

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Annual Meeting
January 9, 2018

Call to Order The annual meeting of the Stafford County Board of Supervisors was called to order by Thomas C. Foley, County Administrator, at 3:00 p.m., on Tuesday, January 9, 2018, in the Board Chambers, George L. Gordon, Jr. Government Center.

Roll Call The following Board members were present: Meg Bohmke, Jack R. Cavalier; L. Mark Dudenhefer; Wendy E. Maurer; Cindy C. Shelton; Gary F. Snellings; and Robert “Bob” Thomas, Jr.

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

Mr. Foley welcomed those present and called the meeting to order.

Invocation Mr. Dudenhefer gave the invocation.

Pledge of Allegiance Ms. Shelton led the recitation of the Pledge of Allegiance.

Legislative; Election of Chairman Mr. Foley opened the nominations, noting that votes would be taken in the order in which the nominations were received.

Mrs. Maurer nominated Ms. Meg Bohmke as Chairman. Mr. Thomas motioned to close the nominations.

Hearing no further nominations from the Board, the nominations were closed.

The Voting Board tally on the nomination of Ms. Bohmke as Chairman was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Legislative; Election of Vice Chairman The Chairman opened the nominations.

Mr. Thomas nominated Mr. Gary Snellings as Vice Chairman. Mrs. Maurer motioned to close the nominations.

Hearing no further nominations from the Board, the nominations were closed.

The Voting Board tally on the nomination for Mr. Snellings as Vice Chairman was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Mrs. Maurer motioned, seconded by Mr. Thomas, to approve the agenda.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Ms. Bohmke presented a proclamation and picture to Mr. Thomas saying that his leaving the Board was bittersweet and that it had been quite a journey from last February. She said that as a person, Mr. Thomas' leadership skills were significant, not only when he served as Chairman or Vice Chairman on the Board, but in the day-to-day activities and responsibilities as a member of the Board of Supervisors. She spoke about his business, Capricio, and his being a self-made man, a former Marine, with a steady hand who she had never seen upset or mad. Mr. Thomas said that he does get mad, "just not on the Board of Supervisors." He added that it sometimes felt like a heart surgeon who had to always maintain a steady hand, no matter what, and not take things personally. Mr. Thomas was looking forward to getting down to Richmond and to assume his seat on the House of Delegates representing the 28th District. After Ms. Bohmke read the proclamation, Mr. Thomas said that for all of the accomplishments, none of them could have happened without the cooperation of the other Board members. He mentioned past members of the Board including Cord Sterling, Paul Milde, Susan Stimpson, Laura Sellers, and Mark Dudenhefer (who is back on the Board representing the Garrisonville District).

Sheriff David Decatur presented Mr. Thomas with a plaque and a mug from the Sheriff's Department and thanked him for his support of public safety. He said that (former) Sheriff Charlie Jett wanted to be there but had a prior engagement. Major John McAlister was also there for the presentation.

Recess At 3:06 p.m., the Chairman declared a recess so that seating could be reordered.

Call to Order At 3:12 p. m. the Chairman called the meeting back to order.

Legislative; 2018 Board of Supervisors Meeting Calendar Discussion ensued regarding changes to the proposed 2018 meeting calendar. The following dates were amended: The 7/5/18 meeting was moved to 7/10/18; the 11/20/18 meeting was moved to 11/27/18; and the 12/18/18 meeting was moved back to 12/11/18. The Board meeting on 11/6/18 falls on Election Day; the Board noted that it may choose to move that meeting but would make that decision at a later date.

Mr. Thomas motioned, seconded by Ms. Maurer, to adopt proposed Resolution R18-01 as amended.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Resolution R18-01 reads as follows:

**A RESOLUTION ESTABLISHING THE STAFFORD COUNTY BOARD
OF SUPERVISORS' 2018 MEETING SCHEDULE**

WHEREAS, pursuant to Virginia Code § 15.2-1416 and the Board's By-laws and Rules of Procedure, the time and place of regular meeting of the Board shall be established at the Board's organizational/annual meeting; and

WHEREAS, the Board desires that regular meetings be held in the Board Chambers at the George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford, Virginia, on the first and third Tuesday of each month beginning at 3:00 p.m.; and

WHEREAS, regular meetings, without further public notice, may be adjourned from day-to-day, from time-to-time, or from place-to-place, not beyond the time fixed for the next regular meeting, until the business of the Board is completed; and

WHEREAS, should the Board subsequently prescribe any meeting time or place other than that initially established herein, it will be in compliance with the Virginia Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that it be and hereby does establish the following meeting dates for 2018:

