

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

DRAFT MINUTES

Regular Meeting

August 15, 2017

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Paul V. Milde, III, Chairman, at 3:00 p.m., on Tuesday, August 15, 2017, in the Board Chambers, George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

Roll Call The following members were present: Paul V. Milde, III, Chairman; Meg Bohmke, Vice Chairman; Jack R. Cavalier; Wendy E. Maurer; Laura A. Sellers; Gary F. Snellings, and Robert "Bob" Thomas, Jr.

Also in attendance were: Thomas C. Foley, County Administrator; Charles Shumate, County Attorney; Marcia C. Hollenberger, Chief Deputy Clerk; Cheryl D. Giles, Deputy Clerk; associated staff and other interested parties.

Ms. Sellers presented proclamations to the U12 and U16 Stafford Shockwave Softball Teams for advancing to the World Series. A correction to the U12 proclamation was requested to add an additional name to the coaching staff.

Mr. Milde asked for any additions or deletions to the agenda.

Mrs. Maurer motioned, seconded by Ms. Bohmke, to adopt the regular agenda with the addition of a proclamation recognizing first responders.

The Voting Board tally was:

Yea:	(7)	Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay:	(0)	

Presentations by the Public The following persons indicated a desire to address the Board:

Jeffrey Trigger	Unity between the School Board and Board of Supervisors
Sharon Foley	Population growth in Stafford County; lack of new schools
Jennifer Morgan	Against Mosaic incentive agreement but in support of growth at the Aquia Town Center

Judy Curry Sub-par internet service in the Widewater Beach area; Verizon unaware of Dominion's installation of underground lines (Mr. Milde asked that she contact he or Mr. Cavalier.)

Board Member Presentations Board members spoke on related topics and asked that items as identified be removed from the Consent Agenda for discussion and separate vote:

Ms. Bohmke The ceremony for the Armed Services Memorial was one of the most impressive events held in the County; Ms. Bohmke stated that she was proud to be on the Board. She attended the Anne E. Moncure Elementary School (MES) ground-breaking; attended National Night Out where kids enjoyed trying on gear provided by the Falmouth Rescue Squad. Participated in the quarterly Other Post-Employment Benefits (OPEB) meeting, which began in 2009 with \$2.3 million. In 2017, there was \$6.1 million; \$535,000 was deposited in June to OPEB from health benefits savings. Participated in a Government Military Affairs Council (GMAC) conference call with Congressman Wittman regarding moving 175 employees from Dahlgren's chemical warfare group to Indian Head. Congressman Wittman said that he would look into the proposed move and report back to GMAC members. Ms. Bohmke asked to pull items 14, 15, 16 from the Consent Agenda.

Mr. Cavalier Served lunch at Kate Waller Barrett ES as a part of the Summer Heroes program where children can get a noon-time meal at no cost, which for some children could be the only meal they have during the day. It is federally funded and provided at no cost to the children or the County. Human Services Director, Ms. Donna Krauss, heads up the program for Stafford. Attended the MES ground-breaking ceremony; also attended National Night Out and the Friends of Widewater State Park meeting, which is a newly formed group of local citizens looking to be involved in the new Widewater State Park. Mr. Cavalier also attended the Aquia Harbour Board of Directors meeting. The community lost a great lady, Dr. Renee Lacey, with United Faith Christian Ministries. She was very involved in the community and will be greatly missed.

Mrs. Maurer Attended National Night Out; thanked the Sheriff's Office and the Fire and Rescue Department for its participation; attended the ground-breaking at MES; participated in a community meeting for Vista Woods (no HOA in that community). Thanked Anthony Toigo, the County's Citizen Action Officer, for being very good at what he does, saying that she appreciated the yeoman's job that Anthony does. There were approximately 150 people there and Mrs. Maurer hopes to make it an

annual meeting. Attended the Summer Festival at Mountain View; Lt. Peters was recognized with the Law Enforcement Leadership Award. Lt. Peters participates in community events including “Extraordinary Young Minds” every other weekend. Mr. Wayne Hawkins was given the Community Humanitarian Award; he was the former Wal-Mart manager who was very generous and donated so much to the community and will be missed. Regarding the traffic light on Courthouse Road, Mrs. Maurer thanked the construction crew and said it would be operational by the start of the school year.

Mr. Milde

Attended National Night Out, which he said has grown exponentially; there was a drone demonstration and free food, faith-based entertainment and was very enjoyable. Attended the MES ground-breaking, PRTC, and VRE meetings; the Hilton Suites opened, it is a very high end property long awaited in the County. Mr. Milde spoke about the Armed Services Memorial and Mr. Snellings’ contribution to the Memorial. At the ceremony, Mr. Milde said that he was the only one that did not stand up when those with military service were asked to stand and he said, he felt inadequate not having served. Mr. Milde noted that while some other cities were pulling down statues, Stafford County was proud to open the Armed Services Memorial. Memorial bricks were still available; he intended to purchase another brick commemorating his great-grandfather. The Purchase of Development Rights (PDR) program was open and applications being received through 9/15/17. Localities in PD16 were sponsoring town hall meetings to deal with the opioid crisis; the next one will be held on 9/26/17 at Brooke Point HS and will show the movie, “Chasing the Dragon.”

Ms. Sellers

Did not attend National Night Out but attended the School Board’s budget work session; expressed concerned about the Schools’ revenue projections and using restricted vs. unrestricted revenue. Ms. Sellers said there should be additional discussion so that both sides of the street are on the same page with revenue projections. Jason Towery, Utilities Director, has been working with residents of the new Liberty Knolls subdivision about its unusually high water bills and also on storm water issues in Liberty Knolls. The Mine Road sidewalk project is finally underway after three years in the making; thanked Public Works Director, Mr. Chris Rapp for his work on that project. Regarding #16, which Ms. Bohmke pulled from the Consent Agenda, at the earlier Public Safety Committee, members voted to approved it in support of staff working in the County’s Emergency Communications Center. Regarding the tragedy in Charlottesville, Ms. Sellers said that her family spends a lot of time there

and supports the University of Virginia; she thanked the Sheriff's Office and the Department of Fire and Rescue for supporting the public safety workers in Charlottesville.

Mr. Snellings Attended Eagle Scout Courts of Honor totaling 15 ceremonies this year; Solar Eclipse is August 21st, don't look at the sun or take a picture with a cell phone, it will kill the cell phone.

Mr. Thomas Attended Historical Society meeting at Shelton Cottage; the first floor is done but electricity is needed and the second floor is in need of renovation - staff assured Mr. Thomas that both are in the planning stages. Attended the Central Rappahannock Regional Library Board of Directors meeting – library staff is now paying for a portion of its health insurance premiums and the savings is being used to compensate staff that are currently below the market salary range; a vote on this will be taken at the CRRL meeting in November.

Report of the County Attorney – Mr. Shumate deferred his report.

Report of the County Administrator – Mr. Foley distributed a copy of the Current Top Priority Initiatives Report. The initiatives were categorized according to the Board's goals. He said that the report would be provided to the Board of a regular basis with updates to on-going projects and initiatives in the County. Mr. Foley asked for comments and suggestions on the hand-out.

Mr. Foley introduced Deputy County Administrator, Mr. Fred Presley, who spoke about the RFP for the Redevelopment Advisor position. Mr. Presley said that the RFP was "on the street" and preliminary responses were due back the following week. So far, ten national firms expressed an interest in the projects for redevelopment, not only in the Courthouse area but in other defined development areas of the County. An internal staff team was put in place to review the RFP responses and to ultimately suggest to the Board an ideal candidate for the position. Mr. Presley said that once the redevelopment advisor was in place, a second RFP would be sent out looking for a development partner. He noted that this was a huge opportunity for the County and he was looking forward to being a part of the process. Mr. Foley added that members of the RFP advisory team included the chairman of the Economic Development Authority, chairs of the Infrastructure and Community and Economic Development committees, and that he was also a member. Mr. Milde said that since he came on the Board, there had been talk about creating a downtown Stafford. He spoke about new development and the new I-95 interchange project and said it was time to bring it all together.

Public Works Director, Mr. Chris Rapp gave an update on transportation projects in the County.

Public Works Assistant Director, Mr. Chris Hoppe gave an update on parks projects in the County. Mr. Hoppe promised to get an answer to Mr. Milde’s question about paving at the Civil War Park.

