

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
November 21, 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, November 21, 2017, in the Board Chambers, George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

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

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

Mr. Milde recognized Josh Wine with the Department of Parks, Recreation, and Community Facilities for designing and building a case for coins and other memorabilia being left by visitors at the Armed Services Memorial. He thanked Mr. Wine for taking the initiative and said that the case and its contents would be on display in the Government Center lobby.

Mrs. Maurer motioned, seconded by Ms. Bohmke, to adopt the agenda as presented with the addition of a discussion about commemorative bricks at the Armed Services Memorial for Staffordians killed in action, being paid for by the County (Item 27); and the deletion of Items 20 (Consent Agenda) and 22 (Unfinished Business).

The Voting Board tally was:

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

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

Gregory Gavan - Lake Curtis environmental damage with tree cutting; regrowth, Power Point presentation with before/after pictures of the area around Lake Curtis.

Matt Kelly - Member of FAMPO, VRE, Fredericksburg City Council, spoke about the proposed Regional Transportation Authority (RTA) and its benefit to the region.

Bill Johnson-Miles - Retired Navy veteran w/ 20 years' service; 34 years in public service; the Confederate flag is not a First Amendment violation, it is too big and too tall and says that Stafford is a racist county; asked the Board to do the right thing and stand for inclusivity and tolerance, not hatred and bigotry.

Kyle Alwine - Works with the Chamber of Commerce and spoke in favor of the proposed RTA and its benefit towards helping to alleviate the traffic congestion in the area.

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

Ms. Bohmke - Thanked residents for the vote of confidence and re-electing her to represent the Falmouth District for another four years; she promised to continue working hard. Attended the Other Post-Employment Benefits (OPEB) meeting; a new request for proposal (RFP) would go out on December 1, 2017 for a new asset manager. An update of the Infrastructure Committee (IC) included a discussion about closing Chatham Bridge for needed repairs (information about the closing and detour is available on VDOT's website); a resolution in support of Fred Ex lanes is on the Consent Agenda; a resolution in support of HSIP (Highway Safety Improvement Program) funding; a discussion about the temporary signal at Route 1 and Telegraph Road/Woodstock redesign; appropriating funds from the Garrisonville Road Service District towards property acquisition needed for the Garrisonville Road Widening Project (New Business but timely and needed to be voted on at the meeting); additional FRED bus routes; and an update provided by Chief Information Technology Office, Mike Cannon, regarding the Broadband RFP. Ms. Bohmke attended the unveiling of the plaque at the Civil War Park's new pavilion recognizing Mr. Glenn Trimmer and Mr. D. P. Newton; thanked Mr. Milde for his efforts to get the plaque and thanked Mr. Trimmer and Mr. Newton for their efforts that led to the creation of the Civil War Park.

Mr. Cavalier - Attended the Aquia Harbour Rescue Squad annual banquet and installation of officers; attended the Vascular Association's ribbon cutting at Stafford Hospital Center; attended the annual meeting of the Fredericksburg Regional Alliance (FRA); also attended the QuIC Board of Directors meeting; and the installation of a new pastor at Oak Grove Baptist Church. Mr. Cavalier attended the VDOT ribbon cutting of the newly completed extension of the express lanes; and two Joint Capital Improvement Plan (CIP) meetings, which were very productive and making much better progress than he anticipated. The choices were good and better and the group was moving in the right direction. He attended the Aquia Harbour Board of Directors meeting with Mr. Milde; attended the Virginia Association of Counties (VACo) annual meeting at the Homestead in Hot Springs, VA, with several other Board members. All Stafford high schools reached the regional football playoffs. Mr. Cavalier requested that an item be added to the next agenda authorizing an additional four hours holiday pay on Friday, December 22, 2017 for employees.

Mrs. Maurer - Attended two Joint CIP meetings with four or five School Board members and three or four members of the Board of Supervisors. The meeting included important dialog and work toward improving relations on both sides of the street; new projects account for growth in the County and the Schools Division and Mrs. Maurer said she looks forward to a vote by the full Board. She participated in the 5k Walk sponsored by the Stafford Education Association and thanked Mr. Thomas for walking her; also attended the Veteran's Day ceremony at the Armed Services Memorial and noted that Mr. Snellings did an amazing job and spoke from his heart and soul. Mrs. Maurer participated in an event panel for small businesses; she attended the Marine Corps Ball at the Globe and Laurel Restaurant; also the GQ Tech ribbon cutting ceremony (she works for them and the business recently moved into Stafford County due to its not having BPOL taxes, etc.). Mrs. Maurer congratulated Ms. Cindy Shelton on her election as the new Aquia District Supervisor; she also congratulated Mark Dudenhefer and thanked Mr. Thomas for his service. She thanked the Registrar saying that his was a thankless job requiring hard work and dedication and that it needed to be said.

Mr. Milde - Commented on the nice break between meetings; noted that the Veteran's Day ceremony was a great event. He attended the Aquia Harbour Board of Directors meeting with Mr. Cavalier; also attended a VRE and PRTC meeting and the unveiling of the plaque at the Civil War Park saying that it was the nicest plaque ever done in the County. Thanked Mr. Trimmer and Mr. Newton who saved the County \$1.2 million dollars and developed the Park at no cost to the taxpayers. There was a fund raiser for Mr. Newton, attended by nearly 1000 people with very little advertising; Mr. Newton is a treasure to Stafford County, he is shy but so loved and appreciated in this community. Attend the Am-Vets Ball, which had a huge attendance, filling the Expo Center and was a great event; also attend the Gwyneth's Gift Foundation fund-raiser, which is a Stafford-based charity. He attended FAMPO and endorsed the grants to help with a Fredericksburg bicycle program/bike share, which would bleed into Stafford County. The new Chatham Bridge plan has a dedicated bicycle lane.

Ms. Sellers - Deferred comments.

Mr. Snellings - The Veteran's Day ceremony went well, all the seats were filled. The Armed Services Memorial Commission will turn over all duties, decisions, and maintenance of the Memorial to the Department of Parks, Recreation, and Community Facilities who will designate one person to be responsible for oversight of the Memorial, ordering new bricks, maintenance, etc. Mr. Snellings thanked everyone who served on the Commission and said it was five years of hard work and dedication that resulted in a wonderful Memorial. Recognition of the participants will be at the next Board Meeting (12/19/17).

