

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
January 23, 2018

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 3:00 p.m., on Tuesday, January 23, 2018, in the Board Chambers, George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

Roll Call The following members were present: Meg Bohmke, Chairman; Gary F. Snellings, Vice Chairman; Jack R. Cavalier; L. Mark Dudenhefer; Wendy E. Maurer; and Cindy C. Shelton. Note that the George Washington District Supervisor position was vacant due to Mr. Robert “Bob” Thomas, Jr.’s election to the Virginia General Assembly representing the 28th District.

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

Ms. Bohmke explained that the George Washington District Supervisor’s seat was empty because Mr. Robert “Bob” Thomas, Jr., was elected to represent the 28th District on the Virginia General Assembly. Ms. Bohmke also asked for prayers for County Administrator, Mr. Thomas C. Foley, who was absent due to dealing with a family health crisis.

Ms. Bohmke asked for a vote on the agenda as presented and outlined the items included in the Board’s Add-On folder which where: Item 23. County Administration – Authorize the County Attorney to File a Petition for a Writ of Special Election; Item 24. County Administration – Discuss Timeline for Application Submissions, Interviews, and Selection of the George Washington Supervisor Position; Item 25. Legislative – Authorize a Letter to the General Assembly Formally Opposing Two Wireless Infrastructure Bills (HB 1258) and (SB405); Item 26. Planning and Zoning – Request the Planning Commission to Conduct a Public Hearing re. Repeal of the County’s Cluster Regulations; and Item 27. County Administration – Authorize the Appointment of Jeffrey Schrade to the Telecommunications Commission representing the Garrisonville District. It was noted that each of the five items were time-sensitive and would be considered as New Business.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt the agenda and add-ons as presented.

The Voting Board tally was:

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

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

Gregory Gavan - Power Point presentation regarding the Golf Course and Lake at Curtis Park and environmental damage done there. Following Mr. Gavan's remarks, Mr. Snellings asked that staff get involved, inspect the area and report back to the Board at its February 6, 2018 meeting.

Paul Waldowski - Sidewalks to nowhere; Showed a Utility bill but said that he cannot get a water/sewer bill; spoke about the "selected vs. elected" Chairman and Vice Chairman seats on the Board; said that 56.2% of the people did not vote for the new Aquia District Supervisor, and the new Garrisonville District Supervisors won by 12 or 13 votes (and 13 was a lucky number); certain Planning Commissioners did not live in the District in which they were appointed to represent but now that was taken care of, at least in one case; one should be fined \$100 for not have adequate disclosure text on School Board campaign signs; Gerrymandering.

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 - Attended the General Assembly Prayer Breakfast with Delegate Bob Thomas, which was an exceptional event as always. Encouraged people to have lunch at the Micah Café, located at the Fredericksburg Baptist Church, on Tuesdays and Thursdays, 11 a.m. to 2:00 p.m. Micah Director, Meghan Cotter, would love to have people there. The VDOT public hearing on replacing the Chatham Bridge will take place on Thursday, 1/25/18, 5:00 to 7:00 p.m. at VDOT's Deacon Road auditorium; a proposed pedestrian lane is in the design, which is very exciting for those who want to move freely between Stafford and Fredericksburg trails. Ms. Bohmke was appointed Chair of the George Washington Regional Commission (GWRC); discussion items included a solid waste forum by the Rappahannock Health Community Advisory Council (the County cannot continue to manage trash as its doing now); Ms. Bohmke was appointed to take Ms. Laura Sellers' place on the Advisory Council; discussion also included execution of an agreement with the Virginia Department of Rail and Public Transportation (VDRPT) regarding grant funds for ridesharing programs and a multi-modal study of Lafayette Blvd. Empower House is hosting its Empty Bowl fund raising event on Sunday, January 28, 2018 from 5:00 to 7:00 p.m. at the Elks Lodge. Commonwealth's Attorney, Eric Olsen, will share his favorite chili recipe. Thanks to the men and women with Public Safety that worked the VRE incident this morning.

Mr. Cavalier - Appointed Chairman of the Board's Public Safety Committee (PSC) where Chief Lockhart and Sheriff Decatur provided monthly updates including the FEMA Grant application on the Board's Consent Agenda, and the Sheriff's Next Gen 911

Memorandum of Understanding, also on the Board's Consent Agenda. The Next Gen 911 initiative will be at no cost to the County and enhance interoperability between jurisdictions in northern Virginia, Maryland, and the District of Columbia. The PSC recommended approval of both the FEMA grant application and the Next Gen 911 MOU.

Mr. Dudenhefer - Mr. Dudenhefer was appointed Chairman of FAMPO at its meeting on Monday, January 22, 2018. Funding is available for the new northbound Rappahannock River Bridge lanes, which was outside SMART funding but is being funded by Trans Urban who will be repaid with future HOT Lanes tolls. It will lag approximately one year behind the construction of the additional southbound Rappahannock River Bridge lanes; there are additional surplus funds even after completion of the northbound lanes; the County and the Fredericksburg Area Metropolitan Planning Organization (FAMPO) is working to assign those funds to pending transportation projects. Mr. Dudenhefer was appointed Chairman of the Board's Finance, Audit, and Budget (FAB) Committee where Budget Division Director, Andrea Light, provided a financial update on the FY2018 Mid-Year Review.

Mrs. Maurer - Participated in the Board's Legislative Committee meeting; the 2018 session of the General Assembly is in full swing. Spoke about shared services with the School Board, which resulted in proposed legislation aimed at reducing the teacher shortage by allowing reciprocity with other states' teacher licensure. With the number of military spouses in the area, this would be a great benefit in helping to relieve the teacher shortage. Mrs. Maurer spoke about the Day School initiative and added funding needs in private placement due to increased fees; she said that in Stafford County there were excellent facilities available. There appeared to be a united front against the proffer bill although the proposed amendments were not going to solve the problems it created in Stafford. Regarding the proposed Gas Tax, it contained a recommendation of a floor at last year's levels. However, it may be looked at with 2013 levels; Mr. Cavalier's hydrilla legislation was making progress; the Board would be asked (as an add-on) to vote to show its opposition to HB1258 (Delegate Kilgore) and SB405 (Senator McDougle), which as written would allow wireless contractors to build practically anywhere, even in the middle of a football field. If passed, the House and Senate bills would remove any zoning authority currently held by localities. Mrs. Maurer attended her first Community Policy and Management Team (CPMT) meeting and reviewed cases of those hardest hit in our community. Pleased to announce that Crystal Vanuch, the Rock Hill District Planning Commissioner, was appointed PC Chair. This is the first time in recorded history that a woman has been chair of the Board of Supervisors, the School Board, and the Planning Commission.