Amended 2018 Board Meeting Dates

January 19-20 (Annual Planning Meeting)

January 23

February 6

February 20

March 6 (Election Day)

March 13 (Budget work session)

March 20 (Joint Budget work session w/ the School Board)

March 27 (BOS Budget work session)

April 3 (Budget public hearing)

April 17 (Adopt the FY2019 budget, CIP, and CY2018 tax rates)

May 1

May 15

June 5

June 19

July 10

Summer Recess

August 21

September 4

September 18

October 2

October 16

November 6 (Election Day)

November 27

December 11

Closed Meeting

At 3:36 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer to adjourn to Closed Session.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Resolution R18-01CM reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of Board appointments; (2) consultation with legal counsel employed by the Board regarding a specific legal matter requiring the provision of legal advice by such counsel; and (3) discussion regarding the County Attorney's retirement; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 9th day of January, 2018, does hereby authorize discussion of the above matters in Closed Meeting.

At 5:21 p.m., Mrs. Maurer motioned, seconded by Mr. Thomas, to adopt proposed Resolution R18-01CM(a)

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON JANUARY 9, 2018**

WHEREAS, the Board has, on this the 9th day of January, 2018, 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 9th day of January, 2018, 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.

Legislative: Appoint Members to Boards, Authorities, Commissions and Committees

Mrs. Maurer motioned, seconded by Mr. Thomas, to adopt proposed Resolution R18-02, which recommended to the Circuit Court the reappointment of Ms. Dana Brown and Mr. Karl Larson to the Board of Zoning Appeals.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Resolution R18-02 reads as follows:

A RESOLUTION RECOMMENDING THE APPOINTMENT OF TWO MEMBERS OF THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, pursuant to Virginia Code § 15.2-2308 and County Code Sec. 28-341, members of the Board of Zoning Appeals (BZA) shall be appointed by the Circuit Court; and

WHEREAS, County Code Sec. 28-341 authorizes the BZA to consist of seven members; and

WHEREAS, Ms. Dana Brown, representing the Rock Hill District, whose term expired on December 31, 2017, has indicated her desire to be reappointed to the BZA; and

WHEREAS, Mr. Karl Larson, representing the Garrisonville District, whose term expired on December 31, 2017, has indicated his desire to be reappointed to the BZA; and

WHEREAS, the Board desires to recommend to the Circuit Court the reappointment of Ms. Dana Brown representing the Rock Hill District and Mr. Karl Larson representing the Garrisonville District;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that

<u>NAME</u>	<u>DISTRICT</u>	<u>EXPIRATION DATE</u>
Dana Brown	Rock Hill District	December 31, 2022
Karl Larson	Garrisonville District	December 31, 2022

be and they hereby are recommended for reappointment for the terms stated above, to the Stafford County Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall provide a copy of this Resolution to the Circuit Court.

The following appointments/reappointments to Boards, Authorities, Committees, and Commissions (BACC) were approved unanimously by voice vote of the Board:

The Voice Voting tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

ADA Grievance Committee Mr. Keith Jenkins did not wish to be reappointed. All other members were reappointed. Staff was researching the request to extend member's terms to two years vs. the current one-year term. Mrs. Maurer motioned, seconded by Mr. Thomas.

Advisory Board on Law Enforcement Towing Mrs. Maurer motioned, seconded by Mr. Thomas, to approve all reappointments with the exception of Mr. Jack Bailey and Mr. Joe Patrick who did not wish to be reappointed. Mr. Peter Sullivan's appointment, replacing Mr. Patrick, was approved unanimously.

Advisory Board Private Trespass Mrs. Maurer motioned, seconded by Mr. Thomas, to approve all reappointments with the exception of Mr. Jack Bailey and Mr. Joe Patrick who did not wish to be reappointed. Mr. Peter Sullivan's appointment, replacing Mr. Patrick, was approved unanimously.

Agricultural/PDR Committe Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Adams, Mr. Howe, Ms. Long, and Mr. Rudasill to the Ag/PDR Committee.

Architectural Review Board Note: Ms. Sherrie Bailey will be replaced as the Planning Commission representative at the Commission's first meeting in January. Ms. Bailey has moved out of Stafford County.

Board of Building Code Appeals Mr. Russell Hall and Mr. Frank Jett did not wish to be reappointed. Mr. Gerald Snellings was appointed as a replacement for Mr. Hall, and Mr. Caleb Lange was appointed to replace Mr. Jett. All other member's reappointments were approved on a motion by Mrs. Maurer, second by Mr. Thomas.

