

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 6, 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, June 6, 2017, in the Board Chambers, at the 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.

The Board recognized Eagle Scout, Christopher Knowles (and son of Deputy Fire Chief Lori Knowles). Ms. Bohmke presented Christopher with a County flag, challenge coin, certificate, and letter of commendation. Christopher's Eagle Scout project was to design a poster detailing how to administer the Heimlich maneuver to a choking person. A copy of the poster will be on display in the County's lunchroom as well as at approximately 50 restaurants located throughout the County.

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

Board Member Presentations Board members spoke on topics as identified:

Ms. Bohmke - Provided an overview of the Infrastructure Committee (IC) meeting including a discussion about the Mountain View/Stefaniga Road intersection; VDOT is doing a study of the larger corridor for needed improvements, but work has yet to be scheduled by VDOT. Acceptance of Embrey Mill Road into the State System will go to the full Board on June 20th, as well as authorization to hold a public hearing regarding donation of County-owned land for the Park & Ride Lot planned along with the widening of Courthouse Road. The IC also received a project update from the Utilities Department including an upcoming Request for Proposal (RFP) for a well water study and possible funding sources. The study will focus primarily on the Piedmont Area in the Hartwood District.

The R-Board requested authorization to amend its permit to accept additional tonnage at the Landfill. Staff requested authorization to hold a public hearing relative to establishing a service district to pay for repairs to Lynhaven Road, located in the Rock Hill District. Ms. Bohmke attended the Sheriff's Awards banquet, and with Mr. Snellings attended the opening of the Long Farmers Market at the University of Mary Washington, which is held on Wednesdays from 3:00 to 7:00 p.m. Along with Mr. Snellings, Ms. Bohmke attended the Memorial Day of Remembrance at the Falmouth Cemetery. The Stafford County cemetery committee led a ceremony with Rev. Ron Sites, Debbi Sites, and Anita Dodd. The Quantico Young Marines presented the colors. To commemorate the 100 year anniversary, five WWI servicemen from Falmouth were honored and wreaths were placed on their grave sites. They were Meade Brooks, George Payne, James Roberson, Herbert Sullivan and Archie Gallahan.

Mr. Cavalier - Attended an Eagle Scout presentation for Tyler Hermansen and several other events that were mentioned by other Board members.

Mrs. Maurer - Attended the VDOT "Pardon Our Dust" meeting regarding the widening of Courthouse Road, and the proposed bicycle path; Mrs. Maurer expressed that she was very appreciative of VDOT's efforts at keeping the public informed and engaged. Attended the Business Appreciation event at the Stafford Regional Airport. Presented STEM scholarships to two students at Colonial Forge High School and three students at Brooke Point High School. Attended the Joint Schools Working Committee meeting as an alternate; thanked School Superintendent, Dr. Bruce Benson, and County Administrator, Mr. Tom Foley, for their measured approach and efforts on behalf of shared services and the joint Capital Improvement Program (CIP). Attended the PRTC meeting as an alternate; expressed concern about its capitalization but congratulated Mr. Thomas, who was a member of the search committee that brought the new PRTC executive director on board. Attended the Sheriff's Awards Banquet and listened to what deputies on the street have to face on a daily basis; said that Stafford County is a great place but there are dangers out there; Deputy First Class Brandon Boyle won a medal of honor and the Humphrey Award, named after Toby Humphrey. Mrs. Maurer encouraged, "If you see a deputy, please thank them."

Mr. Milde - Clarified that the initial Purchase of Development Rights (PDR) applications were collected several years ago; the County is opening a second round of applications. Attended the Business Appreciation event at the Airport; Attended the Aquia Harbour Property Owners Association meeting with Mr. Cavalier and Mr. Thomas; Attended the Transportation Forum where information about a tax levy to pay for transportation projects was discussed. Mr. Milde said that he could not speak for the full Board that but he did not favor that approach. Attended the Chamber of Commerce's ShrimpFest along with Mr. Thomas. Introduced the new Deputy County Administrator, Mr. Fred Presley.

Ms. Sellers - Reiterated Mrs. Maurer's comments about Deputy Brandon Boyle; Ms. Sellers was in the Emergency Room when Deputy Boyle was brought in after being

shot; his family was most appreciative of the support received from the Sheriff's Office and County staff. Attended the ribbon cutting for the "Operation Finally Home" house located in Embrey Mill; the new homeowners are acclimating to their new community and are on "Cloud 9" in their new house with their two children. She co-facilitated a meeting on Winding Creek with Mrs. Maurer; only two Garrisonville District residents are still expressing their displeasure with the proposed development, out of about 30,000. Visited Head Start with Dr. Benson; a 4-year-old student read a book and she and Dr. Benson made butter with the children; encouraged others to visit Head Start.