Ms. Shelton - Attended FAMPO and looks forward with their knowledge and her passion to work towards getting a lot of things accomplished. She shadowed the Legislative Committee, the Utilities Commission, and will be a member of the PSC following a vote on the Consent Agenda appointing her to that committee until a George Washington District Supervisor is appointed. Ms. Shelton noted that the Utilities Commission is not boring, it was a

fun and exciting meeting. She added that as new, more energy-efficient appliances are available, residents are not using as much water and that with the increasing population, it would be thought that it would balance out; however, that is not the case. Ms. Shelton said that she is an advocate of “green living” and is a tree-hugger.

Mr. Snellings - Deferred comments.

Report of the County Attorney – Deputy County Attorney, Rysheda McClendon, deferred her report.

Report of the County Administrator – Mr. Foley was absent due to a family health emergency. Deputy County Administrator, Michael Smith, assumed the role in Mr. Foley’s absence. He introduced Budget Division Director, Andrea Light, who presented a FY2018 Mid-Year Financial Review.

Ms. Light gave a Power Point presentation and said that at mid-year, total General Fund revenues were projected to be slightly above the adopted budget. Real Estate and Personal Property revenues were slightly lower as a percentage of the budget than the same time last year, and the County’s tax base was expected to grow. Budget staff will continue to monitor this as the annual budget process progresses. Development Services revenue continues to outpace budget, and at mid-year, permitting fee revenues were projected to exceed budget.

Health Insurance costs are projected to be slightly under budget. It is anticipated that budgeted managed attrition of \$0.5M will be achieved. Children’s Services Act (CSA) expenditures may exceed budget by \$1.9M. On the Consent Agenda, proposed Resolution R18-23 asks the Board to budget and appropriate \$1.1M State share of CSA funds. Costs for the Rappahannock Juvenile Detention Center are expected to exceed the budget due to the County’s increased usage of the facility; however, a reserve fund for the Center is available if the additional cost cannot be absorbed into the budget.

Staff made recommendations regarding fund balances for capital projects and other fund balance reservations. Schools’ ended FY2017 with positive results in the amount of \$2,113,597, which by policy was added to the Capital Project’s Reserve, designated in the County’s Fund Balance. Utilities Water and Sewer User Fees are slightly over budget and Utilities expenditures are anticipated to be in line with the adopted budget. Fuel Tax revenue is moderately stronger in the first half of FY2018 than anticipated in the adopted budget.

Ms. Light said that staff anticipated ending FY2018 with revenues exceeding budgets in the General Fund, the Utilities Fund, and the Transportation Fund. Staff will continue to monitor expenditures including CSA and the Juvenile Detention Center to ensure that overall budgets are not exceeded.

Interim Public Works Director, Mr. Keith Dayton, provided a construction update. Mrs. Maurer asked about the problems with internet being cut during construction of the Garrisonville Road Widening Project and what lessons have been learned. She noted that the military veteran's suicide hotline was one of the lines that were cut, which could have had tragic consequences. Mr. Dayton replied that as in all road projects, there were lessons to be learned; that the County and its contractors follow the Miss Utility guidelines about how contractors should behave and the County was sensitive to that; it has scolded, counseled, etc. and said that it was one of the biggest headaches that lines were sometimes marked and other times unmarked.

After Mr. Dayton spoke about the Brooke Road Improvement Project and changes to the bid requests to lower the cost, the bids would be opened in February and would be shared with the Board. Ms. Shelton talked about critical safety issues with the low shoulders on Brooke Road. Mr. Dayton said there were low shoulders on a lot of rural roads in the County and that if there was an immediate safety concern, VDOT would react and schedule repairs as necessary for pot holes and low shoulders. He said they try to stay hands-off if a project is underway; however, if safety is an issue, VDOT will intercede and make the necessary repairs. Mr. Dayton added that winter weather held up a lot of road projects but that they were now underway again.

Mr. Dayton also provided updates on the Belmont-Ferry Farm Trail, Phases 4 and 6, and an update on Fire and Rescue Station 14 construction. He concluded his remarks noting that VDOT was holding a public hearing on the Chatham Bridge replacement at its headquarters on Deacon Road on Thursday, 1/25/18, from 5:00 to 7:00 p.m.

APPROVAL OF THE CONSENT AGENDA

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to approve the Consent Agenda, pulling Items 7, 8, and 14.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings
Nay: (0)

Item 4. Legislative: Approve the Minutes of the January 9, 2018 Annual Meeting.

Item 5. Finance and Budget: Approve the Expenditure Listing

Resolution R18-27 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JANUARY 09, 2018 THROUGH JANUARY 22, 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 23rd day of January, 2018 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize the Release of the Schools' 5% Appropriation Hold; Release the County's 5% Appropriation Hold; and Budget/Appropriate \$1.1 Million in Children's Services Act (CSA) Funds

Resolution R18-22 reads as follows:

A RESOLUTION AUTHORIZING THE RELEASE OF THE SCHOOLS' FY2018 APPROPRIATION HOLD

WHEREAS, to provide financial flexibility, the Board placed a 5% appropriation hold on the adopted FY2018 General Fund budget, including the Schools' Operating Fund, with release of the hold pending a mid-year fiscal review; and

WHEREAS, the FY2018 mid-year review projects sufficient revenues to warrant the release of the remaining 5% of the FY2018 Schools' Operating Fund appropriation; and

WHEREAS, the Board desires to release the full remaining 5% of the Schools' Operating Fund appropriation for FY2018;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does increase the appropriations to the Schools' FY2018 Operating Fund as follows:

Resolution R18-23 reads as follows:

A RESOLUTION AUTHORIZING THE RELEASE OF THE COUNTY'S FY2018 APPROPRIATION HOLD, AND BUDGETING AND APPROPRIATING \$1,101,859 IN CHILDREN'S SERVICES ACT STATE FUNDS

WHEREAS, to provide financial flexibility, the Board placed a 5% appropriation hold on the FY2018 budget, with release of the hold pending a mid-year fiscal review; and

WHEREAS, the FY2018 mid-year review projects sufficient revenues to warrant the release of the remaining 5% General Fund appropriation, as well as the following additional appropriation; and

WHEREAS, Human Services staff projects that state and federally-mandated Children's Services Act (CSA) expenditures will exceed the FY2018 budget by \$1,101,859 due to increased private day school placements for special education students; and

WHEREAS, the Board desires to budget and appropriate additional state support received for increased CSA expenditures in the amount of \$1,101,859; and

WHEREAS, with full release of the 5% appropriation hold and careful management of all budgets, additional appropriation for locally-funded CSA expenditures is not expected to be necessary;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does increase the appropriations to the General Fund budget for FY2018 as follows:

The rest of this page intentionally left blank.

