

BOARD OF SUPERVISORS  
STAFFORD, VIRGINIA  
MINUTES  
Regular Meeting  
March 20, 2018

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 2:00 p.m., on Tuesday, March 20, 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; Thomas C. Coen; L. Mark Dudenhefer; Wendy E. Maurer; and Cindy C. Shelton.

Also in attendance were: Thomas C. Foley, County Administrator; Rysheda McClendon, 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. Snellings, to adopt the agenda as presented.

The Voting Board tally was:

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

**CLOSED MEETING**

At 2:02 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-07.

The Voting Board tally was:

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

Resolution CM18-07 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel employed by the Board regarding a specific legal matter requiring the provision of legal advice by such counsel, and (2) discussion of plans related to the security of the County Government Center and other County facilities and buildings, and the safety of persons using such facilities and buildings; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(8) and (A)(19) such discussion may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, does hereby authorize discussion of the above matter in Closed Meeting.

**CLOSED MEETING CERTIFICATION**

At 2:55 p.m., Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM 18-07(a).

The Voting Board tally was:

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

Resolution CM-18-07 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MARCH 20, 2018

WHEREAS, the Board has, on this the 20<sup>th</sup> day of March, 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 20<sup>th</sup> day of March, 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.

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

Paul Waldowski - Discussed Resolution R82-341 which, he said, guarantees him a water and sewer bill for his condo at 200 Chesterfield Lane, #301, but he does not get one so he has filed a complaint with the State Board. Said that Schools should not be used as churches; their collections taken up prove that they can afford to build their own facilities or to rent a non-school location and on March 26<sup>th</sup> he will give a detailed report to the Board. Democrats still do not get the vote. He talked about five deputies, decoy Sheriff's vehicles, 12 new firefighters; Station 14 a.k.a pork barrel and Rocky Pork Run.

Kristen Barnes - Given permission by the Chairman to speak about repeal of the Cluster Ordinance because, Ms. Barnes said that due to bad weather she could not stay for the public hearing that evening. She said there was a swell of support for the repeal of the cluster ordinance at every HOA, PTSA meeting that she's attended; all residents are concerned about over-crowding and the pace of growth in the County. She added that it was special interest groups that did not want the ordinance repealed, not the average citizen.

Matt Derring - Expressed support for adding Urban Archery to Stafford County's hunting season calendar to control the white tailed deer population. He said that archery was safe, quiet, it took patience and expertise and he was a former Arlington resident where urban archery helped tremendously to control the deer population.

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 R-Board meeting and reported on three items including the proposed FY2019 R-Board budget, which included replacing a trash compactor that was in service since 1987, and a roll-off truck that also exceeded its useful life; debt service payments on Cell F2 construction, which have been accelerated to ensure that the financing is paid in full prior to the construction of Cell F3 (the useful life of F2 has been reduced to only five years). There were no proposed changes to tipping fees or resident's fees in the coming fiscal year. Staff proposed using \$530,000 in reserve funds to balance the proposed budget, which is very conservative; it is likely that the Landfill will collect higher revenues and not have to draw further on its reserve but Ms. Bohmke said she wanted citizens to know that it was in the budget. There will be a public hearing on May 16<sup>th</sup> to equalize an imbalance in commercial tipping fees, which would make the fees more fair and revenue neutral. Ms. Bohmke participated in reviewing applicants for the executive director position of the George Washington Regional Commission (GWRC) and interviews will begin soon. She pulled Item 11 from the Consent Agenda.

Mr. Cavalier - Deferred comments.

Mr. Coen - Deferred comments.

Mr. Dudenhefer - Chairman of FAMPO, taking public comments for the 2045 long range transportation plan on FAMPO's website. Was tempted to provide a line-by-line detail of the fallacies in the red-inked attachment to Sunday's Free Lance-Star but decided that it was not worth the time.

Mrs. Maurer - Thanked students and faculty at Rock Hill Elementary School for welcoming her when she went there to read to the students. She welcomed Mr. Mullner, a long-time volunteer at the Rock Hill Volunteer Fire Department.

Ms. Shelton - Welcomed the LoK Fashion Academy, which held its ribbon cutting earlier in the day, apologizing for being unable to attend but saying that Economic Development staff attended and thanked them for doing so. Ms. Shelton read the following statement, included verbatim for the record and for inclusion here and at all future meetings, *“I would like to disclose that in 2018, I purchased land located within the A1, Agricultural Zoning District, which could be affected by the proposed amendments to the Subdivision and Zoning Ordinances concerning cluster developments. The proposal does not apply solely to my property and would have County-wide applicability. I have no conflict of interest that would prevent me from participating and I am able to participate fairly, objectively, and in the best interest of the public. The clerk will please record my disclosure in the record today and at any future meeting where the Board discusses or considers this matter.”*

Mr. Snellings - Deferred comments.

Report of the County Attorney – Deferred comments.

Report of the County Administrator – Mr. Foley introduced Interim Public Works Director, Mr. Keith Dayton. Mr. Dayton provided an update on roads and parks projects in the County.

### **APPROVAL OF THE CONSENT AGENDA**

Mrs. Maurer motioned, seconded by Mr. Coen, to approve the Consent Agenda, with Item 11 being pulled by Ms. Bohmke for further discussion.