Mr. Snellings - Attended five Eagle Scout Courts of Honor the weekend of May 21st, Court featured triplets, three brothers, students at Brooke Point High School (Russell, Paul, and Nicholas Pierce), that achieved the rank of Eagle Scout at the same time. Showed a brief Power Point presentation with pictures of the progress being made on the Armed Services Memorial; encouraged everyone to go by the site to see the work being done; ribbon cutting is scheduled for July 15th. Attended an event at Brooke Point High School where Governor McAuliffe recognized 65% of the eligible senior class members that registered to vote. Governor McAuliffe had a good rapport with the students.

Mr. Thomas - Provided an overview of the Community and Economic Development Committee (CEDC) meeting; dog licensing will be a lifetime registration for a fee of \$10.00, not a money maker as \$10.00 is approximately the cost of time and materials. Changes to the PD-2 Zone and PDR will be brought before the full Board; more funding is available for PDR; the County ran out of applicants so a second round will be opened. Attended the American Legion installation of officers at their old location; hopefully the new Legion Hall will be ready soon for its ribbon cutting ceremony. Attended the Stafford Roundtable at Cannon Ridge Golf Club; encouraged everyone to support the Club. Attended an awards program at Stafford High School; Mr. Thomas has a graduating senior and there were 66 student that achieved summa cum laude distinction; Mr. Taylor is looking forward to the graduation ceremony at Stafford HS. He attended Eagle Scout, Cameron Moore's, ceremony; offered his congratulation to Cameron and all Eagle Scouts in the County.

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

Report of the County Administrator – Mr. Foley introduced the newly hired Deputy County Administrator, Mr. Fred Presley, saying that Mr. Presley was selected out of an applicant pool of 103 candidates from 25 states. He is a member of ICMA and has 18 years' experience in the public and private sector, and comes to Stafford from W. Warwick, Rhode Island, where he served since 2013 as its town manager.

Mr. Presley thanked the Board, saying that it was a privilege and an honor to serve the Board and citizens of Stafford County. He said that everyone on staff, the Board, and citizens have been refreshingly welcoming and he looks forward to what he can bring to the table.

Mr. Foley announced that Agenda Item #18, a public hearing regarding condemnation for the Belmont-Ferry Farm Trail, Phase 4, was cancelled due to the property owners having settled with the County.

Approval of the Consent Agenda Mrs. Maurer asked that Item #9 be pulled from the Consent Agenda.

Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt the Consent Agenda.

The Voting Board tally was:

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

Item 3. Legislative; Approve the Minutes of the May 16, 2017 Board Meeting

Item 4. Finance and Budget; Approve the Expenditure Listing

Resolution R17-162 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED MAY 16, 2017 THROUGH JUNE 05, 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 6th day of June, 2017, that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Authorize the County Administrator to Approve the Insurance Renewal Contract for the County

Resolution R17-139 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE POLICY AND POLICY RENEWALS WITH VOLUNTEER FIREMEN’S INSURANCE SERVICES, THE VIRGINIA ASSOCIATION OF COUNTIES GROUP SELF INSURANCE RISK POOL, AND SELECTIVE INSURANCE COMPANY OF AMERICA FOR INSURANCE COVERAGE FOR FY2018

WHEREAS, staff reviewed the County’s insurance coverage claims experience and related costs for FY2017; and

WHEREAS, the Board budgeted and appropriated funds for the County’s insurance needs for FY2018; and

WHEREAS, The Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) submitted a policy renewal proposal to the County for general liability, property, automobile, Line of Duty, cyber, animal mortality, and Workers' Compensation; and

WHEREAS, VACORP submitted a policy renewal proposal to the County for accident and sickness insurance for the Volunteer Fire and Rescue personnel, the Sheriffs' Special Deputies, and the Sheriffs' Auxiliary Groups; and

WHEREAS, Volunteer Firemen's Insurance Services (VFIS) through Welch Graham & Ogden Insurance, Inc. submitted a policy proposal for increased benefits for the Volunteer Fire and Rescue personnel, the Sheriff's Special Deputies, and the Sheriff's Auxiliary Groups; and

WHEREAS, Selective Insurance Company of America, through Wells Fargo Insurance Services USA, Inc., submitted policy renewal proposals to the County for property, liability, and automobile insurance for the volunteer and career Fire and Rescue Services; and

WHEREAS, staff determined that these proposals are reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that it be and hereby does authorize the County Administrator to execute the following:

1. Contract renewal with the Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) for general liability, property, automobile, Line of Duty, cyber, animal mortality, and Workers' Compensation; and contract and contract renewal with Volunteer Firemen's Insurance Services (VFIS) through Welch, Graham & Ogden Insurance, Inc. and VACORP for accident and sickness for the Volunteer Fire and Rescue, Sheriffs' Special Deputies, and Sheriffs' Auxiliary Groups, for FY2018, all in an amount not to exceed One Million Six Hundred Thirty-Seven Thousand Two Hundred Thirty-Nine Dollars (\$1,637,239), unless amended by a duly executed contract amendment; and
2. Contract renewal with Selective Insurance Company of America through Wells Fargo Insurance Services USA, Inc., for Fire and Rescue (career and volunteer) for liability, property, and automobile insurance coverage for FY2018 in an amount not to exceed Two Hundred Thirty-Nine Thousand One Hundred Twenty-Seven Dollars (\$239,127), unless amended by a duly executed contract amendment.

