

**MINUTES OF
FAUQUIER COUNTY TRANSPORTATION COMMITTEE**

October 26, 2005

7:00 P.M.

**2nd Floor Conference Room – Warren Green Building
10 Hotel Street
Warrenton, VA 20186**

Members Present: Laurence Mason, Vice-Chairman, Harry Atherton, Holder Trumbo, William Downey, Sam Poles, Erich Meding, and Darryl Shifflett (VDOT)

Members Absent: Matthew Smith, Chairman, J. David Cubbage, William Nace, and Mark Van de Water

Guests Present: Scott Filling, Edward Cornell, Lt. Col. David Flohr, Captain Jeff Crane, Sheriff Charlie Ray Fox, Jr., Franz G. Mahler, Barry Avery, Jane Jones, David & Kaye Nazarian, Ralph & Eleanor Manaker, Gay Estin, Merritt & Jane Jones, Virginia Warner, Lisa Eden, Len & Carol Bell, George Beavers III, Peter & Mary Winants, Richard Strother, Jacquelyn Gammons, Danielle Braga, Ginerva Hunter, Butter Strother, Thomas Sexton, Jackie Wagner, Susanne Lamb, Jean Perin, Lennart Lundh, Lena Scott Lundh, Valerie Lee, Robert Newton, William Couzens, Erica Wiley, Joseph Richards III, William & Ann Backer, Elsa Rosenthal, Dielle Fleischmann, R N Viets, Michael Motion, Victoria Edmands, Virginia Wright, Thomas Wolf, Tollie Wyant, Scott & Lisa Abeel, Jim Helm, Linda Newton, Richard Kelso, Carter Wiley, John Gibbons

Staff Present: Liz Cook, Stacey Pell

- 1. Consider Requests for Speed Limit Enforcement, Truck Weight Limits, Signage, and/or Speed Limit Reductions on Atoka Road (Route 713), Zulla Road (Route 709), Rectortown Road (Route 710), Halfway Road (Route 626), and Frogtown Road (Route 702) – Vicki Edmands and others (Item #2)**

Erica Wiley talked about the limited site distance on these roads. She inquired into the enforcement of a truck speed limit, limiting truck traffic, lowering the truck speed limit and/or having a portable weigh station. Paris may be a possible location for a portable weigh station. She indicated that it would be preferable to ban through trucks on these roads. She is looking for a workable solution.

Mr. Downey inquired what can be done with signage. Mr. Shifflett of VDOT stated that for troubled areas there is a need for Board of Supervisors support to put increased fine signs in place.

Various people discussed the need to eliminate trucks on these roads. They indicated noise of trucks downshifting and revving up speed is intrusive.

Mr. Meding suggested investigating Fairfax County to see what their criteria were when they established similar restrictions on certain roads.

Mr. Shifflett stated it would take tight resolution from Fauquier County Board of Supervisors. VDOT did a study and local residents did a separate study looking at truck counts. When Mr. Shifflett asked if it was positive trucks are using these roads as a cut through route, he was answered with a resounding 'Yes.'

Mr. Trumbo asked about how the road was engineered and the weight limits.

Mr. Shifflett replied that there are currently no weight limits but looking at the percentage of traffic on the roads, it is obvious that truck traffic has increased.

Citizens stated there are no shoulders on the majority of these roads, they do not want this designated as a truck route, and some trucks are too long and too wide for these roads.

Mr. Downey questioned if a ban on truck traffic would need to go to the state level. Mr. Mahler from the Virginia State Police Department answered in the affirmative and added that Board of Supervisors support would be needed. Mr. Downey said he would be willing to pass a resolution in support of the ban and send it to Richmond.

Mr. Atherton stated that Fauquier County roads are getting a tremendous amount of traffic, increasing the number of dump trucks and construction traffic in the area. He will explore the possibility of banning through truck traffic on these aforementioned roads. He recalled that the ban on Route 17/Route 55 took legislative action.

Sheriff Fox noted that with the Route 17 truck ban there is a catch, which will allow local deliveries within 25 miles from either end of the road.