Board of Social Services Mrs. Maurer motioned, seconded by Mr. Thomas, to approve the reappointments of Rev. Donahoe and Ms. Hamilton.

Central Rappahannock Regional Library Board of Trustees Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Ms. Bohmke to replace Mr. Thomas.

Citizens Transportation Advisory Group Note: Michelle Mansouri wished to resign from the CTAG. Her replacement will be brought to the Board at a later date.

Civilian-Military Community Relations Council Mr. Thomas motioned, seconded by Mr. Snellings, to approve the reappointment of Mrs. Maurer and the appointment of Mr. Dudenhefer.

Community Policy and Management Team Mr. Thomas motioned, seconded by Mr. Snellings, to approve the appointment of Mrs. Maurer, and the reappointments of Mr. Tignor and Ms. Torrieri. The appointment for a Private Provider representative will be brought to the Board at a later date.

Fredericksburg Area Metropolitan Planning Organization (FAMPO) Mr. Thomas motioned, seconded by Mrs. Maurer, to reappoint Ms. Bohmke, and to appoint Mr. Dudenhefer and Ms. Shelton. Mr. Cavalier and Mrs. Maurer were appointed alternates as was Mr. Thomas' eventual replacement.

Fredericksburg Regional Alliance (FRA) Mr. Thomas motioned, seconded by Mrs. Maurer, to reappoint Mr. Cavalier; Ms. Shelton was reappointed as alternate.

Fire Presentation Code Board of Appeals Ms. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Hepner and Mr. Null.

George Washington Regional Commission (GWRC) Mr. Thomas motioned, seconded by Mrs. Maurer, to reappoint Ms. Bohmke and to appoint Mr. Dudenhefer, with Mrs. Maurer appointed as alternate, along with Mr. Thomas' eventual replacement also as alternate.

Government Military Affairs Council Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Mr. Mark Dudenhefer to the GMAC. Ms. Shelton was appointed as alternate.

Historical Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Ms. Sue Henderson to replace Ms. Ann Best-Rolls on the Historical Commission.

Local Finance Board (OPEB) Mrs. Maurer motioned, seconded by Mr. Thomas, to appointment Ms. Shelton.

Parks and Recreation Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Mr. Price Jett to replace Mr. Clay Oliver representing the George Washington District; Mr. Kecia Evans replacing Ms. Paula Williams representing the Falmouth District; Mr. Tracey Bell replacing Mr. Eric Herr representing the Hartwood District; Mr. Vince Applewhite replacing Mr. Roy Boswell representing the Aquia District; and Mr. Dudenhefer appointed Ms. Traci Abramson to represent the Garrisonville District. The School Board will provide the name of its appointee at a future meeting.

Planning Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Apicella and Mr. English; and to appoint Mr. Filmore McPherson to represent the Aquia District replacing Ms. Sharon Bailey who has relocated out of the County; and Mr. Bart Randall to represent the Garrisonville District, replacing Mr. Michael Rhodes.

Potomac & Rappahannock Transportation Commission (PRTC/VRE) Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Mr. Dudenhefer and Mrs. Maurer; alternates are Mr. Cavalier and Ms. Shelton.

Potomac Watershed Roundtable Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Mr. Thomas' replacement as the primary member and Ms. Bohmke as alternate.

Rappahannock Area Agency on Aging (Board of Directors) Mrs. Maurer motioned, seconded by Mr. Thomas, to approve the reappointments of Ms. Linda Musselman and Mr. Gary Snellings.

Rappahannock Juvenile Detention Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Bill Tignor and Ms. Andrea Light.

Rappahannock Regional Jail Authority Board Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Mr. Cavalier as the primary member, Mrs. Maurer as alternate.

Rappahannock Regional Solid Waste Management Board (R-Board) Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Ms. Bohmke and Ms. Shelton to the R-Board. Mrs. Maurer was appointed as alternate.

Rappahannock River Basin Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Mr. Thomas' eventual replacement and to reappoint Ms. Bohmke as alternate.

Rappahannock Youth Services & Group Home Commission Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Mr. Snellings to the Group Home Commission.

Stafford Regional Airport Authority Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Henry Scharpenberg. An appointment to replace Mr. Thurman Campbell will be discussed at a future Board meeting.

Telecommunications Commission (TCC) Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Dillie, Mr. Kolandjian, Ms. Meade, and Mr. Roinestad. Mr. Roinestad will now represent the Rock Hill District. Mr. Snellings appointed Mr. Peter Francisco to represent the Hartwood District; Ms. Shelton appointed Mr. Scott Tate to represent the Aquia District; and Mr. Dudenhefer will have an appointment at a future meeting.

Thurman Brisben Center Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Ms. Donna Krauss.