; and

BE IT FURTHER RESOLVED that One Million One Hundred One Thousand Eight Hundred Fifty-Nine Dollars (\$1,101,859) in state support received for the increased Children's Services Act expenditures is budgeted and appropriated as follows:

Human Services	\$1,101,859.
----------------	--------------

Item 7. Finance and Budget; Authorize Strategic Investments from the Year-End Set-Asides Mrs. Maurer pulled this item and requested that it be deferred to the Board's February 6, 2018 meeting as Unfinished Business. She stated that the Information Technology (IT) Department did not review and agree that one of the items would be able to be integrated with the County's current systems, and that approval of a one-time \$2.4 Million expense should have been presented as New Business, not a Consent Agenda item.

Mr. Dudenhefer motioned, seconded by Mrs. Maurer to defer proposed Resolution R18-24.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings
Nay:	(0)	

Item 8. Finance and Budget; Authorize Two Additional Full-Time Equivalent Positions for the Department of Public Works Mrs. Maurer pulled this item and requested that it be deferred until it could be considered as part of the FY2019 budget. She said there was a long term impact to this decision and it should be considered a part of the five-year process with hiring done in July. Mr. Snellings asked if this was an immediate need. Mr. Smith replied that it was in order to maintain established levels of service. Mr. Snellings noted that the two positions would be self-funded. Mrs. Maurer asked for an analysis of zero-sum gain, and said that this was not presented at the earlier FAB meeting, when it should have been. Mr. Cavalier asked about using overtime to meet the needs. Mr. Dayton said that the building inspectors worked overtime and on weekends to keep up; that the Chief Building Official helped to fill in the overflow work but that took her away from her other duties and detracted from the efforts of the Department as a whole. Mr. Cavalier asked about commercial vs. residential saying that he was more concerned with commercial and the collected tax revenue. Mr. Smith said there was only one commercial plan reviewer and two residential plan reviewers. Ms. Bohmke said that the

Chief Building Official had a full plate every day. Mr. Cavalier said that he would not support a deferral. Mr. Dudenhefer mentioned “creeping” staff levels and the need to do due diligence to keep that from happening. Ms. Bohmke said it could go on Unfinished Business at the Board’s February 6, 2018 meeting with extra details regarding commercial vs. residential inspections and plan review.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to defer vote on proposed Resolution R18-25.

The Voting Board tally was:

Yea:	(4)	Bohmke, Dudenhefer, Maurer, Snellings
Nay:	(2)	Cavalier, Shelton

Item 9. Community Engagement; Proclamation Honoring the Central Rappahannock Regional Library for Being Recognized as a 4-Star Library for the Fourth Year

Proclamation P18-01 reads as follows:

A PROCLAMATION HONORING AND COMMENDING THE CENTRAL RAPPAHANNOCK REGIONAL LIBRARY FOR BEING RECOGNIZED AS A FOUR-STAR LIBRARY FOR THE FOURTH YEAR IN A ROW

WHEREAS, for ten years, the Library Journal has been honoring libraries across the United States by rating their offerings; and

WHEREAS, this year, libraries were rated in an index of five measures - circulation, library visits, program attendance, public Internet computer use, and circulation of electronic materials; and

WHEREAS, 7,409 libraries in the United States qualified to be rated in the index, but only 259 were designated “star” libraries, receiving three-star, four-star or five-star designations; and

WHEREAS, the Central Rappahannock Regional Library was one of only three libraries in the Commonwealth of Virginia to be designated a “star library;” and

WHEREAS, the Central Rappahannock Regional Library was named a “four-star” library for the fourth year in a row; and

WHEREAS, the Central Rappahannock Regional Library is a much appreciated and much loved resource for Stafford County’s citizens; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does recognize the

Central Rappahannock Regional Library for being honored as a four-star library for four years in a row, and for its service and dedication to the citizens of Stafford County.

Item 10. Community Engagement; Proclamation Commending Mr. Nathan Sekinger of T. Benton Gayle Middle School, Names State Librarian of the Year by the Virginia Association of School Librarians

Proclamation P18-02 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING NATHAN SEKINGER OF T. BENTON GAYLE MIDDLE SCHOOL FOR BEING NAMED LIBRARIAN OF THE YEAR BY THE VIRGINIA ASSOCIATION OF SCHOOL LIBRARIANS

WHEREAS, Nathan Sekinger is a national board certified librarian who has served as librarian at T. Benton Gayle Middle School since 2004; and

WHEREAS, Mr. Sekinger has been innovative and forward thinking during his tenure at the Gayle Middle School, keeping abreast of new concepts designed at keeping children learning and engaged; and

WHEREAS, Mr. Sekinger is a proponent of “Makerspace” or creating an area where children can learn through project-based learning, “making” their own learning and making it visible; and

WHEREAS, Nathan Sekinger’s efforts have positively impacted thousands of students over the years; and

WHEREAS, Nathan Sekinger was named 2017 Librarian of the Year by the Virginia Association of School Librarians; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does recognize Mr. Nathan Sekinger for his service and dedication to the students of T. Benton Gayle Middle School.