Mr. Atherton stated if these roads get designated as no-through-trucks, it will be necessary to show an alternative route. Mr. Atherton also noted that if there is a no-through trucks ban on all roads except one, there will be a serious problem on the one allowable road.

There was general discussion about options and it was questioned how Route 17 between Route 50 and Interstate-66 was able to have a no-through trucks ban instituted. Mr. Atherton advised that Route 17 is designated as a primary road in Fauquier County while Zulla Road and such are designated as secondary roads. The secondary versus primary road designation has different regulations.

Mr. Atherton stated that most trucks can legally travel that portion of Route 17. Those trucks are ones which have deliveries within 25 miles of either side or business directly on Route 17.

It was questioned how to determine the real destination of trucks as well as weight limits.

There is a State Police and DMV weight station in Aldie which is a permanent scale house but it is only able to pick up trucks within a 10 mile radius.

There was discussion about the viability of portable scales for remote enforcement. It was advised that there are portable scales available, but a flat surface is required for an enforceable reading.

During the discussion, it was noted that a ban on no-through trucks also include horse and cattle trucks. It was questioned whether the state legislation is required for a ban and if Fauquier County could request one.

Mr. Atherton stated the roads in question cannot permit oversized or overweight trucks. Legal length/weight trucks, right now, have a right to travel those roads.

VDOT has the state and federal parameters for legal length and weight.

Ms. Wiley questioned whether it is possible to limit truck traffic based on pavement depth. She stated the group would welcome anything to reduce the amount of traffic, but needs enforcement.

Mr. Downey asked Sheriff Fox what resources he needs to increase enforcement. Sheriff Fox stated he needs safe areas to pull people over as well as more man power. Captain Crane stated calls for service have increased in the past few years and staffing has not increased.

Sheriff Fox stated his staffing allows seven deputies to handle all calls on each shift. Captain Crane noted these seven deputies handle domestic calls, criminal, traffic, patrolling school zones, gas drive offs – anything that comes in as well as attend court. Deputies also get hurt, get sick and are entitled to take vacations.

There was a discussion about special deputies assigned for traffic enforcement. There was a concern raised about liability issues that might arise.

It was also questioned how many deputies are assigned to Northern Fauquier. Captain Crane stated there are two deputies for Northern Fauquier, two deputies for Central Fauquier, two deputies for Southern Fauquier and one deputy for general assignments.

It was questioned about getting volunteer sworn sheriff deputies, who would have schooling but not receive pay. Sheriff Fox advised they would need to go through the Police Academy, take a polygraph test, and have background and criminal checks.

Mr. Poles asked if this were done, can these deputies be specified to northern Fauquier or would they be for the whole county. Sheriff Fox advised that they could be called to assist on other calls.

Various speakers expressed that Fauquier County needs more officers and needs better traffic laws. It was also stated that Fauquier County Sheriff's Office is the lowest paid in the whole state.

Mr. Atherton stated speed limit enforcement is as important as criminality.

Mr. Mahler stated the Virginia State Police used to ride with DMV but now the DMV has its own manpower to enforce truck length and width.

Captain Crane also noted that currently no officer can pull over trucks for length or weight. He advised that it is illegal in Fauquier County and would need legislation to change.

Mr. Downey asked Sheriff Fox how deputies are set up to roam the road.

Sheriff Fox stated that is pretty effective until the population knows where the police cars are usually located. This is also a short term fix. He also noted that his office does not have noise monitoring equipment.

Mr. Meding asked about the possibility of a holding area for people to wait until the officer arrives to distribute the ticket.

Sheriff Fox answered that technically people are under arrest when they first get stopped and there would need to be legislation to hold people longer.

Ms. Wiley stated that the sheriff explained his office would need additional staff. She sees this as an immediate need for enforcement

Sheriff Fox stated that he can schedule more deputies in that area, but if there are other calls the deputies are required to respond. The State Police will assist with the calls as well. Other calls include drunk driving, domestic and criminal cases. Sheriff Fox also noted he has requested additional deputies in his budget, which has been submitted to the Board of Supervisors.

Mr. Atherton stated the Fauquier County Sheriff's Office increased the deputy count by 6 some years ago.

