

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
February 6, 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, February 6, 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: Thomas C. Foley, County Administrator; Charles Shumate, County Attorney; Marcia C. Hollenberger, Chief Deputy Clerk; Cheryl D. Giles, Deputy Clerk; associated staff and other interested parties.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt the agenda presented with the addition of an appointment to the Agriculture/Purchase of Development Rights Committee and a clerical correction to the draft minutes of the Board’s annual planning meeting.

The Voting Board tally was:

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

Ms. Bohmke presented a proclamation to Ms. Martha Hutzel, Ms. Rebecca Purdy, and Ms. Cheryl Miller with the Central Rappahannock Regional Library (CRRL). The CRRL was recognized for being awarded the distinction of being a 4-Star Library for the fourth year in a row. Ms. Hutzel noted that CRRL was “our library” as it belonged to citizens of the entire region and added to the quality of life of its citizens. She spoke about CRRL’s outstanding staff, its offerings and benefits to the community, and thanked Ms. Bohmke and the Board for recognizing CRRL with the proclamation.

School Superintendent, Dr. Bruce Benson, addressed the Board and provided an update on the Schools Division. He spoke about the recent “yellow bus tour,” which was being modeled to other localities at an upcoming conference in March. The Schools’ website now has a banner to alert citizens to a new offering, “Ask the Expert.” School staff will address citizen inquiries and concerns. A new committee is being formed to look at all areas and challenges of the Schools Division. Dr. Benson said the new committee will include teachers, staff, students, and citizens

and asked Board members to contact him via e-mail if they knew of any citizens that may wish to join the group. The first meeting is anticipated for the end of February and they were hoping to have about 30 members (give or take). Ms. Green with the City of Charlottesville Office of Human Rights will be the featured guest at the first meeting of the group, which will meet for three to six months and develop long range goals for the School Division.

The Head Start Dinner is scheduled for March 12th and members of the Board of Supervisors and the School Board will be serving dinner that evening. Board members were invited to a ceremony on March 16th where VDOT is going to recognize the teacher that designed the new state license plate. The annual Honors Banquet is scheduled for 5:00 p.m. on May 2nd. Details about both events will be provided to the Board. Students at Margaret Brent ES did a team building exercise and created a weather station. Dr. Benson joked that they should be included in the 4:30 a.m. inclement weather conference calls.

Ms. Bohmke spoke about the CGS, APPX, and IB programs and the analysis that provided a tremendous amount of data. She inquired where the Schools would go with that report. Dr. Benson replied that the School Board wished to review all the analysis collectively, not individually. There is a School Board meeting planned for Saturday, February 10th, where the report would be discussed and a follow-up to the Board will be provided at a later date.

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

Paul Waldowski - Citizens only provided three minutes to speak; Virginia is a commonwealth, not a state – there are 46 states and four commonwealths; Ask the Experts banned on the Schools' website and he will ask why schools use churches for school events; reading gaps should be filled in by teaching Latin, which ends in "in" just like the word brain, which also ends in "in;" took a field trip to Hartwood to look at apartments you cannot buy but they are getting a water/sewer bill; he owns an apartment that was built 29 years ago but he cannot get a water/sewer bill and is going to tell the Utilities Commission what he thinks of them. He spoke about the process for appointing an interim George Washington District Supervisor, said there were three GW Districts including King George and Griffis-Widewater; mentioned Garrison Woods drugs and other aspects; concluded with \$1 million being spent on Station 14.

Commissioner of the Revenue, Mr. Scott Mayausky, gave a presentation on reassessment and answered Board members question. The reassessments were effective January 1, 2018 and information on the appeal process is available on the County's webpage. The State only requires 15 days set aside for appeals but Stafford County provides 30 days and never turns anyone away. Virginia is a "Truth in Taxation" state and Article X of the State's Constitution notes that all property must be assessed at 100% of its fair market value. Stafford is on a two-year reassessment cycle. Mr. Mayausky asked that if citizens contacted Board members to please refer them to his office to handle their questions and concerns. In response to Mrs.

Maurer's questions, he talked about the percentage of residential to commercial and the 80/20 goal, which was met in 2012. Mr. Foley added that 80/20 was a standard evaluation percentage. Mr. Mayausky said that the County was still recovering from the 2006 market crash. Mrs. Maurer asked how much of the quoted percentages was growth and how much was regained from 2006. Mr. Mayausky said that was an excellent question and he would get that answer back to the Board.

Notices will be mailed to residents on February 15th and appeals will begin thereafter. The tax rates will be set by the Board in April and bills will be mailed on or around May 5th with taxes being due on June 5th. Contact numbers for citizens are (540) 658-5373 x 1122 or (540) 658-4132, Option 2.