Item 6. Finance and Budget; Authorize Technical Adjustments to the Schools' FY2017 Budgets

Resolution R17-163 reads as follows:

**A RESOLUTION AUTHORIZING TECHNICAL ADJUSTMENTS
TO THE SCHOOLS' FY2018 BUDGETS**

WHEREAS, based on the School Board's approved budget request, the Board adopted the Schools' FY2018 Budgets on April 18, 2017, with the appropriation of the Schools' Operating Fund reduced by the 5% appropriation hold; and

WHEREAS, the School Board adopted its budget based on updated projections, including the local school funding adopted by the Board; and

WHEREAS, the School Board requests the Board to authorize technical adjustments to its FY2018 budgets; and

WHEREAS, the Board appropriated 95% of the Schools’ Operating Fund in the adopted FY2018 Budget, with the intent to consider the appropriation of the 5% balance following the mid-year review and completion of the FY2017 audit, in light of the then current financial conditions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that it be and hereby does authorize technical adjustments to the FY2018 Schools’ budgets as follows:

	<u>Budget</u>	<u>Appropriation</u>
Schools Operating Fund	\$278,914,735	\$264,968,998
Fleet Services Fund	4,319,517	4,319,517
Health Services Fund	31,298,243	31,298,243
Workers’ Compensation Fund	607,377	6070,377

Item 7. Public Works; Petition VDOT to Include Ellison Court within Ellison Estates, Section 1, into the Secondary System of State Highways

Resolution R17-151 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ELLISON COURT WITHIN ELLISON ESTATES, 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 Ellison Court within Ellison Estates, Section 1, located off American Legion Road (SR-628) approximately 0.25 mile west of Jefferson Davis Highway (US-1), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Ellison Court, and found it 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 6th day of June, 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Ellison Estates, Section 1, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Ellison Court (SR-2068)	From: Intersection of American Legion Road (SR-628) To: 0.30 mi. N. of Intersection of American Legion Road (SR-628)	0.30 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Ellison Estates, Section 1, recorded among the Land Records of Stafford County, Virginia as Plat Map No. PM070000216, with Instrument No. LR070027456, on November 29, 2007; and

BE IT 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 8. Public Works; Authorize the County Administrator to Advertise Two Public Hearings to Consider the Transfer of TMP 29-99 to VDOT; and Consider Granting a Stormwater Easement to VDOT on TMP 29-98

Resolution R17-146 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONVEYING COUNTY-OWNED TAX MAP PARCEL NO. 29-99; AND GRANTING A DRAINAGE EASEMENT ON TAX MAP PARCEL NO. 29-98, TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, the County is the owner of Tax Map Parcel Nos. 29-98 and 29-99 along Courthouse Road (SR-630) (Property); and

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

WHEREAS, the construction, maintenance, and operation of the Project necessitates the conveyance of Tax Map Parcel No. 29-99, and the granting of a drainage easement on Tax Map Parcel No. 29-98, to VDOT; and

WHEREAS, Tax Map Parcel No. 29-99 is needed to construct the expanded commuter lot, which would be located along the relocated Courthouse Road and Wyche Road, and have approximately 850 parking spaces, with dedicated carpool/vanpool pick-up and drop-off to assist with High Occupancy Vehicle (HOV) use; and

WHEREAS, a 0.679 acre drainage easement is needed on Tax Map Parcel No. 29-98 for VDOT to improve and maintain the stormwater pond currently located on Tax Map Parcel Nos. 29-98 and 29-99; and

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

WHEREAS, the Board desires, and is required to hold a public hearing to consider granting the conveyance of County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to consider conveying Tax Map Parcel No. 29-99 in fee simple, and granting a 0.679 acre drainage easement on Tax Map Parcel No. 29-98, to the Virginia Department of Transportation.

Item 9. Planning and Zoning; Refer to the Planning Commission a Text Amendment to the PD-2 Zoning District Mrs. Maurer motioned, seconded by Mr. Cavalier, to adopt Resolution R17-155 with a change to proposed Ordinance O17-27 when sent to the Planning Commission to reflect a change from the word ‘density’ to the word “units” in the “ordained” clause.