APPROVAL OF THE CONSENT AGENDA

Ms. Sellers motioned, seconded by Ms. Bohmke, to accept the Consent Agenda. Ms. Bohmke asked that Items 14, 15, and 16 be pulled for discussion and a separate vote.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Item 4. Legislative; Approve the Minutes of the July 5, 2017 Board Meeting

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R17-209 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JULY 05, 2017 THROUGH AUGUST 14, 2017

WHEREAS, the Board appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize Virginia Resources Authority Funding for Fire and Rescue Station 14

Resolution R17-215 reads as follows:

A RESOLUTION OF THE STAFFORD COUNTY BOARD OF SUPERVISORS AUTHORIZING THE FINANCING OF FIRE STATION 14 FOR STAFFORD COUNTY, THE REFINANCING OF CERTAIN PRIOR COUNTY OBLIGATIONS, THE LEASING OF CERTAIN COUNTY-OWNED PROPERTY, THE EXECUTION AND DELIVERY OF FINANCING documents, AND OTHER RELATED ACTIONS

WHEREAS, the Board intends to finance the acquisition, construction and equipping of Fire Station 14 (the New Money Project); and

WHEREAS, the Board intends to refinance Stafford County, Virginia's (the County) obligations under the Economic Development Authority of Stafford County, Virginia's lease revenue bonds (Stafford County, Virginia Public Facilities Projects) Series 2008 (the 2008 Bonds); and

WHEREAS, the refinancing of all or a portion of the 2008 Bonds is referred to as the Refunding Project and the Refunding Project together with the New Money Project, is referred to as the Project; and

WHEREAS, the Board has determined that it is in the best interest of the County to enter into a lease arrangement or to amend existing lease arrangements in order to obtain funds to finance construction of the Project; and

WHEREAS, the Board is authorized, pursuant to § 15.2-1800 of the Code of Virginia of 1950, as amended, to lease any improved or unimproved real estate held by the County; and

WHEREAS, the Virginia Resources Authority (VRA) intends to issue one or more series of infrastructure and state moral obligation revenue bonds (Virginia Pooled Financing Program) (the VRA Bonds); and

WHEREAS, subject to VRA credit approval, VRA will provide a portion of the proceeds to the County to finance the Project pursuant to the terms of a local lease acquisition agreement and financing lease or such other agreement as VRA may require, including one or more amendments to existing financing leases (collectively, the Financing Lease) between the County and VRA; and

WHEREAS, the County will enter into a prime lease one or more amendments to existing prime leases (collectively, the Prime Lease) with VRA whereby the County will lease certain real estate owned by the County, as determined by the County Administrator and that VRA may approve, all to be set forth in the Prime Lease (the Real Estate) and the associated improvements and property located thereon (the Improvements) to VRA; and

WHEREAS, the County will enter into the Financing Lease with VRA pursuant to which VRA will lease the Real Estate and the Improvements back to the County and the County will make rental payments corresponding in amount and timing to the debt service on the portion of the VRA Bonds issued to finance the Project (the Rental Payments); and

WHEREAS, pursuant to the Financing Lease the County will undertake and complete the Project; and

WHEREAS, the County intends to pay the rental payments out of appropriations from the County's general fund and other available funds of the County, as needed; and

WHEREAS, the Financing Lease shall indicate that the amount of proceeds requested (the Proceeds Requested) from VRA will equal the sum of \$6,575,000 (for the costs of the New Money Project), plus an amount sufficient to refund the Refunded Bonds (as defined in paragraph 13, and used consistently throughout this Resolution), plus an amount sufficient to pay the expected costs of issuance, or such other amount as may be requested in writing by the County Administrator, and approved by VRA prior to the sale of the VRA Bonds; and

WHEREAS, VRA has advised the County that VRA's objective is to pay the County an amount which, in VRA's judgment, reflects the market value of the rental payments under the Financing Lease (the VRA Purchase Price Objective), taking into consideration the proceeds requested and such factors as the purchase price to be received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs

incurred by VRA (collectively, the VRA Costs) and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, such factors may result in the County receiving an amount other than the par amount of the aggregate principal components of the Rental Payments under the Financing Lease and consequently (i) the aggregate principal components of the Rental Payments under the Financing Lease may be greater than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized aggregate amount of the principal components of the Rental Payments under the Financing Lease does not equal or exceed the sum of the Proceeds Requested, the VRA Costs and any original issue discount, the amount to be paid to the County, given the VRA purchase price objective and market conditions, will be less than the Proceeds Requested; and

WHEREAS, the Prime Lease and the Financing Lease are referred to herein as the Documents;

NOW, THEREFORE, BE IT RESOLVED BY THE STAFFORD COUNTY BOARD OF SUPERVISORS on this the 15th day of August, 2017:

1. Authorization of Financing. The Board hereby determines that the lease-leaseback arrangement with VRA to accomplish the financing of the Project is advisable, necessary and in the best interests of the public health, safety and welfare of the residents of the County. The Board hereby approves of the lease-leaseback arrangement to accomplish the financing of the Project. The Board hereby authorizes and directs the County Administrator to select the Real Estate of the County to be leased as part of this transaction. The Board hereby authorizes leasing of such Real Estate and the Improvements by the County, as lessor, to VRA, as lessee, pursuant to the terms of the Prime Lease and the leasing of the Real Estate and the Improvements by VRA, as lessor, to the County, as lessee, pursuant to the terms of the Financing Lease. The Board hereby authorizes and approves of the performance by the County of its obligations under the Prime Lease and Financing Lease (collectively, Documents).

2. Authorization of Documents. The Documents shall be in substantially the forms approved by the County Administrator and the County Attorney whose approval shall be conclusively evidenced by the execution and delivery of the Documents by the Chairman of the Board and the County Administrator, or either of them.

3. Approval of the Terms of the Rental Payments. The Rental Payments set forth in the Financing Lease shall be subject to the foregoing parameters:

(a) The Rental Payments shall be composed of principal and interest components reflecting (1) for the New Money Project, an original aggregate principal amount not to exceed \$7,235,000 (exclusive of amounts needed to finance costs of issuance), (2) for the Refunding Project, an amount necessary to refund the Refunded Bonds, and (3) amount sufficient to pay costs of issuance.

(b) The Rental Payments related to the New Money Project and any amounts issued to pay costs of issuance shall have a true interest cost not to exceed 5.5% per annum (exclusive of "Supplemental Interest" as provided in the Financing Lease and taking into account any original issue discount or premium).

(c) The Rental Payments related to the Refunding Project shall be in an amount sufficient to refund and defease the Refunded Bonds, subject to paragraph 13.

(d) The Rental Payments related to the New Money Project shall have a final payment not later than the end of the fiscal year that is 21 years after the date of the Financing Lease.

(e) The Rental Payments related to the Refunding Project shall have a final payment not later than the end of the last fiscal year in which a Refunded Bond matures. It is determined to be in the best interest of the County to enter into the Financing Lease with VRA, subject to the terms and conditions set forth in this Resolution. Given the VRA Purchase Price Objective and market conditions, it may become necessary to enter into the Financing Lease with aggregate principal components of the Rental Payments greater than the Proceeds Requested. If the limitation on the maximum aggregate principal components of Rental Payments on the Financing Lease set forth in this paragraph 3 restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the VRA Purchase Price Objective, and market conditions, the County Administrator is authorized to accept a purchase price at an amount less than the Proceeds Requested. The County Administrator is authorized to accept the interest component of Rental Payments based on the interest rate or rates established by VRA and to determine the aggregate principal amount of the Rental Payments and the final terms of the Documents, subject to the parameters set forth in this paragraph 3. The actions of the County Administrator shall be conclusive, and no further action shall be necessary on the part of the Board.

4. Other Payments under Financing Lease. Subject to paragraphs 7 and 8, the County agrees to pay all amounts required by the Financing Lease in addition to the Rental Payments, including the supplemental interest, as provided in the Financing Lease.

5. Execution and Recordation of Documents. The Board hereby authorizes and directs the Chairman and the County Administrator to execute the documents and deliver them to the other parties thereto. The Board hereby authorizes the Clerk of the Board of Supervisors to affix the seal of the County or a facsimile thereof to the documents, if required, and to attest such seal. The Board hereby authorizes the Chairman and the County Administrator to determine the real estate to be leased as part of the lease-leaseback arrangement and to cause the Prime Lease and the Financing Lease to be recorded in the Clerk's Office of the Circuit Court of Stafford County.

6. Essentiality of the Project and Real Estate. The Board hereby declares that the Project, the Real Estate, and the Improvements are essential to the efficient operation of the County, and the County anticipates that the Project, the Real Estate and the Improvements will continue to be essential to the operation of the County during the term of the Financing Lease.

7. Annual Budget. While recognizing that it is not empowered to make any binding commitment to make Rental Payments and any other payments required under the Financing Lease beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Financing Lease. The Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Financing Lease an amount sufficient to pay the Rental Payments and all other payments coming due under the Financing Lease during such fiscal year. If at any time during any fiscal year of the County throughout the term of the Financing Lease, the amount appropriated in the County's annual budget in any such fiscal year is insufficient to pay when due the Rental Payments and any other payments required under the Financing Lease, the Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

8. Rental Payments Subject to Appropriation. The County's obligation to make the Rental Payments and all other payments pursuant to the Financing Lease is hereby specifically

stated to be subject to annual appropriation by the Board, and nothing in this Resolution or the Documents shall constitute a pledge of the full faith and credit or taxing power of the County or compel the Board to make any such appropriation.