Mr. Dudenhefer asked that Mr. Mayausky address the notion of political favoritism where reassessments were concerned. Mr. Mayausky said that there were processes in place, checks and balances, to ensure that favoritism to elected officials did not happen. Ms. Shelton asked if reassessments were done by staff or were assessors hired from outside firms. Mr. Mayausky replied that it was all done by staff; that Stafford County was the second largest county in the state to keep assessments in-house.

Ms. Bohmke asked about the sampling done by the State Department of Taxation and how those audits were handled. Mr. Mayausky responded that the State Corporation Commission came in and spent two to three days running numbers and looking at four months sales. The Department of Taxation worked from its Richmond office with County staff providing information encompassing an entire year as requested. He added that the State Corporation Commission was akin to an in-house audit.

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 Station 12 presentation by Stafford Rotary with Mr. Snellings. A check for \$400 was presented for the purchase of a rope gun to aid drowning victims in the River. Carol Foley with Rotary presented the check and as in years past, the donations was to aid in the purchase of public safety items. She attended the Chamber Gala, which was a fun evening with awards going to LifeCare (located in Hartwood) and the Stafford YMCA. Attended the VDOT Chatham Bridge public hearing where there may be some changes including sidewalks added to the planned bridge connection. Attended the Empower House Empty Bowl event, which was another great event supporting those affected by domestic violence. Ms. Bohmke held a second town hall meeting at Falmouth ES regarding the Pleasant Valley pool. Neighbors had good constructive dialogue with the applicant's representative, Mr. Charlie Payne. Neighbors want the pool removed and only three houses built there; no townhouses or anything else in that location. Participated in the George Washington Regional Commission (GWRC) search committee, which met and approved the process for advertising

and evaluating the search for a new executive director. Candidate applications will be reviewed in March, interviews will be in April and May, and GWRC hopes to have someone in place on June 1st to have a 30-day overlap as Mr. Tim Ware is retiring on June 30th. Ms. Bohmke received an e-mail from the Chamber regarding the 150-175 highly compensated jobs being reassigned from Dahlgren to Indian Head in Maryland. She has worked with Ruby Bravo, Chairman of the King George County Board of Supervisors and with Congressman Wittman to try to get an answer as to why these jobs are being moved. The only answer received to date was that it was a military decision.

Mr. Cavalier - Deferred comments.

Mr. Dudenhefer - Attended the first meeting of the Board's Infrastructure Committee (IC) and was elected Chairman; many important decisions and prioritizations are undertaken by the IC including Smart Scale, which is used to apply State monies to road projects in the County. A working group was formed to look at all transportation aspects including safety, congestion, etc. and to report back with hard data about the work needed and funding mechanisms available to begin to address transportation problems in the County.

Mrs. Maurer - Attended the Board's Legislative Committee meeting with Mr. Dudenhefer; the County's bills are tracking well in the General Assembly but one issue, the wireless infrastructure bill, was moving like a freight train and if passed, would permit towers to be built anywhere on County or School property. If/when it passes, a further update will be provided to the Board and the School Board. Mrs. Maurer attended the Joint Schools Working Committee meeting (JSWC). Aquia District Supervisor, Ms. Cindy Shelton, was elected Co-Chairman of the JSWC. She also attended the PRTC meeting where she was elected as Treasurer and told the Board about the "fiscal flip" for VRE and PRTC, which would be reported to the Board in detail as staff was going to be tasked with finding additional funding, more so than was originally asked for. Attended the Telecommunications Commission (TCC) meeting, which was very exciting with the launch of VIASAT, which will provide satellite service pretty comparable to cable and internet to residents in rural areas of the County where cable won't be run due to density issues. At the Board's Community and Economic Development Committee (CEDC), Mrs. Maurer was elected Chairman; there were discussions about groundwater issues and mixed results of a recent study. Mrs. Maurer and Mr. Snellings will be holding town hall meetings to discuss the results with residents. Electric Plan Review is on-line and developers and builder can submit and track plans on-line. There was a discussion about Crow's Nest Harbor and including Transfer of Development Rights where property owners there could transfer rights to property inside the Urban Services Area. Additional information will be forthcoming on that after there was been a review of possible legal ramifications. In discussion the Soapbox Derby, the County will work on partnering with Spotsylvania County and the City of Fredericksburg. She held a meeting with residents of Vista Woods and provided some interesting traffic calming options for that area. Pulled #5 from the Consent Agenda.