Item 11. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Amend and Reordain Stafford County Code, Section 15-56, Entitled “Designation of Restricted Parking Areas

Resolution R18-14 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SEC. 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO INCLUDE AUSTIN RIDGE DRIVE WITHIN THE AUSTIN RIDGE SUBDIVISION

WHEREAS, Virginia Code, §46.2-1222.1 and 46.2-1224 authorize the County to regulate or prohibit parking on any public highway in the County, of any or all of the following:

watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

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

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

WHEREAS, the Austin Ridge Homeowners Association has approved a resolution requesting the establishment of a restricted parking area within the Austin Ridge Subdivision and the resolution satisfies the requirements of Stafford County Code Sec. 15-56; and

WHEREAS, the supplemental letter and Resolution No. 07-2010 from the Austin Ridge Homeowners Association, requests that Austin Ridge Drive be designated as a restricted parking area; and

WHEREAS, Austin Ridge Drive meets the established criteria to designate a restricted parking area; and

WHEREAS, the Board desires to consider public comments concerning the proposed restricted parking area;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and reordaining Stafford County Code Sec. 15-56, entitled "Designation of restricted parking areas" to designate Austin Ridge Drive as a restricted parking area within the Austin Ridge subdivision.

Item 12. Authorize the County Administrator to Execute the Next Gen 911 Memorandum of Understanding with the Council of Governments (COG)

Resolution R18-18 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE APPROPRIATE AGREEMENTS FOR STAFFORD COUNTY TO PARTICIPATE IN THE NORTHERN VIRGINIA REGIONAL IMPLEMENTATION OF THE NEXT GENERATION 911 PROJECT, EXECUTE A CONTRACT WITH AT&T CORP., AND TO ACCEPT ANY AVAILABLE AND DEDICATED PROJECT GRANT FUNDING FOR IMPLEMENTATION AND OPERATING EXPENSES

WHEREAS, Next Generation 911 (NG911) and the Emergency Services Internet Protocol network (ESInet) will soon be mandated for all jurisdictions; and

WHEREAS, the Virginia Information Technologies Agency (VITA) is the State organization tasked with bringing NG911 to all Virginia Public Safety Answering Points

(PSAPs), securing a grant to fund jurisdiction's transition from older 911 systems to NG911 with Virginia Region 1 Part A (NOVA) being the first to transition; and

WHEREAS, Stafford County is eligible to participate in the regional implementation and may receive the benefit of grant monies to cover a portion of the costs of the implementation; and

WHEREAS, NG911 will benefit Stafford County and its citizens by providing regional interoperability for distributing and transferring 911 calls in a timely and efficient manner across the NOVA region; and

WHEREAS, as a condition of receiving grant funds, VITA requires that each jurisdiction execute a National Capital Region Next Generation 9-1-1 Memorandum of Understanding which memorializes the jurisdiction's commitment to support and maintain an interoperable, regional NG911 system; and

WHEREAS, VITA also requires each jurisdiction to execute a Participation Agreement to contract with AT&T Corp. for services necessary to implement NG911 core services and ESInets; and

WHEREAS, the County may cooperatively procure these services under Fairfax County Contract Number 4400007825 with a term of five years with the option to renew for five additional one-year periods, for a total term of ten years; and

WHEREAS, staff evaluated the contract and determined that AT&T, Corp. is best qualified to provide these services and is reasonable for the scope of work proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that the County Administrator be and he hereby is authorized to execute the National Capital Region Next Generation 9-1-1 Memorandum of Understanding and the Partnership Agreement, and execute a contract with AT&T Corp. for a term of five years, with the option to renew for five additional one-year periods, to purchase services necessary to participate in the Northern Virginia regional implementation of the Next Generation 911 project, unless modified by a duly-executed contract amendment, and such other documents the he deems necessary and appropriate to effectuate this Resolution; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to apply for and accept any available and dedicated project grant funding for implementation and operating expenses as a part of regional project participation.

Item 13. Fire, Rescue, and Emergency Services: Authorize the Application of a FEMA "Assistance to Firefighters" Grant

Resolution R18-16 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPLY FOR AND ACCEPT AWARD OF THE 2017 FEMA ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, the Board has identified public safety as one of the County's top priorities;
and

WHEREAS, the response to technical rescue emergencies require trained public safety personnel with the availability of appropriate equipment and supplies; and

WHEREAS, the Federal Emergency Management Association (FEMA) Assistance to Firefighters Grant supports appropriately equipping fire departments for the response to confined space, trench, and collapse incidents;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does authorize the County Administrator to apply for and, if granted, accept award of the 2017 Assistance to Firefighters Grant in the amount of Two Hundred Ninety-Eight Thousand Ninety Dollars (\$298,090) for the procurement of technical rescue equipment and supplies to be used by the County's Department of Fire and Rescue.

Item 14. Parks, Recreation, and Community Facilities; Authorize the County Administrator to Execute a Contract for Facilities Condition Assessment Services Mrs. Maurer asked that this item be deferred to a date uncertain as IT did not vet this contract nor determine its compatibility with existing County processes and equipment, and it was unknown how long that process may take.

Mrs. Maurer motioned, seconded by Ms. Shelton, to defer proposed Resolution R18-28.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Item 15. County Administration; Authorize the Appointment of Ms. Jo Ellen Armstrong as the Private Provider Representative on the Community Policy and Management Team (CPMT)

Item 16. County Administration; Authorize the Temporary Appointment of Ms. Cindy Shelton to the Board's Public Safety Committee until the George Washington District Seat has been Filled

NEW BUSINESS

Item 17. Finance and Budget; Consider Jurisdictional Confirmation of VRE Financing Comptroller, Mr. Randy Helwig, presented this item to the Board noting that it would be brought back on February 6, 2018 for a vote as part of the Consent Agenda. He said that the financing was for \$52 Million and that it would, if approved, result in an approximate \$600,000 annual savings.

ADD-ON ITEMS (Numbered Out Of Order)

Item 23. County Administration; Authorize the County Attorney to File a Petition for a Writ of Special Election Mr. Dudenhefer noted that by setting a date for a special election, the entire process would then fall into place. Ms. Bohmke asked that there be a notice on Facebook, an article in the Free Lance-Star, and a press release to alert residents of the George Washington District.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, that this item be considered time sensitive and therefore be voted on.