The Voting Board tally was:

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

Item 4a. Approve the Minutes of the March 6, 2018 Regular Meeting

Item 4b. Approve the Minutes of the March 13, 2018 Budget Work Session

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R18-63 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED MARCH 06, 2018 THROUGH MARCH 19, 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 20<sup>th</sup> day of March, 2018 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Ratify Participation in the 2018 Spring Virginia Public School Authority (VPSA) Bond Financing

Resolution R18-55 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$9,875,000 IN GENERAL OBLIGATION SCHOOL BOND OF STAFFORD COUNTY, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, on April 5, 2016, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of § 15.2-2606 of the Virginia Code, and on April 19, 2016, the Board adopted a resolution identified as Resolution R16-97 (Resolution R16-97), approving the issuance and sale of general obligation school bonds in an amount not to exceed \$32,000,000 for the purposes of financing certain projects more particularly specified therein (the R16-97 Projects), subject to the adoption of a subsequent resolution authorizing and setting forth the terms of such bonds;

WHEREAS, the County has previously issued its general obligation school bonds pursuant to Resolution R16-97 in the approximate amount of \$18,535,000;

WHEREAS, on April 4, 2017, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of Section 15.2-2606 of the Virginia Code, and on April 18, 2017, the Board adopted a resolution identified as Resolution R17-78 (Resolution R17-78 and together with Resolution R16-97, the Prior Resolutions), approving the issuance and sale of general obligation school bonds in an amount not to exceed \$1,220,000 for the purposes of financing certain projects more particularly specified therein (R17-78 Projects together with the R16-97 Projects, the Project), subject to the adoption of a subsequent resolution authorizing and setting forth the terms of such bonds;

WHEREAS, the County has previously issued its general obligation school bonds pursuant to Resolution R17-78 in the approximate amount of \$585,000;

WHEREAS, the Board has now determined that it is necessary and expedient to borrow an amount not to exceed the amount specified in paragraph 1 below and to issue from the authorization under the Prior Resolutions its general obligation school bond (as more specifically defined below, the Local School Bond) for the purpose of financing a portion of the Projects, and to authorize and set forth the details thereof, as required by the Prior Resolutions;

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond;

WHEREAS, the Virginia Public School Authority (VPSA) has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2018 (VPSA Bonds);

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$9,405,000 is the amount of proceeds requested by the County (Proceeds Requested) from VPSA in connection with the sale of the Local School Bond;

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (VPSA Purchase Price Objective), taking into consideration such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds, and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in paragraph 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE STAFFORD COUNTY BOARD OF SUPERVISORS:

1. Authorization of Local School Bond and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$9,875,000 (Local School Bond) for the purpose of financing a portion of the Projects. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Local School Bond. The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a Delegate), and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (Bond Sale Agreement). The Bond Sale Agreement shall be in substantially the form required by VPSA, which form is hereby approved, with such completions, insertions, omissions

and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

**3. Details of the Local School Bond.** The Local School Bond shall be dated 17 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated General Obligation School Bond, Series 2018A; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning January 15, 2019 (each an Interest Payment Date), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a Principal Payment Date) and in the amounts acceptable to a Delegate (the Principal Installments), subject to the provisions of paragraph 4 of this Resolution.

**4. Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not be later than the end of the fiscal year that is 21 years after the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

**5. Form of the Local School Bond.** The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

**6. Payment; Paying Agent and Bond Registrar.** The following provisions shall apply to the Local School Bond:

(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole

discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

7. Prepayment or Redemption. Unless required otherwise by VPSA, the Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2028, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2028, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2029, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2029, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2028, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2028 through July 14, 2029	101%
July 15, 2029 through July 14, 2030	100½
July 15, 2030 and thereafter	100

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

8. Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.



**10. Use of Proceeds Certificate and Tax Compliance Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the Tax Compliance Agreement) setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (Code), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

**11. State Non-Arbitrage Program; Proceeds Agreement.** The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

**12. Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

**13. Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board is authorized to affix the County's seal on any such documents and attest or countersign the same.

**14. Filing of Resolution.** The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

**15. Election to Proceed under Public Finance Act.** In accordance with § 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

**16. Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

**17. Effective Date.** This Resolution shall take effect immediately.

\* \* \*

The undersigned Clerk of the Stafford County Board of Supervisors hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on March 20, 2018, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Meg Bohmke, Jack Cavalier, Thomas Coen, Mark Dudenhefer, Wendy Maurer, Cindy Shelton, and Gary Snellings. There were no Members absent from the meeting. Members voted unanimously in favor of the foregoing resolution, there were no abstentions or nay votes.

WITNESS MY HAND and the seal of the Stafford County Board of Supervisors, as of March 20, 2018.