Transportation Impact Fees Board of Appeals Mrs. Maurer motioned, seconded by Mr. Thomas, to appoint Mr. Tim Hall to fill a vacancy for an Engineer on the TIF Board of Appeals.

Utilities Commission Mrs. Maurer motioned, seconded by Mr. Thomas, to reappoint Mr. Boulden, Mr. Glazman, and Ms. Kwiatkowski. Mr. Dudenhefer appointed Mr. Kent Carson to replace Ms. DaBora Lovitt representing the Garrisonville District.

Workforce Investment Board (WIB) Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Ms. Bohmke to replace Mrs. Maurer on the WIB.

Legislative: Appointments to the Board of Supervisors Standing Committees Mr. Thomas motioned, seconded by Mrs. Maurer, to approve all Standing Committee appointments by voice vote. All votes were approved unanimously.

The Voice Voting tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

By-laws Committee Mr. Dudenhefer and Mrs. Maurer were appointed to the By-laws Committee.

Community and Economic Development Committee (CEDC) Mrs. Maurer, Ms. Shelton, and Mr. Snellings were appointed to the CEDC.

Finance, Audit, and Budget Committee (FAB) Mr. Cavalier, Mr. Dudenhefer, and Mrs. Maurer were appointed to the FAB Committee.

Infrastructure Committee (IC) Ms. Bohmke, Mr. Cavalier, and Mr. Dudenhefer were appointed to the IC.

Joint Schools Working Committee (JSWC) Mr. Dudenhefer, Mrs. Maurer, and Ms. Shelton were appointed to the JSWC. Alternates are Ms. Bohmke and Mr. Thomas' eventual replacement.

Legislative Committee Mr. Dudenhefer and Mrs. Maurer were appointed to the Legislative Committee.

Public Safety Committee Mr. Cavalier, Mr. Snellings, and Mr. Thomas were appointed to the Public Safety Committee.

Presentations by the Public No persons desired to speak.

Presentations by Members of the Board Board members spoke on the topics as identified:

Ms. Bohmke - Echoed all of the comments on Mr. Thomas; wished everyone a happy new year; thanked County staff (especially Utilities and Public Safety) for working through the cold weather and the water main breaks, etc. Welcomed Ms. Shelton and Mr. Dudenhefer to the Board and said she was looking forward to working with all the Board members.

Mr. Cavalier - Congratulated Mr. Dudenhefer and Ms. Shelton on their election to the Board; congratulated Ms. Bohmke and Mr. Snellings on their appointments as Chair and Vice Chair, respectively; said farewell to Mr. Thomas and that it was a privilege to have served six years with him; noted that they were both from Ohio and both attended a successful Bond rating trip to New York City where Fitch gave the County's its second AAA rating. Noted that he served with 17 Board members (and 18 tomorrow, hopefully).

Mr. Dudenhefer - Was on the Board previously for six years then served in the Virginia House of Delegates representing the 2nd District; it was an honor to serve in

the building designed by Thomas Jefferson where he served on the Transportation Committee as well as on the House Education Committee on 0 – 5 education and the future of high school education. He said that he was a much better Delegate after being on the Board and vice versa. Thanked Mr. Thomas for their many conversations and wished him well in Richmond; said that he was happy to serve the people of the Garrisonville District again; that Transportation was his bread and butter and he looked forward to the next four years.

Mrs. Maurer - Congratulated Ms. Bohmke and Mr. Snellings and welcomed Ms. Shelton and Mr. Dudenhefer to the Board saying that she had spoken to Ms. Shelton several times and commented on Ms. Shelton's reading the Planning Commission, BZA, and Board meeting minutes to get "up to speed" on Board-related matters. She said that she and Mr. Thomas' paths crossed through his company, Capricio, and she will miss his steady hand; she appreciated his leadership on the Board and was looking forward to his leadership as Delegate for Virginia's 28th District.

Ms. Shelton - Gave a shout-out to all who voted for her and also to those who did not vote for her saying that they will all be treated fairly; she spent six months going door-to-door and heard a lot about traffic congestion in the area; Ms. Shelton was excited about her appointment to FAMPO with Ms. Bohmke. She spoke about transparency and communication and will be holding monthly roundtable discussions at Stafford Hospital Center, 7:00 p.m., on the fourth Thursday of each month, all are welcome to attend. Ms. Shelton said that she was sorry to not have the opportunity to work with Mr. Thomas.

