposed corridor parallel to Dominion Power's 500kV electrical transmission line includes federal and state designated historic districts, state and federal designated historic sites, state designated scenic byways, state designated scenic rivers, agricultural and forestal districts, the Appalachian Trail, Civil War battlefields and historic sites, and conservation easements, and

WHEREAS in Warren County alone, that corridor includes 22 miles of Appalachian Trail, 15 miles of scenic byways, 1 historic district, 2 historic sites, 9,424 acres in the Rockland Agricultural and Forestal District, and

WHEREAS the Comprehensive Plans of each of the affected counties, including Warren, call for the preservation of land of historic, scenic, and cultural importance, and the Warren County Board of Supervisors and its constituents have concerns relative to the impact of this proposal on Warren County, and

WHEREAS the County of Warren depends upon its natural, unspoiled beauty for its agricultural base and for the tourism it generates, which together sustain a measurable portion of our local economy.

NOW, THEREFORE, BE IT RESOLVED, that the Warren County Board of Supervisors urges Duke Energy to select another proposed corridor for its energy needs rather than that proposed by Spectra Energy, and

BE IT FURTHER RESOLVED that the Warren County Board of Supervisors opposes any plan that proposes an alignment in Warren County that would harm the lives and livelihoods of its citizens, and

BE IT FINALLY RESOLVED that, should it be determined that the construction of the proposed underground natural gas pipeline through Warren County is necessary, the Warren County Board of Supervisors requests that the construction be completed in the least intrusive manner possible minimizing the impact to historic areas, conservation easements, agricultural and forestal districts, and the residents and property owners of Warren County.

Request - Resolution re: Agreement with Virginia Department of Transportation (VDOT) for Enforcement of Section 33.1-373 of the Code of Virginia to Remove Signs within VDOT Right-of-way and Collection of Penalties - Dan Whitten

Mr. Whitten noted that Section 33.1-373 of the Virginia Code authorized the Commissioner of Highways to enter into an agreement with the Board of Supervisors authorizing the local government entity to act as agents of the Commissioner for the purpose of removing the signs from the VDOT right-of-way and collecting the penalties and costs. The code section stated any

person who erected a sign within the limits of any highway shall be assessed a civil penalty of \$100 per sign. All penalties were paid to the Highway Maintenance and Operating Fund, but the locality may keep the costs of enforcing the ordinance. The allowed costs were \$34 per sign.

The proposed resolution authorized the County Administrator to execute necessary documents to enter into an agreement with the Virginia Department of Transportation to enforce the provisions of Section 33.1-373 of the Virginia Code and to collect the penalties and costs provided in the code section and to designate the Zoning Administrator to be the County's responsible party for enforcement of the agreement.

The County Attorney's Office would be responsible for collecting the penalties and costs. Under the code section, the person, firm, or corporation advertised on the sign is presumed to have placed the sign within the right-of-way and that party would be responsible for paying the penalty or costs for each sign.

Mr. Carter asked if this included the removal of political signs. Mr. Whitten commented that Attorney General Opinions specified that political signs could not be removed. He felt political signs could be removed after an election, but not before.

Mr. Traczyk commented that these trash-on-a-stick signs, real estate signs, buy cars, buy houses, etc. had been an irritant to him for the past 37 years he had lived in Warren County and he had worked diligently to get rid of them. He hoped the penalty and costs would be a deterrent to put up signs. He said the Board tried to keep Warren County as pristine as possible.

On a motion by Mr. Traczyk, seconded by Mrs. Glavis, and by the following vote, the Board of Supervisors adopted the proposed resolution shown below authorizing the County Administrator to execute necessary documents to enter into an agreement with the Virginia Department of Transportation to enforce the provisions of Section 33.1-373 of the Virginia Code and to collect the penalties and costs provided in the code section and to designate the Zoning Administrator to be the County's responsible party for enforcement of the agreement:

Aye: Carter, Fox, Glavis, Murray, Traczyk

RESOLUTION RE: AGREEMENT BETWEEN THE
VIRGINIA DEPARTMENT OF TRANSPORTATION
AND THE BOARD OF SUPERVISORS
OF THE COUNTY OF WARREN, VIRGINIA

WHEREAS, the Board of Supervisors of the County of Warren, Virginia ("Board") has the authority to enter into an agreement with the Virginia Department of Transportation ("VDOT") pursuant to Section 33.1-373 of the Code of Virginia, 1950, as amended ("Virginia Code"); and

WHEREAS, the Board desires to enter into an agreement with VDOT to enforce the provisions of Section 33.2-373 of the Virginia Code and to collect the penalties and costs provided therein.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Warren, Virginia does hereby authorize the County Administrator to execute those documents necessary to enter into an agreement with VDOT to enforce the provisions of Section 33.1-373 of the Virginia Code and to collect the penalties and costs provided therein.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Zoning Administrator to be the County's responsible party for enforcement of the agreement.

Closed Meeting - Virginia Freedom of Information Act (Section 2.2-3711.3 Acquisition of Real Property for Public Purposes

On a motion by Mrs. Glavis and by the following vote, the Board of Supervisors went into closed meeting pursuant to Section 2.2-3711.3 of the Virginia Freedom of Information Act to discuss the possible acquisition of real property for public purposes:

Carter, aye; Fox, aye; Glavis, aye; Murray, aye; Traczyk, aye

At the conclusion of the closed meeting, Mr. Murray called the meeting back to regular session.

On a motion by Mrs. Glavis and by the following vote, the Board of Supervisors certified to the best of each member's knowledge only public business matters lawfully exempted from open meeting requirements under this chapter and only such public business matters as were identified in the motion by

which the closed meeting was convened were heard, discussed or considered in the meeting by the public body:

Carter, aye; Fox, aye; Glavis, aye; Murray, aye; Traczyk, aye

There was no action taken as a result of the closed meeting.

Adjournment

Mr. Murray adjourned the meeting.