Mr. Thomas - An update of the Community and Economic Development Committee (CEDC) meeting included a report on the sign ordinance committee; the creation of a HubZone in South Stafford; tourism and hotel revenues increased by 9%, due in part to the success of hotels located in North Stafford. He attended two VRE meetings; there is a budget

gap of \$200,000, but getting close to finalizing the budget and will meet with localities looking for a possible 3% increase in subsidies. Attended the PRTC meeting where there has been staff realignment; the new director is doing a wonderful job and is working on a new marketing strategy. He also attended a local government forum and Band Together to Fight Hunger. Mr. Thomas has been re-elected to the VACo Board of Directors. He attended the Special Olympics benefit craft fair; and the Central Rappahannock Regional Library (CRRL) Board meeting (there may be a 1% increase to localities; Spotsylvania County continues to pay its back share of catch-up contributions, which is great news).

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

Report of the County Administrator – Mr. Foley gave an update on priority projects/initiatives and talked about “downtown Stafford” and meetings with user groups to review the approach that is being considered. The firm with which the County has contracted has national and international projects and is intent on the idea of a walkable downtown with restaurants and commercial entities. The Board will be provided regular updates on the project and there may be trips planned to other localities, to include members of the Economic Development Authority (EDA), to view “downtown” areas in other Virginia localities of a similar size to Stafford.

The Employee Climate Survey was an effort to reach out to County staff, and will be done on a regular basis to determine the morale and climate of the organization. The survey closes on November 22nd, and will be calculated by a national firm; results may be compared to other localities of similar size. Of the approximately 950 employees, to date, 550 responded. Results will be shared with the Board, the Leadership Team, and with employees. The Schools completed a climate survey and the Leadership Team believes that it is a very important tool.

Interviews are underway for a Community Engagement Program Director; a job offer is close with the intent of having the selected candidate on board in January 2018.

Mr. Foley introduced Mr. Keith Dayton, Interim Public Works Director. Mr. Dayton gave an update on transportation and parks projects in the County.

APPROVAL OF THE CONSENT AGENDA

Mrs. Maurer motioned, seconded by Ms. Bohmke, to accept the Consent Agenda with the removal of Item 20 (to be moved to the December 19, 2017 agenda). Mrs. Maurer also congratulated Mr. Snellings and Ms. Bohmke on their re-election to the Board.

The Voting Board tally was:

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

Item 4. Legislative: Approve the Minutes of the October 17, 2017 Board Meeting

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R17-309 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED OCTOBER 17, 2017 THROUGH NOVEMBER 20, 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 21st day of November, 2017 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize Volunteer Fire and Rescue, Sheriff Special Deputies, and Sheriff's Auxiliary Groups be Defined as Employees Only for the Purpose of Workers' Compensation

Resolution R17-305 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
DEFINE VOLUNTEER FIRE AND RESCUE, SHERIFFS' SPECIAL
DEPUTIES, AND SHERIFFS' AUXILIARY GROUPS AS EMPLOYEES FOR
THE PURPOSE OF WORKERS' COMPENSATION COVERAGE ONLY

WHEREAS, County staff has reviewed the County's insurance policy coverage; and

WHEREAS, The Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) has instituted a policy providing Workers' Compensation coverage for certain volunteers; and

WHEREAS, Pursuant to Virginia Code § 65.2-101, a Board-adopted resolution is required to define members of the Volunteer Fire and Rescue, Sheriffs' Special Deputies, and Sheriffs' Auxiliary groups as employees only for the purpose of Workers' Compensation coverage;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017 that it be and hereby does authorize the County Administrator to define members of the Volunteer Fire and Rescue, Sheriffs' Special Deputies, and the Sheriffs' Auxiliary groups as employees, for the purpose of Workers' Compensation coverage only; and

BE IT FURTHER RESOLVED that said volunteers shall not be considered employees of the County for any other purpose.

Item 7. Fire, Rescue, and Emergency Services; Authorize Adoption of the George Washington Regional Commission (GWRC) 2017 Hazard Mitigation Plan

Resolution R17-111 reads as follows:

A RESOLUTION TO ADOPT THE GEORGE WASHINGTON REGIONAL
COMMISSION 2017 HAZARD MITIGATION PLAN

WHEREAS, all jurisdictions within the George Washington Region have exposure to natural hazards that cause risk to life, property, environment, and the economy; and

WHEREAS, undertaking hazard mitigation action would reduce the potential for harm to people and property from future hazardous occurrences; and

WHEREAS, the federal Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, the George Washington Regional Commission's Regional Hazard Mitigation Plan 2017 (Plan) update has been prepared in accordance with Federal Emergency Management Agency requirements; and

WHEREAS, Stafford County has been involved in the preparation of the Plan's update through the participation of key staff on the working committee, including local advertisement and opportunity for public input, and final Plan review by staff;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that the "George Washington Regional Commission, Regional Hazard Mitigation Plan, 2017 Update," dated September 25, 2017, be and it hereby is approved and adopted.

Item 8. Planning and Zoning; Grant the Planning Commission's Request for a Time Extension for Review of an Amendment to the Zoning Ordinance Regarding E-Commerce and How it Relates to Home-Based Businesses

Resolution R17-298 reads as follows:

A RESOLUTION GRANTING ADDITIONAL AUTHORITY AND A 100-DAY TIME EXTENSION FOR THE PLANNING COMMISSION TO CONSIDER AMENDMENTS TO THE STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS" AND TABLE 3.1 "DISTRICT USES AND STANDARDS"

WHEREAS, at its meeting on August 15, 2017, the Board requested that the Planning Commission consider amendments to the Zoning Ordinance pursuant to proposed Ordinance O17-30, regarding a definition for e-commerce, and asked for its recommendations, and any modifications as deemed necessary; and

WHEREAS, Stafford County Code Sec. 28-334 requires the Planning Commission to review and make any recommendations within 100 days unless additional time is granted by the Board; and

WHEREAS, due to the complexity of the subject, the Planning Commission is requesting additional time to thoroughly review the subject in order to make its recommendations to the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that the Planning Commission be and it hereby is granted a 100-day extension for its review, consideration, and modification of proposed Ordinance O17-30; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance to duly address the definition of e-commerce and its relation to home businesses, and use/zoning categories associated therewith, as it deems necessary and appropriate.

Item 9. Public Works; Petition VDOT to Include Bradbury Way Within the Hills of Aquia, Section 7; and Sweet William Drive and Glenview Court Within the Glens, Section 10, into the Secondary System of State Highways

Resolution R17-287 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BRADBURY WAY, LOCATED WITHIN HILLS OF AQUIA, SECTION 7, IN THE AQUIA 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 Bradbury Way within Hills of Aquia, Section 7, located off the southern side of Coachman Circle (SR-2200) approximately 0.48 mile from Jefferson Davis Highway (US-1); and

WHEREAS, VDOT inspected Bradbury Way, 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 21st day of November, 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Hills of Aquia, Section 7, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Bradbury Way (SR-2207)	From: Intersection with Coachman Circle (SR-2200) To: 0.25 mi. S of Inter. with Coachman Circle (SR-2200)	0.25mi. 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, Hills of Aquia, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM140000016, with Instrument Number LR14002107 on February 14, 2014; 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.