Mr. Snellings - Welcomed Mr. Dudenhefer back to the Board saying that Mark was very knowledgeable. Welcomed Ms. Shelton to the Board and said that her energy and digging deep into the heart of things was good for the Board and the County. Mr. Snellings noted that in the six years he was on the Board with Mr. Thomas, that Mr. Thomas was the most level-headed supervisor and "cool as the center seed of a cucumber" and with the patience of Job. In each decision, Mr. Thomas analyzed all sides of the matter and kept the Board on an even keel. He said that he hoped that Mr. Thomas had a career as long as recently retired Speaker Bill Howell's 30-year record.

Mr. Thomas - Mr. Thomas wished Board members good luck in the event that he was sworn in as a member of the Virginia House of Delegates the next day.

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Foley said that he would give a full report at the next Board meeting (1/23/18) and echoed Ms. Bohmke’s words about appreciating staff for its hard work during the recent cold weather; he gave shout-out to everyone on staff that responded to citizen issues in recent days.

Approval of the Consent Agenda Mr. Thomas motioned, seconded by Mrs. Maurer, to adopt the Consent Agenda. Mr. Dudenhefer pulled Item #5 so that he and Ms. Shelton could abstain from voting on the minutes of the 12/19/17 meeting which they did not attend.

The Voting tally was:

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

Nay: (0)

Abstain: (2) Dudenhefer, Shelton

Item 5. Approve Minutes of December 19, 2017 Board Meeting Minutes

Item 6. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R18-15 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED DECEMBER 19, 2017 THROUGH JANUARY 08, 2018

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 9th day of January, 2018 that the above-mentioned EL be and hereby is approved.

Item 7. Public Works; Grant Partial Relief from the Right-of-Way Dedication Requirement along White Oak Road (SR-218) on TMP 54-114Q

Resolution R18-08 reads as follows:

A RESOLUTION GRANTING PARTIAL RELIEF FROM THE RIGHT-OF-WAY DEDICATION REQUIREMENT ALONG WHITE OAK ROAD (SR-218) ON TAX MAP PARCEL NO. 54-114Q, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Comprehensive Plan identifies future road improvements to

accommodate projected growth and orderly development; and

WHEREAS, pursuant to the Comprehensive Plan, Stafford County Code Sec. 28-256 requires developments to dedicate at least half of the necessary right-of-way (ROW) abutting their property for identified transportation improvement projects; and

WHEREAS, White Oak Animal Hospital (Hospital) is located on Tax Map Parcel No. 54-114Q, and proposes to construct a new building with expanded parking areas, which requires ROW dedication of an additional 10 feet along White Oak Road (SR-218); and

WHEREAS, the existing monument sign for the Hospital would be impacted by the required ROW dedication, due to its location along White Oak Road (SR-218); and

WHEREAS, dedication of the required amount of ROW along White Oak Road (SR-218) would place the existing monument sign within the public ROW; and

WHEREAS, the existing monument sign would then have to be removed or relocated, as the Virginia Department of Transportation (VDOT) will not permit the sign to remain within the public ROW; and

WHEREAS, Stafford County Code Sec. 28-256(c)(1) allows the Board to grant relief from the requirement to dedicate ROW; and

WHEREAS, the Board considered the request of the Hospital and staff's recommendations, and determined that it is appropriate to grant partial relief from the requirement to dedicate the entire 10 feet of ROW, and allow dedication of five feet of ROW in the proximity of the existing sign;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that it be and hereby does grant partial relief pursuant to Stafford County Code Sec. 28-256(c)(1) from the right-of-way dedication requirement on Tax Map Parcel No. 54-114Q authorizing the dedication of five feet of right-of-way along White Oak Road (SR-218) in the location shown and in accordance with the site plan entitled, "White Oak Animal Hosp. Magisterial District Stafford County, Virginia-Sign Encroachment Exhibit, 10 Walsh Lane," dated November 22, 2017.

Item 8. Public Works; Petition VDOT to Abandon a Portion of State Route 1120

Resolution R18-06 reads as follows:

A RESOLUTION PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON A PORTION OF STATE ROUTE 1120 FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS,

LOCATED WITHIN THE GEORGE WASHINGTON ELECTION
DISTRICT

WHEREAS, the Virginia Department of Transportation (VDOT) State Highway Project #0003-089-102, C-501 (Project), for the realignment of State Route 3, required the construction of a cul-de-sac and a new intersection alignment of State Route 1120 (SR-1120) with Ferry Road (SR-606); and

WHEREAS, the Project resulted in the abandonment of a portion of the prescriptive easement; and

WHEREAS, the remaining 0.07 mile of prescriptive easement of SR-1120, lying north of and leading to the intersection of SR-606 was retained for the continued joint access for the multiple landowners and includes a cul-de-sac and intersection acquired by the State in fee simple; and