The Voting Board tally was:

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

Resolution R17-155 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-34, “PURPOSE OF DISTRICTS,” AND SEC. 28-53, “PLANNED DEVELOPMENT DISTRICTS,”

WHEREAS, the Board is requested to consider amendments to the County Code to allow expansions of the Planned Development-2 (PD-2) zoning district below the minimum PD-2 acreage requirement if certain conditions are met; and

WHEREAS, the PD-2 district promotes large mixed-use development with a set of regulations that lacks flexibility to allow the PD-2 district to expand in smaller increments; and

WHEREAS, the Board desires to consider amending the PD-2 district standards to exempt expansions to existing PD-2 district from the minimum acreage requirements when certain conditions are met; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance O17-27, to the Planning Commission for its review and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that proposed amendments to Stafford County Code Sec. 28-34, Purpose of Districts, and Sec. 28-53, “Planned development regulations,” pursuant to proposed Ordinance O17-27, 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. Economic Development; Authorize the Reappointment of Mr. Jack Rowley representing the Hartwood District on the Economic Development Authority

Item 11. Economic Development; Authorize the Reappointment of Mr. Skip Causey representing the Griffis-Widewater District on the Economic Development Authority

Item 12. Utilities; Authorize the County Administrator to Execute a Design Contract for the Falls Run Force Main Replacement Project

Resolution R17-160 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SULLIVAN, DONAHOE & INGALLS, P.C. FOR ENGINEERING AND DESIGN SERVICES FOR THE FALLS RUN FORCE MAIN REPLACEMENT PROJECT LOCATED IN THE FALMOUTH AND GEORGE WASHINGTON DISTRICTS

WHEREAS, the Department of Utilities Master Plan recommends the replacement of the Falls Run force main (Project); and

WHEREAS, the Project is in the approved Utilities Capital Improvement Program (CIP), and funds are available in the Utilities Fund to complete the Project; and

WHEREAS, the County received a proposal from Sullivan, Donahoe & Ingalls, P.C., one of the designated firms that provides on-call professional engineering services to Utilities to support the Utilities CIP; and

WHEREAS, Sullivan, Donahoe & Ingalls, P.C., submitted a proposal in the amount of Two Hundred Fifty-Six Thousand Nine Hundred Twenty-Eight Dollars (\$256,928) for engineering and design services for the Project; and

WHEREAS, staff reviewed the proposal and determined that it is reasonable for the services requested;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that the County Administrator be and he hereby is authorized to execute a contract with Sullivan, Donahoe & Ingalls, P.C., for engineering and design services for the Falls Run force main replacement project, in an amount not to exceed Two Hundred Fifty-Six Thousand Nine Hundred Twenty-Eight Dollars (\$256,928) unless modified by a duly executed contract amendment.

Item 13. Utilities; Authorize the County Administrator to Execute a Contract for Engineering and Design Services for the Abel Lake Dam Spillway

Resolution R17-161 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SULLIVAN, DONAHOE & INGALLS, P.C. FOR ENGINEERING AND DESIGN SERVICES FOR THE FALLS RUN FORCE MAIN REPLACEMENT PROJECT LOCATED IN THE FALMOUTH AND GEORGE WASHINGTON DISTRICTS

WHEREAS, the Department of Utilities Master Plan recommends the replacement of the Falls Run force main (Project); and

WHEREAS, the Project is in the approved Utilities Capital Improvement Program (CIP), and funds are available in the Utilities Fund to complete the Project; and

WHEREAS, the County received a proposal from Sullivan, Donahoe & Ingalls, P.C., one of the designated firms that provides on-call professional engineering services to Utilities to support the Utilities CIP; and

WHEREAS, Sullivan, Donahoe & Ingalls, P.C., submitted a proposal in the amount of Two Hundred Fifty-Six Thousand Nine Hundred Twenty-Eight Dollars (\$256,928) for engineering and design services for the Project; and

WHEREAS, staff reviewed the proposal and determined that it is reasonable for the services requested;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that the County Administrator be and he hereby is authorized to execute a contract with Sullivan, Donahoe & Ingalls, P.C., for engineering and design services for the Falls Run force main replacement project, in an amount not to exceed Two Hundred Fifty-Six Thousand Nine Hundred Twenty-Eight Dollars (\$256,928) unless modified by a duly executed contract amendment.