The Voting Board tally regarding time sensitivity was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Mrs. Maurer motioned, seconded by Mr. Snellings to adopt proposed Resolution R18-30

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Resolution R18-30 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ATTORNEY TO FILE A PETITION FOR A WRIT OF SPECIAL ELECTION

WHEREAS, Robert “Bob” Thomas, Jr., George Washington Election District Supervisor, has been elected to the Virginia House of Delegates; and

WHEREAS, Supervisor Thomas resigned his office as a member of the Board representing the George Washington Election District as of January 10, 2018, upon taking his Delegate oath; and

WHEREAS, Supervisor Thomas’s election to the House and subsequent resignation from the Board leaves a vacancy on the Board for the George Washington Election District; and

WHEREAS, the Board desires to fill the vacancy on the Board for the George Washington Election District; and

WHEREAS, pursuant to Virginia Code § 24.2-226, the Board must authorize the County Attorney to petition the Stafford County Circuit Court for a Writ of Special Election to fill this vacancy; and

WHEREAS, pursuant to Virginia Code § 24.2-226, the County Attorney must file a Petition for a Writ of Special Election within fifteen (15) days of the occurrence of the vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does authorize the County Attorney

to file a Petition for a Writ of Special Election to fill the vacant George Washington Election District office; and

BE IT FURTHER RESOLVED that the special election shall be held on Tuesday, November 6, 2018, simultaneous with the 2018 general election, in accordance with Virginia Code § 24.2-682 and Stafford County Code Sec. 9-34, for the purpose of electing a qualified voter from the George Washington Election District in Stafford County, Virginia to fill the vacancy on the Board for the George Washington Election District for a term commencing on the date that the person elected has qualified for the office and ending on December 31, 2019.

Item 24. County Administration; Discuss the Timeline for Application Submissions, Interviews, and Selection of the George Washington Supervisor Position The Board, by unanimous voice vote (6 – 0), agreed to the dates in the memo and that this matter was also considered to be time sensitive. The details of the memo are as follows:

Applications for the George Washington District Supervisor position may be advertised on the County website and on other social media outlets immediately following a Board decision. A timeline for consideration is shown below.

Tentative Timeline

<i>Deadline for Receipt of Applications:</i>	<i>Friday, 2/02/2018 by 12:00 Noon</i>
<i>Application Delivery to Supervisors:</i>	<i>Friday, 2/02/2018 by 4:30 p.m.</i>
<i>Board Discussion (Closed Meeting):</i>	<i>Board Meeting – Tuesday, 2/06/18</i>
<i>Candidate Interviews (Closed Session):</i>	<i>Special Board Meeting 10:00 a.m. 2/07/2018</i>
<i>Appoint of New GW District Supervisor:</i>	<i>Special Board Meeting – Wednesday, 2/07/18</i>

Those persons wishing to be considered for the position should submit the following four (4) documents: Letter of Interest; Resume; Board Bank Application; and a Certificate of Candidate Qualification. A link to these forms will be placed on the County's website at www.staffordcountyva.gov under the Board of Supervisors tab.

Completed applications should be submitted to the attention of Marcia Hollenberger, Chief Deputy Clerk, via e-mail to mhollenberger@staffordcountyva.gov, via fax to (540) 720-4572, via U.S. Mail to P. O. Box 339 Stafford, VA 22555-0339, or via hand-delivery to the Office of the County Administrator, George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

Item 25. Legislative; Authorize a Letter to the General Assembly Formally Opposing (2) Wireless Infrastructure Bills, House Bill 1258 (Delegate Kilgore) and Senate Bill 405 (Senator McDougle). Citizen Action Officer, Anthony Toigo, reported to the Board that both the House Bill and Senate Bills were identical and their specific language would take away administrative approval on any existing cell towers, and not require a public hearing on any tower 50' or less. It is the opinion of the Board's Legislative Committee that this takes away any opportunity for constituent input. If an application is not approved within ten days of submission, it would automatically be considered as approved.

Mrs. Maurer noted that Stafford County is committed to the expansion of broadband service in rural and underserved areas but that the County did not support doing so at the expense of compromising local government's land use authority. The proposed legislation limits local land use authority by providing the Wireless Industry with special authority to bypass localities zoning review process. In doing so, the legislation also seeks to reduce the meaningful public process which allows citizens, local government staff, and elected officials to have input into decisions affecting the character and aesthetic of its communities.

Mrs. Maurer motioned, seconded by Ms. Shelton, that this matter be considered time sensitive and therefore voted on as it may be heard before the General Assembly on Thursday, 1/25/18.

The Voting Board tally on time sensitivity was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R18-37 and to send the letter to the General Assembly opposing House Bill 1258 (Delegate Kilgore) and Senate Bill 405 (Senator McDougle).

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Resolution R18-37 reads as follows:

A RESOLUTION OPPOSING STATE LEGISLATION REDUCING LOCAL CONTROL OVER THE INSTALLATION AND OPERATION OF NEW WIRELESS STRUCTURES

WHEREAS, in the 2017 General Assembly Session, Stafford County opposed legislative efforts to reduce local land use authority by allowing the telecommunications industry (Industry) greater freedoms to install and operate telecommunications facilities by-right, and;

WHEREAS, in the 2017 General Assembly Session localities worked with the Industry to pass Senate Bill 1282, which was a compromise bill providing a pathway to small cell telecommunications facilities to be located on existing structures; and

WHEREAS, the Virginia Municipal League (VML) and the Virginia Association of Counties (VACo) and the Industry were unsuccessful in reaching a compromise following the 2017 Virginia General Assembly Session on bills which would further reduce local siting authority; and

WHEREAS, the Industry has had legislation introduced in the current 2018 Virginia General Assembly Session (House Bill 1258 and Senate Bill 405), which would greatly reduce

local control over the installation and operation of new structures and the replacement of current technology; and

WHEREAS, this legislation mandates a ministerial process that eliminates the ability for local officials, residents, and the business community to have meaningful input into decisions affecting the character of its communities; and

WHEREAS, this legislation represents a shift in authority, moving decision-making authority from the community and local elected officials to for-profit corporations that install wireless equipment; and

WHEREAS, wireless equipment installations can have significant health, safety, and aesthetical impacts; and

WHEREAS, the Board's Legislative Committee recommends opposing House Bill 1258, Senate Bill 405, and any other legislation seeking to reduce, limit, or eliminate local control over the installation and operation of new wireless structures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does oppose State legislation reducing local control over the installation and operation of new wireless structures; and

BE IT FURTHER RESOLVED, that County staff and its legislative consultants keep the Board apprised of legislative changes and other matters that may adversely impact Stafford County, its residences, and the business community; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, will provide a copy of this Resolution and accompanying letter to each member of the County's General Assembly delegation and to the Chairmen of the House and Senate Commerce and Labor Committees.

