

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

November 1, 2016

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Robert “Bob” Thomas, Jr., Chairman, at 3:00 p.m., on Tuesday, November 1, 2016, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

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

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

Presentations by the Public No citizens indicated a desire to speak.

Mr. Thomas introduced the Commissioner of the Revenue, Mr. Scott Mayausky, who unveiled a portrait of Mr. George L. Gordon, Jr., for whom the Government Center was named in 2008. The artist, Kay Van Zant, was present as well as former Commonwealth’s Attorney, Mr. Dan Chichester, a master cabinet maker, who made the frame for the portrait using barn wood given to him by Mr. Gordon. Mr. Steve Gambaro was the photographer that took the picture from which the portrait was painted. As Mr. Mayausky unveiled the portrait, he said that it was so realistic, it looked as if Mr. Gordon could stand up and talk to him.

Mr. Gordon served the citizens of Stafford County as the Commissioner of the Revenue from 1942 to 1999. He won 14 consecutive elections and was the longest serving constitutional officer in the Commonwealth of Virginia. Mr. Gordon gave Mr. Mayausky the Tax Code and said that it was his Bible and could be used for good or harm; Mr. Mayausky noted that Mr. Gordon only used it for good.

Board Member Presentations Board members spoke on topics as identified:

Ms. Bohmke - Attended the Regional Elected Officials dinner; pleased that there will be regional legislative priorities for the next year with GWRC and FAMPO. Attended the Greater Falls Run Lions Club for its monthly luncheon and thanked them for their contribution to the community and support of schools in south Stafford. Participated in Coats for Kids at the Berea Fire Station then toured the new Empowerhouse facility with Ruby Brabo, Chairman of the King George Board of Supervisors. There are Stafford residents at the facility due to domestic violence issues. Stafford County is joining Prince William and Fauquier counties to create an artisan trail in the region; Mr. Snellings spoke about his family history at the event, which was held to brainstorm ideas for the name of the future artisan trail. Attended the Fredericksburg Business Leaders Prayer Breakfast; Sid Bream was the motivational speaker. Mr. Bream retired from major league baseball after playing for the Dodgers, the Pirates, and the Braves. Thanked Deputy Craig Cain and Deputy Adam Asher for allowing Ms. Bohmke to ride along with them for four hours; their work was exemplary.

Mr. Cavalier - Attended the Regional Elected Officials dinner; the Aquia Board of Directors annual meeting; and the Joint Schools Working Committee (JWSC) meeting; the joint Contracts Officer position memorandum of understanding was discussed at the JSWC meeting. Met with the president of the Widewater Beach Association; discussed a possible service district in that area. Attended an Eagle Scout ceremony on Sunday. Provided a Tourism update from the Infrastructure Committee meeting saying that services at Embrey Mill Park and the Jeff Rouse Swim and Sport Center revenues could bring in as much as \$2 to \$3 million in the next year; there were skeptics who did not believe the Jeff Rouse Swim and Sport Center was worth the expense but it pays for itself and more to the benefit of the County.

Mrs. Maurer - Attended the Regional Elected Officials dinner, and the Technology and Research Park Board of Directors meeting, which has very exciting things coming up including the Accelerator, which should be on board within the next several months. She attended the Tourism Workshop, a state-sponsored event that was fascinating. Thanked Lisa Logan, Stafford's Tourism Manager, for the opportunity saying it looked at the County from a business, sports, traveler, and tourism perspective. Mrs. Maurer provided an update from the Board's Community and Economic Development (CEDC) Committee including a look at enforcing zoning violations; age restricted communities; next steps in the Falmouth redevelopment area; and repairs to the Lake Arrowhead dams, including establishing a service district to help pay for the repairs. 300 affirmative responses out of 609 lots have been received in two weeks with only 20 no votes. Letters with enclosed ballots were mailed on Friday, 10/28/16, to the remaining residents; Mrs. Maurer is hoping for the support of the full Board.

Mr. Milde - Attended the Regional Elected Officials dinner at Stevenson Ridge, which is a wonderful facility. Attended Business After Hours at the

Central Rappahannock Regional Library; attended VRE meeting with Mr. Thomas; still a \$2 million budget gap out of a \$100 million budget, which should have minimal impact. He attended an Eagle Scout ceremony for William Akridge, a resident of the Rock Hill District. Mr. Milde met with the owner of an acre of land located in the Towne Center; the owner would like to put a Starbucks or similar with a drive-through at that location. He went to a leadership event at Hirschler-Fleischer, including the leaders of Spotsylvania Regional Medical Center and Stafford Hospital Center; attended the Aquia Harbour Property Owners Association meeting with Mr. Cavalier; provided an update to the Board's Infrastructure Committee (IC) including the Exit 140 interchange, which should be completed in July 2020, and design for the Chatham Bridge agreed upon.