Resolution R17-300 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SWEET WILLIAM DRIVE AND GLENVIEW COURT LOCATED WITHIN THE GLENS, SECTION 10, IN THE ROCK HILL 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 Sweet William Drive and Glenview Court within The Glens, Section 10, located off the western side of Mountain View Road (SR-627) approximately 0.43 mile south of Stefaniga Road (SR-648); and

WHEREAS, VDOT inspected Sweet William Drive and Glenview Court, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within The Glens, Section 10, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Sweet William Drive (SR-2300)	From: Intersection with Mountain View Road (SR-627) To: Intersection with Glenview Court (SR-2299)	0.08 mi. ROW 60'
Glenview Court (SR-2299)	From: Sweet William Drive (SR-2300) To: 0.26 mi. West of inter. with Sweet William Drive (SR-2300)	0.26 mi. ROW 54'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, The Glens, Section 10, recorded among the Land Records of Stafford County, Virginia as Plat Map Number PM150000007, with Instrument Number LR150001061 on January 21, 2015; 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 10. Public Works; Authorization to Post the Intention to Consider Abandonment of the Remainder of the Prescriptive Easement and Purchased Right-of-Way, in Fee, on SR1120

Resolution R17-281 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO POST THE INTENTION TO CONSIDER ABANDONMENT OF STATE ROUTE 1120, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board is considering the abandonment of State Route 1120 (SR-1120), located north of and leading to the intersection of Ferry Road (SR-606), from the Secondary System of State Highways; and

WHEREAS, the above-mentioned project resulted in the abandonment of a portion of the prescriptive easement of SR-1120; and

WHEREAS, in 1969, the Virginia Department of Transportation's (VDOT) State Highway Project 003-089-102, C-501 required the abandonment of a portion of SR11-20, and the construction of a cul-de-sac and intersection with Ferry Road using land acquired by the State; and

WHEREAS, the remaining 0.07 mile of SR-1120, located north and leading to the intersection with Ferry Road, was retained for the continued joint access for multiple landowners; and

WHEREAS, SR-1120 now consists of 0.007 miles of prescriptive easement, and a cul-de-sac and intersection owned by the State in fee simple; and

WHEREAS, parcels lying on both sides of SR-1120 have subsequently been commercially developed into the Ferry Farm Shopping Center, and SR-1120 was incorporated into the access drive and parking lot for the center; and

WHEREAS, SR-1120, located north of Ferry Road, serves no public necessity and is no longer necessary as part of the Secondary System of State Highways; and

WHEREAS, pursuant to Virginia Code § 33.2-909, the Board shall give notice of its intent to abandon SR-1120 at least thirty days prior to Board action abandoning the same; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that the County Administrator, or his designee, be and hereby is authorized to provide the required notice and advertising under Virginia Code § 33.2-909 of the Board's intent; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the Commissioner of the Virginia Department of Transportation and the local VDOT Residency Administrator.

Item 11. Public Works; Endorse all VDOT Bicycle and Pedestrian Safety Program (BPSP) Applications for Stafford County Projects for FY2019 Highway Safety Improvement Program (HSIP) Funding

Resolution R17-304 reads as follows:

A RESOLUTION TO ENDORSE ALL FY2019 VIRGINIA DEPARTMENT OF TRANSPORTATION, FREDERICKSBURG DISTRICT, BICYCLE AND PEDESTRIAN SAFETY PROGRAM IMPROVEMENT APPLICATIONS FOR STAFFORD COUNTY PROJECTS FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDING

WHEREAS, the Highway Safety Improvement Program (HSIP) is a part of the Moving Ahead for Progress in the 21st Century Act (MAP-21), which was passed into law in July 2012, and is administered by the Federal Highway Administration; and

WHEREAS, HSIP is a data-driven, strategic approach program for infrastructure improvements for all highway travel modes with emphasis placed on strategies and actions with expected performance outcomes documented in Virginia's 2012-2016 Strategic Highway Safety Plan; and

WHEREAS, the Virginia Department of Transportation (VDOT), Fredericksburg District, submits applications for HSIP established by MAP-21 for localities within its district to the VDOT Central Office for its review and project selection for funding; and

WHEREAS, the Board desires to endorse and submit to the VDOT Fredericksburg District the FY2019 Bicycle and Pedestrian Safety Program Improvement Applications for the Stafford County sidewalk projects provided below;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 21st day of November, 2017, that it be and hereby does endorse and submit to the Virginia Department of Transportation (VDOT), Fredericksburg District, the FY2019 Bicycle and Pedestrian Safety Program Improvement Applications for the following Stafford County sidewalk projects for potential project selection and Highway Safety Improvement Program funding:

- Manning Drive (SR-1005) from James Madison Circle to Forbes Street
- Lichfield Boulevard (SR-700) from Harrogate Road to Plantation Drive
- Flatford Road (SR-709) from Parkway Boulevard to Winding Creek Road
- Butler Road (SR-218) from Carter Street to Camden Street
- Deacon Road (SR-607) from VDOT District Office to Leeland Road.

Item 12. Public Works; Authorize a Resolution in Support of the Fred Ex Project

Resolution R17-294 reads as follows:

A RESOLUTION OF SUPPORT FOR THE VIRGINIA DEPARTMENT OF
TRANSPORTATION I-95 EXPRESS LANES FREDERICKSBURG
EXTENSION PROJECT

WHEREAS, the Virginia Department of Transportation (VDOT) has requested a resolution of support for the I-95 Express Lanes Fredericksburg Extension (Fred Ex) project (Project); and

WHEREAS, Fred Ex was included in the Atlantic Gateway grant application, a \$1.4 billion package of highway, transit, and rail projects along the I-95 corridor, that VDOT submitted and was awarded approximately \$165 million in FASTLANE grant funds from the U.S. Department of Transportation in 2016; and

WHEREAS, Fred Ex would extend the I-95 Express Lanes approximately 10 miles south of Route 610 (Garrisonville Road) to the vicinity of US Route 17 (Warrenton Road) providing additional capacity to the I-95 corridor and include multiple points of access to these new express lanes; and

WHEREAS, Fred Ex would reduce daily congestion, accommodate travel demand, provide greater reliability, and expand travel choices for Stafford County residents;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 21st day of November, 2017, that it be and hereby does support the I-95 Express Lanes Fredericksburg Extension Project; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Virginia Department of Transportation Fredericksburg District Administrator.