(Thomas C. Foley, County Administrator)

Clerk, Stafford County Board of Supervisors

[SEAL]

**EXHIBIT A**

**(FORM OF TEMPORARY BOND)**

**NO. TR-1**

**\$ \_\_\_\_\_**

**UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA  
STAFFORD COUNTY, VIRGINIA  
General Obligation School Bond  
Series 2018A**

**Dated Date:** \_\_\_\_\_ [17 days prior to issuance], 2018

**Issue Date:** \_\_\_\_\_, 2018

**STAFFORD COUNTY, VIRGINIA** (County), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** (VPSA) the principal amount of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15,

20\_\_ and annually on July 15 thereafter to and including July 15, 20\_\_ (each a Principal Payment Date), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on January 15, 2019 (each an Interest Payment Date; together with any Principal Payment Date, a Payment Date), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as VPSA is the registered owner of this Bond, U.S. Bank National Association, as bond registrar and paying agent (the Bond Registrar), shall make all payments of the principal of and interest and premium, if any, on this Bond, without the presentation or surrender hereof, to VPSA, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of the principal of and interest and premium, if any, on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended (Virginia Code), requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of and interest and premium, if any, on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the VPSA, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the VPSA on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2028, and the definitive bonds for which this Bond may be exchanged that mature on or before July 15, 2028, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due on or after July 15, 2029, and the definitive bonds for which this Bond may be exchanged that mature on or after July 15, 2029, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2028, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of this Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<b>Dates</b>	<b>Prices</b>
July 15, 2028 through July 14, 2029	101%
July 15, 2029 through July 14, 2030	100½
July 15, 2031 and thereafter	100

Provided, however, that the principal installments of this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of VPSA or other registered owner of this Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds its bonds issued in part to purchase this Bond in the future and such refunding causes this Bond to be deemed refunded, the prepayment or redemption of this Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund this Bond.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

**IN WITNESS WHEREOF**, the Stafford County Board of Supervisors has caused this Bond to be issued in the name of Stafford County, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated [\_\_\_\_\_] \_\_ [16 days prior to the closing date], 2018.

**STAFFORD COUNTY, VIRGINIA**

Thomas C. Foley, County Administrator  
Clerk, Board of Supervisors of Stafford County,  
Virginia

Meg Bohmke  
Chairman, Board of Supervisors of Stafford County,  
Virginia

Item 7. Finance and Budget; Authorize the County Administrator to Execute a Contract with Cherry Bekaert, LLP for Joint Audit Services

Resolution R18-60 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CHERRY BEKAERT, LLP FOR AUDIT SERVICES**

WHEREAS, Virginia Code § 15.2-2511 requires the County to have an annual audit of financial statements by an independent certified public accountant; and

WHEREAS, at the direction of the Board and the School Board, an Evaluation Committee (Committee) was formed, consisting of representatives from the Treasurer's Office, County Administration, Finance and Budget, and the Schools' Finance Department; and

WHEREAS, in response to the request for proposal dated January 31, 2018, the County received four proposals for providing annual audit services; and

WHEREAS, the Committee determined that Cherry Bekaert, LLP was the most responsive and reasonable bidder based on its qualifications and experience, as demonstrated in its written proposal, interview, and negotiated price; and

WHEREAS, the proposal received by Cherry Bekaert, LLP is in agreement with the terms and conditions of the desired joint audit contract, at a first year cost for FY2018 of \$279,318.00, with the County share being \$171,275.00, with an option of four annual renewals;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of March, 2018, that the County Administrator be and he hereby is authorized to execute a contract with Cherry Bekaert, LLP for the joint audit of financial statements for the Primary Government, the Component Unit-School Board, and the R-Board for FY2018, in an amount not to exceed One Hundred Seventy- One Thousand Two Hundred Seventy-Five Dollars (\$171,275), unless modified by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that this contract may be renewed for not more than four additional one-year terms with the approval of both parties, and at a price to be negotiated prior to renewal.

Item 8. Planning and Zoning; Refer to the Planning Commission an Amendment to the Subdivision and Zoning Ordinances for E-Plan Review

Resolution R18-74 reads as follows:

**A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 22-4, "DEFINITIONS," SEC. 22-57, "FILING," SEC. 22-58, "CONTENT," 22-59, "PUBLIC ACCESS," SEC. 22-61, "TECHNICAL REVIEW COMMITTEE," SEC. 22-62, "COMMISSION REVIEW, ACTION," SEC. 22-76, "SUBMISSION OF PLANS," SEC. 22-77, "CONTENT," SEC. 22-86, "FILING," SEC. 22-87, "CONTENT," SEC, 28-25, "DEFINITIONS OF SPECIFIC TERMS," SEC. 28-247, "SUBMISSION REQUIREMENTS FOR MINOR SITE DEVELOPMENT PLANS," AND SEC. 28-248, "SUBMISSION REQUIREMENTS FOR MAJOR SITE DEVELOPMENT PLANS" TO ALLOW FOR ELECTRONIC PLAN SUBMISSIONS**

WHEREAS, the Board continues to identify means to improve efficiency of government operations; and

WHEREAS, Electronic Plan Submissions (E-plans) would improve the effectiveness and efficiency of reviewing and approving subdivision and site plan applications; and

WHEREAS, the Stafford County Code (Code) currently requires submission of paper copies of plans to be reviewed; and

WHEREAS, the Board desires to consider amending the Code to allow for the submission and review of E-plans;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that proposed amendments to Stafford County Code Sec. 22-4, "Definitions," Sec. 22-57, "Filing," Sec. 22-58, "Content," 22-59, "Public access," Sec. 22-61, "Technical review committee," Sec. 22-62, "Commission review, action," Sec. 22-76, "Submission of plans," Sec. 22-77, "Content," Sec. 22-86, "Filing," Sec. 22-87, "Content," Sec. 28-25, "Definitions of specific terms," Sec. 28-247, "Submission requirements for minor site development plans," and Sec. 28-248, "Submission requirements for major site development plans," pursuant to proposed Ordinance O18-19, be and they hereby are referred to the Planning Commission for its review, recommendations, and to hold a public hearing; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance as it deems necessary and appropriate.