9. Disclosure Documents. The County authorizes and consents to the inclusion of information with respect to the County in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both to be prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as VRA shall determine. The County Administrator is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

10. Tax Documents. The Board hereby authorizes the County Administrator and the Chief Financial Officer to execute a Non-arbitrage Certificate and Tax Compliance Agreement and any related document (the Tax Documents) setting forth the expected use and investment of the proceeds of the VRA Bonds to be received pursuant to the Documents and containing such covenants as may be necessary in order for the County and VRA to comply with the provisions of the Internal Revenue Code of 1986, as amended (the Tax Code), with respect to the VRA Bonds and the Documents including the provisions of Section 148 of the Tax Code and applicable regulations relating to arbitrage bonds. The County covenants that the proceeds of the VRA Bonds to be received pursuant to the Documents will be invested and expended as set forth in the Tax Documents, to be delivered simultaneously with the issuance and delivery of the Financing Lease and that the County shall comply with the other covenants and representations contained therein.

11. Other Actions. The Board hereby approves and confirms all other actions of the officers of the County in conformity with the purpose and intent of this Resolution. The Board hereby authorizes and directs the officers of the County to execute and deliver all certificates and instruments and to take all such further action as any such officer may consider necessary or desirable in connection with the actions contemplated by this Resolution or the execution and delivery of the Documents, including without limitation amendments to existing lease documents. The authorizations granted in this Resolution to the Chairman, the Clerk of the Board of Supervisors, the County Administrator and the Chief Financial Officer may be carried out by the Vice Chairman, the Chief Deputy or Deputy Clerk, any Interim, Acting, Deputy or Assistant County Administrator or any Interim, Acting, Deputy or Assistant Chief Financial Officer, as appropriate, in the absence of the primary officer. Any authorization of an officer of the County under this Resolution entitles such officer to exercise his or her discretion in taking action on behalf of the County, unless expressly provided otherwise. For any authorization in this Resolution that authorizes more than officer to act, it shall be sufficient that any of the officers authorized act to bind the County. The County Administrator and the Chief Financial Officer are each designated an Authorized Representative for purposes of the Financing Lease.

12. SNAP Investment Authorization. The County has heretofore received and reviewed the Information Statement (the Information Statement) describing the State Non-Arbitrage Program of the Commonwealth of Virginia (SNAP) and the Contract Creating the State Non-Arbitrage Program Pool (the Contract). The County has determined to authorize the County Administrator and the County Treasurer to utilize SNAP in connection with the investment of the proceeds of the lease-leaseback transaction if the County Administrator and the County Treasurer determine that the utilization of SNAP is in the best interest of the County. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the contract creating the investment program pool.

13. Refunding. The County Administrator and the Chief Financial Officer are authorized to determine the portions, if any, of the 2008 Bonds to be refunded as part of the Refunding Project (the Refunded Bonds), provided that the minimum aggregate amount of the savings achieved by the refunding, shall be on a present value basis of at least 3% of the principal amount of the Refunded Bonds. The County Administrator and the Chief Financial Officer are authorized to approve an escrow agent and enter into such escrow agreement or agreements as may be required to effect the refunding of the Refunded Bonds.

14. Effective Date. This Resolution shall take effect immediately.

Item 7. Commonwealth’s Attorney; Authorize the County Administrator to Accept the Victim-Witness Assistance Program Grant Award from the Virginia Department of Criminal Justice Services

Resolution R17-223 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT THE VICTIM/WITNESS PROGRAM GRANT AWARD FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FISCAL YEAR 2018

WHEREAS, the Virginia Department of Criminal Justice Services (VDCJS) submitted a Statement of Grant Award and a Statement of Grant Award Special Conditions to the County Administrator for approval and signature for the Victim/Witness Program funding; and

WHEREAS, VDCJS Grant Number 18-U9564VW16 has been awarded to the Victim/Witness Program in the amount of \$143,201 in federal funds and \$47,733 in State special funds for a total award of \$190,934.00 for FY2018 with no local match; and

WHEREAS, an itemized budget and budget narrative equal to the award amount must be completed and submitted to VDCJS by August 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to accept the Victim/Witness Program Grant Award Number 18-U9564VW16 from the Virginia Department of Criminal Justice Services in the amount of \$190,934 for Fiscal Year 2018.

Item 8. County Administration; Authorize the County Administrator to Execute a Design Contract for Phase 6 of the Belmont-Ferry Farm Trail

Resolution R17-187 reads as follows:

AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH TIMMONS GROUP, INC., FOR ENGINEERING SERVICES TO DESIGN PHASE 6 OF THE BELMONT-FERRY FARM TRAIL PROJECT

WHEREAS, the Board identified the completion of the Belmont to Ferry Farm Trail (Trail) as a priority to link important cultural and recreational resources located in the southern area of Stafford County; and

WHEREAS, four of the six phases of the Trail are now completed; and

WHEREAS, the Board previously authorized the submission of a successful grant application to fund Phase 6 of the Trail that extends from Chatham Bridge to the George Washington’s boyhood home at Ferry Farm (Project); and

WHEREAS, staff received an engineering cost proposal in the amount of \$499,500 from one of the County’s on-call engineering firms, Timmons Group, Inc. (Timmons) to provide engineering services for the necessary surveying, environmental, cultural and utility investigations, along with design and right-of-way acquisition services for the Project; and

WHEREAS, staff evaluated the proposal and determined that it was reasonable for the scope of services necessary; and

WHEREAS, 80% of the cost of the Project would be reimbursed under the federal Transportation Alternatives Program grant; and

WHEREAS, funds for this contract are included in the FY2018 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to execute a contract with Timmons Group, Inc., in an amount not to exceed Four Hundred Ninety-nine Thousand Five Hundred Dollars (\$499,500) for engineering, design, and right-of-way acquisition services for Phase 6 of the Belmont-Ferry Farm Trail project, unless amended by a duly executed contract amendment; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to sign all documents necessary for Stafford County to administer this project.

Item 9. Planning and Zoning; Refer to the Planning Commission the Creation of a Definition for E-Commerce and its Treatment as a Distinctive Use

Resolution R17-210 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, “DEFINITIONS OF SPECIFIC TERMS” AND TABLE 3.1 “DISTRICT USES AND STANDARDS”

WHEREAS, the Stafford County Code (Code) includes specific uses in the Zoning Ordinance and definitions for specific terms; and

WHEREAS, the Board desires to consider creating a definition for e-commerce and to include the use in appropriate zoning districts, and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance O17-30, to the Planning Commission for its review and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that proposed amendments to Stafford County Code Sec. 28-25, “Definitions of specific terms,” and Sec. 28-35, “Table of uses and standards,” pursuant to proposed Ordinance O17-30, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance as it deems appropriate and necessary.

Item 10. Planning and Zoning; Refer to the Planning Commission an Amendment to the Zoning Ordinance to Allow Drive-Through Facilities with a Conditional Use Permit in Certain Zoning Districts

Resolution R17-211 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION A PROPOSED ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-35, “TABLE OF USES AND STANDARDS”

WHEREAS, the Stafford County Code (Code) provides for specific uses and how they are permitted within the zoning districts; and

WHEREAS, a conditional use permit (CUP) is required for a drive-through facility located in the Highway Corridor Overlay Zoning District; and

WHEREAS, the Board desires to consider allowing drive-through facilities in other zoning districts with approval of a CUP; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance O17-31, to the Planning Commission for its review and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that proposed amendments to Stafford County Code Sec. 28-35, “Table of uses and standards,” pursuant to proposed Ordinance O17-31, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance as it deems appropriate and necessary.

Item 11. Planning and Zoning; Refer to the Planning Commission an Amendment to the County’s Zoning Ordinance re. the Definition of Free-Standing Emergency Rooms

Resolution R17-212 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, “DEFINITIONS OF SPECIFIC TERMS”

WHEREAS, the Stafford County Code (Code) includes definitions for the specific terms used in the Zoning Ordinance; and

WHEREAS, the Board desires to consider amending the definition of a hospital; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance O17-32, to the Planning Commission for its review and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that proposed amendments to Stafford County Code Sec. 28-25, “Definitions of specific terms,” pursuant to proposed Ordinance O17-32, be and they hereby are referred to the Planning Commission to hold a public hearing and provide its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance as it deems appropriate and necessary.