Ms. Sellers - Thanked County staff for hosting a wonderful Trick or Treat experience for her son and for many children that came to the Government Center on Halloween. Ms. Kheia Hilton's appointment to the RACSB is an add-on, filling a vacancy created when Ms. Barbara Williams resigned due to health concerns. Another opening will be available in July, 2017 if other Board members wish to consider an appointment. Operation Finally Home will hold a ground-breaking 11/14/17 at 2:30 p.m. for a home for a disabled veteran; the name will be announced at a Wizards game on 11/11/17. Ms. Sellers will be away at the annual VACo meeting but is coming back for the ground-breaking ceremony.

Mr. Snellings - Thanked the Russell Sullivan Foundation for its \$50,000 donation to the Armed Services Memorial; said he went to school with Mr. Sullivan's daughter – Mr. Sullivan was a very philanthropic man who contributed to the YMCA and throughout his lifetime he helped people in need. After his death, the family set up the Foundation. Everyone was encouraged to buy a memorial brick to be placed at the Memorial. Mr. Snellings said that he made a mistake when he voted against the Jeff Rouse Swim and Sport Center, and congratulated Mr. Cavalier on its success saying it was a boon for the County.

Mr. Thomas - Attended the PRTC meeting and worked on draft budget guidelines; a new recommendation was moved forward without using reserve funds. Talked about turn lanes off River Road and asked constituents in that area to contact either he or Ms. Bohmke regarding their views on the possible addition of turn lanes. There will be a recognition event of WWII veterans on December 8, 2016 at the Eagles Lodge from 9:00 a.m. to 12:00 Noon; contact PIO, Shannon Howell, for details.

Ms. Sellers motioned, seconded by Ms. Bohmke, to give County employees a full day off on Wednesday, November 23, 2016 (the day before Thanksgiving).

The Voting Board tally was:

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

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

Report of the Interim County Administrator Mr. Barnes noted that there were two additions to the agenda; the appointment of Ms. Kheia Hilton to the Rappahannock Community Services Board; and the appointment of Mr. Skip Causey to the Economic Development Authority, replacing Dr. Mark Safferstone, representing the Griffis-Widewater District.

Additions/Deletions to the Regular Agenda Mrs. Maurer motioned, seconded by Ms. Sellers to adopt the Agenda with the two appointments noted by Mr. Barnes.

The Voting Board tally was:

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

Legislative; Consent Agenda Ms. Maurer motioned, seconded by Mr. Milde to adopt the Consent Agenda as presented.

The Voting Board tally was:

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

Item 4. Legislative; Approve Minutes of the October 18, 2016 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R16-334 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED OCTOBER 18, 2016 THROUGH OCTOBER 31, 2016

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 1<sup>st</sup> day of November, 2016 that the above-mentioned EL be and hereby is approved.

Item 6. Public Works; Authorize the Installation of Watch for Children Signs on Adrian Way (SR-2180) in the Deacon Hills Estates Subdivision

Resolution R16-325 reads as follows:

A RESOLUTION AUTHORIZING THE INSTALLATION OF A  
“WATCH FOR CHILDREN” SIGN ON ADRIAN WAY (SR-2180)

WITHIN DEACON ROAD ESTATES SUBDIVISION, IN THE  
FALMOUTH ELECTION DISTRICT

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, on February 19, 2008, the Board adopted the Residential Traffic Management Plan (RTMP) to provide Stafford County citizens with various programs to address traffic-related concerns; and

WHEREAS, the installation of a “Watch for Children” sign is authorized pursuant to Virginia Code § 33.2–251; and

WHEREAS, the Deacon Road Estates Homeowners’ Association requested the installation of a “Watch for Children” sign in their subdivision; and

WHEREAS, the Virginia Department of Transportation’s (VDOT) policy permits the installation of this sign along Adrian Way; and

WHEREAS, based on the County’s current RTMP, the proposed location meets the essential criteria for the installation of a “Watch for Children” sign, as Adrian Way meets the definition of a residential local road; and

WHEREAS, the Board finds that installing this sign promotes the health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors, on this the 1<sup>st</sup> day of November, 2016, that it be and hereby does approve the purchase and installation of a “Watch for Children” sign at the following location within the Deacon Road Estates subdivision in the Falmouth Election District, as permitted by the Virginia Department of Transportation (VDOT):

- Approximately 200 feet past the posted speed limit sign on Adrian Way (SR-2180) near the main entrance of the Deacon Road Estates subdivision

; and

BE IT FURTHER RESOLVED that the Interim County Administrator, or his designee, shall transmit a copy of this Resolution to VDOT.