Item 13. Information Technology; Authorize the County Administrator to Execute a Lease Renewal for Voice Over Internet Protocol (VOIP)

Resolution R17-302 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EPLUS TECHNOLOGY, INC. FOR TECHNOLOGY IMPROVEMENTS TO THE COUNTY'S VOICE OVER INTERNET PROTOCOL TELEPHONE SYSTEM AND RELATED NETWORK EQUIPMENT AND SERVICES

WHEREAS, the County's Voice Over Internet Protocol (VOIP) telephone system and related network equipment is at the end of its useful life and in need of replacement; and

WHEREAS, all 1045 Cisco desk phones are over 10 years old, at the end of their useful life, and in need of replacement; and

WHEREAS, the services and equipment necessary to bring the VOIP system up-to-date can be cooperatively procured through Virginia Association of State College & University Purchasing Professionals (VASCUPP), contract #UCP-3491557JC, with ePlus Technology, Inc.; and

WHEREAS, County staff received the proposed contract and determined it to be reasonable for the scope of services and equipment desired; and

WHEREAS, funds are available in the Information Technology FY2018 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does authorize the County Administrator to execute a contract with ePlus Technology, Inc. for upgrades and managed services to support and bring the County's Voice Over Internet Protocol telephone system and network up-to-date, in an amount not to exceed Two Million Seven Thousand Five Hundred Fifty Two Dollars (\$2,007,552), to be paid over a five-year period, unless amended by a duly-executed contract amendment.

Item 14. County Administration; Authorize an Additional Four Hour Holiday Pay on Wednesday, November 22, 2017, in Observance of the Thanksgiving Day Holiday

Item 15. County Administration; Authorize the County Administrator to Advertise a Public Hearing to Consider a Tax Exemption for Property Associated with a Health Care Clinic to Serve Active Duty and Retired Military and their Families

Resolution R17-293 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A TAX EXEMPTION FOR PROPERTY ASSOCIATED WITH A HEALTH CARE CLINIC TO SERVE ACTIVE DUTY AND RETIRED MILITARY AND THEIR FAMILIES

WHEREAS, Medicorp Properties, Inc. (MPI) has submitted an application to obtain property tax exemption by designation for (i) Tax Map Parcels 39-R-A, 39-R-B, 39-R-C, 39-R-1, 39-R-2, 39-R-3, 39-R-4, 39-R-5, 39-R-6, 39-R-7, 39-R-8, 39-R-9 and 39-R-10; and (ii) approximately 1.492 acres of land identified as George Washington Avenue and an associated turn lane, each identified as such and dedicated for public street purposes pursuant to a "Plat of Subdivision - East Campus Stafford Hospital Center" by Mark D. Goodpasture dated October 23, 2012, and recorded as Instrument No. 130026573, to be vacated; and

WHEREAS, the parcels and land identified to be tax exempt are owned by MPI; and

WHEREAS, Mary Washington Health Care and its subsidiary MPI are each exempt from federal income taxation pursuant to Section 501(c)(3) of the Internal Revenue Code ("IRC"); and

WHEREAS, MPI plans to rent the land to CRAssociates in order to develop, construct, maintain and operate an outpatient medical facility for active duty and retired military and their families; and

WHEREAS, the application submitted by MPI has been determined to be complete and in compliance with State Code; and

WHEREAS, the Board desires and is required to conduct a public hearing to property as exempt from taxation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider a tax exemption for property associated with a health care clinic to serve active duty and retired military and their families on tax map parcels 39-R-A, 39-R-B, 39-R-C, 39-R-1, 39-R-2, 39-R-3, 39-R-4, 39-R-5, 39-R-6, 39-R-7, 39-R-8, 39-R-9 and 39-R-10, and approximately 1.492 acres of land identified as George Washington Avenue and an associated turn lane, each identified as such and dedicated for public street purposes pursuant to a "Plat of Subdivision - East Campus Stafford Hospital Center" by Mark D. Goodpasture dated October 23, 2012, and recorded as Instrument No. 130026573, to be vacated.

Item 16. County Administration; Endorse the Virginia Association of Counties 2018 Legislative Program

Resolution R17-297 reads as follows:

A RESOLUTION ENDORSING THE VIRGINIA ASSOCIATION OF
COUNTIES' 2018 LEGISLATIVE PROGRAM

WHEREAS, the Board recognizes that Virginia and its local governments are partners in providing many services to our citizens; and

WHEREAS, the Virginia Association of Counties (VACo) exists to support County officials, to effectively represent, promote, and protect the interests of counties, and to better serve the people of Virginia; and

WHEREAS, a formal endorsement of the VACo legislative program provides Stafford's legislative delegation and liaisons with a clear statement of Stafford's intent to support VACo's legislative positions and advocacy efforts, thereby maximizing Stafford's lobby efforts through shared resources; and

WHEREAS, the Board is also seeking enabling legislation and amendments to the Virginia Code to accomplish Stafford County's legislative priorities, identified in a separately adopted legislative program (Resolution R17-245, adopted on October 17, 2017) for the 2018 Virginia General Assembly session; and

WHEREAS, the Board reserves the right to adopt positions contrary to VACo in the event such positions adversely affect Stafford County or contradict those expressed by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does endorse the Virginia Association of Counties' (VACo) 2018 Legislative Program; and

BE IT FURTHER RESOLVED that staff and the County's legislative consultants keep the Board apprised of legislative changes and other matters that may adversely impact Stafford County, its residents, and businesses; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, will provide a copy of this Resolution to each member of the Stafford County General Assembly legislative delegation.

Item 17. County Administration; Authorize Naming the Civil War Park Pavilion the Trimmer/Newton Pavilion

Resolution R17-283(R) reads as follows:

A RESOLUTION NAMING THE STAFFORD CIVIL WAR PARK
PAVILION, THE "TRIMMER-NEWTON PAVILION"

WHEREAS, in 2006, the Friends of Stafford Civil War Sites, Mr. Glenn Trimmer, and Mr. D. P. Newton, first raised awareness about the significance of the land on which the Civil War Park (Park) is now located; and

WHEREAS, the Board has preserved the 41.2-acre Park site; and

WHEREAS, the Board desires to honor Mr. Trimmer and Mr. Newton for their relentless pursuit of and vision for the Park, and their exhaustive and in-depth historical research, which provided the basis for the information and interpretation of the Park, which is now a cultural and economic asset to the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that notwithstanding the Board's policy on naming buildings in Resolution R07-147, it be and hereby does name the pavilion within the Stafford County Civil War Park, the "Trimmer-Newton Pavilion" in honor of Mr. Glenn Trimmer and Mr. D. P. Newton.