The letter sent to members of the General Assembly reads as follows:

Stafford County Legislative Delegation
Senators Richard Stuart, Scott Surovell, and Jill Holtzman Vogel
Delegates Bob Thomas, Jennifer Carroll Foy, Mark Cole
General Assembly of Virginia
Pocahontas Building, P.O. Box 396
Richmond, Virginia 23218

Dear Senators and Delegates:

The Stafford County Board of Supervisors formally requests your assistance in opposing House Bill 1258, Senate Bill 405, and any other similar legislation seeking to reduce, limit, or eliminate local control over the installation and operation of new wireless structures. Attached to this letter is a signed copy of Resolution R18-37, "*A Resolution Opposing State Legislation Reducing Local Control over the Installation and Operation of New Wireless Structures.*"

Language of the legislation would amend Virginia Code § 15.2-2316.3 by adding the terms "Administrative Review-Eligible Project" and "Stand Process Project." These definitions are not standard zoning terms in Virginia. Further, they are problematic because the language would treat wireless industry facilities as by-right infrastructure, different from all other private,

for-profit industries and free from all local land use regulation. Should the telecommunications industry be allowed to erect facilities by-right, what is to stop other industries from requesting and expecting similar treatment?

Furthermore, the language goes on to prescribe zoning process standards for the review of “Administrative Review-Eligible Projects” and “Standard Process Projects.” The legislation disallows localities from requiring special exceptions, special use permits, or variances for “Administrative Review-Eligible Projects,” completely eliminating the public hearing process for telecommunications facilities. Additionally, the language 1) mandates localities provide guidance on incomplete telecommunications facility applications within 10 days, or a project is “deemed approved,” 2) creates a timeline for approval/disapproval of an application within 150 days, and 3) prescribes a process requiring actions a locality must take if an application is disapproved. A unique applicant appeals process and the inclusion of a fee structure are also included within the draft language. Each provision of the review process language places additional burdens on local government personnel, many of whom are facing staffing constraints. In order to ensure the integrity of the local zoning process, a thorough review by staff, leadership, and local elected officials—in addition to citizen input—is required to so that the economic, social, and cultural impacts of a project are taken into consideration. It is the Board’s firm belief that all zoning decisions should be made based upon the best interest of the local community, with transparency and citizen input. Good community building requires citizen input, especially in this context where for-profit corporations enter our neighborhoods and build large structures, significantly impacting the character and aesthetic of our communities. As locally elected officials, authority currently rests in our hands to carefully review all land use decisions to ensure our communities will be well-served by a particular project. Shifting land use authority away from local-elected officials would create a major shift in the decision-making process, placing land use authority in the hands of for-profit companies interested in their bottom line, and not our citizens’ welfare.

Item 26. Planning and Zoning; Request that the Planning Commission Conduct a Public Hearing Regarding the Repeal of the County’s Cluster Ordinance Mr. Snellings noted that this would be a temporary repeal until the County’s Cluster Ordinance could be revised. Deputy County Attorney, Ms. Rysheda McClendon, added that it would be repealed while staff and the Planning Commission worked on it and sent it back to the Board for further review.

Mr. Snellings motioned, seconded by Mrs. Maurer, that this matter be considered time sensitive and therefore be voted on.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R18-39.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Resolution R18-39 reads as follows:

A RESOLUTION TO REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND MAKE A RECOMMENDATION REGARDING THE REPEAL OF THE CURRENT CLUSTER DEVELOPMENT REGULATIONS

WHEREAS, Virginia Code § 15.2-2286.1, requires certain localities to make provisions for cluster development; and

WHEREAS, Stafford County has provisioned for cluster development; and

WHEREAS, Cluster development are currently permitted in A-1, Agricultural; A-2, Rural Residential; and R-1, Suburban Residential Zoning Districts; and

WHEREAS, the Board desires to consider repealing the cluster development regulations, while working on new regulations that ensure quality development, address citizen's concerns, and better meet the goals and objectives of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that it be and hereby does request the Planning Commission to hold a public hearing and make a recommendation regarding the repeal of the cluster development regulations; and

BE IT FURTHER RESOLVED, that the Planning Commission is hereby requested to conduct its public hearing and make its recommendation to the Board by the end of February, 2018.

Item 27. County Administration; Authorize the Appointment of Mr. Jeffrey Schrade to the Telecommunications Commission Representing the Garrisonville District Mr. Smith pointed out that the next meeting of the Telecommunications Commission was scheduled prior to the next meeting of the Board and therefore, this item could be considered time sensitive.

Mr. Dudenhefer motioned, seconded by Mr. Snellings, that this matter be considered time sensitive and therefore voted on.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

Mr. Dudenhefer motioned, seconded by Ms. Shelton, to appoint Mr. Jeffrey Schrade to the Telecommunications Commission representing the Garrisonville District.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Sterling, Snellings
Nay: (0)

CLOSED MEETING

At 4:17 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-03.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings
Nay: (0)

Resolution CM18-03 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) discussion of the award of a public contract to construct and operate a field house sports facility, involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; and (3) discussion and consideration of an appointment to the vacant George Washington district Board of Supervisors seat; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1) and (A)(29) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 23rd day of January, 2018, does hereby authorize discussion of the above matters in Closed Meeting.

Closed Meeting Certification

At 5:25 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-03(a).

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings
Nay: (0)

Resolution CM-18-03(a) reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
JANUARY 23, 2018**

WHEREAS, the Board has, on this the 23rd 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 23rd 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.

At 5:26 p.m., the Chairman adjourned the afternoon session of the Board meeting.

CALL TO ORDER

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

Ms. Shelton gave the Invocation. Scouts from Troop 317 led the Pledge of Allegiance.

Presentations by the Public The following individuals addressed the Board:

Paul Waldowski - Schools use of church facilities for meetings; forced to attend religious instruction for an hour weekly as a child; spoke about Facebook; worked 15 years with the Senate and knows Chaplain Black, a great leader; there is a distinction between Church and State.