Item 9. Planning and Zoning/Utilities; Refer Proposed Amendments to the Subdivision and Utilities Ordinances to the Planning Commission and the Utilities Commission regarding Community Drainfields

Resolution R18-76 reads as follows:

A RESOLUTION REFERRING TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 25-165. "TYPE, CAPACITY, LOCATION, ETC." AND TO THE UTILITIES COMMISSION TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 22-118, "WATER AND SEWER" REGARDING COMMUNITY ON-SITE SEWAGE SYSTEMS

WHEREAS, the Stafford County Code allows for community on-site sewage systems that serve more than three dwellings; and

WHEREAS, the Board has concerns about the long-term viability of community on-site sewage systems within new subdivisions; and

WHEREAS, the Board desires to consider requiring a sewage system to be on the property it serves for new subdivisions and no longer permit the use of community on-site sewage systems;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that proposed amendments to County Code Sec. 22-118, "Water and sewer," pursuant to proposed Ordinance O18-17, be and they hereby are referred to the Planning Commission for its review, to hold a public hearing, and provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that amendments to County Code Sec. 25-165, "Type, capacity, location, etc.," pursuant to proposed Ordinance O18-18, are referred to the Utilities Commission for its review, to hold public hearings, and provide its recommendation back to the Board.

Item 10. Utilities; Authorize the County Administrator to Execute a Contract With W. C. Spratt for the Aquia Drive Water and Force Main Replacement

Resolution R18-59 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH W. C. SPRATT INCORPORATED FOR THE CONSTRUCTION OF THE AQUIA DRIVE WATER AND FORCE MAIN REPLACEMENT PROJECT, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, funding for the construction of the Aquia Drive Water and Force Main Replacement Project (Project) is designed to upgrade existing infrastructure, and is in the Utilities' Capital Improvement Program; and

WHEREAS; the County solicited bids for the Project; and

WHEREAS, five bids were received and staff determined that the bid submitted by W. C. Spratt Incorporated is the lowest responsive and responsible bid and is reasonable for the scope of work;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized to execute a contract for the construction of the Aquia Drive Water and Force Main Replacement Project with W. C. Spratt Incorporated in an amount not to exceed Four Hundred Eighty One Thousand Five Hundred Dollars (\$481,500), unless amended by a duly-authorized change order.

Item 11. Public Works; Express Support for Improvements to the Chatham Bridge Ms. Bohmke asked that this item be pulled so that additional language could be added to the second to last resolved clause which included the words, "the funding and construction of a sidewalk to connect the Chatham Bridge with Chatham Heights Road (S.R. 212)."

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-64 as amended.

The Voting Board tally was:

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

Resolution R18-64 reads as follows:

A RESOLUTION OF SUPPORT FOR THE PROPOSED DESIGN OF THE CHATHAM BRIDGE REHABILITATION PROJECT AND THE CLOSURE OF THE BRIDGE DURING CONSTRUCTION, LOCATED IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Virginia Department of Transportation (VDOT) is using \$22 million in State of Good Repair funding from the Commonwealth's Smart Scale Program to fully fund the rehabilitation of the Chatham Bridge (Bridge); and

WHEREAS, VDOT has developed plans to refurbish and strengthen the Bridge piers, and then replace the bridge deck in its entirety; and

WHEREAS, the design of the Bridge will maintain the existing four lanes of traffic and add a 10-foot wide bicycle/pedestrian lane on the downstream side with a physical barrier separating it from the vehicle lanes; and

WHEREAS, VDOT has incorporated comments from Board members and County staff in the design of the rehabilitation to the Bridge; and

WHEREAS, VDOT has requested a resolution of support for its Bridge Rehabilitation project; and

WHEREAS, VDOT has determined full closure of the Bridge during rehabilitation will reduce the overall construction period by one year or more, and provide considerable cost savings in comparison to a partial closing of the Bridge; and

WHEREAS, the Board desires to express its support;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 20<sup>th</sup> day of March, 2018, that it be and hereby does support the Virginia Department of Transportation's Chatham Bridge Rehabilitation Project, the funding and construction of a sidewalk to connect the Chatham Bridge with Chatham Heights Road (S.R. 212), and the full closure of the bridge during construction; and

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

Item 12. Public Works; Authorize the County Administrator to Execute a Contract for Engineering Services for the Route 1 Intersection Improvements Near Telegraph Road



Resolution R18-65 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RINKER DESIGN ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE ROUTE 1 INTERSECTION NEAR TELEGRAPH ROAD IMPROVEMENT PROJECT LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board submitted a successful application for the first round of Smart Scale funding for improvements to Route 1 at the intersections with Telegraph Road and Woodstock Lane; and

WHEREAS, subsequent to the initial project application, an alternative to the original concept that involved construction of a new intersection with Route 1 (Project), was analyzed and determined to provide significant additional benefits while providing comparable traffic performance as the original concept; and

WHEREAS, the Virginia Department of Transportation (VDOT) has reviewed the County's request to modify the scope of the project to allow construction of the alternative Project; and

WHEREAS, Rinker Design Associates, P.C., a firm authorized to provide on-call engineering services has submitted a proposal to provide engineering services in the amount of \$894,456; and

WHEREAS, staff reviewed this proposal and determined that it is reasonable and responsive for the scope of work requested;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized to execute a contract with Rinker Design Associates, P.C. for engineering services related to the intersection improvements on Route 1 near Telegraph Road, in an amount not to exceed Eight Hundred Ninety-Four Thousand, Four Hundred Fifty-Six Dollars (\$894,456), unless modified by a duly executed contract amendment.