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

WHEREAS, the Board has determined that no public necessity exists for the continuance of the remaining portion of SR-1120 lying north of Ferry Farm Road, as described above and shown on attached Exhibit A, as a public highway within the Secondary System of State Highways; and

WHEREAS, pursuant to Virginia Code § 33.2-909, the Board posted a notice of intent for 30 days in three locations along the proposed abandonment of SR-1120, and advertised in the local newspaper on November 28, 2017 and December 12, 2017, and received no petitions for a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that it be and hereby does abandon the remainder of State Route 1120 as described above and as shown on the attached Exhibit A; and requests that the Virginia Department of Transportation make adjustments to the Secondary System of State Highways to abandon said portions of State Route 1120, pursuant to Virginia Code § 33.2-909; and

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

Item 9. County Administration; Appoint Interim Chairman 1-9-22, 2018 for the Fredericksburg Metropolitan Planning Organization (FAMPO)

Resolution 18-13 reads as follows:

A RESOLUTION APPOINTING MEG BOHMKE AS INTERIM
CHAIRMAN OF THE FREDERICKSBURG AREA METROPOLITAN
PLANNING ORGANIZATION FROM JANUARY 9, 2018 THROUGH
JANUARY 22, 2018

WHEREAS, Paul V. Milde, III, was the chairman of the Fredericksburg Area Metropolitan Planning Organization (FAMPO) until his term on the Stafford County Board of Supervisors ended on December 31, 2017; and

WHEREAS, Mr. Milde's chairman's position of FAMPO also ended leaving no chairman in place to address any issues that may arise between January 1, 2018 and January 22, 2018; and

WHEREAS, the chairman's position at FAMPO rotates between its member districts and Stafford County currently holds this position through June 30, 2018; and

WHEREAS, the Board desires to appoint Ms. Meg Bohmke as the interim chairman of FAMPO from January 9, 2018 through January 22, 2018;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that it be and hereby does appointment Meg Bohmke as interim chairman of the Fredericksburg Area Metropolitan Planning Organization (FAMPO) from January 9, 2018 through January 22, 2018; and

BE IT FURTHER RESOLVED that a copy of this Resolution will be forwarded to Mr. Paul Agnello, FAMPO's Executive Director.

Item 10. County Administration; Proclamation Recognizing Mr. Robert "Bob" Thomas, Jr. for His Service on the Board of Supervisors

Proclamation P18-03 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING ROBERT
"BOB" THOMAS, JR., FOR OUTSTANDING SERVICE ON THE
STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF
STAFFORD COUNTY

WHEREAS, Robert "Bob" Thomas, Jr., represented the citizens of the George Washington District since 2012; and

WHEREAS, during his time on the Board, he was elected by his peers to serve Vice Chairman in 2013 and Chairman in 2016; and

WHEREAS, Mr. Thomas is a veteran of the United States Marine Corps, serving nearly eight years on active duty. He earned his Associate's Degree in Networking from Northern Virginia Community College, and a Bachelor's Degree in Computer Information Systems from Excelsior College; and

WHEREAS, Mr. Thomas served on the Board's By-laws Committee, the Community and Economic Development Committee, and the Finance, Audit, and Budget Committee; and

WHEREAS, Bob Thomas has been a staunch proponent of the Board's emphasis on fiscal responsibility and reducing the tax burden, and his leadership was integral to helping the County thrive after the nation's financial downturn. During his tenure and under his leadership on the Finance, Audit, and Budget Committee, the Board eliminated the boat tax, the machinery and tools tax, and kept personal property and real estate taxes low; and

WHEREAS, Bob Thomas traveled to New York with County staff to defend the County's bond ratings with the three main bond agencies, helping the County earn the second of its two AAA bond ratings. Thanks to the financial practices endorsed by the Board and Mr. Thomas, the County is well on its way to achieving its third AAA bond rating; and

WHEREAS, Mr. Thomas is a friend and supporter of small businesses and economic development, helping to co-found Capriccio Software, Inc., a Stafford County business for which he serves as President and CEO. During his tenure on the Board, Stafford led the State in job growth and multiple new businesses opened; and

WHEREAS, Mr. Thomas has been a staunch advocate for Stafford County and the region's transportation needs by serving on the Operations Board of the Virginia Railway Express and the Potomac and Rappahannock Transportation Commission. During his time serving these organizations as well as the Board of Supervisors, hundreds of millions of dollars were invested in transportation infrastructure in the region. The Falmouth Intersection was renovated, Route 17 was widened, funding was secured for the creation of a new Courthouse Road Interchange off I-95, as well as the widening of Courthouse Road, Hot Lanes were added to the interstate, the Ferry Road/Route 3 Intersection Improvement Project began, and an extra walking lane will be added to the Chatham Bridge; and