Item 6. Public Works; Authorize the Interim County Administrator to Advertise a Public Hearing to Consider Amending Stafford County Code Sec. 15-56 “Designation of Restricted Parking Areas” to Establish a Restricted Parking Area in the Somerset and Seasons Landing Subdivisions

Resolution R16-329 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND REORDAINING STAFFORD COUNTY

CODE SEC. 15-56, ENTITLED “DESIGNATION OF RESTRICTED PARKING AREAS,” TO INCLUDE STREETS IN THE SOMERSET LANDING AND SEASONS LANDING SUBDIVISIONS

WHEREAS, Virginia Code §§ 46.2-1222.1 and 46.2-1224 authorize the County to regulate or prohibit the parking on any public highway in the County, of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

WHEREAS, the Board finds that regulating or prohibiting the parking of watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes on public highways serves the public health, safety, and welfare of the County and its citizens; and

WHEREAS, the Board adopted Ordinance O10-37, which established criteria for the designation of restricted parking areas; and

WHEREAS, by resolution the Somerset Landing Homeowners Association, Inc. (HOA) requests the establishment of restricted parking areas within the Somerset Landing and Seasons Landing subdivisions; and

WHEREAS, the Board desires to consider the HOA’s request and conduct a public hearing regarding the same;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 1<sup>st</sup> day of November, 2016, that the Interim County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and reordaining Stafford County Code Sec. 15-56, entitled “Designation of restricted parking areas” to designate restricted parking areas within the Somerset Landing and Seasons Landing subdivisions.

Item 7. Parks, Recreation, and Community Facilities; Authorize the Interim County Administrator to Execute an Agreement with the Stafford Baseball League, Inc. to Operate the County’s Youth Baseball and Softball Programs

Resolution R16-333 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH STAFFORD BASEBALL LEAGUE, INC., TO OPERATE THE COUNTY’S YOUTH BASEBALL AND YOUTH SOFTBALL PROGRAMS

WHEREAS, Stafford Baseball League, Inc. (the League) is currently operating the youth baseball and softball programs in the County; and

WHEREAS, the League has operated the youth baseball program successfully since 1992, and the youth softball program since 2010; and

WHEREAS, the County’s agreement with the League to operate the youth baseball and softball programs will expire in June, 2017; and

WHEREAS, the Board finds that it is in the best interest of the County and its citizens to permit the League to continue to operate the youth baseball and softball programs in the County; and

WHEREAS, the Board desires to enter into an agreement with the League for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of November, 2016, that the Interim County Administrator be and he hereby is authorized to execute an agreement with Stafford Baseball League, Inc. to operate the youth baseball and youth softball programs for a period of five years.

Item 8. Public Information/Information Technology; Authorize the Interim County Administrator to Execute an Extension to the Cox Cable Franchise Agreement

Resolution R16-336 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXTEND THE FRANCHISE AGREEMENT WITH COX COMMUNICATIONS FOR SIX ADDITIONAL MONTHS

WHEREAS, Stafford County has a franchise agreement with Cox Communications (Cox) to provide cable services to the citizens of Stafford County; and

WHEREAS, the current franchise agreement and extension will expire on December 6, 2016; and

WHEREAS, while the County continues to negotiate a new franchise agreement with Cox, the Board desires to extend the franchise agreement for six additional months;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this 1<sup>st</sup> day of November, 2016, that it be and hereby does authorize the Interim County Administrator to extend the franchise agreement with Cox Communications for six additional months.

Item 9. County Administration; Authorize the Board of Supervisors 2017 General Assembly Legislative Initiatives Mr. Barnes introduced the proposed initiatives saying that the Board met with its legislative consultants on October 4, 2016. Following that meeting, members of the Board’s Legislative Committee (Ms. Sellers and Mrs. Maurer) met to further discuss the initiatives that were being brought to the full Board for its consideration and vote.

Mr. Snellings spoke about the proposed well standards and the necessity for the County to be added to the list of localities that require a well to be tested prior to the issuance of a building permit. Ms. Bohmke said that a well could be validated and several months later, it could dry up, and wondered about the purpose of the initiative. Deputy County Administrator, Mr. Keith Dayton, said it was a good question; that there were no guarantees but that a family would not move into a house without the well being tested prior to the issuance of an occupational permit. Mrs. Maurer spoke about a resident that drilled six wells and would not have invested \$400,000 in a house knowing that water was not available on the property. Ms. Bohmke said that a year down the road, even a tested well could dry up.