Item 12. Public Works; Petition VDOT to Include Wagoneer Lane, Whetstone Court, and Cutstone Drive within Colonial Forge, Section 1; and Greenbriar Drive and Honeysuckle Way within Forest View into the Secondary System of State Highways

Resolution R17-216 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE WOODCUTTERS ROAD, WAGONEERS LANE, WHETSTONE COURT, AND CUTSTONE DRIVE WITHIN COLONIAL FORGE, SECTION 1, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Woodcutters Road, Wagoneers Lane, Whetstone Court, and Cutstone Drive within Colonial Forge, Section 1, located off Woodcutters Road 0.31 mile from Courthouse Road (SR-630), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Woodcutters Road, Wagoneers Lane, Whetstone Court, and Cutstone Drive, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Colonial Forge, Section 1, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Woodcutters Road (SR-2350)	From: Intersection with Millrace Road (SR-2351) To: Intersection with Wagoneers Lane (SR-2354)	0.13 mi. ROW 92'
Wagoneers Lane (SR-2354)	From: Intersection with Woodcutters Road (SR-2350) To: Intersection with Whetstone Court (SR-2356)	0.03 mi. ROW 50'

Whetstone Court (SR-2356)	From: Intersection with Wagoneers Lane (SR-2354) To: 0.06 mi. W of Intersection with Wagoneers Lane (SR-2354)	0.06 mi. ROW 50'
Wagoneers Lane (SR-2354)	From: Intersection with Whetstone Court (SR-2356) To: Intersection with Cutstone Drive (SR-2355)	0.37 mi. ROW 50'
Wagoneers Lane (SR-2354)	From: Intersection with Cutstone Drive (SR-2355) To: 0.08 mi. NE of Intersection with Cutstone Drive (SR-2355)	0.08 mi. ROW 50'
Cutstone Drive (SR-2355)	From: Intersection with Woodcutters Road (SR-2350) To: Intersection with Wagoneers Lane (SR-2354)	0.10 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Colonial Forge, Section 1-A, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM110000093, with Instrument Number LR110017107 on October 11, 2011; and Colonial Forge, Section 1-B, recorded among the Land Records of Stafford County, Virginia as Plat Mat Number PM110000123, with Instrument Number LR110022093 on December 29, 2011; and Colonial Forge, Section 1-C, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM120000219, with Instrument Number LR120022467 on October 23, 2012; and Colonial Forge, Section 1-D, recorded among the Land Records of Stafford County, Virginia as Plat Mat Number PM130000138, with Instrument Number LR130017564 on July 18, 2013; and Colonial Forge, Section 1-E, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM130000153, with Instrument Number LR130019535 on August 9, 2013; and Woodcutters Road, Phase 1-B, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM120000034, with Instrument Number LR120005282 on March 21, 2012; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R17-217 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE GREENBRIAR DRIVE AND HONEYSUCKLE WAY WITHIN FOREST VIEW ESTATES, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Greenbriar Drive and Honeysuckle Way within Forest View Estates, located approximately 0.22 mile from Grouse Pointe Drive (SR-2252), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Greenbriar Drive and Honeysuckle Way, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Forest View Estates, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Greenbriar Drive (SR-2254)	From: Intersection with Orion Way (SR-2253) To: Intersection with Honeysuckle Way (SR-2255)	0.39 mi. ROW 54'
Honeysuckle Way (SR-2255)	From: Intersection with Greenbriar Drive (SR-2254) To: 0.23 mi. E of Intersection with Greenbriar Drive (SR-2254)	0.23 mi. ROW 54'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Forest View Estates, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM150000019, with Instrument Number LR150001963 on February 6, 2015; and Grouse Pointe, Section 2, recorded on Plat Map Number PM120000148 , with Instrument Number, LR120017873 on August 28, 2012; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 13. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider a Temporary Construction Easement on County-Owned Property to be used as a Staging Area for the Courthouse Road Improvement Project

Resolution R17-226 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER GRANTING A TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NOS. 29-28 AND 29-29 TO SHIRLEY CONTRACTING COMPANY, LLC TO BE USED AS A STAGING AREA FOR THE COURTHOUSE ROAD IMPROVEMENT PROJECT, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the County is the owner of Tax Map Parcel Nos. 29-28 and 29-29 (Property) located on Courthouse Road (SR-630) located within the Hartwood Election District; and

WHEREAS, the Virginia Department of Transportation (VDOT) desires to proceed with the construction of the Interstate I-95/SR-630 Interchange Relocation and Widening project (Project); and

WHEREAS, the Project's general contractor, Shirley Contracting Company, LLC has requested a temporary construction easement on the Property to be used as a staging area to set up and maintain an office trailer, utilities, and to store materials during the construction of the Project; and

WHEREAS, the Project contains critical road infrastructure that would provide long-term benefits for transportation and economic development needs within the County; and

WHEREAS, the Board is required to hold a public hearing to consider granting the temporary construction easement on County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider granting a temporary construction easement on Tax Map Parcel Nos. 29-28 and 29-29, to Shirley Contracting Company, LLC.

Item 14. Sheriff; Authorize the County Administrator to Execute a Maintenance Contract Renewal with Motorola; and to Execute a Software Update Agreement Ms. Bohmke asked that this item be pulled for discussion. She said that it was a significant amount and complimented Sgt. Ray Davis for saving \$1.5 million on the updates.

Ms. Bohmke motioned, seconded by Ms. Sellers to adopt proposed Resolution R17-201.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution R17-201 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TEN-YEAR CONTRACT WITH MOTOROLA SOLUTIONS, INC., FOR MAINTENANCE OF AND SOFTWARE UPGRADES TO THE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM

WHEREAS, the Stafford County public safety radio communications system (System) requires support, maintenance, and necessary upgrades for critical systems to keep it in optimal working condition and to allow for better interoperability; and

WHEREAS, in 2007, the County executed a contract with Motorola Solutions, Inc., (formerly Motorola) for maintenance of the System; and

WHEREAS, Motorola Solutions, Inc., proposes to renew and execute a ten-year maintenance and software upgrade agreement for the System in an amount not to exceed \$1,147,016 for FY2018; and

WHEREAS, the Sheriff’s Office and County staff have reviewed the proposal and determined that it is reasonable for the proposed scope of services; and

WHEREAS, sufficient funding for the contract with Motorola Solutions, Inc., is available in the Sheriff’s Office FY2018 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator, or his designee, be and he hereby is authorized to execute a ten-year contract with Motorola Solutions, Inc., for maintenance of and software upgrades to the public safety radio communications system, in an amount not to exceed One Million One Hundred Forty- seven Thousand Sixteen Dollars (\$1,147,016), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any other documents related to the contract that he deems necessary and/or appropriate.

Item 15. Sheriff; Authorize the County Administrator to Execute a Contract for the Purchase of a Training Simulator Ms. Bohmke asked that this item be pulled for discussion. Sheriff Decatur addressed the Board and provided details about the training simulator and its planned use in training and citizen education/involvement. He noted that Asset Forfeiture dollars would be used to pay for the simulator.

Ms. Bohmke motioned, seconded by Ms. Sellers to adopt proposed Resolution R17-200.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution R17-200 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH VIRTRA, INC. FOR THE PURCHASE AND INSTALLATION OF A TRAINING SIMULATOR FOR THE SHERIFF’S OFFICE

WHEREAS, the Sheriff’s Office is committed to providing the best public safety services to the residents and visitors of Stafford County; and

WHEREAS, realistic training experiences provided by a simulator would enhance the training program, provide better evaluation of potential candidates, and create an open dialogue with the community and the media; and

WHEREAS, pricing has been provided by VirTra Inc. through U.S. General Services Administration (GSA) contract Number GS-02F-0214P, which pricing is available to local governments under the Disaster Preparedness Category; and

WHEREAS, VirTra, Inc. can provide the VirTra Systems 300 LE-S Simulator and accessories for \$375,480, which staff has evaluated and believes is reasonable; and

WHEREAS, Asset Forfeiture Funds are available for this purchase;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator, or his designee, be and he hereby is authorized to execute a contract with VirTra, Inc. for the purchase and installation of a VirTra Systems 300 LE-5 Simulator for the Sheriff’s Office in an amount not to exceed Three Hundred Seventy-five Thousand Four Hundred Eighty Dollars (\$375,480), unless amended by a duly-authorized contract amendment; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to budget and appropriate Asset Forfeiture Funds for this purchase.

Item 16. Sheriff; Authorize the County Administrator to Assist the Sheriff’s Office with Ensuring Immediate and Future Staffing Stability in the Emergency Communications Center
Ms. Bohmke asked that this item be pulled for discussion. She said that this had never been done before and it was a new initiative aimed at providing staffing stability in the Emergency Communications Center.

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R17-225.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution R17-225 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ASSIST THE SHERIFF WITH THE IMPLEMENTATION OF INCENTIVES AND COMPENSATION STRATEGIES TO ENSURE IMMEDIATE AND FUTURE STAFFING STABILITY IN THE STAFFORD COUNTY EMERGENCY COMMUNICATIONS CENTER

WHEREAS, the Stafford County Emergency Communications Center (Center) is a division of the Sheriff’s Office and is the 911 answering point for the County, providing central dispatch and radio communications for the Sheriff’s Office, Fire and Rescue Department, Animal Control; after hours communication services for the Utilities Department; and notification point services for controlled burns in the County; communications support to the Aquia Harbour Police Department; and

WHEREAS, the Center is currently experiencing a staff shortage and anticipates further stresses on maintaining adequate staffing levels; and

WHEREAS, the County desires to take actions to retain the current staff and improve the recruitment and retention of communications officers in the future to ensure critical emergency communication services are maintained;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to provide an immediate temporary retention incentive to all Stafford County Emergency Communications Center employees during FY2018 for the purpose of retaining them for one year under retention agreements established by the Sheriff; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to conduct a study of the Sheriff’s Office Emergency Communications Center employee’s compensation, incentives, differential pay, and certification pay for the purpose of being competitive in the regional market and recruiting and retaining highly qualified personnel. The results of the study and recommendations for changes and additions to Emergency Communications Center compensation should be provided to the Board of Supervisors in the FY2019 budget proposal; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to expend funds for a temporary retention incentive, not to exceed \$150,000, and for contracting services for the Emergency Communications Center compensation study, not to exceed \$15,000, from FY2017 carryover funds.