Sheriff Fox stated that when deputies pull cars over, the court is now four months in arrears. Also, in many cases the fines are not high enough to deter drivers. There was discussion about increasing fines as a deterrent. It was advised that fine limits are set by the legislature.

It was questioned if a short term goal could be to assign more deputies to this area at least during peak hours.

Sheriff Fox answered this is possible until the deputy receives a call to which they need to respond. Also, deputies patrol school zones twice a day, answer calls for vandalism, trespassers, act as game wardens, assist with funeral processions and more.

Mr. Downey questioned if the truck ban was successful then would there be an enforcement issue. He asked what resources would be necessary.

Sheriff Fox stated if a deputy is in the area, it would be enforced. He indicated his office has a problem retaining people due to competitive salaries in other counties. There are also issues in finding safe places for cars to pull over and following trucks to determine destination.

There was discussion on how to get a ban on through trucks on Zulla and Atoka Roads started. Mr. Atherton and Mr. Downey will research but noted the Board of Supervisors did not do the groundwork for the ban on Route 17 rather people from the community worked with State and Federal officials while receiving local support. Mr. Atherton stated the community on Route 17 found out the process to follow for a ban.

Mr. Downey stated each department has a budget and the County endeavors to stick within each budget. He advised that Fauquier County does not have the luxury to add additional deputies out of the budget cycle. He indicated that he can support the Sheriff's budget request. He advised that County Administration reviews budgets in December and January with the Board reviewing in February; taking effect in July.

It was questioned if there are funds for deputies to work over time. Sheriff Fox stated that even with grants, his office still runs out of funds but does the best it can.

Mr. Downey stated that an aggressive enforcement campaign is needed.

It was questioned who receives the income generated from traffic fines. The funds are shared between the court system, County general fund and state literary fund. Sheriff Fox stated courts set the fines and deputies cannot enforce weight and length issues on trucks.

It was questioned about the possibility of placing speed bumps every quarter to half mile along these roads. A representative from Middleburg Fire Department stated that speed bumps are not advisable as they slow down response time for fire trucks, ambulances or any other type of emergency response personnel.

Mr. Atherton stated that VDOT does not allow speed bumps as it impedes emergency vehicles.

ACTION:

Bring back on agenda next month.

2. *Approval of September 28, 2005 Committee Meeting Minutes (Item #1)*

ACTION:

On motion made by Mr. Atherton and seconded by Mr. Trumbo it was moved to approve the September 28, 2005 Committee meeting minutes. The motion carried unanimously.

3. *Consider Making a Recommendation to Abandon a Portion of Mover Lane (Route 890) Located in the Whites Mill Subdivision – Barry Avery*

Mrs. Cook stated this may need to have a public hearing for the Board of Supervisors. This proposed abandonment was part of the approved White's Mill subdivision, but when the Committee considered the request before VDOT was not agreeable. Now VDOT has approved the abandonment prior to acceptance of the relocated Movern.

ACTION:

On motion made by Mr. Downey and seconded by Mr. Trumbo it was moved to send this item to the Board of Supervisors. The motion carried unanimously.

4. *Consider a Request to Improve Swains Road (Route 739) Located East of Enon School Road (Route 741) – Ron Harris*

Mr. Harris had called in prior to the meeting stating that he may not be able to attend but that he would like this to be moved to the November Agenda.

ACTION:

This was postponed until the November meeting.

5. *Consider the Following Requests of Scott Filling:*

a. *Shoulder Widening Along Route 17 Between O’Bannon Road (Route 698) and Hasty Road Lane (Private Street)*

b. *Paving and/or Widening Shoulder Areas Along Both Sides of Route 17 Between Belvoir Road (Route 709) and Pine Branch Lane*

Mr. Filling requested to show two locations where he thinks it may be possible to pull people over safely and efficiently as well as reduce accidents.

Mr. Downey asked how a truck will know where to pull over and if law enforcement could direct drivers to a specified location.

Mr. Mahler, with the Virginia State Police Department, stated that officers on the roads really have no idea where a driver will decide to pull over.

Sheriff Fox stated that officers try to gauge it in common sense areas, but some drivers just pull over as soon as they notice the lights without judging their surroundings.