Item 14. County Administration: Express Support for an Amendment to the Solid Waste Permit for the Rappahannock Regional Landfill

Resolution R17-154 reads as follows:

A RESOLUTION EXPRESSING SUPPORT FOR AN AMENDMENT TO THE RAPPAHANNOCK REGIONAL LANDFILL SOLID WASTE PERMIT TO INCREASE THE DAILY SOLID WASTE TONNAGE DELIVERED TO THE LANDFILL

WHEREAS, the Board adopted Ordinance O15-40, requiring that all solid waste collected within Stafford County, not exempted by Virginia Code, be delivered to the Rappahannock Regional Landfill (Landfill), a location designated by the Rappahannock Regional Solid Waste Management Board (R-Board); and

WHEREAS, the subsequent increase in solid waste deliveries may result in the Landfill exceeding the current permitted daily maximum of 880 tons of solid waste; and

WHEREAS, the R-Board may request an amendment to the solid waste permit issued by the Virginia Department of Environmental Quality to increase the allowable daily limit; and

WHEREAS, the Board desires to express its support for increasing the daily maximum limit of solid waste permitted to be received at the Landfill to 1,200 tons;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that it be and hereby does express its support for an amendment to the Rappahannock Regional Landfill's solid waste permit issued by the Virginia Department of Environmental Quality to increase the daily maximum amount of solid waste received at the Rappahannock Regional Landfill to One Thousand Two Hundred (1,200) tons.

Item 15. County Administration; Authorize the County Administrator to Make a Donation to Operation Finally Home

Resolution R17-164 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
MAKE A DONATION TO OPERATION FINALLY HOME

WHEREAS, Operation Finally Home, a 501(c)(3) non-profit organization, has partnered with Newland Communities, the developer of Embrey Mill, and the general contractor, Miller & Smith, to provide a mortgage-free home in Embrey Mill to a combat-injured veteran and his family; and

WHEREAS, Newland Communities donated Tax Map Parcel No. 29G-1-194, located within the Garrisonville Election District, and Miller & Smith utilized donated plans, materials, and labor from various vendors and sub-contractors for this project; and

WHEREAS, proffer payments for school and fire and rescue purposes totaling \$2,235 are required before a permanent occupancy permit can be issued for homes built within the Embrey Mill development; and

WHEREAS, the Board desires to donate \$2,235 to Operation Finally Home to cover the required proffer payments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that it be and hereby does authorize the County Administrator to appropriate and donate from the Contingency Fund Two Thousand Two Hundred Thirty-five Dollars (\$2,235) to Operation Finally Home to cover the required proffer payments for school and fire and rescue purposes required for the home to be constructed on Tax Map Parcel No. 29G-1-194 as part of the Embrey Mill development; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any documents that he deems necessary and appropriate to carry out this Resolution.

Item 16. Human Services; Authorize the Chairman to Endorse a Letter to the Chairmen of the House Appropriations and Senate Finance Committees Urging them to Grant Stafford County a Seat on the Public Day School Study Committee

UNFINISHED BUSINESS

Item 17. County Administration; Consider Amendments to the Board of Supervisors' By-laws and Rules of Procedure County Administrator, Mr. Tom Foley, presented the item and Board members discussed each proposed change before voting separately on the four proposed amendments to the By-laws.

Mr. Cavalier motioned, seconded by Ms. Sellers, to approve changing the order of the Board's meeting agenda, moving approval of the final agenda to immediately following the Call to Order and Roll Call of Members (Section 3.1-4).

The Voting Board tally was:

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

Mr. Cavalier motioned, seconded by Mrs. Maurer, to approve changing when Board members ask that items be pulled from the Consent Agenda. With the approved change, Board members will request that items be removed from the Consent Agenda during Reports by Board members (Section 3.1-6).

The Voting Board tally was:

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

Mr. Snellings motioned, seconded by Mrs. Maurer, to approve a change whereby that Board Chairman and Vice Chairman may not succeed him/herself in office but may serve any number of non-consecutive terms (Section 1.1-E).

The Voting Board tally was:

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

Mr. Snellings motioned, seconded by Ms. Sellers, to approve that Board members are ineligible to be elected Chairman in any year in which that member’s seat on the Board is up for election, regardless of that member’s intent to run or to not run for election (Section 1.1-B).

The Voting Board tally was:

Yea: (4) Cavalier, Maurer, Sellers, Snellings
Nay: (3) Bohmke, Milde, Thomas

CLOSED MEETING

At 3:48 p.m., Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM17-10.

The Voting Board tally was:

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

Resolution CM17-10 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion concerning the terms or scope of a public contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board, (2) discussion and

consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, (3) discussion and consideration of a special award for a specific person, and (4) discussion concerning the terms or scope of a public 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)(3), (10) and (29) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 6th day of June, 2017, does hereby authorize discussion of the above matters in Closed Meeting.

Legislative; Closed Meeting Certification At 6:19 p.m., Ms. Bohmke motioned seconded by Mr. Thomas, to adopt proposed Resolution CM17-10(a).