WHEREAS, Mr. Thomas oversaw the continual investment in the historical resources in his District, supporting the renovation of Shelton's Cottage, the construction of the Belmont-Ferry Farm Trail, the revitalization of old Falmouth and the County's continued support of George Washington's Boyhood home; and

WHEREAS, Bob Thomas served on the Community Policy and Management Team, the policy board governing the Children's Services Act (CSA), and has been forward thinking in innovative ways to meet the needs of children requiring special education services; and

WHEREAS, Mr. Thomas represented Stafford County on the Board of the Central Rappahannock Regional Library Board, where he helped usher the Library into the digital age; and

WHEREAS, Bob Thomas was a major proponent of a new Stafford High School, reaching across the aisle to the School Board to navigate the best and most responsible path forward; and

WHEREAS, throughout his time in office, Mr. Thomas has been an active member of the Virginia Association of Counties, graduating from the Certified Supervisors Program in 2013, serving on the Finance Steering Committee and the Budget Committee, and serving as Second Vice President from 2016-2017 and is the 2018 President-Elect; and

WHEREAS, prior to serving as supervisor, Mr. Thomas was the Chairman of the Stafford Telecommunications Commission and has been integral to helping connect citizens and businesses to the Internet. Under his tenure on the Board, dark fiber was deployed through Stafford County, from Washington, D.C., to Richmond; and

WHEREAS, Bob Thomas is an active member of the community, spending countless hours volunteering at Stafford High School as a band parent and as a member of Spotswood Baptist Church; and

WHEREAS, Bob Thomas was elected in 2017 to represent the 28th District in the Virginia House of Delegates where he will continue to serve the citizens of Stafford County and the Commonwealth of Virginia;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that it be and hereby does recognize Mr. Robert “Bob” Thomas, Jr. for his service on the Board of Supervisors and to the citizens of Stafford County.

Unfinished Business

11. Utilities; Grant a Six-Month Extension of Subsidized Pump and Haul Services for a Discontinued Property Mr. Jason Towery originally addressed this item at the Board’s December 19, 2017 meeting. He provided additional information and answered Board members questions. He noted that the homeowner’s request was inconsistent with the County’s Pump and Haul Policy.

Mrs. Maurer asked if the application had been submitted to the Health Department, which it had not as of that date. She asked if the Health Department denied the application, would the homeowner automatically go back on subsidized pump and haul. Mr. Towery replied that yes, the homeowner would go back on subsidized pump and haul. Mrs. Maurer asked if that were to happen, would the subsidy be retroactive. Mr. Towery replied that there were no provisions in the County’s policy for a retroactive payment unless the Board decided to make a special exception.

Mrs. Maurer asked if Mr. Morel, the homeowner, could answer questions. Mr. Morel approached the podium and answered Board members questions. He said that when he purchased the house, he believed that based on a contract addendum, he had until 2022 to work on the system. Earlier in 2017, he was on TDY and did not want to leave his wife to have to worry about the replacement system. He said that he purchased a new washer and dryer (high efficiency), which reduced his water consumption to 2000 gallons/month.

Mrs. Maurer asked Mr. Morel if he was on TDY when the notice came in November, 2017 that his subsidy was being discontinued. Mr. Morel replied that he was in town at that time. She asked if he spoke with anyone at the Health Department. He said that he spoke with Tommy Thompson who noted concerns with the system and the low point in Mr. Morel's yard that floods every time it rains, and would flood again even with a new septic system. Mr. Morel said he dug a retention pond to contain the overflow from the underground spring, which would be 30' from the proposed system. Mr. Thompson acknowledged the problem with water retention in the area.

Mr. Cavalier asked Mr. Towery if the property was on subsidy at that time. Mr. Towery responded no as of December 1, 2017 the subsidy was discontinued. Mr. Cavalier asked if the subsidy would be restored if the Board voted in favor of the proposed Resolution. Mr. Towery responded that it would, for a period of six months. Mr. Cavalier said that for other properties, the County looked at the homeowner's ability to pay as criteria and asked if that was done with Mr. Morel's situation. Mr. Towery said that ability to pay, based on a percent of Federal poverty guidelines was in the County's policy but not until in 2022 when homeowners on Pump and Haul could apply for the County to pay a portion of the expense for it based on their income levels. It had not been considered in Mr. Morel's case. Mr. Cavalier said that Mr. Morel may go back on the subsidy but may not need it but that the County wouldn't know if the income guidelines weren't followed. Mr. Towery said that Mr. Morel was only asking for a six-month subsidy, during which time he believed that the septic system could be designed and installed and become operational. He said that staff felt that six months was a reasonable timeframe. Mr. Cavalier said that for him, the biggest issue was the subsidy and financial need; he said he needed documentation.