Item 13. Authorize the County Administrator to Expend Funds in Support of the New Traffic Signal at Travis Lane

Resolution R18-66 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXPEND FUNDS IN SUPPORT OF THE NEW TRAFFIC SIGNAL AT TRAVIS LANE

WHEREAS, construction of the Garrisonville Road Widening Project is nearing completion; and

WHEREAS, the intersection improvements at Travis Lane and the proposed Garrison at Stafford development are complete, except for the traffic signal planned for that intersection; and

WHEREAS, installation of the traffic signal has been delayed because the developer of The Garrison at Stafford has been unable to negotiate and obtain an easement from the property owner on Travis Lane on the north side of Garrisonville Road; and

WHEREAS, negotiations have stalled with \$14,000 separating the parties from coming to an agreement; and

WHEREAS, the Board has determined that in the interest of the public's safety and welfare that the County will fund the \$14,000 separating the two parties to allow the safe operation of this intersection;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is, authorized to expend an amount not to exceed \$14,000 from the Contingency Fund to acquire an easement for the traffic signal installation on the north side of the intersection of Garrisonville Road and Travis Lane.

Item 14. Authorize the County Administrator to Execute a Contract with Branch Civil, Inc. and Budget and Appropriate Funds for the Construction of the Brooke Road Improvement Project

Resolution R18-67 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH BRANCH CIVIL, INC., AND BUDGET AND APPROPRIATE FUNDS FOR THE CONSTRUCTION OF THE BROOKE ROAD IMPROVEMENT PROJECT, LOCATED WITHIN THE AQUIA, FALMOUTH, AND GEORGE WASHINGTON ELECTION DISTRICTS

WHEREAS, the Board identified the completion of road improvements on Brooke Road (SR-608) south of Eskimo Hill Road (Project), as a critical part of the County's road improvement plan; and

WHEREAS, the County advertised for bids for the Project in December, 2017, and received bids in February, 2018; and

WHEREAS, the bid received from Branch Civil, Inc., in the amount of \$5,185,333, was the lowest responsive and responsible bid for the construction of the Project; and

WHEREAS, additional funds must be budgeted and appropriated from the Transportation Fund in order to execute a contract for the construction of the Project; and

WHEREAS, the Board desires to award the contract and budget and appropriate funds for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized execute a contract with Branch Civil, Inc. for the construction of the Brooke Road Improvement Project, in an amount not to exceed Five Million One Hundred Eighty-Five Thousand Three Hundred Thirty-Three Dollars (\$5,185,333), unless amended by a duly executed change order; and

BE IT FURTHER RESOLVED that Ten Thousand Seven Hundred Twenty-Six Dollars (\$10,726) be budgeted and appropriated from the General Fund, and One Million Eight Hundred Two Thousand Nine Hundred Eighteen Dollars (\$1,802,918) be budgeted and appropriated from the Transportation Fund all to the Project account for construction of the roadway improvements to Brooke Road.

Item 15. Public Works; Approve Formation of a Working Group to Conduct a Comprehensive Evaluation of Stafford County Roads

Resolution R18-78 reads as follows:

A RESOLUTION AUTHORIZING THE FORMATION OF A WORKING GROUP TO CONDUCT A COMPREHENSIVE EVALUATION OF STAFFORD COUNTY ROADS

WHEREAS, the most recent comprehensive evaluation of County roads was conducted in 2004 by the Youth Driver Task Force (YDTF); and

WHEREAS, the YDTF identified a list of road improvements that would increase the safety of motorists in the County; and

WHEREAS, development of this road improvement list aided the efforts to secure funding and complete numerous improvements; and

WHEREAS, the Board desires to analyze the current status of County roads regarding the safety, condition, and congestion in an effort to prioritize those roads most in need of improvements; and

WHEREAS, the Board desires to form a new working group to complete this analysis;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that it be and hereby does establish a working group to conduct a comprehensive evaluation of Stafford County roads; and

BE IT FURTHER RESOLVED that the working group shall include two representatives from the Board of Supervisors, staff from Public Works, Planning and Zoning, Stafford County Public Schools, and Public Safety, as well as staff from the Virginia Department of Transportation and other members deemed useful to the completion of the Study.

Item 16. Public Works; Authorize the County Administrator to Advertise a Joint Public Hearing with the Virginia Department of Transportation to Consider the FY2019 Secondary Six-Year Plan

Resolution R18-79 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO CONSIDER THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION FY2019-FY2024 SECONDARY SYSTEM SIX-YEAR PROGRAM

WHEREAS, the Board sets priorities for the road improvement projects in the County for the Secondary System Six-Year Program (SSYP); and

WHEREAS, the Board desires to receive the funding provided by the FY2019-FY2024 SSYP, to complete road improvement priorities in the County; and

WHEREAS, pursuant to Virginia Code § 33.2-331, the Board and the Virginia Department of Transportation (VDOT) are required to conduct a joint public hearing on the proposed FY2019-FY2024 SSYP; and

WHEREAS, the Board will consider the recommendations of VDOT and staff, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing for consideration of the proposed FY2019-FY2024 Secondary System Six-Year Program.