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Milde, Sellers, Snellings, Thomas
Nay:	(0)	
Absent:	(1)	Maurer

Resolution CM17-10 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 6, 2017

WHEREAS, the Board has, on this the 6th day of June, 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 6th day of June, 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 6:20 p.m., the Chairman recessed the afternoon session of the Board meeting.

At 7:00 p.m. the Chairman reconvened the meeting. Ms. Bohmke gave the Invocation and Mr. Cavalier led the Pledge of Allegiance.

Commonwealth’s Attorney, Eric Olsen, gave a presentation on launching the “Youth at Risk” Initiative, where local businesses partner with the Schools, Law Enforcement, and the Courts to identify and remediate illegal or harmful behavior being demonstrated by teens in the County. Mr. Neil Mayhew, a small business owner in the County, is a member of the Committee and was present at the meeting. Board members were given a brochure, an introductory letter, and a copy of the decal that will be displayed at the entrances to all participating businesses.

Ms. Sellers asked if they were partnered with the Mary Washington Hospital Opioid Task Force or the Community Collaborative, which Human Services Director, Ms. Donna Krauss was familiar with. Ms. Sellers said that she would like to participate in the Youth at Risk initiative.

Presentations by the Public II –

Bill Johnson-Miles - Thanked staff for the Citizen Academy; Transportation and traffic issues are the #1 issue of concern in the County and \$1 billion is needed for road improvements in Fredericksburg and Stafford. Virginia’s gasoline tax (\$.38) is the lowest in the nation. The Metro should come as far south as Stafford and the VRE has to be fixed but using shuttles from lots to train stations, or people need to telework.

Irma Clifton - Asked that funding for close captioning of Board meetings be included in the next budget; Comcast does programs for the public good and if the Board did not object, Ms. Clifton was going to contact Comcast to see if they could enter into a partnership with the County regarding close captioning.

PUBLIC HEARINGS

~~Item 18. County Administration: Consider Condemnation of Permanent and Temporary Easements on TMP 54F-11-2 and TMP 54-89 in Connection with the Belmont Ferry Farm Trail, Phase 4~~ This public hearing was cancelled as the property owners settled with the County.

Item 19. Planning and Zoning: Consider Rezoning 1.15 Acres from R-1 to B-1 to Allow Office and Commercial Uses (Falmouth Village Commercial) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Milde asked if there was room for any additional homes to be built on the remaining lots in the area. Mr. Thomas said that there may be room for one house on one empty lot.

Attorney Charlie Payne, representing the applicant, addressed the Board talking about the very small site involved in the proposed rezoning; barely more than one acre. He noted that the County was focused on reinvesting in historic Falmouth’s future and as such, the applicant proffered out many uses. At present there is a law office and a real estate office there; Amy’s Café, he said, was the mainstay of Falmouth Bottom. The applicant’s proposal was consistent with the historic nature of the area and with low intensity traffic. Mr. Payne said that a ReMax

real estate office had committed to relocating from King George County to this proposed project.

The Chairman opened the public hearing. The following persons spoke:

Irma Clifton

John Cheatwood

John Simpson

Alane Callander

Note: Mr. Thomas left the meeting at 7:38 p.m.

Mr. Payne gave the applicant's rebuttal to comments made during the public hearing saying that the same comments were made at the recent Planning Commission meeting. He said that a restaurant was off the table; that Mr. Cheatwood's assertion that he owned a strip of land in front of the proposed project was news to Mr. Payne and he would research it as he believed that the land Mr. Cheatwood referred to was in a Virginia Department of Transportation (VDOT) right-of-way. The historic Dunbar Kitchen would not be barred from site by parking; it was visible from Route 1, heading north, just past the Falmouth bridge. Pea gravel would be used for surfacing and landscape buffers were proposed. No buildings would be demolished or rebuilt.

The Chairman closed the public hearing.

Ms. Sellers asked about plans for the future and what if they changed from what was being presented. Deputy County Attorney, Ms. Rysheda McClendon, replied that changes would require that it be brought back to the Planning Commission for review and another public hearing, as well as another public hearing before the Board, and the Board would have final approval on any changes.

Mrs. Maurer asked Mr. Harvey where the strip of land was referred to by Mr. Cheatwood. Mr. Harvey said that he was unaware of any ownership issues and believed, as Mr. Payne said, that it was a VDOT right-of-way. He assured the Board that the issue of ownership would be settled before plans were approved or permits issued.

Ms. Sellers motioned, seconded by Ms. Bohmke, to defer proposed Ordinance O17-17. No return date was specified.

The Voting Board tally was:

Yea:	(6) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings
Nay:	(0)
Absent:	(1) Thomas

Ms. Bohmke made a statement that it was the first time in 3 ½ years that she'd been on the Board that Mr. Thomas had left a meeting early, and he had to leave due to a prior commitment.