Item 17. Treasurer; Authorize the County Administrator to Advertise a Public Hearing to Consider Amendments to County Code Sec. 5-43; “Tax Imposed” re. Dog Licensing Fees

Resolution R17-189 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDMENTS TO STAFFORD COUNTY CODE SEC. 5-41 “LICENSE REQUIRED,” SEC. 5-43 “TAX IMPOSED,” SEC. 5-45 “WHEN TAX DUE AND PAYABLE,” SEC. 5-47 “ISSUANCE, COMPOSITION AND CONTENTS,” SEC. 5-48 “PRESERVATION AND EXHIBITION OF LICENSE RECEIPT; TAG TO BE WORN BY DOG; EXCEPTIONS,” SEC. 5-53 “LICENSE SALES RECORD BOOK,” AND SEC. 5-55 “DESTRUCTION OF UNSOLD TAGS” REGARDING DOG LICENSING

WHEREAS, Virginia Code § 3.2-6528 stipulates that localities shall impose, by ordinance, a license tax on the ownership of dogs within their jurisdiction; and

WHEREAS, Virginia Code § 3.2-6528, permits localities to enact, by ordinance, an annual license tax on dog ownership which shall not be more than \$10 per year, no more than \$50 for a lifetime license; and

WHEREAS, the Board desires to consider amending Stafford County Code provisions regarding dog licensing, pursuant to proposed Ordinance O17-29, to address the above-referenced issues;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amendments to Stafford County Code Sec. 5-41 “License required,” Sec. 5-43 “Tax imposed,” Sec. 5-45 “When tax due and payable,” Sec. 5-47 “Issuance, composition and contents,” Sec. 5-48 “Preservation and exhibition of license receipt; tag to be worn by dog; exceptions,” Sec. 5-53 “License sales record book,” and Sec. 5-55 “Destruction of unsold tags” regarding dog licensing.

Item 18. Utilities; Authorize the County Administrator to Execute Grant Agreements with the Virginia Resources Authority, as Administrator of the Virginia Dam Safety, Flood Prevention, and Protection Assistant Fund for Engineering and Design of the Abel Lake Dam Upgrade Project

Resolution R17-207 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE GRANT AGREEMENTS WITH VIRGINIA RESOURCES AUTHORITY, AS ADMINISTRATOR OF THE VIRGINIA DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE FUND FOR

ENGINEERING AND DESIGN OF THE ABEL LAKE DAM UPGRADE PROJECT, LOCATED WITHIN THE HARTWOOD DISTRICT

WHEREAS, the Virginia General Assembly created the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund to assist with engineering costs for a specific regulated dam, for a specific eligible project; and

WHEREAS, the Board approved Resolution R17-99 authorizing the County Administrator to submit an application to the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund in an amount not to exceed Two Hundred Thousand Dollars (\$200,000); and

WHEREAS, the County was awarded a total of Two Hundred Thousand Dollars (\$200,000) by the Virginia Soil and Water Conservation Board split between two grants;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, the County Administrator be and he hereby is authorized to execute the grant agreements with the Virginia Resources Authority, as Administrator of the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund for engineer and design costs associated with state-mandated improvements for Abel Lake Dam, in an amount not to exceed Two Hundred Thousand Dollars (\$200,000).

Item 19. Utilities; Authorize the County Administrator to Execute Contracts for the Purchase of a Replacement Traffic Control Truck and an Asphalt Applicator

Resolution R17-213 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH 72 HOUR LLC FOR THE PURCHASE OF A REPLACEMENT TRAFFIC CONTROL VEHICLE AND A CONTRACT WITH ATLANTIC MACHINERY INC. FOR THE PURCHASE OF AN ASPHALT APPLICATOR VEHICLE

WHEREAS, the Utilities Department is required to maintain traffic control during repairs to infrastructure that is within a state maintained roadway; and

WHEREAS, it is important to provide a safe work area for the Utilities workforce and the public while making a repair in the roadway; and

WHEREAS, the traffic control vehicle provides a crash cushion and built-in man pods on the side to allow for safe cone and sign removal; and

WHEREAS, pricing has been provided by 72 Hour LLC, doing business as National Auto Fleet Group, through contract number 081716-NAF with the National Joint Power Alliance (NJPA); and

WHEREAS, the Utilities Department is required to restore asphalt to areas damaged in the roadway or driveway following a repair to infrastructure; and

WHEREAS, pricing has been provided by PB Loader Corporation, operating through its Virginia distributor, Atlantic Machinery Inc., through contract number 113012-PBL with NJPA; and

WHEREAS, both the traffic control vehicle and asphalt applicator vehicle have passed their useful life and are in need of replacement; and

WHEREAS, staff reviewed the purchase prices and found them to be reasonable for the products provided; and

WHEREAS, funds are available in the Utilities Department FY2018 Capital Improvement Program budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to execute a contract with 72 Hour LLC for the purchase of a traffic control vehicle, in an amount not to exceed One Hundred Twenty-two Thousand Four Hundred Sixty-six Dollars (\$122,466), unless modified by a duly executed contract amendment, and with Atlantic Machinery Inc. for the purchase of the asphalt applicator vehicle, in an amount not to exceed One Hundred Seventy-three Thousand Eighty-six Dollars (\$173,086), unless modified by a duly executed contract amendment.

Item 20. Utilities; Authorize the County Administrator to Execute a Contract with Recyc Systems, Inc. for Transporting and Land Application of Bio-Solids

Resolution R17-220 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT RENEWAL WITH RECYC SYSTEMS, INC.
FOR BIO-SOLID MANAGEMENT SERVICES

WHEREAS, the County’s treatment facilities produce bio-solids which must be managed in accordance with the Virginia Department of Health and the Department of Environmental Quality regulations; and

WHEREAS, in 2012, a contract was awarded to Recyc Systems, Inc. for the transport and land-application of the bio-solids from the water facilities and the Little Falls Run Wastewater Facility; and

WHEREAS, the Board authorized a contract for these services that provided for up to eight one-year extensions; and

WHEREAS, the renewal amount for this contract has been evaluated by staff and determined to be reasonable for the scope of services required; and

WHEREAS, funds are available in the Utilities FY2018 budget for such purposes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that the County Administrator be and he hereby is authorized to execute a contract renewal for the extension of bio-solid management services

with Recyc Systems, Inc. in an amount not to exceed Two Hundred Twenty Thousand, Two Hundred Ninety-seven Dollars (\$220,297), unless modified by a duly executed amendment.

Item 21. Public Information; Proclamation Recognizing Stafford Middle School Principal, Mark Smith, as the 2017 Outstanding Middle School Principal in Virginia

Proclamation P17-22 reads as follows:

A PROCLAMATION RECOGNIZING STAFFORD MIDDLE SCHOOL PRINCIPAL, MR. MARK SMITH, AS THE 2017 OUTSTANDING MIDDLE SCHOOL PRINCIPAL OF VIRGINIA

WHEREAS, Mr. Mark Smith is a graduate of the University of Virginia and began his career in education teaching chemistry at North Stafford High School; and

WHEREAS, Mr. Smith served as assistant principal at Gayle Middle School and Mountain View High School, and in 2011 was named principal at Stafford Middle School; and

WHEREAS, the Virginia Association of Secondary School Principals (VASSP) recognized Mr. Smith based on his demonstrated excellence in several areas including his willingness to take risks to improve student learning; anticipation of emerging problems and effective ways to solve them; working collaboratively with teachers and staff to improve educational programs and student achievement; and involving the community in the life of the school and using community resources to benefit his students;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that it be and hereby does recognize and commend Mr. Mark Smith, for his dedication to the welfare of the students at Stafford Middle School, and for being recognized as the 2017 Outstanding Middle School Principal of Virginia.

Item 22. Public Information; Proclamation Recognizing the Friends of the Rappahannock for its Clean-up Efforts at Falls Run Creek

Proclamation P17-23 reads as follows:

A PROCLAMATION RECOGNIZING THE FRIENDS OF THE RAPPHANNOCK FOR ITS CLEAN-UP AT FALLS RUN CREEK

WHEREAS, the Friends of the Rappahannock (FOR) was founded in 1985 as a non-profit, grassroots conservation organization working to educate the public about the Rappahannock River (River), and to advocate for action and policies to protect and restore the River; and

WHEREAS, a dedicated group of adults and two youth volunteers spent a day under the guidance of Mr. Adam Lynch, Restoration Coordinator, for FOR, cleaning up Falls Run Creek, and for being a valued community partner with Stafford County; and

WHEREAS, the County appreciates their many efforts in helping to preserve our precious resources; and

WHEREAS, the results of the volunteer’s efforts amounted to the removal of 10 large trash bags, two car tires, a bicycle, and 400 pounds of scrap metal;

NOW, THEREFORE, BE IT PROCLAMATION by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that it be and hereby does recognize and commend Mr. Ken Burke, Mr. Adam Lynch, the Friends of the Rappahannock and its hard-working volunteers, for efforts at maintaining the Rappahannock River and especially for its clean-up work at Falls Run.