For Mr. Dudenhefer and Ms. Shelton's benefit, Mr. Thomas talked about the Board's original discussion and how the Pump and Haul subsidy came to be. He said that the Board felt that by 2022, everyone on the Pump and Haul subsidy could come off or, if an alternate system was not feasible on a particular property, certain properties could remain on the subsidy, based on income levels and a percent of the Federal poverty guidelines

Mr. Towery noted that a second opinion was needed to evaluate the low point on Mr. Morel's property but that a second opinion had not yet been given. Mr. Morel said that he wanted a working septic system that would be beneficial to his family and the County, and that his six-month request was a stop gap measure.

Ms. Bohmke asked if the timeline was not explained to the homeowner at the time he purchased the property. Mr. Towery said there was an addendum to the buyer's contract and the real estate agent provided a disclosure to Mr. Morel as part of the contract. It referred to the Board's Pump and Haul Policy and that most subsidies would remain until 2022. Mr. Morel called the Utilities Department prior to the purchase and the 2022 date was reaffirmed.

Ms. Bohmke spoke about the Morel family reducing its water usage from 8,000-10,000/gallons per month down to 2,000 gallons per month, a 75% reduction in water usage, which was a benefit to the family and to the County.

Mrs. Maurer spoke about the actual addendum and Mr. Morel's belief based on the addendum and a conversation with Utilities staff that he had until 2022. He was on TDY when some of the notices were received; he made a successful attempt to reduce water usage; and at present, there was no approved septic system on or for his property.

Mr. Cavalier said that he had heartburn because financial procedures were not followed. He said that he lived on an adjacent property at one time 30 years ago and the septic system failed after he moved; that the issue was known in that area back then. Mr. Snellings said that he agreed with Mr. Cavalier but there were extenuating circumstances and cited an example of a judge in court. He said that Mr. Morel was helping himself and that he (Mr. Snellings) was in favor of the six-month extension.

Mr. Thomas said that staff provided a tremendous amount of information; that the County's Policy was well thought through and he had a good feeling that Mr. Morel would complete his septic system in six months. Mr. Mike Smith said that this property was not one of the grandfathered customers; that if approved, Mr. Morel would have six months of subsidy during which time he had to get approval from the AOSC and the Health Department for the alternate system on 111 Autumn Drive.

Ms. Bohmke said based on the addendum and the homeowner's reduction in water usage, and the fact that he is military and has been on TDY, she would support the proposed resolution.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R18-10.

The Voting tally was:

Yea: (7) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings, Thomas
Nay: (0)

Resolution R18-10 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO PROVIDE A SIX-MONTH EXTENSION OF SUBSIDIZED PUMP AND HAUL SERVICES FOR THE DISCONTINUED PROPERTY AT 111 AUTUMN DRIVE LOCATED WITHIN THE ROCKHILL DISTRICT

WHEREAS, Resolution R15-106 revised the Pump and Haul Policy and directed the Department of Utilities to hire a soil consultant (AOSE) to re-evaluate each grandfathered customer's subsidized pump and haul property, with the goal of determining if new technology or revised regulations can make a repair or replacement feasible; and

WHEREAS, the grandfathered property at 111 Autumn Drive was determined to have a generally acceptable onsite alternative system available; and

WHEREAS, the policy stipulates that pump and haul subsidies would be discontinued after a suitable period not to exceed six months after a grandfathered customer is notified of the availability of an acceptable repair or replacement; and

WHEREAS, the property owner was made aware of this availability by May 30, 2017 and the six month period ended on November 30, 2017; and

WHEREAS, the grandfathered customer sought to begin construction of the alternative system, but has not yet completed construction and has requested a six-month extension to continue the pump and haul subsidies; and

WHEREAS, the Board believes it is in the best interest of public health to ensure continued pump and haul services at 111 Autumn Drive while the construction is ongoing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 9th day of January, 2018, that the County Administrator be and he hereby is authorized to provide a six-month extension from the date of this Resolution, of subsidized pump and haul services for the discontinued property at 111 Autumn Drive.

Adjournment At 6:16 p. m. the Chairman declared the meeting adjourned.

Thomas C. Foley
County Administrator

Meg Bohmke
Chairman