PUBLIC HEARINGS

Item 18. County Administration; Consider Executing a Deed of Gift and a Memorandum of Agreement for the Germanna Community College Stafford Center Mr. Mike Smith presented this item to the Board saying that 25 acres on Tax Ma Parcel No. 39-18 was proffered for use as a Stafford Center for Germanna Community College, and for the land to be used within five years or it would revert back to the County. In May 2017, the Economic Development Authority (EDA) recommended increasing the time from five to twenty years for completion of the Stafford GCC Center. If the GCC Real Estate Foundation did not develop the Center, the property would revert back to the County at the end of the 20-year period.

Mr. Smith introduced the GCC President, Dr. Janet Gullickson. Dr. Gullickson thanked the Board for its patience while Bruce Davis and Jack Rowley, members of the GCC Real Estate Foundation, reviewed the Deed of Gift and the Memorandum of Agreement with GCC's legal counsel. She also thanked Ms. Rysheda McClendon for working diligently with GCC's attorneys.

Mr. Dudenhefer asked Dr. Gullickson about proposed funding for the new Stafford Center and if it would come from legislation. Dr. Gullickson said there was a very rigid process and

that the Stafford GCC Center was “on the list” and had the full support of the Virginia Association of Community Colleges Board. Mr. Dudenhefer asked if there was a design for the new Center or a development plan. Dr. Gullickson said that the anticipated cost would be between \$15M and \$19M and hoped to be able to get a fabulous facility for \$19M. Dr. Gullickson spoke about GCC leasing a new space (17,000 s.f.) and beginning its Registered Nursing (RN) program. She also spoke about new cyber security, business administration, and workforce development courses now being offered. There was an additional 5,000 s.f. available at their newly leased site off of Route 1 next to Abberly.

The Chairman opened the public hearing.

Mr. Jack Rowley Paul Waldowski

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R18-29.

Mrs. Maurer noted that 20 years was a long time and that while she fully supported the project back when she was a member of the EDA, and still supported it, she was concerned about what would happen to the land if the GCC Education Foundation or RE Foundation were to dissolve. Ms. McClendon said that additional language could be added to the proposed Resolution, the MOA, and the Deed of Gift stipulating that if the GCC Education Foundation or RE Foundation were to dissolve, the property would revert back to the County. Mr. Snellings amended his motion to include the dissolution language.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer, Maurer, Shelton, Snellings
Nay: (0)

Resolution R18-29 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OF GIFT CONVEYING TAX MAP PARCEL NO. 39-18 TO AND A MEMORANDUM OF AGREEMENT WITH THE GERMANNA COMMUNITY COLLEGE REAL ESTATE FOUNDATION, INC.

WHEREAS, HHHunt Corporation conveyed the County approximately 25.201 acres of land, Tax Map Parcel No. 39-18 (Property), for the purpose of establishing a Stafford Germanna Community College (GCC) Center (Center) within five years; and

WHEREAS, prior to establishing the Center, the State requires the Property be conveyed to GCC; and

WHEREAS, to facilitate the completion of the Center the Board desires to considering conveying the Property to Germanna Community College Real Estate Foundation, Inc. (GCC’s Foundation) with conditions; and

WHEREAS, pursuant to Virginia Code § 15.2-1800 a public hearing was held to consider conveying County-owned property, at which the Board carefully considered the recommendation of staff and the public testimony, if any; and

WHEREAS, the Board recognizes the benefit that will be afforded to the County and its citizens through the establishment and operation of the Center, and believes releasing its reversionary interest in the Property is adequate consideration;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this 23rd day of January, 2018 that the County Administrator be and he hereby is authorized to execute a Deed of Gift conveying Tax Map Parcel No. 39-18 (Property) to the Germanna Community College Real Estate Foundation, Inc. (GCC's Foundation) for the establishment of a Stafford Germanna Community College Center (Center); and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute a Memorandum of Agreement with GCC's Foundation which ensure the Center will be established within 20 years or the Property will be returned to the County; and

BE IT FURTHER RESOLVED that the Memorandum of Agreement shall ensure that if GCC's Foundation dissolves or no longer exists the Property will be returned to the County; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to execute any other documents which he deems necessary and appropriate to effectuate the transactions contemplated herein.

Item 19. Public Works; Consider an Amended Agreement for the Use and Maintenance of a Public Right-of-Way in Argyle Heights Mr. Keith Dayton gave a presentation and answered Board members questions. He noted that the original right-of-way agreement was granted in 2006 on Tax Map Parcel Nos. 58A-1-51 and 58A-1-53. The owners are requesting relief from the termination provision (that would be enacted if the ROW was not adequately maintained) in order to secure financing for a new build on an adjoining lot. Staff drafted an amended agreement, which if the Board approved, would allow the owners of the adjacent property to obtain a loan. The proposed Resolution also deems the right-of-way as no longer necessary for public use. Staff will post a 30-day notice seeking public comment. If the abandonment were to be contested, another public hearing would be necessary prior to the Board's decision on the ultimate disposition of the right-of-way. The adjoining property owners have already executed their portion of the agreement in hopes that Board would find in their favor.

The Chairman opened the public hearing.

Gordon Gay

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Snellings, to adopt proposed Resolution R18-11.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer Maurer, Shelton, Snellings
Nay: (0)

Resolution R18-11 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDED AGREEMENT FOR THE USE OF PUBLIC RIGHT-OF-WAY ON KENT AVENUE AND BEGIN THE ABANDONMENT PROCESS FOR THE SAME

WHEREAS, the Board, by Resolution R06-340(R), granted use of a portion of unimproved public right-of-way (ROW) not accepted into the Secondary System of State Highways for maintenance as a driveway to the owners of Tax Map Parcel Nos. 58A-1-51 and to two properties along Kent Avenue in the George Washington District; and

WHEREAS, the Right-of-Way Access Agreement (Agreement) executed for this purpose contained provisions whereby the County could rescind the Agreement under certain conditions; and

WHEREAS, staff was recently informed that these provisions prevent the property owners from obtaining financing necessary to develop the two Properties; and

WHEREAS, staff believes provisions in the Agreement may have improperly granted exclusive rights for use of the ROW to the two property owners; and

WHEREAS, staff believes these issues can be resolved by abandoning the portion of the ROW that is not needed for public use; and

WHEREAS, while the abandonment process proceeds, the provisions allowing the access be rescinded can be modified in an amended Agreement; and

WHEREAS, the Board has determined that the ROW serves only these two Properties and is no longer necessary for public use; and

WHEREAS, the ROW may be considered for abandonment following a 30-day public notification period following the Board determination that the ROW no longer serves a public use;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that the County Administrator be and he hereby is authorized to execute an amended agreement confirming access to the unimproved portion of public right-of-way on Kent Avenue and removing restrictions on this public access; and

BE IT FURTHER RESOLVED that the portion of unimproved right-of-way for Kent Avenue not accepted into the Secondary System of Highways for maintenance is no longer necessary for public use; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to provide the required notice and advertising under Virginia Code §33.2-916 of the Board's intent to abandon said portion of Kent Avenue.