Item 18. Community Engagement; Authorize a Six-Month Extension to the Cox Cable Franchise Agreement

Resolution R17-296 reads as follows:

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

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

WHEREAS, the Agreement and extension will expire on November 23, 2017; and

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

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does authorize the County Administrator to extend the franchise agreement with Cox Communications for six additional months.

Item 19. Community Engagement; Proclamation Posthumously Recognizing Mr. Ferris Belman

Proclamation P17-37 reads as follows:

A PROCLAMATION POSTHUMOUSLY HONORING AND RECOGNIZING MR. FERRIS M. BELMAN, SR. FOR HIS SERVICE TO STAFFORD COUNTY

WHEREAS, long-time member of the Stafford Board of Supervisors, Mr. Ferris M. Belman, Sr., passed away on September 3, 2017, leaving behind an abundant legacy of public service and dedication to Stafford County, and a 33-year political career in the area; and

WHEREAS, Ferris Belman graduated from James Monroe High School in 1944, and served his country for two years in the United States Army in World War II; and

WHEREAS, after his military service, Mr. Belman joined his father in the family grocery business, Belman's Grocery, in downtown Fredericksburg and built the business up to three stores in the Fredericksburg area. He retired from the grocery business in 1987; and

WHEREAS, starting in 1968, Mr. Belman served four consecutive terms on the Fredericksburg City Council, which ended when he moved to Stafford County; and

WHEREAS, Mr. Belman and his wife, Edna, moved to their family farm in Stafford County in 1983, where they became involved in civic and community life; and

WHEREAS, he began his political career in Stafford County in 1984, after being elected to the “tiebreaker” seat, which broke deadlocks between the other six members of the Board of Supervisors. The “tiebreaker” eventually became an “at-large” seat, representing the entire County with Mr. Belman being the only person to ever serve in that capacity with the establishment of a seventh electoral magisterial district; and

WHEREAS, Mr. Belman served on the Board of Supervisors through 2001 and during his tenure on the Board, he was elected by his peers five times to serve as Chairman and four times to serve as Vice Chairman; and

WHEREAS, Mr. Belman was known for his incredible sense of fairness and had a reputation for being a true gentleman, traits which helped the Board work very closely and successfully together; and

WHEREAS, at a time when the population of Stafford County was only 70,000 citizens, Mr. Belman anticipated the future need for water and was a champion of building the eventual Lake Mooney Reservoir, a project that will meet Stafford County’s water needs for many years to come.; and

WHEREAS, other major projects of note during his tenure include attracting GEICO and its many jobs to Stafford County, building the Stafford Regional Airport and the new interchange at Centreport Parkway, approving Celebrate Virginia, obtaining the property for the Stafford campus of the University of Mary Washington, acquiring Government Island and Accokeek Furnace, and the construction of the Government Center and the regional adult and juvenile detention centers. Mr. Belman’s ability to foresee the need for infrastructure prepared Stafford County immeasurably for its growth both in business and population; and

WHEREAS, Mr. Belman was a lifelong member of Fredericksburg United Methodist Church and the beloved patriarch of his large family, many of whom live in Stafford County and have followed their father by being active in the community; and

WHEREAS, perhaps Mr. Belman is best remembered for the ever-present smile on his face and his genuine interest in and care for his fellow Board members, staff, and citizens – a true role model for all who follow him;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does posthumously honor and recognize Ferris M. Belman, Sr., for his dedication and service to Stafford County.

Item 20. Community Engagement: Proclamation Recognizing Paul V. Milde, III for his Service on the Board of Supervisors Note: This item was moved to the 12/19/17 Board agenda.

Item 21. Fire, Rescue, and Emergency Services; Authorize the Appointment of Mr. Jeffrey McClure to the Rappahannock Emergency Medical Services Council, Inc. (REMS)

UNFINISHED BUSINESS

Item 19. County Administration; Consider a Regional Transportation Authority (RTA)

Note: This item was moved to a January, 2018 agenda for consideration once a new FAMPO Board and new Board members are in place.

NEW BUSINESS

Item 23. Public Works; Consider Granting Relief from the Right-of-Way Dedication Requirement along Fleet Road (SR750) for Southern Classics Auto Repair Mr. Keith Dayton gave a presentation and answered Board members questions. Mr. Milde asked if this was considered a land-use decision. Mr. Dayton replied that no decision was requested at that time, it would be brought back to the Board's December 19, 2017 meeting. He added that at that time, the Board would be asked to waive its bylaws to vote on it. County Attorney, Charles Shumate, noted that there was no need for the Board to waive its bylaws as with the recent change to the Bylaws, this was not one of the enumerated items.

Ms. Sellers asked if the new building was exempt. Mr. Dayton said that it was not a new building; that there was a substitute site plan and the parcel required a right-of-way dedication. He added that there was no cost to this request from the applicant. Mr. Snellings said that the applicant's engineer agreed on the compromise. Mr. Dayton added that the engineer had no problems with 15'. Mr. Milde asked if there were any plans to widen the road. Mr. Dayton replied that at present, there were no plans to widen Route 17 at that location.

Item 24. Public Works; Authorize the County Administrator to Budget and Appropriate Additional Funds for Land Acquisition for the Garrisonville Road Widening Project Mr. Keith Dayton presented this item and answered Board members questions. He said that there was a complex agreement with Branch Highways regarding contingency costs for the Garrisonville Road Widening Project and the Truslow Road Project. If the cost for land acquisition was under \$4.93 million, Branch was responsible for the entire amount. If it was more, there was an 80/20 split. The cost was \$5.43 million and \$1,050,000 was projected to complete the acquisition phase of the project. Funds were available in the Garrisonville Service District and \$1 million in requested revenue sharing funds, which would provide the needed buffer to complete land acquisition. This is a time sensitive item and the Board was asked to waive its Bylaws and vote on the request to budget and appropriate funds as per proposed Resolution R17-299.

Ms. Sellers motioned, seconded by Mr. Thomas, to waive the Board's Bylaws.

The Voting Board tally was:

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

Nay: (0)

Ms. Sellers motioned, seconded by Mrs. Maurer to adopt proposed Resolution R17-299.