Item 23. Public Information; Proclamation Recognizing the 12U Stafford Shockwave Softball Team for Advancing to the World Series

Proclamation P17-24 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND THE STAFFORD SHOCKWAVE 12U TEAM FOR ITS ACHIEVEMENTS IN QUALIFYING FOR AND PLAYING IN THE WORLD SERIES

WHEREAS, the Stafford ShockWave 12U had a winning season and qualified for the World Series where they represented Stafford County with excellent skills and good sportsmanship; and

WHEREAS, during regular season play, the Stafford ShockWave 12U had a winning record, with 185 runs scored and only allowed 51 runs; and

WHEREAS, the Stafford ShockWave 12U were champions of two major tournaments, the Battle of Fredericksburg I and II; and

WHEREAS, members of the Stafford ShockWave 12U include: Hayley Alvarez, Rhian Batts, Gianna Booker, Riley Delcore, Paige Eagleton, Jenna Fellman, Lana Franklin, Leighton Gary, Hannah Linder, Alexis Murphy, Jenna Murphy, Emma Parkyn, Anali Reyna, Cynthia Riley and Jordan Yule; and

WHEREAS, coaches of the Stafford ShockWave 12U are George Fellman, Heather Gary, Jose Reyna, Jr., and Cynthia Riley.

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that it be and hereby does recognize and commend the Stafford ShockWave 12U for its achievements in qualifying for the World Series.

Item 24. Public Information; Proclamation Recognizing the 16U Stafford Shockwave Softball Team for Advancing to the World Series

Proclamation P17-25 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND THE STAFFORD SHOCKWAVE 16U TEAM FOR ITS ACHIEVEMENTS IN QUALIFYING FOR AND PLAYING IN THE WORLD SERIES

WHEREAS, the Stafford ShockWave 16U had a winning season and qualified for the World Series where they represented Stafford County with excellent skills and good sportsmanship; and

WHEREAS, the Stafford ShockWave qualified for the World Series for the second year in a row, with last year being the first time a Stafford recreational league all-star team ever made the World Series; and

WHEREAS, members of the team include: Rachel Arce; Amber Bearon; Bethany Davis; Annaliese Franklin; Yasmine Guy; Angela Harris; Alexis Heany; Brooke Mayhew; Crystal Mullen; Katherine Parkyn; Kaitlyn Sandoval; and Katherine Young; and

WHEREAS, coaches of the Stafford ShockWave 16U are Jacob Bearon, Curtis Harris, Michael Mayhew and managed by David Bearon.

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that it be and hereby does recognize and commend the Stafford ShockWave 16U for its achievements in qualifying for the World Series.

NEW BUSINESS

Item 25. Discuss the Board of Supervisors' Code of Performance Mr. Milde said that Mr. Snellings brought up the topic of the Board's Code of Performance (Code), but said it was for no particular reason other than that previous Boards had signed the document. Mr. Foley noted that the Board discussed its Code at the Board's annual retreat in February, 2017. Mr. Milde read the Code. Mr. Shumate noted that there were minor changes vs. what previous Boards signed. Mr. Thomas said that he was in favor of signing it. Because it was a New Business item, Mr. Shumate reminded the Board that it would have to suspend its Bylaws to vote on it at that time. Mr. Snellings said that he would support it but there was no hurry and it could come back at the next Board meeting.

Mr. Cavalier pointed out a change in the first item regarding meeting attendance and requested that the words "make every effort to attend..." be added to the revised document as it was impossible to predict health or family emergencies that may preclude a Board member from attending all meetings. Mr. Snellings agreed with Mr. Cavalier and said that he missed three meetings due to being hospitalized.

Ms. Bohmke said that when she brought it up at the Board's retreat, other members "poo-poo'd" the document saying that it was not necessary; that the Board did all the things listed. Ms. Bohmke said that citizens had concerns about Board members rolling their eyes during Public Comments, which was disturbing to those citizens presenting their views to the Board. She also said that there was need for greater confidentiality because as soon as some Closed Meetings were over, someone was contacting the newspaper and the supposedly confidential topics of discussion were then made available to the public. Some Board members were on cell phones texting during the meeting and during Closed Meetings, which was very distracting to others

and not appropriate. Ms. Bohmke said that she did not understand why it was shot down at the retreat but that she was willing to sign it. Mr. Snellings spoke about some Board members intimidating other Board members saying that when he first was elected, he did what he was told and was scared to death to make a mistake.

Mrs. Maurer questioned if the Code would be evaluated and resigned on an annual basis and if so, who did the evaluation? Mr. Milde said that it would be self-evaluated by the Board. Mr. Thomas suggested doing a self-evaluation at the Board’s annual retreat.

Mr. Foley asked if the Board wanted the Code to be brought back at its next meeting, and if it should be an item for Unfinished Business or for the Consent Agenda. The Board gave verbal agreement that it could be brought back at its September 5, 2017 meeting on the Consent Agenda, with the revision regarding meeting attendance.

Ms. Sellers asked about consequences or punishment if the Code was not adhered to. Mr. Shumate said that the Code of Virginia contained statutory provision regarding Board misconduct and how it was to be dealt with. Ms. Sellers that she was good with it so long as there were consequences and it was not just a “feel good” exercise.

CLOSED MEETING

At 4:17 p.m., Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM 17-13.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution CM-13 reads as follows:

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; (2) discussion concerning a prospective business where no previous announcement has been made of the business’ interest in locating its facilities in the County; (3) discussion concerning a prospective business where no previous announcement has been made of the business’ interest in locating its facilities in the County; and (4) discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(5), (7) and (29) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 15th day of August, 2017, does hereby authorize discussion of the above matters in Closed Meeting.

Closed Meeting Certification. At 5:27 p.m., Mrs. Maurer motioned, seconded by Ms. Bohmke, to adopt proposed Resolution CM 17-13(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution CM-13(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON AUGUST 15, 2017

WHEREAS, the Board has, on this the 15th day of August, 2017, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 15th day of August, 2017, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Board.

At 5:30 p.m., the Chairman recessed the afternoon session of the meeting.

At 7:10 p.m. the Chairman reconvened the meeting. Ms. Bohmke gave the Invocation and Mrs. Maurer led the Pledge of Allegiance. Mr. Milde read the following statement:

“Mosaic has officially withdrawn its request to amend the existing memorandum of understanding to increase incentives for the Aquia Town Center project. Due to the existing confidentiality agreement in place between the County and Mosaic, the Board will have no further comment at this time. The County continues to look forward to the redevelopment of the Aquia Town Center.”

Ms. Bohmke presented a proclamation recognizing International Service Dog Week in Stafford County. Members of the County's K-9 force were present as was Juanita Maley with Kahn, the County's Victim-Witness dog. Mr. Jim Purton presented Jason Haag, USMC Ret. with his PTSD Support Dog, Axel; Rebecca Burlage with her bulldog, Penny, a self-trained certified service dog; Laurie Williams, Penny's trainer and owner of Pup N Iron in Stafford County; Matt Hoioos and his parents Tom and Sharon, with Matt's service dog, Shiloh; and Mr. Purton's service dog in training, Prissy.

Ms. Bohmke presented a proclamation to Restoration Coordinator, Adam Lynch, recognizing the Friends of the Rappahannock for its clean-up efforts at Falls Run Creek. Mr. Lynch thanked the Board and spoke about environmental stewardship. He thanked the two 17-year old boys that helped with the clean-up. A large-scale clean-up is planned for September 9, 2017 with 150 volunteers to help out. Mr. Lynch said that the Rappahannock River was on the list of most endangered rivers due to fracking in the tidal section of the River.

Mr. Cavalier presented a proclamation recognizing Mr. Mark Smith, 2017 Virginia Outstanding Middle School Principal of the Year. Mr. Cavalier said that he knew Mr. Smith for a long time and he was pleased to present the Virginia Association of Secondary Schools award to him. Mr. Smith shook hands with Board members and said that he was grateful for the recognition. He said that he always had the minds and hearts of the students in mind and that Stafford's was a great school division.

Presentations by the Public The following persons indicated a desire to speak:

Dr. Cladre R. Spears 10 year USMC veteran; petitioned the Board to remove the Confederate flag flying on I-95, which she said has been causing controversy for years.

Susan Kosior Moved to Stafford in 2005; since 2014 the Confederate flag on I-95 has caused racism and hatred, and ill-intent; no love of confederate history, calls to the Board went unheeded; Mr. Thomas told her that no one complained about the flag but she was complaining; some students are afraid because of the Confederate Flag; the Board should have the backbone to remove it; she spoke to the property owner, Mr. Cash, who said he has no intention of removing it; a billboard should be erected welcoming all people to the County.