Ms. Shelton - Appointed co-chair of the JSWC along with Ms. Jamie Decatur on the School Board; discussed a new program in the high schools regarding volunteer firefighter training and vocational/technical opportunities for students. The next meeting of the JSWC will be held on March 5th, 6:00 p.m., in the ABC Conference Room at the Government Center. She spoke about data received about the Early Childhood Education programs, which was a huge cost to the County. Thanked Mr. Scott Horan, Schools Assistant Superintendent for Facilities, for attending and spoke about building cost structure as a part of the Joint Capital Improvement Program (CIP) process. Dr. Sarah Chase also participated in that discussion at JSWC. Ms. Shelton held a town hall meeting, which was attended by about 15 people. Meeting will be held on the third Thursday of each month at 7:00 p.m. at Stafford Hospital Center. She also went to the England Run (now William J. Howell) Library and got a review of the library system. She visited the Alternate Paths Training Schools and gave a shout-out to the staff who worked very hard and identifying and triaging exceptional students, saying that they need additional support.

Mr. Snellings - Noted that the procedure for appointing a replacement George Washington District Supervisor was carefully following State laws and regulations. When Mr. Thomas resigned after being elected to the Virginia House of Delegates, the County has 45 days. A special election has been set for November 6th to coincide with the General Election, and the Board is working hard to have a new member seated in time for its February 20th meeting. Mr. Snelling also attended the Empower House Empty Bowl fund-raiser where about 500 people were there showing their support for Empower House and victims of domestic violence.

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

Report of the County Administrator – Mr. Foley expressed his gratitude to the Board and staff for its support following a death in his family.

APPROVAL OF THE CONSENT AGENDA

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to approve the Consent Agenda, with the exception of Item 5.

The Voting Board tally was:

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

Item 3a. Legislative; Approve the Minutes of the January 23, 2018 Regular Meeting.

Item 3b. Legislative, Approve the Minutes of the January 19-20, 2018 Annual Planning Meeting.

Item 4. Finance and Budget; Approve the Expenditure Listing

Resolution R18-40 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JANUARY 23, 2018 THROUGH FEBRUARY 05, 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 6th day of February, 2018 that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Authorize the County's Guidelines for Five-Year Financial Planning Mrs. Maurer asked that this item be pulled saying that it was a weighty decision with impacts on establishing next year's budget. She said she wanted more explanation in the background report and wanted more detail for the public. Mr. Foley noted that this item came out of discussion at the Board's annual planning meeting at Airlie and was a guideline for the five-year projections. He said that it would be brought back on February 20th and additional detail would be provided at that time.

Mrs. Maurer motioned, seconded by Mr. Snellings to defer this item to February 20, 2017.

The Voting Board tally was:

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

Item 6. Finance and Budget; Consider Jurisdictional Confirmation of VRE Financing

Resolution R18-19 reads as follows:

A RESOLUTION APPROVING ISSUANCE OF REFINANCING DEBT
FOR VIRGINIA RAILWAY EXPRESS EQUIPMENT

WHEREAS, the Northern Virginia Transportation District Commission (NVTC) and the Potomac and Rappahannock Transportation District Commission (PRTC, and, together with NVTC, the Commissions) jointly operate the Virginia Railway Express (VRE) commuter rail service in Northern Virginia pursuant to the Master Agreement dated as of October 3, 1989, as amended (the Master Agreement), among the Commissions and the Participating and Contributing Jurisdictions described in such Master Agreement; and

WHEREAS, NVTC, with the consent of PRTC and the Participating and Contributing Jurisdictions, entered into a financing agreement with the Federal Railroad Administration pursuant to its Railroad Rehabilitation and Improvement Financing program in 2007 and subsequently borrowed a total of \$68,953,913 pursuant to a series of draws under the program for railcars delivered between 2008 and 2012 (collectively, the FRA Loan); and

WHEREAS, the FRA Loan is now administered by the U.S. Department of Transportation's Build America Bureau; and

WHEREAS, Stafford County, Virginia, is a Participating Jurisdiction under the terms of the Master Agreement; and

WHEREAS, the Commissions have recommended to the Participating and Contributing Jurisdictions the refinancing of the FRA Loan with the proceeds of a loan to be obtained from the Virginia Resources Authority (VRA); and

WHEREAS, the Master Agreement provides that the Commissions shall utilize reasonable debt financing to the extent that such financing is advantageous to the VRE and is in the interest of the parties to the Master Agreement, but requires that the Commissions not incur debt related to the VRE without the consent of all Participating and Contributing Jurisdictions;