Item 17. Public Works; Approve the Stafford County District Grant Projects for Submission Under the Third Round of SmartScale Funding

Resolution R18-80 reads as follows:

A RESOLUTION AUTHORIZING SUBMISSION OF THE STAFFORD COUNTY DISTRICT GRANT PROJECTS UNDER THE THIRD ROUND OF SMART SCALE FUNDING

WHEREAS, the Smart Scale program directs the Commonwealth Transportation Board (CTB) to develop and implement a statewide process to identify, score and select projects for funding by July 1, 2019, and to allocate funds in the FY2024-FY2025 of Six-Year Improvement Program (SYIP); and

WHEREAS, all submitted Smart Scale applications will be screened by the Virginia Department of Transportation (VDOT) to determine if a need identified in the VTrans2040 Needs Assessment Plan (VTMP) is met; and

WHEREAS, in order to meet a need of the VTMP, a project must either be located within a Corridor of Statewide Significance or within a Regional Network, or promote improvements within an Urban Development Area (or UDA-like), or address an identified safety need; and

WHEREAS, only those Smart Scale applications meeting a need identified in the VTMP qualify to be scored and selected under the District Grant Program; and

WHEREAS, the District Grant Program will compete for Fredericksburg District Grant funds which are estimated between \$25 to \$30 million; and

WHEREAS, the Board desires to endorse and request County staff to submit the following Smart Scale applications under the District Grant Program:

1. Route 1/Enon Road Intersection and Roadway Improvements;
2. Winding Creek Road Widening;
3. Eskimo Hill Roadway Improvement; and
4. Stefaniga and Mountain View Road Intersection Improvement.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 20<sup>th</sup> day of March, 2018, that it be and hereby does indicate its desire to have the following Smart Scale applications submitted to Virginia Department of Transportation (VDOT) in order to meet Smart Scale application requirements and be considered by the State for potential selection and funding for District Grant Funds under the Smart Scale Funding Program and in the FY2020-FY2025 SYIP:

1. Route 1/Enon Road Intersection and Roadway Improvements;
2. Winding Creek Road Widening;
3. Eskimo Hill Roadway Improvement; and
4. Stefaniga and Mountain View Road Intersection Improvement.

; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Fredericksburg Area Metropolitan Planning Organization's Transportation Administrator.

Item 18. Parks, Recreation, and Community Facilities; Authorize a User Agreement with the Stafford LaCrosse Association

Resolution R18-81 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE STAFFORD LACROSSE ASSOCIATION**

WHEREAS, the Stafford Lacrosse Association (SLA) has successfully operated a recreational youth lacrosse program in the County; and

WHEREAS, the SLA requested the Parks and Recreation Commission to become a co-sponsored organization for recreational lacrosse by means of an agreement; and

WHEREAS, at its meeting on March 7, 2018, the Parks and Recreation Commission voted to recommend approval of the agreement between SLA and the County; and

WHEREAS, the Board desires to enter into an agreement with SLA to provide additional recreational amenities and services to the citizens of Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of March, 2018, that the County Administrator be and he hereby is authorized to execute an agreement with the Stafford Lacrosse Association to operate a recreational youth lacrosse program for a term of two years, with an option to renew for an additional five-year term.

Item 19. Sheriff/Animal Control; Authorize the County Administrator to Notify the Department of Game and Inland Fisheries that Stafford County Wishes to Adopt Urban Archery Season beginning with Hunting Season 2018-2019

Resolution R18-73 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO NOTIFY THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES THAT STAFFORD COUNTY DESIRES TO PARTICIPATE IN THE URBAN ARCHERY SEASON

WHEREAS, the Virginia Department of Game and Inland Fisheries (DGIF) has determined that there are areas of Stafford County that are over-populated with white tail deer; and

WHEREAS, in an effort to avoid future and further over-population issues, the Board desires to participate in the Urban Archery Hunting Season, beginning with the 2018-2019 hunting season;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized to submit a letter to the Virginia Department of Game and Inland Fisheries (DGIF) expressing Stafford County's desire to participate in the Urban Archery Season, beginning with the 2018-2019 hunting season.