Item 20. Planning and Zoning: Consider an Amendment to the County's Zoning Ordinance regarding Required Parking Spaces for Manufacturing Uses Mr. Jeff Harvey, Director of Planning and Zoning, explained that the County's current parking standards are higher than other localities and higher than needed by a manufacturer located in the County that is hoping to expand its business. Both the Planning Commission and the CEDC discussed the proposed revision and recognize that the County's standards exceed the National Study standards and wish to bring Stafford into relative compliance with surrounding localities.

The Chairman opened the public hearing.

Mark Sheffer Paul Waldowski

Chris Kowalski

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Ms. Shelton, to adopt proposed Ordinance O18-07.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer Maurer, Shelton, Snellings

Nay: (0)

Ordinance O18-07 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE CHAPTER 28, TABLE 7.1 "REQUIRED PARKING SPACES"

WHEREAS, the Stafford County Code (Code) specifies the minimum number of parking spaces required for land uses; and

WHEREAS, the Code requires 2.25 parking spaces per 1,000 square feet of building area for manufacturing uses; and

WHEREAS, the Code requires 1.0 parking spaces per 1,000 square feet of area for indoor storage, and 1.0 parking space per 2,000 square feet of area for outdoor storage; and

WHEREAS, the number of parking spaces exceeds the requirements of the neighboring jurisdictions and the recommendations of the Institute of Transportation Engineers 4th edition manual; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that Stafford County Code Chapter 28, Table 7.1 "Required Parking Spaces" be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Table 7.1
Required Parking Spaces

Use Category	Subcategory or Condition	Spaces Required
Manufacturing	per 1,000 s.f. gfa	2.5 1.0
Storage, indoor	per 1,000 5,000 s.f. gfa	1.0
Storage , outdoor	per 2,000 5,000 s.f. land area	1.0

Item 21. Planning and Zoning; Consider Amending the County’s Zoning Ordinance to Permit Drive-Through Facilities in Additional Zoning Districts with the Approval of a Conditional Use Permit (CUP) Mr. Jeff Harvey presented this item and answered Board members questions. He noted that at present, drive-through facilities were limited to the HCOD (Highway Corridor Overlay District), with Board approval of a CUP. The PC recommended approval of proposed Ordinance O18-08, which expanded the areas where drive-through facilities could be placed.

Ms. Shelton requested additional information from staff regarding what was permitted in the County’s peer localities. She also suggested that there be performance measures or guidelines to give developers the opportunity to present projects that would already be in compliance with County regulations at the time of submission. Ms. Shelton said that she believed that would make the County a more business-friendly environment as well as expediting the CUP process.

The Chairman opened the public hearing.
Paul Waldowski
The Chairman closed the public hearing.

Ms. Shelton motioned, seconded by Mrs. Maurer, to recommend deferral until the Board meeting on February 6, 2018.

The Voting Board tally was:
Yea: (6) Bohmke, Cavalier, Dudenhefer Maurer, Shelton, Snellings
Nay: (0)

Item 22. Planning and Zoning; Consider Amending the County’s Zoning Ordinance to Change the Definition of a Hospital Including Free-Standing Departments Mr. Jeff Harvey presented this item and answered Board members questions. An application for construction of a free standing emergency department had been submitted to the County. This specific use is not listed in the Zoning Ordinance and the applicant requested that the use be considered a medical clinic. After reviewing all the similar uses listed in the Zoning Ordinance and researching how the facility would operate and be licensed, it was determined that the facility falls under the definition for hospital, since the Virginia Department of Health (VDH) required that it be licensed under a hospital license. Attachment 2 includes related definitions in the County Code. To provide more clarity in the Zoning Ordinance, staff believes the definition of a hospital should be amended to expressly include all medical facilities that are required to be licensed

under the umbrella of a hospital license or any other facility required to be licensed by the VDH.

Ms. Shelton commended staff for its responsiveness to her questions and concerns about the proposed Ordinance.

The Chairman opened the public hearing.

Paul Waldowski

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Cavalier, to adopt proposed Resolution O18-09.

Mrs. Maurer clarified this this would clean up the County's ordinance and originally had to do with a large piece of equipment that required a Hospital license before it being placed in the facility that presented an application, but later withdrew it. She said that this had nothing to do with places like Patient First. Mr. Snellings agreed saying that it had nothing to do with free-standing walk-in clinics; it only cleans up the County's current ordinance language.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Dudenhefer Maurer, Shelton, Snellings

Nay: (0)

Ordinance O18-09 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY
CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS"

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

WHEREAS, the Board desires to amend the definition of hospital to include all departments, divisions, and facilities which are required to obtain a hospital license, be considered a hospital use; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 23rd day of January, 2018, that Stafford County Code Sec. 28-25, "Definitions of specific terms," be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-25. Definitions of specific terms.

Hospital. A facility and/or associated use required to be licensed in accordance with the Code of Virginia in which the primary function is the provision of diagnosis, of treatment, and of medical and nursing services, surgical or nonsurgical, for two (2) or more nonrelated

individuals, including hospitals, divisions, departments and/or subsidiaries of hospitals, known by varying nomenclature or designation ~~such as~~ including but not limited to children's hospitals, sanatoriums, sanitariums and general, acute, rehabilitation, chronic disease, short-term, long-term, outpatient surgical, free standing departments, and inpatient or outpatient maternity hospitals.

Adjournment At 7:52 p.m., the Chairman adjourned the January 23, 2018 meeting of the Stafford County Board of Supervisors.

Thomas C. Foley
County Administrator

Meg Bohmke
Chairman