The Voting Board tally was:

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

Nay: (0)

Resolution R17-299 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE ADDITIONAL FUNDS FOR THE GARRISONVILLE ROAD WIDENING PROJECT, LOCATED WITHIN THE GARRISONVILLE AND GRIFFIS-WIDEWATER ELECTION DISTRICTS

WHEREAS, the Board approved Resolution R13-176 authorizing the County Administrator to execute a Public-Private Transportation Act (PPTA) Comprehensive Agreement (Agreement) with Branch Highways, Inc., (BHI) to design and construct improvements on Garrisonville Road (SR-610) from Onville Road (SR-641) to Eustace Road (SR-751) (Project); and

WHEREAS, the Project is funded through the County's Garrisonville Road Service District Fund and the Virginia Department of Transportation's (VDOT) Revenue Sharing Program; and

WHEREAS, previous revenue sharing allocations for the Project total \$6,900,000, with a required County match of \$6,900,000; and

WHEREAS, to date, contingent costs are estimated to be over the contingency allowance by approximately \$1,553,000; and

WHEREAS, the Agreement requires BHI to fund 20% of the costs above the contingency allowance, or approximately \$310,000; and

WHEREAS, the County is responsible for funding approximately \$1,243,000 of the costs above the contingency allowance; and

WHEREAS, the County submitted a request for \$1,000,000 in additional revenue sharing funds to cover the overruns in the contingency allowance; and

WHEREAS, sufficient funds are available in the County's Garrisonville Road Service District Fund to provide the required local match of \$1,000,000 to the requested revenue sharing funds, if approved; and

WHEREAS, the revenue sharing funds would not be available until July1, 2018, and the Project has incurred costs that must be funded prior to that date;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors, on this the 21st day of November, 2017, that it be and hereby does authorize the County Administrator to budget and appropriate \$1,000,000 (One Million Dollars) from the Garrisonville Road Service District Fund to the Garrisonville Road Widening Project Fund.

CLOSED MEETING

At 4:15 p.m., Ms. Bohmke motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 17-18.

The Voting Board tally was:

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

Resolution CM17-18 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 County regarding a specific legal matter requiring the provision of legal advice by such counsel, and (2) discussion of the performance and discipline of specific employees of the County; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1) and (8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 21st day of November, 2017, does hereby authorize discussion of the above matters in Closed Meeting.

Closed Meeting Certification.

At 4:54 p.m., Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM 17-18(a).

The Voting Board tally was:

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

Resolution CM-18(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 21, 2017

WHEREAS, the Board has, on this the 21st day of November, 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 21st day of November, 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 4:57 p.m., the Chairman adjourned the afternoon session of the Board meeting. The Board then went into a work session on the County's Five-Year Financial Outlook, which was held in the ABC Conference Room on the second floor of the Government Center.

CALL TO ORDER

At 7:00 p.m. the Chairman reconvened the meeting.

Ms. Bohmke gave the Invocation. Girl Scouts from Troop 5427 and 5472 led the Pledge of Allegiance to the Flag of the United States of America.

Members of the Board presented a proclamation to the family of the late Mr. Ferris Belman, which posthumously recognized Mr. Belman's accomplishments and dedication to the citizens of Stafford County. Mr. Milde recognized former County Administrator, Mr. C. M. Williams, and former Board members Ms. Linda Musselman and Mr. Bob Gibbons, in the audience attending presentation of the proclamation to Mr. Belman's family. Mr. Belman's family received a standing ovation at the conclusion of the reading of the proclamation.

Mr. Snellings recognized members of the Stafford/student participants in "America's Team" Dominican Republic Baseball Tournament. A slide show presentation was given to illustrate the team's time in the Dominican Republic and the work it did aside from participating in the tournament. Team members and coaches included Dalton Alger, Steven Dean, Harbin Dilley, Michael Jewell, DeWan Morton, Coach Patrick Alger, Coach Michael Dilley. Steven Dean addressed the Board and the audience with details about the trip.

Mr. Brian Roinestad, Chairman of the Telecommunications Commission, gave its annual report. Mr. Roinestad thanked Mr. Milde and spoke about franchise agreements and the TCC being the County's closest point of service with the cable companies. He noted that to date there have been no letters of non-compliance regarding Comcast since the negotiation of its cable franchise agreement. Negotiations continue with Cox Cable. Chief Information Officer, Mr. Mike Cannon, has worked on a RFEI for broadband service in the County; a new satellite is coming on-line as of February 1st, which could provide unlimited coverage and service plans without data caps. Further details will be provided to the Board as they are available on this proposed satellite service.

Mr. Roinestad said that members of the TCC, along with cable representatives attended Back to School nights, as did Ms. Sellers, to talk about reduced internet fees for families qualified for the free or reduced cost lunch program. The cost, if qualified, was \$10.00 per month.

Mr. Roinestad thanked Community Engagement Manager, Ms. Shannon Howell, and Mr. Cannon for their support and hard work with the TCC. Mr. Snellings thanked Mr. Roinestad and talked about the above-mentioned proposed satellite service. Mrs. Maurer also thanked Mr. Roinestad, saying that she worked with the TCC over the last few years and on cable franchise negotiations with Mr. Roinestad and Mr. Cannon, who kept a steady hand and she said that the County was so much better off now.

Mr. Thomas said that he was a proud alumni having worked on the TCC in 2010 and 2011. He spoke about not being allowed to regulate the internet, just cable television. Ms. Sellers talked about how essential the internet was to students and how the technology gap set students apart. She said that Comcast's \$10 service provided a great opportunity to families that could otherwise not be able to afford internet service. Mr. Roinestad noted that Marie Schuler with Comcast spent six or seven hours for three days getting the word out about Comcast's program for qualified families.

Mr. Cavalier said that Mr. Roinestad brought great news and asked about Hughes Net. Mr. Roinestad said that the proposed satellite would be in direct competition with Hughes Net. Mr. Milde thanked Mr. Roinestad for his presentation.

Presentations by the Public

Susan Crozier - Spoke about the Confederate flag issue.

PUBLIC HEARINGS

Item 25. County Administration; Authorize Establishment of the Lake Carroll Service District Mr. Mike Smith gave a presentation and answered Board members questions. He noted that it was called the Kennedy Dam. He said that the road over the dam provided a second entrance into the community, Argyle Heights, and the lake was an aesthetic feature enjoyed by all of the residents. Consequences of inaction included the State draining the lake and removing the dam; the State charging property owners for that service; reduced public safety with the loss of the road over the dam; reduced property values; and the Utilities Department has a pump station, force main, and water lines on the existing dam. If the dam were to be removed, it would require relocation of those facilities at significant cost.