Mr. Milde spoke about developers having to drill wells then sitting on the lots for years until the construction of the development was underway. He said that he believed it was more prudent to check wells when individual houses were built. Mr. Milde asked Mr. Dayton if he knew if this legislation had saved a lot of people. Mr. Dayton said that he did not know about Fairfax but in Loudoun County, there were no examples of people being unable to build a house on a lot they purchased, but that several had to drill multiple wells or get an easement to drill on an adjacent property. Mr. Milde asked if that would have happened if they had to wait for the occupancy permit. Mr. Dayton said they would have gone through the same process. Mr. Milde asked about the process of how to determine where to build a well. Mr. Dayton said that it varied as each lot was different requiring different engineering to site a well. He added that some wells were placed closer to the road to cut down on costs. Mr. Milde said you could not grade or put fill on top of a well, so houses would then have to be built closer to the road.

Mrs. Maurer asked if developers had to pull permits on all houses at once. Mr. Dayton said no, they pulled permits as houses were sold, but they may do the infrastructure at one time then sell individual lots and houses and get permits at that time.

Mrs. Maurer asked about pre-clearing permits. Mr. Dayton said that Stafford County did not issue pre-clearing permits. He said that a well could be installed while undergoing the building permit process but the building permit would not be issued until the well was checked and approved.

Ms. Sellers said this legislation would benefit citizens and that one of the County's delegates already said that he would carry it to the General Assembly. Mr. Milde said there was not one example the proposed legislative helping anyone, and asked for Ms. Sellers to give him an example. He said that it would not help people whose wells ran dry.

Mr. Snellings motioned, seconded by Ms. Sellers, to include well standards in the Board's 2017 legislative initiatives.



The Voting Board tally was:

Yea: (5) Bohmke, Cavalier, Maurer, Sellers, Snellings

Nay: (2) Milde, Thomas

Mr. Thomas brought up the initiative about the surviving spouses tax relief benefit. He said that he fully supported the tax benefit but recommended that it be changed to an income tax relief rather than a real estate tax relief as many surviving spouses did not own real estate and it would be of no benefit to those surviving spouses. It was also recommended that the qualifying language be changed from “killed in action” to “killed in the line of duty.”

Mr. Thomas, in talking about the proposed initiative on tax relief to residents whose property abuts Lake Mooney, said that it would be a five-year roll-back tax.

Mrs. Maurer said that approximately \$400,000 in repairs to the dams in the Lake Arrowhead subdivision were due to state-level regulatory changes, and this initiative requested that the State pursue grants from the Department of Conservation and Recreation (DCR) or other sources. She noted that the option of setting up a service district was currently being explored to pay back a loan for repairs to the dams.

Mr. Cavalier noted that the first and last hold-over initiatives from 2016 were general statements and he believed that there were too many items on the list, and the Board should concentrate on a more limited number of specific goals. Mr. Thomas said that he understood Mr. Cavalier’s point but that the 2016 left-over initiatives were included in the proposed Resolution as “whereas or resolved” clauses and not bulleted as specific initiatives for 2017.

Regarding the gasoline floor tax, Mr. Cavalier said that he did not think they should spend too much energy on it; that it was not fair to have a minimum without a maximum as gasoline prices fluctuated and he could not support it. Ms. Sellers said she would support removing it from the list of initiatives. Mr. Milde said that if the Board did not want road projects funded, it would take it off. Mr. Cavalier said that one thing had nothing to do with the other.

Ms. Sellers questioned VRE funding and said it should be run like a business and be self-supporting. Mr. Milde said that VRE had the highest recovery rate in the country and the idea of it not paying its own way was ridiculous. Ms. Sellers said that VRE was subsidized by the government and not paying its own way.

Mr. Cavalier motioned, seconded by Ms. Sellers, to eliminate the gasoline floor tax from the list of initiatives. Mr. Thomas spoke about the fuel efficiency of vehicles and cited the example of water/sewer rates that did not cover the cost of maintaining the infrastructure so rates had to be raised. Mrs. Maurer said that she supported the opinion

of both Mr. Cavalier and Ms. Sellers; that a gasoline floor tax had no traction. She offered an amendment to Mr. Cavalier’s motion to make it a “resolved” clause vs. a bulleted point. Mr. Cavalier said that he was philosophically opposed to it and would not support an amendment to his motion.

The Voting Board tally on Mr. Cavalier’s motion to eliminate the gas floor tax was:

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

Ms. Bohmke said that the State still owed the County 13 deputies, based on population. And since her recent ride-along, it was more apparent than ever that there was a definite need for the additional public safety personnel in the Sheriff’s Office. Mr. Cavalier said he was okay with leaving in the “resolved” clause pertaining to constitutional officers. Mr. Thomas said that it was also included with the VACo platform.

Mrs. Maurer noted that the Teacher Protection Act, which had been discussed at earlier meetings, was omitted and would not be rushed as a legislative priority where there could be unintended consequences; that it had to be more fleshed-out and more work would be done with the School Board about money for teachers.

Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-332 as discussed, leaving in well standards, and omitting the gasoline floor tax from the Resolution.

The Voting Board tally was:

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

Item 10. County Administration; Authorize the Interim County Administrator to Execute a Memorandum of Understanding (MOU) for the Contracts Officer Position to Work Jointly for the County and the Schools Division Mr. Barnes said that several applications were received in response to the position advertisement.

The MOU originally required the School Board to provide 365 days’ notice to the County if it chose to pull out of the MOU, whereas the County was only required to provide the School Board with 90 days’ notice. At the JSWC meeting held on October 24, 2016, School Board members expressed that the number of days’ notice should be the same for the School Board as the County. With that change, the School Board approved the MOU.

Mr. Cavalier motioned, seconded by Mrs. Maurer, to adopt Resolution 16-339.

The Voting Board tally was:

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

Resolution R16-339 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL BOARD FOR THE CONTRACTS OFFICER POSITION TO WORK JOINTLY FOR THE COUNTY AND THE SCHOOLS

WHEREAS, as part of the shared services initiative, and with the adoption of the FY2017 budget, the Board approved a new Contracts Officer position to work jointly for the County and Schools; and

WHEREAS, at its meeting on July 6, 2016, the Board adopted Resolution R16-208, which approved the job description for the Contracts Officer position; and

WHEREAS, a Memorandum of Understanding (MOU) was drafted by School and County staff, working with the County Attorney's Office, and based on the job description, as well as input from the Board's Finance, Audit, and Budget Committee and the Joint Schools Working Committee; and

WHEREAS, subsequent to the adoption of Resolution R16-208, the County advertised the Contracts Officer position as "open until filled" with no specified closing date, and upon approval of the MOU by both boards, staff will close the recruitment and begin the selection process; and

WHEREAS, at its meeting on October 25, 2016, the School Board voted 7 - 0 to approve the MOU;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1<sup>st</sup> day of November, 2016, that it be and hereby does authorize the Interim County Administrator to execute a Memorandum of Understanding with the School Board for the Contracts Officer position to work jointly for the County and Schools.

Item 11. County Administration; Update on the State-Wide Strategy for the Regional Joint Land Use Study This item was pulled from the agenda pending a meeting on November 30, 2016 of the Quantico Regional Executive Steering Committee. This report will be rescheduled for another meeting.

Item 12. County Administration; Discuss the Proposed FY2016 Set-Aside County Office Renovations Deputy County Administrator, Mr. Michael Smith, addressed the Board and noted that any of the proposed renovations would not go forward until January as funds would not be available until the audit was completed in December. He said that the Commissioner of Revenue's office had not ever been renovated, but if it were brought up to standards, it would be good for another 25 years; and the offices for Human Services and Economic Development each had additional personnel for which there was not adequate space. Space in the Government Center was being rearranged to provide temporary accommodations for the new personnel.

The Juvenile and Domestic Relations Court has a \$300,000 set-aside, which (following a recently completed security audit) would be spent to provide cameras and to address other noted security issues.

Mr. Smith said that after the audit was completed, the use of set-aside funds would go to the Board's FAB Committee with a recommendation for the use of positive results of operations (PRO), and then to the full Board for its recommendation. Mr. Snellings said that there were rumors about the possible renovations and asked about the estimate for the Commissioner of the Revenue's renovation, and if an estimate was available for renovation of the other three areas. Mr. Smith said there were no estimates as the money was not yet available; he added that when the funds were available staff would get estimates, budget and appropriate the funds, and move forward with a complete agenda package to the Board.

Mr. Snellings said that \$150,000 was the amount but without an estimate, it could possibly be only \$100,000, and said he was inclined to vote "no" until better estimates were available. Mr. Smith said that Parks & Recreation could do the cost estimates and with work being done in-house, it would cut down on the cost of the proposed renovations.

Mr. Snellings asked about the Human Services office abutting the Human Resources office where there was space available. Mr. Smith said that walls could be removed to accommodate the Human Services space needs, and that the cost would be reduced because that could also be done in-house. Mr. Snellings asked about the Transportation office. Mr. Smith said it appeared that Transportation could stay where it was. Mr. Snellings said that knocking out walls should cost less than \$100-150,000.

Mr. Cavalier asked for the estimated amount of left-over funds. Mr. Smith said it was approximately \$950,000, with \$200,000 going to the Civil War Park for a pavilion. Ms. Maria Perrotte, Chief Financial Officer, said that the estimated total was \$2 million left over with \$1 million for strategic set-asides and \$1 million going into the Capital Projects budget.