NOW, THEREFORE, BE IT RESOLVED BY THE STAFFORD COUNTY BOARD OF SUPERVISORS on this the 6th day of February, 2018 that it be and it hereby does consent, in accordance with the terms of the Master Agreement, to the incurrence of a VRA loan by Northern Virginia Transportation District Commission (NVTC) on behalf of the Virginia Railway Express to refinance the FRA Loan upon substantially the terms and conditions described in the VRA Term Sheet dated as of December 15, 2017, accepted by the Commissions as of January 4, 2018 and presented at this meeting (the VRA Loan); and

BE IT FURTHER RESOLVED THAT it is acknowledged that the repayment obligations of the VRA Loan and the related financing covenants will be evidenced by a local bond to be issued by NVTC and a local bond sale and financing agreement to be negotiated and entered into by NVTC and VRA; and

BE IT FURTHER RESOLVED THAT the consent to the VRA Loan is contingent upon the achievement of net present value debt service savings of not less than three percent (3%) of the outstanding principal amount of the FRA Loan; and

BE IT FURTHER RESOLVED THAT as required by VRA as a condition to the making of the VRA Loan, the County further consents to the Commissions' granting to VRA of security interests in the Commissions' rights to participating jurisdictions' jurisdictional payments under the Master Agreement; and

BE IT FURTHER RESOLVED THAT as required by VRA as a condition to the making of the VRA Loan, the County agrees that VRA shall be deemed a third party beneficiary of the Master Agreement for purposes of repayment of the VRA Loan; and

BE IT FURTHER RESOLVED THAT as a condition to the making of the VRA Loan, the County further acknowledges that (i) the VRA Loan may be payable from and will be

secured by amounts derived pursuant to the Master Agreement, (ii) VRA would not make the VRA Loan without the security and credit enhancement provided by the Participating Jurisdictions under the Master Agreement, and (iii) VRA is treating the County's obligations under the Master Agreement as a "local obligation" pursuant to Section 62.1-199 of the Code of Virginia of 1950, as amended. In the event of the failure of the County to appropriate a payment under the Master Agreement that causes a non-payment on the VRA Loan, VRA may institute the "state-aid intercept" process set forth in Section 62.1-216.1 of the Code of Virginia of 1950, as amended, under which the Governor may cause the Comptroller to withhold all further payment to the County of funds appropriated and payable by the Commonwealth to the County until the unpaid sum is obtained. The funds so withheld will be directed to VRA to cure the nonpayment; and

BE IT STILL FURTHER RESOLVED THAT the appropriate officers of the County are authorized to execute and deliver such agreements, instruments and certificates as may be necessary to accomplish the foregoing.

Item 7. Utilities; Request that the Planning Commission and the Utilities Commission Hold Public Hearings to Consider the Utilities Master Plan

Resolution R18-26 reads as follows:

A RESOLUTION REFERRING AMENDMENTS TO THE STAFFORD COUNTY COMPREHENSIVE PLAN, SPECIFICALLY A NEW DOCUMENT ENTITLED "STAFFORD COUNTY, DEPARTMENT OF UTILITIES, DRAFT WATER AND SEWER SYSTEM MASTER PLAN," TO THE PLANNING COMMISSION AND UTILITIES COMMISSION

WHEREAS, the Board adopted the 2016-2036 Comprehensive Plan (Comprehensive Plan) on August 16, 2016, with updated future land use recommendations; and

WHEREAS, the Board desires to update the Water and Sewer Master Plan element of the Comprehensive Plan to reflect the latest conditions and future land use recommendations and objectives; and

WHEREAS, pursuant to Virginia Code § 15.2-2229, the Board may amend the Comprehensive Plan; and

WHEREAS, the Department of Utilities prepared amendments to the Water and Sewer Master Plan element of the Comprehensive Plan, as identified in the document entitled "Stafford County, Department of Utilities, Draft Water and Sewer System Master Plan," dated January 9, 2018; and

WHEREAS, pursuant to VA Code § 15.2-2229, the Board desires to send the proposed amendments to the Planning Commission for its review, to hold a public hearing, and provide its recommendations; and

WHEREAS, the Board also desires to send the proposed amendments to the Utilities Commission for its review, to hold a public hearing, and provide its recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of February, 2018, that it be and hereby does refer the proposed amendments to Water and Sewer System Master Plan element of the Comprehensive Plan, as identified in the document entitled “Stafford County, Department of Utilities, Draft Water and Sewer System Master Plan,” dated January 9, 2018, to the Planning Commission and the Utilities Commission to hold public hearings, and to provide their recommendations to the Board within 60 days of the adoption of this Resolution; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall provide a copy of this Resolution to the Planning Commission and to the Utilities Commission; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to advertise a public hearing for the Board to consider the proposed amendments to the Water and Sewer System Master Plan element of the Comprehensive Plan.