Item 20. Commissioner of the Revenue; Consider a Tax Deferral Program for Property Owners Adjacent to Lake Mooney and Other County Improvements Commissioner of the Revenue, Mr. Scott Mayausky, gave a presentation and answered Board members questions. He thanked Delegate Cole for first sponsoring a tax relief bill that died because it required a constitutional amendment. The next effort was a tax deferral bill, sponsored by Senator Richard Stuart and Delegate Mark Dudenhefer, which passed in the most recent General Assembly session. It will be effective July 1, 2017 providing that the Board adopts proposed Ordinance O17-24.

Mr. Mayausky explained that the property owners' 2016 assessment must have increased by more than 25% over 2015, due to the completion of Lake Mooney, and it must be their primary residence. Up to 95% of the increase for 2016 and subsequent years may be deferred but must be paid at the time the property is transferred due to its sale or the death of the owner. Mrs. Maurer asked how many property owners were potentially entitled to a tax deferral. Mr. Mayausky said there were 60. Mrs. Maurer asked if those people had to apply, to which he replied that he would review all of the properties and send a notice to those who were eligible to defer taxes.

The Chairman opened the public hearing. The following individuals spoke:

Jody Lochmiller

Sam Tiddle

Joe Brito

The Chairman closed the public hearing.

Mr. Snellings thanked Delegate Cole and Senator Stuart for championing the deferral through the General Assembly. He noted that Virginia is very different from other states, with very different processes. Mrs. Maurer said that coming to Board meetings helps; she praised Mr. Snellings and Mr. Mayausky who spent a lot of time in Richmond working on this deferral. Ms. Sellers said that anything involving a constitutional amendment took a very long time and this was just beginning if the issue of tax relief vs. deferral was to come up again.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O17-24.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings

Nay: (0)

Absent: (1) Thomas

Ordinance O17-24 reads as follows:

AN ORDINANCE TO PROVIDE A TAX DEFERRAL PROGRAM FOR
PROPERTY OWNERS ADJACENT TO LAKE MOONEY AND
OTHER COUNTY IMPROVEMENTS

WHEREAS, the Board approved the acquisition of necessary land for the construction of Rocky Pen Run, now known as Lake Mooney Reservoir (Lake Mooney), an approved public use, to meet the County's water supply needs; and

WHEREAS, as a result of the creation of Lake Mooney, the property values for those parcels fronting the newly formed lake dramatically increased, thereby increasing the property owners' tax assessments; and

WHEREAS, on March 13, 2017, the General Assembly enacted Chapter 438 of the Virginia Acts of Assembly, which authorizes Stafford County to implement a tax deferral program, by ordinance, for property owners whose real property tax levy for 2016 exceeded the tax levy for 2015 by at least 25 percent due to public improvements made to adjacent property; and

WHEREAS, the Board has carefully considered the recommendation of the Commissioner of the Revenue and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that adoption of this ordinance is in the best interest of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that the Lake Mooney Tax Deferral Program be and it hereby is adopted to provide a tax deferral opportunity to property owners adjacent to Lake Mooney Reservoir, and other County improvements when the below criteria are met; and

BE IT FURTHER ORDAINED that the terms of the Lake Mooney Tax Deferral Program shall be as set forth hereunder in this Ordinance, and shall take effect on July 1, 2017.

Lake Mooney Tax Deferral Program (Deferral Program)

A. Eligible Taxpayers.

The Deferral Program shall apply only to real property owned by and occupied as the sole dwelling of the taxpayer. To qualify, the real property tax levy for 2016 shall exceed the tax levy for 2015 by at least 25 percent. This increase shall be the result of improvements completed in 2015, made by Stafford County to real property that, together with any adjacent property owned by Stafford County, is adjacent to the taxpayer's real estate as determined by the Commission of the Revenue as provided in subsection B.

B. Deferral Applies to a Portion of Taxes.

Whenever the Commissioner of the Revenue increases the assessed value of real property described in subsection A, he shall notify the taxpayer of his rights under the Deferral Program. After receipt of the notice, the taxpayer may elect to defer all or any portion of 95 percent of the amount by which the real property tax of the subject property increased from 2015 to 2016 as calculated by the Commissioner of the Revenue for taxes accruing in 2016 and, subject to the provisions in subsection C, the same amount for taxes accruing in subsequent tax years.