Mr. Cavalier mentioned additional equipment needed at the Jeff Rouse Swim and Sport Center, which amounted to \$100,000. Mr. Dayton said that \$100,000 in required

equipment was necessary to host larger swim meets. Mr. Cavalier said that all the needs should be taken into consideration at one time, and not until the exact amount of funds was determined and available.

Mr. Barnes said that the audit had to be completed and until that time it would not be looked at again; and when they were brought back before the Board, it would be a collective list with exact funds and cost estimates provided. Mr. Thomas said that staff should sharpen its pencils. Mrs. Maurer said that she recommended that information on left-over funds not be made available to the public before it went to the FAB Committee. She said that \$500,000 was needed for the dams at Lake Arrowhead; that was a health and safety issue which should be ranked by the FAB. Mr. Thomas said that the FAB agendas are available to the public and the meetings were open to the public. He said that it was staff's job to rank the items, which was not an easy task. Mr. Snellings said it should go to FAB and then to the full Board.

Ms. Bohmke talked about stormwater issues that were brought up to the Board's Infrastructure Committee, and there were two serious issues in the Falmouth District. She said those were health and safety issues as well. And the safety of the JDR judges should also be a priority.

Mr. Scott Mayausky addressed the Board and spoke in detail about the needed renovations to the Commissioner of the Revenue's office. He said that they were still at 1999 staffing levels and his employees were driving 20 year old vehicles, and furniture original to the building was still in use. They have run out of space and could only offer limited customer service the way the present office is laid out. There are two doors which cause much confusion among citizens; people had to be shuffled up and down the hall several times a day. He would like to see a design similar to the redesigned permitting offices. He said that if his offices were more conducive to good customer service, he could hopefully make do at the current staffing level for another two or three years. Without renovation, he may find it necessary to ask for additional staff sooner than that.

Mr. Mayausky jokingly corrected Mr. Smith in saying that if the offices were renovated, he would not ask for another renovation for 25 years; not that he would not ask for additional employees for 25 years. He added that the furniture was from 1992 and not able to accommodate computer drops and other electrical devices. The roof leaked and it caused computer drops to short out because they were improperly stored due to the age and the inefficiency/out dated style of the furniture.

Mrs. Maurer said that staff should not ignore the roof leaks. Mr. Snellings said that the roof was practically new and asked if it was still under warranty. Mr. Mayausky said it had to do with the design of the building and that staff (and the roofing company) was working on a solution. Mrs. Maurer said that any remodel should be deferred until the

roof was fixed. Mr. Mayausky said that it was a safety issue; that so far no furniture had been damaged but there were electrical issues. He offered a tour of the offices.

Add-on #1. Authorize the Appointment of Ms. Kheia Hilton to the Rappahannock Community Services Board (RACSB), replacing Ms. Barbara Williams who resigned for health reasons. Ms. Sellers motioned, seconded by Ms. Bohmke, to approve the appointment of Ms. Hilton to the RACSB.

The Voting Board tally was:

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

Add-on #2. Authorize the Appointment of Mr. Skip Causey to the Economic Development Authority (EDA) Representing the Griffis-Widewater District, replacing Dr. Mark Safferstone who resigned and is relocating out of state. Mr. Cavalier motioned, seconded by Mrs. Maurer, to approve the appointment of Mr. Causey to the EDA.

The Voting Board tally was:

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

Legislative; Closed Meeting At 4:32 p.m., Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-24.

The Voting Board tally was:

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

Resolution CM16-24 reads as follows:

**A RESOLUTION TO AUTHORIZE CLOSED MEETING**

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel employed by the Board regarding a specific legal matter requiring the provision of legal advice by such counsel; (2) 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; (3) discussion of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and (4) consideration of prospective candidates for the County Administrator position; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(1), (A)(3) and (A)(7) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1<sup>st</sup> day of November, 2016, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 6:44 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-24(a).

The Voting Board tally was:

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

Resolution CM16-24(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE  
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED  
MEETING ON NOVEMBER 1, 2016

WHEREAS, the Board has, on this the 1<sup>st</sup> day of November, 2016, 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 1<sup>st</sup> day of November, 2016, 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.

Ms. Bohmke motioned, seconded by Mrs. Maurer, to authorize the Chairman to cancel the evening session of the November 22, 2016 Board of Supervisors meeting; and to suspend the Board's Bylaws to hold a public hearing at 3:00 p.m. on November 22, 2016.

Adjournment At 6:45 p.m., the Chairman adjourned the afternoon session.

Call to Order At 7:00 p.m., the Chairman called the evening session to order.

Invocation Ms. Bohmke gave the invocation. Pledge of Allegiance Mr. Snellings led the Pledge of Allegiance.