Item 8. County Administration; Approve the Appointment of Cindy Shelton as the Primary GWRC Member and Mark Dudenhefer as the Alternate GWRC Member

Item 9. County Administration; Approve the Appointment of Mr. John Eaves to the Stafford Regional Airport Authority

Item 10. County Administration; Approve the Appointment of Mr. Morgan Burch to the FAMPO Citizen’s Transportation Advisory Group (CTAG)

Ms. Bohmke thanked Mr. Eaves (who was in the Chambers) and congratulated him on his appointment to the Stafford Regional Airport Authority.

UNFINISHED BUSINESS

Item 11. Finance and Budget; Budget and Appropriate Capital Project Reserve Funds Budget Division Director, Ms. Andrea Light presented this item noting that it was brought to the Board at its last meeting on January 23, 2018. Mrs. Maurer asked that Ms. Light explain the minor changes made since the last Board meeting. Ms. Light said that the Computer-Aided Dispatch (CAD) system was removed but assured Mrs. Maurer that the \$250,000 would still be available once the IT Department completed its review of the proposal and the item was brought again back to the Board for consideration at its Public Safety Committee (PSC) meeting and to the Board’s February 20, 2018 meeting. Regarding the Telegraph Road traffic light, there was a process in place with VDOT for funding. Mr. Cavalier noted that funding came from the now defunct Widewater Service District and that refunds of approximately \$155,000 were given to residents who paid into the Service District.

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

The Voting Board tally was:

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

Nay: (0)

Resolution R18-24 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE CAPITAL PROJECTS RESERVE FUNDS

WHEREAS, the County identified one-time uses for its FY2017 year-end set aside funds in the amount of \$2,353,120; and

WHEREAS, the FY2017 audit has confirmed that these funds are available;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 6th day of February, 2018, that the County Administrator be and he hereby is authorized to amend the FY2018 Budget and to budget and appropriate Two Million Three Hundred Fifty-Three Thousand One Hundred Twenty Dollars (\$2,353,120) from the Capital Projects Reserve Fund to the General Fund for the items referenced below:

<u>Department</u>	<u>Projects</u>	<u>Amount</u>
Fire and Rescue	One-time costs for diesel exhaust extraction system at eight fire and rescue stations estimated to be \$50,000 per site.	\$400,000
Fire and Rescue	To provide for a station assessment to provide an estimate and a prioritized listing of repairs and maintenance needed.	\$34,946
Information Technology	One-time costs for a centralized back-up system for all County data to replace the outdated system currently used. This also provides the ability to back up to the cloud. The current system has been unreliable.	\$426,000
Information Technology	One-time cost to provide for the County's Storage Area Network. This will allow the County to move to the next generation of centralized storage that will increase performance (speed) by more than ten-fold over our current system which is outdated and reaching end-of-life.	\$450,000
Sheriff's Office	One-time costs for vehicles and radio system study to provide for a long-term needs model, tower lease options, and ongoing shared services with schools.	\$337,174
Lake Carroll Service District	Loan to Lake Carroll Service District for dam repair, in support of Ordinance O17-41.	\$550,000

<u>Department</u>	<u>Projects</u>	<u>Amount</u>
Telegraph Road	Stafford County submitted and was awarded a SmartScale project for the \$8.8 million Telegraph Road/Route 1 intersection improvement project. The funding for this project was a combination of State and Local funding. The County committed local funding from the old Widewater Service district; however, some of those funds are no longer available because they were returned. In order to cover the funding gap, and additional \$155,000 is needed to fund the County's commitment for this project.	\$155,000

Item 12. Public Works; Authorize Two Additional Full-Time Equivalent Positions for the Public Works Department Interim Public Works Director, Mr. Keith Dayton, presented this item to the Board noting that it was originally discussed at the Board's January 23, 2018 meeting. As requested at that time, additional information regarding financing the two positions (one commercial plans reviewer and one senior building inspector). A table included in the Board's background report demonstrated an additional \$207,000 in additional revenue to fund the two positions. In response to questions about the impact on Public Works staff, Mr. Dayton said that the County's Chief Building Official was working routinely on plan review and other things that took her away from her regular duties. The Deputy Building Official picked up approximately 584 inspections this fiscal year, which took him away from regularly assigned duties and involvement in citizen concerns.

Ms. Shelton asked that Mr. Dayton explain the "fixed price" in the table in the background report. Mr. Dayton said that was fees that Public Works paid to other County agencies and the amount had been "fixed" (stable) for the past few years.