C. Deferred Taxes Paid Upon Sale or Transfer of Property.

The deferred amount shall be subject to simple interest computed at a rate of .0001 (.01 percent). The accumulated amount of taxes deferred and interest shall be paid to Stafford County by the owner upon the sale or transfer of the property, or from the estate of the decedent within one year after the death of the owner. If the real property is owned jointly, and all such owners applied and qualified for the Deferral Program, the death of one of the joint owners shall not disqualify the survivor or survivors from continued participation in the Deferral Program. All accumulated deferred taxes and interest shall be paid within one year of the date of the death of the last qualifying owner. The accumulated amount of tax deferred and interest shall constitute a lien upon the real property.

D. Refund a Portion of Taxes

Any real property that was eligible for the deferral of taxes under the Deferral Program on January 1, 2016, shall be eligible for deferral of taxes accruing in 2016. Any portion of the deferred taxes paid as of the effective date of the Deferral Program shall be refunded to the taxpayer, as applicable. The Commissioner of the Revenue and Treasurer are hereby requested and authorized to issue refunds as provided in this subsection.

Item 21. Public Works; Consider Amending and Reordaining County Code, Sec. 15.4.1(C), Maximum Speed in Residence District; Penalty on Estates Drive Public Works Director, Mr. Christopher Rapp, gave a presentation and answered Board members questions. He noted that VDOT had no objection to the signs being posted on Estates Drive. Ms. Sellers said that there were only 13 homes on Estates Drive and 11 homeowners signed the petition requesting higher speeding fines. She asked about Bronco Road, which Mr. Rapp told her was not needed for signatures; just those homeowners with frontage on Estates Drive had to approve the signage.

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

Ms. Bohmke said that the Sheriff needed to enforce speeding in residential areas. Ms. Sellers asked how she could go about getting those signs up in Embrey Mill. Mr. Rapp said he would share the process with her.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O17-25.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings
Nay:	(0)	
Absent:	(1)	Thomas

Ordinance O17-25 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 15-4.1(C) ENTITLED “MAXIMUM SPEED LIMITS IN CERTAIN RESIDENCE DISTRICTS; PENALTY”

WHEREAS, Virginia Code § 46.2-878.2 authorizes a \$200 fine for persons exceeding the maximum speed limit in designated residence districts; and

WHEREAS, on September 9, 1997, the Board adopted Ordinance O97-29(R), which established criteria for the establishment of residence districts where an additional fine could be levied; and

WHEREAS, the County received a petition from residents of the Estates of Hartwood subdivision to establish a residence district within their subdivision; and

WHEREAS, Estates Drive, in the Estates of Hartwood subdivision, meets the definition of a residential local road; and

WHEREAS, Estates Drive, in the Estates of Hartwood subdivision, has a posted speed limit of 25 miles per hour (MPH); and

WHEREAS, the Department of Public Works observed the site and documented a vehicular traffic volume of less than 600 vehicles per day on Estates Drive, in the Estates of Hartwood subdivision, but believes traffic calming measures on Estates Drive is necessary; and

WHEREAS, the Department of Public Works observed the site and documented speeding problems with an 85th percentile speed of 10 MPH or more over the posted speed limit and the average speed of traffic being at least 5 MPH over the posted speed limit on Estates Drive, in the Estates of Hartwood subdivision; and

WHEREAS, the County received a petition signed by 73% of the residents from the Estates of Hartwood subdivision supporting the establishment of a Residence District within their subdivision; and

WHEREAS, Estates Drive, in the Estates of Hartwood subdivision, meets the established criteria based on the current Residential Traffic Management Plan, Residence District-Additional \$200 Fine Sign Program; and

WHEREAS, pursuant to Virginia Code § 15.2-1427, the Board conducted a public hearing; and

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

WHEREAS, the Board finds that the adoption of this Ordinance secures and promotes public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles in designated residence districts;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2017, that Stafford County Code Sec. 15-4.1(c) “Maximum speed limits in certain residence districts; penalty,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

(c.) The following areas are hereby designated as residence districts:

(52) Estates Drive (SR-2344) from Hartwood Drive (SR-612) to the ending cul-de-sac of Estates Drive;

; and

BE IT FURTHER ORDAINED that the Virginia Department of Transportation (VDOT) be and it hereby is requested to designate Estates Drive (SR-2344) from Hartwood Drive (SR-612) to the ending cul-de-sac of Estates Drive as a residence district for maximum speed limit fines; and

BE IT FURTHER ORDAINED that VDOT is requested to install the appropriate signs displaying the maximum speed limit and the penalty for violations on Estates Drive (SR-2344); and

BE IT FURTHER ORDAINED that the County Administrator, or his designee, shall provide a certified copy of this ordinance to the VDOT District Administrator; and

BE IT STILL FURTHER ORDAINED that this Ordinance becomes effective upon adoption.

Adjournment At 8:09 p.m., the Chairman adjourned the Board of Supervisors meeting.

Thomas C. Foley
County Administrator

Paul V. Milde, III
Chairman