Three alternatives were considered including culvert replacement (cost \$3 million); articulated block (cost \$863,500); and hydro-turf (cost \$465,813). In addition, several pipe joints need repair at an estimated cost of \$6,000 for a total estimated repair costs including a contingency, of \$555,000. The semi-annual payment per property owner adjoining the lake would be \$730 at a 0% interest rate. In talking about the 0% interest, Mrs. Maurer asked if it was the same as at Lake Arrowhead. Mr. Smith confirmed that it was also 0%.

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

Kevin Wiedel	Gayle Kauffman	Paul Waldowski
Patricia Wiedel	Nathan Lewis	
Christian Renault	Wayne Harmon	
Debbie Renault	Robert (Last name inaudible)	

The Chairman closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O17-41.

Mr. Thomas thanked the speakers for coming to the public hearing and so eloquently giving reasons why the proposed service district should be approved. He noted that the hydro turf option lowered the cost to the property owners and that prior to discussion the possibility of a service district, property owners spent a lot of their own money working on restoring the dam before reaching out to him and requesting consideration of a service district. Mr. Thomas thanked staff, Mr. Smith, and Mr. Dayton for their help.

Mr. Snellings noted that in the 1960's, it was called Kennedy's Pond. Mrs. Maurer said that Lake Arrowhead had the same issues, used the same process, and that it was the Hidden Lake Service District that started support for service districts. Mr. Milde added that every single property owner on the lake was in favor of the proposed service district.

The Voting Board tally was:

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

Ordinance O17-41 reads as follows:

AN ORDINANCE TO ESTABLISH THE LAKE CARROLL SERVICE DISTRICT LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board desires to establish the Lake Carroll Service District (LCSD) to provide more complete and timely services of the government to the properties surrounding (Affected Properties) and containing Lake Carroll and the Kennedy Dam located within the George Washington Election District, than is desired or necessary in Stafford County as a whole; and

WHEREAS, Lake Carroll (Lake) and the Kennedy Dam (Dam), is classified as high hazard, has fallen into a state of disrepair, and is out of compliance with the Virginia Department of Conservation and Recreation regulations; and

WHEREAS, inaction is not an option and the Dam must either be repaired or the Lake drained in order to protect the health, safety, general welfare, and property of the residents of the Affected Properties and neighboring area; and

WHEREAS, the Lake Carroll, LTD., the owner of the Lake and Dam, has voiced support for saving the Dam and provided petitions in support of setting up a service district from the owners of 17 of the 19 Affected Properties to be served by the LCSD; and

WHEREAS, the County has performed preliminary work, and estimates that the cost to repair, construct, and reconstruct the Dam is approximately \$515,000; and

WHEREAS, notice of the Board's intent to conduct a hearing to consider establishing the LCSD was published once a week for three consecutive weeks in a newspaper having general circulation within Stafford County, and such hearing was held no sooner than ten days after the second notice was published, all in accordance with Virginia Code § 15.2-2400; and

WHEREAS, the Board has received and considered public testimony, if any, given at the public hearing; and

WHEREAS, the Board has determined that the establishment of the LCSD is in the best interest of the County, the Lake and Dam owner, the residents of the Affected Properties, and the neighboring areas;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that it be and hereby does create and establish the Lake Carroll Service District as follows:

1. The name of the service district shall be the Lake Carroll Service District (LCSD).
2. The boundaries of the LCSD shall be as displayed in the attached **Exhibit A** entitled "Lake Carroll Service District Boundaries" (Boundaries), and shall include the following Tax Map Parcel Numbers: 58A-4-82A, 58A-4-82, 58A-4-83, 58A-4-84, 58A-4-86, 58A-4-87, 58A-4-88, 58A-4-89, 58A-4-90, 58A-4-91, 58A-4-232, 58A-4-233, 58A-5-229, 58A-5-228, 58A-5-227, 58A-5-224, 58A-5-214, 58A-6-213, and 58A-6-212; and shall exclude Tax Map Parcel Number 58-24B.
3. The purpose of the LCSD is to repair, construct, reconstruct, and maintain the Kennedy Dam which impounds Lake Carroll (Purpose).
4. The services to be provided within the LCSD support the Purpose by providing funding, services, repair, equipment, continuing maintenance, and support for desired and necessary water quality improvements and protections for the Dam (Services).
5. The plan for providing the Services within the LCSD is based on a special tax assessment, as further described below. Additionally, from time to time, as the Board of Supervisors sees fit, and in line with all federal, state, and local laws, ordinances, and requirements, the Board may provide advanced funding or other resources to the LCSD for the Services. Any such advanced funding or other reimbursable funds provided shall be repaid by funds collected from the LCSD.
6. The properties within the LCSD boundaries will benefit from the Services by enhancing the public's and the resident's safety, convenience, and wellbeing; and by allowing the

continued enjoyment of the Kennedy Dam and Lake Carroll. Additionally, providing the Services will allow Lake Carroll to continue as a public safety benefit by being a source of water for fire protection, and will allow a critical roadway located above the Dam to continue to be used. The road improves general vehicular traffic flow and transportation safety; provides faster access by fire, rescue, and emergency medical services; and provides an enhanced ability to maintain the quality of life for the residents of the Argyle Heights subdivision.

7. A special tax assessment for the properties within the LCSD, shall be assessed at a rate to be set annually by the Board of Supervisors. The special tax assessment shall be levied and collected within the LCSD at the same time as Stafford County's general real property tax is levied and collected. All rules and regulations of the County regarding the levy and collection of taxes shall apply to such special tax for the LCSD.

8. The Board hereby creates the Lake Carroll Service District Fund (Fund). The Treasurer of Stafford County, Virginia, is hereby requested to collect and deposit the special taxes collected into the Fund, and to segregate the proceeds on the books and records of the County through appropriate accounting.

9. The LCSD shall be governed by the Stafford County Board of Supervisors and shall have all those powers, as provided in Virginia Code § 15.2-2403, as such powers pertain to the Purpose and Services authorized in this Ordinance for the LCSD.

Item 26. Planning and Zoning; Amend County Code Sec. 24 "Vegetation" to Include Provisions to Regulate "Running Bamboo" Mr. Jeffrey Harvey, Director of Planning and Zoning, presented this item and answered Board members questions. He said that County Code followed State Code, which included bamboo as an invasive species. Complaints would be made to the Department of Planning and Zoning after which the property owner would be notified. If corrective action was not taken by the property owner, the County would rectify the situation and bill the property owner for the cost, which would be on the real estate tax bill.