Mrs. Maurer noted that she pulled the item from the last meeting agenda and after seeing the numbers, she was rightly concerned as this was demonstrated as an Enterprise Fund that was asking to add two positions based on massive cash flow in FY2017. However, in FY2018, there was downturn in revenue and an escalation in costs, and positive cash flow in FY2018 was only approximated to be \$200,000. She said that she would vote to approve this request but that she had concerns and with a caveat. When Anthony Romanello was County Administrator, he told her that having to lay people off was the hardest part of his job. Mrs. Maurer wanted to know that this hiring would not set up future layoffs. She said that FY2017 was a banner year, but not so with FY2018. She did not approve of hiring decisions outside the budget process in July.

Mr. Cavalier motioned, seconded by Ms. Shelton, to adopt to adopt proposed Resolution R18-25.

Following the motion, discussion continued with Mr. Cavalier saying that delaying the hiring decision could have economic development impacts to builders and developers as there were complaints about the amount of time it took for inspections and plan review. He said that it was recognized that the County falls short in the time required for those things and due to the delay

the County was losing tax revenue. He said that government regulations added 25% to the cost of all new buildings and hiring two more staff would help to streamline the process.

The Voting Board tally was:

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

Resolution R18-25 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE FUNDING FOR TWO FULL-TIME EQUIVALENT POSITIONS FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS, revenue generated from permitting activity in FY2018 continues to outpace budgeted projections; and

WHEREAS, revenue generated from permitting activity must support that activity; and

WHEREAS, development fee revenues are also expected to exceed the budget projections; and

WHEREAS, the increase in permitting activity exceeds current staff's ability to provide for timely response; and

WHEREAS, two full-time equivalent positions would mitigate delayed response to citizens requests, specifically one Senior Building Inspector and one Commercial/Residential Planner;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 6th day of February, 2018, that the County Administrator be and he hereby is authorized to recruit and maintain full-time positions up to the authorized full-time strength stated below, which increase shall be for positions in the Department of Public Works:

General Fund	
• Non-Public Safety	352 354

; and

BE IT FURTHER RESOLVED the County Administrator is authorized to amend the Department of Public Work's budget to increase by Sixty Thousand Seven Hundred Six Dollars (\$60,706) and appropriate the same.

Item 13. Planning and Zoning: Amend the County's Zoning Ordinance to Permit Drive-Through Facilities in Additional Zoning Districts with the Approval of a Conditional Use

Permit (CUP) Planning and Zoning Director, Mr. Jeff Harvey, presented this item noting that it was originally brought before the Board in a public hearing at its meeting on January 23, 2018. He said that the Board's CEDC heard this in July, 2017 and directed that it be brought to the full Board and expressed its support for expansion of areas where drive-through facilities could be located in the County. Ms. Shelton had asked for a comparison of the County's peer localities. Mr. Harvey reported that three peer localities allow drive-through facilities by right with performance standards and three peer localities require special exceptions with Board of Zoning Appeals (BZA) approval and performance standards. He added that some performance standards are included in State Code and in the County's Highway Corridor Overlay District (HCOOD). Mr. Harvey said that without a CUP, the Board would have no oversight and if by-right, there would be no architectural guidelines, which the CEDC felt were necessary. If the CUP requirement was done away with, it would require a redo of the ordinance review process.

Mrs. Maurer asked Mr. Harvey how many drive-through applications had been denied in the past ten years. Mr. Harvey replied, "None." He added that most applications contain a Generalized Development Plan (GDP), which details the building and drive-through configuration, landscaping, etc. Ms. Shelton asked if all drive through facilities currently require a CUP and asked about the cost involved in obtaining a CUP. Mr. Harvey said that it costs about \$10,000 and if a Traffic Impact Analysis (TIA) and architectural designs were required, the cost could go up to \$20,000. Ms. Shelton asked why the County would charge small businesses \$20,000 when that money could be used for other purposes. Ms. Shelton said she was concerned about the value of a CUP when peer localities do not use that procedure and it may just be a way to assuage concerns that could be alleviated by putting up performance standards. Mr. Harvey said that the HCOOD was created in the mid 90's out of concern for future development and an additional concern about preventing future franchise architecture in the County. Ms. Shelton said she wanted by-right with performance standards and to do away with a CUP; that TIAs were not always necessary and talked about "paving a cow path."

Mrs. Maurer motioned, seconded by Mr. Snellings, to adopt to adopt proposed Ordinance O18-08.

The Voting Board tally was:

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

Nay: (1) Shelton

Mrs. Maurer said that she did not agree with the proposed change in its entirety but felt that expanding where drive through facilities could be located was essential to good business, but she recommended that staff continue to look at Ms. Shelton's concerns. Ms. Bohmke asked if this had gone through one of the Board's standing committees. Mr. Harvey said that the CEDC had considered this and recommended approval. Ms. Bohmke asked that staff continue to address Ms. Shelton's concerns. Mr. Harvey said this approval would provide an interim process while staff continued to address Ms. Shelton's concerns.