John Starkey The Confederate flag on I-95 is offensive; a statement denouncing bigotry, hatred, and racism should be placed on the County website.

Edwin Santana The Confederate flag on I-95 says "welcome to Stafford" and should be removed. He rejected that because it was on private property, nothing can be done. 600,000 people died in the Civil War; the flag creates a lasting, bad impression and just like Nazi flags, it should be done away with; not everyone knows it is on private property.

Joe Mancini The height of the Confederate flag pole is a zoning issue; zoning should regulate the height of things on private property; there are a lot of flag poles in his neighborhood and none that are that high; 10' to 12' is a good height; 90' is excessive.

Bill Johnson-Miles 20 retired Navy veteran; was in Charlottesville on Saturday morning with clergy who linked arms and prayed and sang songs; condemned inequality which, he said, was emboldened by the President of the United States. The County should have a resolution or proclamation supporting Charlottesville and condemning hate groups by name. Thinks that the name Jefferson Davis Highway should be done away with as he was a slave owner; the Confederate flag on I-95 says “welcome to racist Stafford County.”

Suzanne Firrell Retired citizen who enjoys the community and people but she grew up in the South and is bothered by the Confederate flag on I-95; Stafford County is not a community that should be recognized by a Confederate flag. “All evil needs to succeed is for good men to do nothing.”

Jenn Coolidge Resident of the Griffis-Widewater District; spoke about Martin Luther King Jr’s speech, “I Have a Dream” and asked what the Board’s dream was for Stafford County; was that dream for all or only for some of its residents; the Confederate flag on I-95 represented a disturbing trend and the Board should do something about it; the Board’s lack of response was the “elephant in the room.” The violence won’t stop in Charlottesville but it could stop in Stafford if that flag was removed. She said that companies like Mosaic would have the wrong impression of the County and not want to come here if the Confederate flag continued to fly. She is willing to start a GoFundMe site for billboards on I-95 stating that this is not what Stafford County stands for; that it does not represent the values of the leaders and residents of Stafford County; and it could be a teachable moment for children if the flag was removed or billboards were erected. Concluded with a quote by Adolf Hitler.

F.X. Bergmeister Retired Marine; private citizen asking why live in Stafford County; with the Board’s brain-power, prayer, persuasion, and possibly a billboard, there could be a simple solution to the Confederate flag issue. Thanked the Board for the open forum.

Sarah McClelland On July 4, 2014, a neighbor put up a Confederate flag on his garage door. Her husband built a beautiful bay window but they had to move because she could not look at the flag so they moved to Ferry Farm. She saw the Confederate flag on I-95 and had to try to explain it to her children and why it was in this County and no one did anything about it; said she is now being forced to move out of a racist County and said that the solution may be to vote the Board out of office if they won’t do anything about the flag.

Patricia Joshi 19 year County resident, two daughters graduated from Colonial Forge HS; oldest is a UVa graduate. The Confederate flag on I-95 was forced on the community who was told that because it was on private property, nothing could be done. The enormous symbol of hate is an embarrassment to the County; she had to try to explain it to her daughter’s boyfriends and that it did not represent their parents’ beliefs. Asked if anyone had researched height restrictions, “he cannot own the air;” if the flag cannot be removed the County should erect a permanent marker denouncing the flag as being representative of the County.

Ruth Carlone Spoke about the great crowd and how to apply to VDOT to erect signs both north and southbound on I-95 about the Confederate flag. Talked with John Schaffer, Fredericksburg's Facility and Property Management Supervisor about fixing the disaster in White Oak and Chatham with the empty of half-filled strip centers; there should be an ordinance to force owners to maintain their property. The County is losing income with approval of developments like Sycamore Grove, Winding Creek, and Quantico Village, which she said should never have been approved without looking up the financial impacts of these large developments and the numbers of school-aged children that come with them.

Bill Malone His heart hurts whenever he sees the Confederate flag on I-95; he is a 20-year resident and raised his kids here, now raising his grandkids here but may have to move out of racist Stafford County, His daughter and son are hurt by the flag and the Board is doing nothing about it.

(No speaker card, name inaudible) – The Confederate flag represents slavery and state's rights for white people, is that what Stafford County wants to represent? Her great grandfather raised 11 very productive children; she is a nurse who has done work as an emergency medical technician and missionary work; God made everyone alike, all Homo sapiens whose hearts stops when they die. Everyone should love one another.

Trumetria Singleton President of the local chapter of the NAACP; joining in the conversation to ensure that the matter of the Confederate flag is settled. Former president, Ashton Haughton worked on having the flag removed – it is time for the Board to take action.

Maya Guy She sees and hates the Confederate flag on I-95 but it does not hurt her feelings anymore. A statement should be put on the County's website against racism and welcoming everyone to Stafford County. She dealt with racism every day of her life and knows where not to stop. Maybe the Board has no backbone but something has to be done.

Darren Chambers When people see the Confederate flag on I-95, they do not know that it is on private property and think that it represents the views and ideals of the residents and elected leaders in Stafford County. Something must be done.

Andy Hayes Stafford Education Association president; schools are opening and school buses will drive past the Confederate flag on I-95; students from other locations driving to Washington D.C. on field trips will see the flag; it is not what the County wants to represent; how will teachers answer student questions about the flag? It is very important for the Board to take a stand and do something.

(No speaker card, name inaudible) Asked what Sheriff Decatur’s plan was if Charlottesville happened in Stafford County; the racists and white supremacists were going to take the East Coast by storm and with the Confederate flag flying on I-95, they were sure to stop in Stafford. Said that the Sheriff better step up his game and establish protocol.

PUBLIC HEARINGS

Item 26. Planning and Zoning; Amend County Code to Establish a Maximum Light Level at the Property Line of a Single-Family Lot Director of Planning and Zoning, Mr. Jeff Harvey, gave a presentation and answered Board members questions saying that the County received complaints about lighting, especially security lights, in subdivisions. County Code established light levels at property lines but not in residential uses. The cut-off time for security lights was currently 15 minutes but the amended time for security lights to remain on would be seven minutes.

The Chairman opened the public hearing. The following persons indicated a desire to speak:

Joe Mancini

Gregory Gavan

Alane Callander

The Chairman closed the public hearing.

Mr. Harvey said that staff discussed light levels for both residential and agricultural uses and wanted to make it consistent; there was less need for lighting in rural settings vs. suburban. In response to Ms. Bohmke’s question, Mr. Harvey said the proposed ordinance would reduce the time on security lights that were aimed at anything outside the property boundary with an exemption clause for bleed-over lighting.

Mr. Thomas spoke about security concerns and crime prevention with security lights that take time for citizen’s eyes to adjust to the illuminated area. He asked about the citizen’s complaint during the public hearing (Mr. Gavan) about his neighbor’s security light aimed at his (Mr. Gavan’s) bedroom window, and asked how staff would enforce the 7 minutes vs. 15 minutes illumination time. Mr. Harvey said that staff had been out to Mr. Gavan’s property five times and the security light was never angled up but in pictures provided by Mr. Gavan, the lighting went up into his window. Mr. Thomas said he would like to check with farmers about the proposed changes. Mr. Snellings agreed with Mr. Thomas and motioned for deferral to the September 19, 2017 Board of Supervisors meeting.

Mr. Snellings motioned, seconded by Ms. Sellers to defer a vote on proposed Ordinance O17-13 to September 19, 2017

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas

Nay: (0)

Item 27. County Administration; Establish the Lynhaven Lane Service District Project Manager, Mr. Keith Dayton, gave a presentation and answered Board members questions. Mr. Dayton explained that Augustine management would not respond to the petition but said they would not oppose the proposed service district and would pay the additional taxes.

Ms. Sellers asked about the use of revenue sharing which, she said was going away, and asked why the proposed service district wasn't paying all of the \$379,736? She asked why on Lynhaven Lane and not on other worse roads like Eskimo Hill Road. Mr. Dayton replied that the residents of Eskimo Hill Road had not asked about a service district for road improvements whereas residents of Lynhaven Lane had gone through all the required steps necessary for the declaration of a service district. He said that it was a qualifying project for revenue sharing.

Mr. Snellings asked about the estimated time and cost to the residents. Mr. Dayton said it would take about 10 years. He added that the public hearing was to establish the service district; the tax rate had not yet been set and would come at a later date.

Ms. Sellers said that VDOT changed the rules on revenue sharing and asked what would happen if the planned revenue sharing dollars did not come through. Mr. Dayton said they would have to go back to the community with all further options including having to fund the entire cost of the project minus \$50,000 in proffers.

Mr. Cavalier said that a tax rate should be set and that at 48 cents over a ten year period that was a 50% increase per house. Mr. Dayton said that with revenue sharing, it was approximately \$1000 per year for a ten-year period. Without revenue sharing, it would take 20 years and extra taxes would be assessed.

Mr. Snellings inquired about added work for the Treasurer if this and potential other service districts were approved by the Board. Mr. Dayton said he did not consult with the Treasurer prior to the public hearing. Mr. Snellings told Mr. Dayton to please get input from Laura Rudy.