Ms. Sellers asked about the scenario where the property owner with the bamboo was there first and there were no earlier complaints filed. Mr. Harvey said if the bamboo crossed the property line or was a public safety concern, like blocking sight line on a road, the County would follow the standard procedure to ensure removal of the bamboo like any other tall grass maintenance. Ms. Sellers asked where bamboo was and if there was a specific complaint that this item was in reaction to. Ms. Bohmke said that there was bamboo in the Falmouth District and that it was very hard to eradicate; that bamboo dug up 12 years ago was growing back.

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

The Chairman closed the public hearing.

Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O17-42.

Ms. Sellers said that she did not support the item; that strawberries grew wild across property lines, too, and neighbors should work together. Ms. Bohmke said that the General Assembly

addressed the bamboo issue and it was the first item passed unanimously by the Senate and House of Delegates. Ms. Bohmke read the following statement from one of her constituents, “I do hope the sentiment against the insidiously invasive foreign plant species is as overwhelming as Virginia’s unanimous bill allowing its restriction was. It is not for nothing that several states have seen to outlaw bamboo completely. Mrs. Mauer’s charming anecdote about her Grandmother’s advice on how to earn the ire of a neighbor makes me wonder why it has taken so long for bamboo to come under such scrutiny.”

The Voting Board tally was:

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

Ordinance O17-42 reads as follows:

A ORDINANCE TO AMEND AND REORDAIN COUNTY CODE SEC. 24-16 “DEFINITIONS;” SEC. 24-17, “CUTTING OF GRASS, WEEDS AND OTHER FOREIGN GROWTH ON VACANT PROPERTY;” SEC. 24-18, “CUTTING OF GRASS ON OCCUPIED RESIDENTIAL REAL PROPERTY;” AND SEC. 24-19, “PENALTIES;” AND TO CREATE SEC. 24-20, “CONTROL OF RUNNING BAMBOO;” TO REGULATE RUNNING BAMBOO

WHEREAS, the Board has received complaints from citizens about running bamboo; and

WHEREAS, the Board believes that running bamboo can be a nuisance to the community and should be regulated; and

WHEREAS, the Board finds that public necessity, convenience, and general welfare require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 21st day of November, 2017, that Stafford County Code Sec. 24-16, “Definitions;” Sec. 24-17, “Cutting of grass, weeds and other foreign growth on vacant property;” Sec. 24-18, “Cutting of grass on occupied residential real property;” and Sec. 24-19, “Penalties;” be and they hereby are amended and reordained as follows:

Sec. 24-16. - Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Running Bamboo: Any bamboo that is characterized by aggressive spreading behavior, including species in the genus Phyllostachs.

Sec. 24-17. - Cutting of grass, weeds and other foreign growth, including running bamboo, on vacant property.

- (a) The owners of vacant developed or undeveloped property, except for land in use as an active farming operation, including such property upon which buildings or other improvements are located, shall cut the grass, weeds and other foreign growth on such property or any part thereof and maintain such growth to six (6) inches in height or less and shall maintain running bamboo at all times.
- (b) Reasonable notice by Stafford County for the cutting of such grass, weeds and other foreign growth and containment of running bamboo shall be given by first-class mail or personal delivery to the owner of such vacant property. Upon the failure of the owner of such vacant property to cut such grass, weeds or other foreign growth, or contain or remove running bamboo, as provided in such notice, the Director county administrator may have such grass, weeds, and other foreign growth cut and charge the cost and expense to the owner of the property and may collect these costs and expenses as taxes are collected.

Sec. 24-18. - Cutting of grass, weeds and other foreign growth including of running bamboo, on occupied residential real property.

- (a) Owners of occupied residential real property shall cut the grass or lawn area of less than one-half acre on such property or any part thereof and maintain such growth on such grass or lawn area to twelve (12) inches in height or less and shall maintain running bamboo at all times.
- (b) Reasonable notice by Stafford County for the cutting of such grass, weeds and other foreign growth and containment of running bamboo shall be given by first-class mail or personal delivery to the owner of such occupied property. Upon the failure of the owner of such occupied lot to cut such grass, weeds or other foreign growth, or contain or remove running bamboo, as provided in such notice, the Director county administrator may have such grass, weeds, and other foreign growth cut, eradicated or removed; charge the cost and expense to the owner of the property; and may collect these costs and expenses as taxes are collected.

Sec. 24-19. - Penalties.

- (a) A violation of subsection 24-17(a), subsection 24-18(a), or subsections 24-20(a) or (b) herein may be subject to a civil penalty of fifty dollars (\$50.00) for the first violation or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the first violation shall not exceed two hundred dollars (\$200.00). Each business day during which the same violation is found to have existed shall constitute a separate offense. In no such event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of three thousand dollars (\$3,000.00) in a twelve-month period.
- ~~(b) A violation of subsection 24-18(a) herein may be punishable by a civil penalty not to exceed one hundred dollars (\$100.00).~~
- ~~(b) In no case shall a violation of subsection 24-20(a) or (b) arising from the same set of operative facts be subject to a civil penalty for violation of either subsections 24-17(a) or 24-18(a).~~
- ~~(c) In the event that three (3) civil penalties have been previously imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period, such violations shall constitute a Class 3 misdemeanor.~~

and such subsequent violations shall be classified as criminal offenses, precluding the imposition of civil penalties for the same violation.

State Law reference— ~~Authority to require cutting of weeds~~, Code of Virginia, §§ 15.2-901, 15.2-901.1, and 15.2-1215.

; and

BE IT FURTHER ORDAINED that Stafford County code Sec. 24-20, “Control of running bamboo” be and it hereby is created as follows:

Sec. 24-20. – Control of running bamboo.

- (a) No landowner shall allow running bamboo to grow without appropriate containment measures, including barriers or trenching.
- (b) No landowner shall allow running bamboo to spread from his property to any public right-of-way or adjoining property not owned by the landowner.

State Law reference— Code of Virginia, § 15.2-901.1.

ADD-ON

Item 27. Discuss Stafford Residents who Serve in the Military and are Killed in Action Receiving a Commemorative Brick at the Armed Services Memorial, Paid for by the County. Mr. Milde asked that this item be added for discussion to the November 21, 2017 agenda. Discussion ensued about the terminology – *killed in the line of duty* or *killed in action*. Mr. Snellings cautioned that parameters should be set as to who would be considered a County resident. It was agreed that the matter would be sent to the Infrastructure Committee to work out the details before it was returned to the full Board for a vote.

Adjournment At 8:13p.m., the Chairman adjourned the November 21, 2017 meeting of the Stafford County Board of Supervisors.

Thomas C. Foley
County Administrator

Paul V. Milde, III
Chairman