Presentations by the Public – II The following person desired to speak:

Amy Hall - Classroom overcrowding; cumulative effect of approved developments on classroom sizes in County schools.

Item #13. Sheriff; Consider Changes to County Code Chapter 18, “Peddlers, Solicitors, and Itinerant Vendors” Major John McAlister addressed the Board and outlined the proposed changes to Chapter 18. The CEDC discussed the issue at its meeting on July 6, 2016. The three changes were to the fees charged, the allowable hours of operation, and the display of identification at all times.

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

Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O16-36.

The Voting Board tally was:

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

Ordinance O16-36 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 18-23, “FEE” AND SEC. 18-28, “TO BE CARRIED ON PERSON AND EXHIBITED UPON REQUEST,” AND TO CREATE AND ORDAIN SEC. 18-8, “SOLICITING DURING PROHIBITED HOURS”

WHEREAS, Stafford County residents have expressed multiple concerns about individuals engaging in door-to-door solicitation activities, often late into the evening; and

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

WHEREAS, the Board finds that public’s health, safety, and welfare require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1<sup>st</sup> day of November, 2016, that Stafford County Code Sec. 18-23, “Fee” and Sec. 18-28, “To be carried on person and exhibited upon request,” be and they hereby are amended and reordained, and Sec. 18-8 “Soliciting during prohibited hours” be and it hereby is created and ordained as follows with all other portions remaining unchanged:

**Sec. 18-8. – Soliciting during certain times prohibited.**

No person shall engage in any activities described in Sec. 18-1 on a Sunday, on any state or federal holiday, or on any other day before 9:00 a.m. or after 7:00 p.m. or sunset,



whichever occurs first. Sunset shall be determined by referencing the sunset calculation tables generated by the U.S. Naval Observatory for Fredericksburg, Virginia.

**Secs. 18-8 – 18-20. — Reserved**

**Secs. 18-9 – 18-20 - Reserved**

**Sec. 18-23. - Fee.**

The fee for the certificate of registration pursuant to ~~section~~ Sec. 18-21 of this Code shall be as follows:

- (1) Peddler ..... \$~~50.00~~ 20.00
- (2) Solicitor ..... \$~~50.00~~ 20.00
- (3) Itinerant vendor ..... \$~~25.00~~ 20.00
- (4) Itinerant vendor event sponsor ..... \$10.00

This fee is nonrefundable.

**Sec. 18-28. - To be carried on person and exhibited upon request displayed at all times.**

Every peddler, solicitor and itinerant vendor shall carry and prominently display on the front of their torso, at all times while engaging in any of the activities described in Sec. 18.1, the certificate of registration required by ~~issued to him under this article, on his person at all times while engaged in peddling, soliciting or vending in the county. It shall also be the duty of every peddler, solicitor and itinerant vendor to exhibit~~ display such certificate, Every peddler, solicitor and itinerant vendor shall immediately produce a certificate for inspection when requested so to do so by any law-enforcement officer, ~~or any person with whom the peddler or solicitor [or itinerant vendor] attempts to do business.~~

Item #14. Planning and Zoning; Amend County Code Sec. 28-106, “Right-of-Way Protection” and Sec. 28-256, “Required Standards and Improvements Generally Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Milde inquired if the GOP Headquarters was a good example of what was being considered. He asked if approval from the Board of Zoning Appeals (BZA) would no longer be required, would these requests be considered administratively, and without Board review. Mr. Harvey said that in most cases, it would be administratively considered for approval or denial. Mr. Milde talked about the intersection of Courthouse Road and Route 1, saying that Ms. Jo Knight had no right-of-way space to give up. Mr. Dayton clarified that it was left turn lanes that were being considered and there was no plan to six-lane Route 1 through the Courthouse area.

Mr. Snellings asked if this was initiated to solve issues with the expansion of Ramoth Baptist Church. Mr. Harvey said that if approved, it would allow the church to expand. Ms. Bohmke asked about granting a variance to Ramoth Baptist Church. Mr. Harvey

said that could not be done because if it is self-inflicted, a hardship must be proven before it could go to the BZA.

Mr. Milde asked if there was no other way to handle right-of-way, saying that he did not like the idea of the Board not having an opportunity to review and decide on it. Mr. Harvey said this would delegate authority to staff.

Mrs. Maurer questioned the effect this would have on new construction, not only the remodel or expansion of existing buildings. She said she could not agree with building where right-of-way was required. Mr. Milde said he was not worried about Ramoth Baptist Church, he was more concerned about Route 1, Route 610, Route 17, and Route 630. Mrs. Maurer asked if arterial collector roads could be excluded from the ruling. Mr. Harvey said that he did not believe that arterial collector roads could be excluded; that if approved, it would have to apply to the entire County.