Mr. Atherton asked if there are shoulder areas, would it improve the pullover capabilities.

Mr. Filling stated that the areas he highlighted do not overlap driveways.

Mr. Meding asked if the County can do the work independently of VDOT.

Sheriff Fox asked Mr. Filling if he had looked at the right-of-way issues.

Mr. Miller stated there needs to be input from VDOT for this scope of work.

Mr. Downey asked the law enforcement officials present if this item has any merit and is it worth pursuing.

Sheriff Fox stated that Route 17 already provided the most tickets in Fauquier County. He also indicated that this item might be worth it for greater enforcement opportunities, depending on the cost of the project.

Mr. Downey asked about speed enforcement by helicopter.

Sheriff Fox explained that this is not feasible as would require one office in a plane and several officers in cars on the ground. There is not enough staff to meet these requirements.

Mr. Downey if the legislature is there to use cameras on the dash or elsewhere.

Sheriff Fox stated that the person has the right to face the accuser and machines cannot testify in court, so it is not an option.

Mr. Filling brought up the fact that with the openings of Home Depot, Borders, and the Rec Center there will be increased traffic in this area.

Mr. Downey stated that he needs to speak with Mr. Cabbage from VDOT as to the scope of funding.

Mr. Filling stated that he is present representing a large group of citizens and thanked the Committee for their time.

6. *Consider a Request to Make Improvements to the Ramp from Route 17 onto U.S. Interstate-66 from Paris Mountain – Ray Graham*

Mr. Atherton stated this ramp has been in the Six-Year Primary Road priorities for a while as it is an expensive item but that it may need to go to the federal level for funding.

Sheriff Fox stated this is the only road in the state of Virginia that has a merge ramp that comes in to the main road on the right.

Mr. Downey questioned how to get this on the radar screen for federal contributions.

Mr. Atherton stated this needs to be earmarked through the next Transportation Bill.

Mr. Shifflett asked how this has been presented in the past with other cases. He suggested collecting that data as well.

ACTION:

On motion made by Mr. Downey and seconded by Mr. Poles it was moved to recommend to the Board of Supervisors to send a letter to Rep. Frank Wolf. The motion carried unanimously.

7. *Citizens' Time (Item #8)*

Mr. Poles asked on behalf of Mrs. Wright to the status of VDOT repair and improvements on Washwright Road.

There has been a question on the availability of right-of-way. Mrs. Wright indicated that she had dedicated right-of-way when she subdivided her property.

Mr. Atherton stated he is not sure if this road is eligible under Rural Rustic Road Designation.

ACTION:

On motion made by Mr. Atherton and seconded by Mr. Poles it was moved to include this in the Six-Year Plan as priority #21. The motion carried unanimously.

8. *Discuss Making a Recommendation on the VDOT Six-Year Improvement Program for Secondary Road (Item #7)*

ACTION:

On motion made by Mr. Atherton and seconded by Mr. Trumbo it was moved to recommend the Six-Year Improvement Program to the Board of Supervisors with the addition of Washwright Road and the deletion of Item #11. The motion carried unanimously.

9. *Other Items*

Mr. Poles checked on the status of the possibility of a School Zone Sign at Fresta Valley Christian School from the September Agenda.

Mrs. Cook stated the school will have to meet certain criteria but a sign is possible if they meet VDOT's criteria. The school would have to pay for the signs.

Mr. Downey appreciated the Committee's indulgence in regards to the large crowd and the length of time spent on the initial item.

Mr. Downey indicated this was the first time he had heard of an attempt to ban trucks from the aforementioned roads. Mr. Downey suggested at future meetings to limit briefings to 15 minutes. Mr. Atherton indicated he would talk to Kevin Burke about the no-through truck ban. Mr. Meding suggested that truck tags versus commercial tags could be the difference for the ban. Sheriff Fox stated that a ban would depend on weight exemptions and agricultural use or farm use.

Mrs. Cook advised the Committee about an invitation from VDOT to get together with other local governments to discuss future Primary Six-Year Plan projects for the Culpeper District.

Mr. Downey thanked Sheriff Fox and his staff for their attendance at this meeting.

There being no further business, the meeting was adjourned at 9:20 p.m.