Item 20. County Administration; Authorize the Appointment of Joshua W. Pepper to the Agriculture/Purchase of Development Rights Committee

Item 21. County Administration; Authorize the Appointment of Melvin Allen, Sr. to the Citizen's Transportation Advisory Group Representing the Garrisonville District

## **NEW BUSINESS**

Item 22. Planning and Zoning; Refer to the Planning Commission Proposed Amendments to the Zoning Ordinance, Subdivision Ordinance, and Comprehensive Plan regarding Cluster Development

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Cavalier questioned the 40% open space requirement and if it had to

always be 40% or just at the time of adoption. Mr. Harvey said that 40% was a static number; 40% of all eligible undeveloped land in the County. Mr. Cavalier asked if 40% of the available space was used, would additional acreage have to be added back in so that it still equaled 40%. Mr. Harvey replied, "Not in this case." County Attorney, Ms. Rysheda McClendon, when asked, said that it was illogical to amend an ordinance for the 40% requirement; it was on a 10-year consensus basis but that she would check for additional regulations that may be in the State Code. Mrs. Maurer asked if in the Comprehensive Plan, it was tracked on an annual basis. Mr. Harvey said that they tracked residential development to meet goals and that 80% of the County's growth should be in the Urban Services Area (USA) and 20% should be kept rural. Mrs. Maurer said that there was a built-in review period. Ms. Bohmke said that it was a State Code requirement that the Comprehensive Plan be reviewed every five years. Mr. Harvey said it had to be reviewed, not necessarily amended every five years.

Mr. Coen said that when he was on the Planning Commission, there was concern about open space in cluster developments not being contiguous; that it was fragmented. Mr. Harvey said that the Planning Commission had extensive discussions about cluster development in 2003, and in 2005 it was rolled into the County's Comprehensive Plan regarding contiguous open space. The Board discussed cluster developments at its meeting on March 6, 2018; the Community and Economic Development Committee (CEDC) discussed a two-phased approach and potential Board actions include pursuing the recommendation of the CEDC, which was to select a cluster development option; and adopting proposed Resolution R18-75 referring Comprehensive Plan and Zoning Ordinance amendments to the Planning Commission – or – the defer to pursue other map options, pursue other amendments, or to consider a non-phased approach.

Mrs. Maurer asked if this was time sensitive. Ms. McClendon said that by a majority vote of the Board it could be considered time sensitive. Mrs. Maurer motioned, seconded by Mr. Dudenhefer, that this item could be considered time sensitive and voted on at that time.

The Voting Board tally was:

Yea:	(6)	Bohmke, Coen, Dudenhefer, Maurer, Shelton, Snellings
Nay:	(1)	Cavalier.

Mrs. Maurer motioned, seconded by Mr. Coen to adopt proposed Resolution R18-75 as amended, with Option 3.

The Voting Board tally was:

Yea:	(6)	Bohmke, Coen, Dudenhefer, Maurer, Shelton, Snellings
Nay:	(1)	Cavalier.

Mr. Cavalier said that he had concerns about whether it really was time sensitive and his having asked for additional information, which he only received at 3:00 p.m. that day and not being

given the time needed to review all the details of the proposal. He said that the County Attorney was not able to give a succinct answer about the 40% rule and it was premature to adopt the proposed Resolution without her complete answer and researched advice. He added that Option 3 was 100% of developable land in the Griffis-Widewater District, and it far exceeded land in any of the other districts. Ms. Shelton said that she agreed although she was not so concerned with the 40%. She said that what was being put forth was a good option that a lot of her constituents agreed on.

Resolution R18-75, as amended, reads as follows:

A RESOLUTION REFERRING TO THE PLANNING COMMISSION AN AMENDMENT TO THE COMPREHENSIVE PLAN AND AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS," SEC. 28-35, "TABLE OF USES AND STANDARDS," AND SEC. 28-39, "SPECIAL REGULATIONS" IN REGARDS TO CLUSTER DEVELOPMENT REGULATIONS

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

WHEREAS, Stafford County permits cluster developments in the A-1, Agricultural; A-2, Rural Residential; and R-1, Suburban Residential Zoning Districts; and

WHEREAS, the Board has expressed concerns with the quality of development occurring pursuant to the current cluster development standards; and

WHEREAS, the Board desires to consider amending the County's Comprehensive Plan regarding cluster development regulations, to provide for quality development and to preserve the rural character of the rural areas of the County; and

WHEREAS, the Board also desires to consider amending the Zoning Ordinance regarding cluster development regulations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that proposed amendments to the Comprehensive Plan pursuant to proposed Resolution R18-77, Figure 3.9 Map Option 3; and County Code Sec. 28-25, "Definitions of specific terms," Sec. 28-35, "Table of uses and standards," and Sec. 28-39, "Special regulations," pursuant to proposed Ordinance O18-16, be and they are hereby referred to the Planning Commission for its review, recommendations, and to hold a public hearing; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the Comprehensive Plan text and Zoning Ordinance Amendments; and

BE IT STILL FURTHER RESOLVED that the Planning Commission is requested to conduct its public hearings and make recommendations to the Board by May 31, 2018.



The Chairman recessed the Board meeting at 3:39 p.m. and reconvened the meeting at 4:30 p.m.

**4:30 P.M. PRESENTATION OF THE FY2019 SCHOOL BOARD'S BUDGET** – the Chairman of the School Board, Ms. Patricia Healy, and School Board member, Mr. DeWayne McOsker, presented the FY2019 School Board's budget. Ms. Healy thanked the Board for giving them the opportunity to present its approved budget at a public meeting and asked that member of the Board hold their questions and comments until the 5:00 p.m. joint budget work session. She noted that the School Board's budget was higher than the budget presented by the Superintendent, Dr. Bruce Benson. \$500,000 was included for enhanced security; additional pay for bus drivers, bus monitors, and paraprofessionals was included as a way to do more toward moving those positions to fair market value. Ms. Healy talked about hiring teachers right out of college then losing them to localities with a higher pay scale after Stafford's more seasoned teachers spent a lot of time and effort training the new teachers only to have them leave for more lucrative paying jobs elsewhere. She said that Stafford once had prestige and was considered a premiere district and she hoped to get that back again.