Mr. Snellings said that by-right made him nervous and took all power away from the Board but that this was a good stop-gap measure to ensure that standards get to where the Board wants and the County needs. Ms. Shelton said this goes hand-in-hand with government over regulation and that charging small businesses \$20,000 made no sense when with performance standards,

parameters could be clearly defined. Mrs. Maurer reminded the Board that in ten years, no drive through facility had ever been designed.

Ordinance O18-08 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-35, "TABLE OF USES AND STANDARDS"

WHEREAS, the Stafford County Code (Code) provides for specific uses and how they are permitted within the zoning districts; and

WHEREAS, a conditional use permit (CUP) is required for a drive-through facility located in the Highway Corridor Overlay Zoning District; and

WHEREAS, the Board desires to allow drive-through facilities in other zoning districts with approval of a CUP; 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 6th day of February, 2018, that Stafford County Code Sec. 28-35, "Table of uses and standards" be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-35. Table of uses and standards.

Table 3.1. District Uses and Standards

B-1 Convenience Commercial:

(b) *Conditional use permit:*

~~Restaurant with a drive-through facility.~~ Drive-through.

B-2 Urban Commercial.

(b) *Conditional use permit:*

Drive-through.

B-3 Office.

(b) *Conditional use permit:*

Drive-through.

RBC Recreational Business Campus.

(b) *Conditional use permit:*

Drive-through.

RC Rural Commercial.

(b) *Conditional use permit:*

Drive-through.

SC Suburban Commercial.

(b) *Conditional use permit:*

Drive-through.

M-1, Industrial Light.

(b) *Conditional use permit:*

Drive-through.

M-2 Industrial, Heavy.

(b) *Conditional use permit:*

Drive-through.

Item 14. Parks, Recreation, and Community Facilities; Authorize the County Administrator to Execute a Contract for Facilities Condition Assessment Services Parks, Recreation, and Community Facilities Director, Mr. Michael Morris, presented this item and answered Board members questions. It was originally presented to the Board at its meeting on January 23, 2018 and deferred so that IT compatibility issues could be addressed. IT staff met with the vendor and is assured that the facilities assessment software is compatible with existing County technology.

Ms. Bohmke asked how Mr. Morris could assure the Board that this information, once gathered, would not be put in a binder on a shelf and not put to good use. Mr. Morris replied that it would be used to build the future Capital Improvement Program (CIP). Ms. Bohmke asked if other localities were using this process. Mr. Morris said that the City of Alexandria has been using it for two years. Mr. Foley noted that this was consistent with the new Joint CIP process and that more details would be made available to the Board in the future.

Mr. Cavalier said that it needs to be done; that the County is adding facilities but not maintaining existing ones. He said that the last facilities assessment was done, it was not a

good representation of the needs of the County's infrastructure and no action was taken. He added that we have is good and should be made better; that nothing short of another referendum would provide the funds needed for schools or additional County facilities, which was why it was so important to take care of what the County already has.

Assistant Superintendent of Facilities, Scott Horan, addressed the Board confirming that the intended program was compatible with the Schools systems. In past years, two-thirds of the Schools underwent a facilities assessment; the remaining one-third did not because the buildings were less than ten years old. That assessment used the same vendor as is being requested here.

Mrs. Maurer talked about the software program and if it was interactive and could keep an eye with a CIP perspective. Mr. Morris said that the assessment looked at every needed component. Mrs. Maurer said that Mr. Morris had no idea how happy this made her that it was part of the larger CIP.

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

The Voting Board tally was:

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

Resolution R18-28 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH ACCRUENT, LLC TO DEVELOP A
FACILITIES CONDITION ASSESSMENT PROGRAM**

WHEREAS, the Department of Parks, Recreation and Community Facilities (Department) is responsible for maintaining Stafford County facilities, which encompass approximately 600,000 gross square feet of mixed-use building space; and

WHEREAS, the Department desires to develop a facilities condition assessment program to catalogue infrastructure requirements associated with deferred maintenance, building systems, and equipment renewal; and

WHEREAS, the County may cooperatively procure Accruent, LLC's services through James Madison University's Virginia Association of State College and University Purchasing Professionals (VASCUPP) contract number UCPJMU4798, which has an initial term through March 31, 2018 with nine one-year renewal options; and

WHEREAS, the County's Information Technology Department verified compatibility and operability with current hardware and software; and

WHEREAS, staff determined that the proposed quote from Accruent, LLC for \$139,716 is reasonable for the scope of services desired; and

WHEREAS, funds are available in the FY2018 Cash Capital Infrastructure budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of February, 2018, that the County Administrator be and he hereby is authorized to execute a contract with Accruent, LLC to develop a facilities condition assessment program in an amount not to exceed One Hundred Thirty-nine Thousand Seven Hundred Sixteen Dollars (\$139,716), unless amended by a duly-executed contract amendment.