Ms. Bohmke asked what other localities permitted right-of-way protection. Mr. Harvey said that a number of surrounding jurisdictions did, and it was included in Spotsylvania County's Thoroughfare Plan. Mr. Milde said that Culpeper County's Board of Supervisors approved site plans. Mr. Thomas said that he did not want Stafford's Board to get in the site plan business. Mr. Thomas asked if the proposed Ordinance gave any latitude. Mr. Harvey said there was some flexibility in the proposed Ordinance.

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

Mr. Snellings motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O16-29.

Mr. Milde said that he could not support it unless arterials could be excluded or Board approval would be necessary, on a case-by-case basis, with exceptions coming to the Board and not the BZA. He said that changes should not be made for one church.

Ms. Rysheda McClendon, Deputy County Attorney, said that she would prefer to look at the actual amendments before making a determination about excluding arterials. Mrs. Maurer said she was okay with the graphic but that it was different with new construction.

Ms. Sellers offered a substitute motion, seconded by Ms. Bohmke, to defer consideration of proposed Ordinance O16-29 until the Board's November 22, 2016 meeting. Mr. Snelling said he was okay with the substitute motion.

The Voting Board tally was:

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

Nay: (0)

Item 14. Planning and Zoning: Amend County Code 28-273, “Nonconforming Structures” to Allow the Expansion of Nonconforming, Non-residential Structures Where the Proposed Increase in Square Footage Does Not Further Encroach into a Nonconforming Area; and Create County Code Sec. 28-278, “Highway Realignment or Condemnation” Mr. Harvey gave a presentation and answered Board members questions. Mr. Milde asked if this was related to the same church. Mr. Harvey acknowledged that Ramoth Church could benefit if the item was adopted by the Board. Mr. Milde asked about the Brooke Firehouse. Mr. Harvey said it was granted a variance for the second story addition. Mr. Milde said it went through the BZA and they proved hardship.

Mr. Thomas said there were several businesses on Route 17 that were nonconforming and asked if this would help them. Mr. Harvey said that it would not but that a notice had been provided to the public as to what constituted nonconformance.

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

The Chairman closed the public hearing.

Mr. Snelling motioned, seconded by Ms. Sellers to adopt proposed Ordinance O16-30.

The Voting Board tally was:

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

Nay: (0)

Ordinance O16-30 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-273, “NONCONFORMING STRUCTURES,” AND TO ORDAIN SEC. 28-278, “HIGHWAY REALIGNMENT OR CONDEMNATION”

WHEREAS, on occasion it is necessary for public projects to acquire property through condemnation; and

WHEREAS, the acquisition of real property may create a nonconformity, limiting the future use of or ability to expand the use or structure on a property; and

WHEREAS, Stafford County Code Sec. 28-273 allows the expansion of nonconforming, single-family residential structures where the proposed increase in square footage of the structure does not further encroach into a nonconforming area; and

WHEREAS, the Board desires to extend the provisions of Stafford County Code Sec. 28-273 to all lawful nonconforming structures; and

WHEREAS, the Board 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 public necessity, convenience, general welfare, and good zoning practices require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1<sup>st</sup> day of November, 2016, that Stafford County Code Sec. 28-273 “Nonconforming structures” be and it hereby is amended and reordained, and Sec 28-278 “Highway realignment or condemnation” be and it hereby is ordained as follows, with all other portions remaining unchanged:

Sec. 28-273. - Nonconforming structures.

- (a) A nonconforming building or structure, except for general advertising signs which are subject to Code of Virginia, § 33.1-370.2, as amended, shall conform to current zoning regulations whenever the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Virginia Uniform Statewide Building Code. The owner of a ~~single-family residential~~ structure may enlarge or alter the structure including any proposed increase in square footage, provided that structure shall not further encroach into the nonconforming area except as provided in this section. Under all other situations, an applicant will be required to apply to the BZA for a variance; however, any building or structure may be altered to decrease its nonconformity without the requirement for a special exception or variance.

Sec. 28-278. – Highway realignment or condemnation.

Any lot which by reason of a realignment of a federal or state highway or by reason of condemnation proceedings, has been reduced in size to an area less than that required by law or ordinance, shall be considered a lawful nonconforming lot of record subject to the provisions set forth in county code Sec. 28-275. Any lawful use or structure existing at the time of such highway realignment or condemnation proceeding, which would thereafter no longer be permitted under the terms of this chapter, shall be considered to be a lawful nonconforming use or structure, as that term is defined in this chapter.

Adjournment At 7:37 p.m. the Chairman declared the meeting adjourned.

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C. Douglas Barnes  
Interim County Administrator

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Robert “Bob” Thomas, Jr.  
Chairman