The Chairman opened the public hearing. The following person indicated a desire to speak:

Andy Robson

The Chairman closed the public hearing.

Ms. Bohmke said that Lake Arrowhead was a bigger burden on the Treasurer; that 18 lots for Lynhaven Lane would not create a problem. Mr. Snellings said that he was concerned about future projects as there were a lot of unpaved roads in the County. Mr. Milde said that revenue sharing would probably not be around in ten years. Ms. Sellers said that VDOT said revenue sharing was going away and she was concerned about the cost to the community for the entire service district without counting on state money.

Ms. Maurer motioned, seconded by Mr. Snellings, to defer a vote on proposed Ordinance O17-28 with no return date specified.

Mr. Cavalier made a substitute motion to deny proposed Ordinance O17-28. Mr. Cavalier’s substitute motion died for lack of a second.

The Voting Board tally was:

- Yea: (6) Bohmke, Maurer, Milde, Sellers, Snellings, Thomas
- Nay: (1) Cavalier

Item 28. Planning and Zoning; Amend County Code to Create a R-5 Zoning District for Age-Restricted Apartments and Assisted Living Facilities Mr. Harvey presented this item and answered Board members questions. Mr. Doug Janney, applicant, also addressed the Board.

Ms. Sellers said she looked at the Naomi Road site in the George Washington District and asked why this proposal was not just for that area rather than County-wide. Mr. Harvey said that the Naomi site was outside the military impact area; it was in the southeastern portion of the County where there was a lack of services. But the amendments, he said, would be County-wide to ensure consistency when building age-restricted apartments and assisted living facilities. Ms. Sellers asked about the height of the proposed project. Mr. Harvey said three stories.

Referring to Mr. Harvey’s comments about adequate transportation, Mr. Snellings asked who determined that there was adequate transportation available in any given area. Mr. Harvey responded that it was the Board that made that determination when individual projects were presented to them for review and approval. He added that the specific project on Naomi Road had not yet been evaluated for transportation availability.

The Chairman opened the public hearing. The following persons indicated a desire to speak:

- Cindy Shelton Doug Janney Ruth Carolone
- Alane Callander Steve Hundley Melissa deLeo John Fairbanks

The Chairman closed the public hearing.

Mr. Harvey said that there were sprinklers required by Code. The amendment would require a conditional use permit (CUP), which the Board had to approve by individual project. Ms. Bohmke asked about proximity to hospitals. Mr. Harvey confirmed that there was nothing in the proposed ordinance to require close proximity to hospitals.

Mrs. Maurer asked about adult children with disabilities. Deputy County Attorney, Ms. Rysheda McClendon replied that there were provisions in federal and state regulations that 80% must be 62 (or 55) and older. Typically facilities do not rent to those under those specified ages but will do so provided they fall within the 80% requirement for residents of a certain age.

Mr. Snellings said that at the Del Webb communities, one resident in each unit must be 55 years of age or older in order to reside there. Mr. Mildew said that the life care ordinance has an age requirement. Discussion ensued about gross vs. net acreage and the number of units per acre, as well as the total acreage per development.

Mr. Thomas said that he wished to meet with Mr. Harvey to discuss 25 acres vs. a reduction to 15 acre sites. He said that spot zoning was a bad idea and felt that there should be a middle ground as 25 acres may be too large a parcel. Mr. Milde said he was in favor of a required CUP and smaller rezoning with applied density.

Mr. Thomas motioned, seconded by Mr. Milde, to defer proposed Ordinance O17-08, with no return date specified.

Mr. Snellings said that he was against the proposed amendments because the Department of Fire and Rescue was against it. He said yes, there would be sprinklers but the first thing that shut down in a hurricane or fire or power failure was the elevators, and how senior citizens, many of whom may be infirmed, would get down three flights of stairs if the elevator was out.

Ms. Sellers said that she was going to vote against deferral; that she did not like spot zoning either and talked about the lack of affordable housing, particularly in north Stafford. She said that she would welcome further discussion but she was against the site on Naomi Drive. The closest Wal-Mart was on Route 3 and Wegmans was the closest grocery store, across the river.

Ms. Bohmke said she would support the motion for deferral and that a lot of people cannot afford to live in assisted living facilities. She, too, said she was against spot rezoning.

The Voting Board tally was:

Yea: (5) Bohmke, Cavalier, Maurer, Milde, Thomas
Nay: (2) Sellers, Snellings

Item 29. Planning and Zoning; Authorize a Conditional Use Permit for an Auto Service Center on 1.062 Acres, Zoned B-2 Mr. Jeff Harvey gave a presentation and answered Board members questions. Mr. Ryan Foroughi, for the applicant, also addressed the Board. Mr. Harvey said that the Planning Commission unanimously recommended approval. Mr. Snellings asked if the church had expressed its approval of the proposed auto service center. Mr. Foroughi said that notices were sent out to all surrounding properties but there had been no response from the church.

The Chairman opened the public hearing. No persons indicated a desire to speak.
The Chairman closed the public hearing.

Mr. Snellings said this was not what he envisioned for this property. Mr. Snellings motioned, seconded by Ms. Sellers, to defer a vote proposed Resolution R17-178 to the Board's September 5, 2017 meeting.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Item 30. Planning and Zoning; Authorize a Conditional Use Permit to Allow a Drive-Through Facility for a Restaurant located within the HC, Highway Corridor Overlay District, on 0.69 Acres, Zoned B-2 Mr. Harvey have a presentation and answered Board members questions. Mr. Ryan Foroughi, for the applicant, also addressed the Board. The Planning Commission unanimously approved the request.

The Chairman opened the public hearing. No persons indicated a desire to speak. The Chairman closed the public hearing.

Mrs. Maurer said that although she got flack from her constituents about chain restaurants, she was happy to see the vacant building get new use.

Mr. Cavalier motioned, seconded by Ms. Sellers, to adopt proposed Resolution R17-176.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
Nay: (0)

Resolution R17-176 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP17151716 TO ALLOW ONE DRIVE-THROUGH FACILITY IN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON TAX MAP PARCEL NO. 20F-A1-E, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Panda Restaurant Group (Applicant), submitted application CUP17151716 (Application) requesting a conditional use permit (CUP) to allow one drive-through facility in the HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel No. 20F-A1-E, located within the Griffis-Widewater Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-59(e), which permits this use in the HC, Highway Corridor Overlay Zoning District, after a CUP is issued by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that this Application meets the standards of the Zoning Ordinance for issuance of a CUP pursuant to the criteria in Stafford County Code Sec. 28-185;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that a conditional use permit (CUP) pursuant to application CUP17151716 be and it hereby is approved with the following conditions:

1. This CUP allows for one single-lane drive-through facility to support a restaurant use within the HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel No. 20F-A1-E, as shown on the Generalized Development Plan prepared by Bagby, Foroughi and Goodpasture, PLLC, entitled, “Panda Express – Garrisonville Road” dated March 17,

2017, as last revised May 25, 2017. Minor changes to the general location and treatment of improvements depicted on the GDP shall be allowed at the time of site plan review for purposes of engineering reasons or to comply with federal, state, or local laws.

2. The hours of operation of the restaurant and drive-through shall be limited to 10:00 a.m. to 12:00 a.m. (midnight), seven days a week.
3. Site access to and from Garrisonville Road shall be limited to the single entrance, in the general location shown on the GDP.
4. The inter-parcel connection to Tax Map Parcel No. 20MM-15, as shown on the GDP, shall be constructed prior to issuance of an occupancy permit.
5. The building shall be constructed in general conformance with the styles, colors, and materials shown on the architectural renderings exhibit entitled Panda Express, dated May 25, 2017 by Greenberg Farrow.
6. The dumpster enclosure shall consist of masonry materials, with type and color similar to the primary building.
7. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County code, law, ordinance, or regulation.

Item 31. County Administration/Add-on; Proclamation Recognizing First Responders

Ms. Bohmke motioned, seconded by Mrs. Maurer, to adopt proposed Proclamation P17-30.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas
 Nay: (0)

Proclamation P17-30 reads as follows:

**A PROCLAMATION OFFERING STAFFORD COUNTY’S GRATITUDE
AND APPRECIATION TO FIRST RESPONDERS**

WHEREAS, career and volunteer, including police, firefighters, emergency medical responders, search and rescue professionals, military personnel, as well as entire organizations come together in emergencies to provide services that often make the difference between life and death; and

WHEREAS, being a first responder is a calling as well as a duty for individuals with a heart for service; and

WHEREAS, first responders put their lives on the line every day for the betterment of our community, enhancing countless lives in the process; and

WHEREAS, our region is fortunate to have the best local, regional, state, and federal first responders available during emergencies in our area; and

WHEREAS, we are grateful and humbled by their service;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of August, 2017, that it be and hereby does recognize and commend first responders for their selfless dedication and devotion to public safety.

Adjournment At 10:06 p.m., the Chairman adjourned the August 15, 2017 meeting of the Stafford County Board of Supervisors.

Thomas C. Foley
County Administrator

Paul V. Milde, III
Chairman