NEW BUSINESS

Item 15. Finance and Budget; Authorize Appropriation of the Schools' Carryover Funds and Funding in the Schools' Capital Project Reserve Budget Division Director, Ms. Andrea Light gave a presentation and answered Board members questions. She said that the audit was complete and requested funds were available. Mrs. Maurer asked Mr. Horan if this was time sensitive or if there was enough time, since this was new business, for the Board to vote on this at its next meeting, scheduled for February 20, 2018. Mr. Horan confirmed that there would be enough time; that they were proceeding with standard procurement processes that would be cancelled if the Board chose to not vote in favorably of this request.

Ms. Bohmke asked why it was not a unanimous vote by the School Board. Mr. Dudenhefer answered saying that the Garrisonville representative on the School Board was new and did not fully understand it. Ms. Bohmke spoke about how important this was and how difficult pump and haul was from the waste treatment facility at Hartwood ES.

Mr. Cavalier asked about the \$1.64 Million upgrade to the radio system. Mr. Horan said that due to the age of the Schools' existing radio system, there were areas of the County, particularly in the Widewater area, where buses had no form of communication. He said the current system was archaic and had been vacated by the E911 system years ago and the FCC wants to regain certain frequencies so the Schools must convert to a different system. Public Safety staff was pressuring the Schools to vacate its existing system and to merge onto the County's radio system. The money would be used to fund the purchase of new radios and joining the County's system. Mr. Foley noted that this was done through the shared services venture. Ms. Bohmke asked for assurance that it had the blessing of the County's Information Technology department. The County's Information Technology Officer, Mr. Michael Cannon was in the back of the Chambers and nodded his head that IT had blessed it.

This item will be brought back to the Board for a vote at its meeting on February 6, 2018.

CLOSED MEETING

At 4:40 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-04.

The Voting Board tally was:

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

Nay: (0)

Resolution CM18-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; (2) discussion regarding the County Attorney's retirement and vacancy; and (3) discussion and consideration of an appointment to the vacant George Washington district Board of Supervisors' seat.

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 6th day of February, 2018, does hereby authorize discussion of the above matters in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 6:04 p.m., Ms. Shelton motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-04(a).

The Voting Board tally was:

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

Nay: (0)

Resolution CM-18-04(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON FEBRUARY 6, 2018

WHEREAS, the Board has, on this the 6th day of February, 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 6th day of February, 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.

Following the Closed Meeting, Mrs. Maurer motioned, seconded by Mr. Snellings, to adopt proposed Resolution R18-43, appointing Rysheda McClendon as County Attorney, effective March 1, 2018, replacing Charles L. Shumate, who is retiring at the end of February.

By a show of hands due to a computer malfunction, the Voting tally was:

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

Nay: (0)

Resolution R18-43 reads as follows:

A RESOLUTION APPOINTING RYSHEDA M. McCLENDON AS COUNTY ATTORNEY OF STAFFORD COUNTY, VIRGINIA AND AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE THE EMPLOYMENT AGREEMENT

WHEREAS, Charles L. Shumate is serving as Stafford County Attorney and will retire on March 1, 2018; and

WHEREAS, the Board desires to appoint Deputy County Attorney Rysheda M. McClendon as the next Stafford County Attorney; and

WHEREAS, satisfactory terms for an employment agreement between the Board and Ms. McClendon have been negotiated and reached;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of February, 2018, that it be and hereby does appoint Rysheda M. McClendon as Stafford County Attorney, effective March 1, 2018; and

BE IT FURTHER RESOLVED that the Chairman is authorized to execute the Employment Agreement with Ms. McClendon on behalf of the Board, which is consistent with the terms so negotiated and agreed to by the parties.

Ms. Bohmke read the following statement: "The Stafford County Board of Supervisors received seven applications for the vacant George Washington District Supervisor seat. We have reviewed the applications for many qualities, including County and community involvement, leadership, and a desire to serve the residents of the George Washington District. Shortly after notifying the applicants, the selected candidates will be posted to the website and will join the Board of Supervisors on Wednesday, February 7, 2018, to complete the interview process."

Adjournment At 6:06 p.m., the Chairman noted that there were no public hearings scheduled and no evening session, and declared adjourned the February 6, 2018 meeting of the Stafford County Board of Supervisors.

Thomas C. Foley
County Administrator

Meg Bohmke
Chairman