Mr. McOsker then gave a power point presentation detailing the School Board's approved FY2019 budget. He spoke about the process by which the School Board arrived at its numbers and its key goals and challenges. He noted that the deficit between the County Administrator's budget and that of the School Board was -\$13,124,437.00. Mrs. Maurer talked about the additional positions noting that they were not all related to growth in the number of School students and asked for a breakdown of which positions were mandated and those that were not. Mr. McOsker concluded his presentation and the meeting adjourned to the joint budget work session scheduled between the Board of Supervisors and the School Board.

**5:00 P.M. JOINT BUDGET WORK SESSION – BOARD OF SUPERVISORS/SCHOOL BOARD** The work session took place in the Ford T. Humphrey Public Safety Building. Members of the School Board and the Board of Supervisors enjoyed dinner then at 5:25 p.m. Ms. Bohmke opened the joint budget work session and discussion ensued about the FY2019 School Board's approved budget.

Mr. Coen said that he had two pages of questions about the School Board's budget including why administrative assistants were not included in the fair market salary comparison and given raises accordingly. He noted that the administrative assistants had been waiting for a long time and were seemingly moved to the end of the line each year during budget deliberations.

Ms. Healy said that they were making progress with the teachers, para-professionals, bus drivers and bus aides but realize that much more needs to be done. School Superintendent, Dr. Bruce Benson said that administrative assistants were not singled-out; the study was being done by employee groups. Mr. Coen said that the time is coming for administrative assistants. Ms. Healy said that they could not do everyone at once; that the numbers would be astronomical if they did it all at once. Dr. Benson said that administrative assistants were considered in a study done by Springsted back in 2005.

Mrs. Maurer asked for an explanation of the Furniture and Equipment Coordinator position and other positions on Page 20 in the budget book. The Schools' Chief Financial Officer, Mr. Chris Fulmer, talked about converting certain positions from the Schools' Capital Improvement Program (CIP) into its operating budget as recurring monies spent. He said that all full-time equivalent positions (FTE) were identified and converted. Mrs. Maurer asked what that did to the budget. In speaking about Mrs. Maurer's original question about the Furniture and Equipment Coordinator, she asked why that position could not be contracted out; Dr. Benson said that it was a large organization and this move helped to capture savings in a more systematic way. He cited the example of School A needing five desks and School 5 having five extra desks. With one person coordinating all of the School Division's furniture and equipment, those five desks could be moved from location to location without automatically purchasing five new desks that were not needed. Dr. Benson added that it was a new and more efficient way to track equipment and furniture. Mrs. Maurer asked if the Schools' did not already have an efficient inventory system. Dr. Benson replied that there was not an effective tracking system in place.

Ms. Shelton asked how items and budget requests were prioritized as there did not appear to be a list of criteria or how the School Board sorted budget requests and prioritized who got what funds. She added that quality of education should be the number one priority that everyone in the room should care about and that the whole budget needed defined priorities. Ms. Healy spoke about cutting back once state and local funding was identified as not being fully funded and that the budget would have further cuts. Dr. Sarah Chase pointed to the School Board's priorities listed on Page 11 of the budget book. Mrs. Maurer asked about the increase on construction costs, moving IT services and printing costs and questioned why the numbers in the book were different than the original numbers provided and why one was more important than the others. Ms. Shelton said again that there needed to be criteria for each and for selections on Page 57 of the budget book; why did the number of supervisors increase from one to three for an additional \$247,000; there was no detail about the span of control. Ms. Shelton said that she did not see a connection between the School Board's accomplishments and goals. Mr. Fulmer said that some positions were moved from one place to another, a reorganization move that did not increase the budget numbers. Ms. Shelton said that she expected to see that in the goals.

Ms. Hazard said that one good thing as the School Board created a Finance, Audit, and Budget (FAB) committee was a reduction in class sizes and State certification. \$9 million was used to focus on people and delivering the best services possible to students. She added that Dr. Benson did a good job with that the School Board gave him in October. Ms. Shelton asked again what the prioritization was with that money. Mr. Fulmer said that it was moving positions to the proper budget coded where they should be (and referenced Page 19 in the budget book).

Mr. McOsker noted that the School Board's priorities were listed on Page 12 in the budget book, as voted on by the School Board.

Mr. Cavalier said that the priority was always salaries. It was discussed each year and that he was in favor of pay parity on both sides of the street yet this year the Schools opted for a 2.5% increase vs. the County's 2.0% increase. He advocated for a 2.5% cost of living raise (COLA) for County employees if that is what the School employees were getting. Dr. Chase said that last year the majority of teachers got no COLA when all County employees received a raise. Mr. McOsker said that parity was very important and that the Schools and County should be lockstep. Ms. Yeung said that Ms. Shelton asked for goals and that several departments need funds to operate so the students and teachers were taken care of and all schools ran smoothly and correctly. She said that it was necessary to compensate teachers; that the Schools' Division was the second highest employer in the County behind GEICO. She added that the number one priority was safety and the number two priority was education; that Stafford County Schools were good but needed to get better and that money was needed to make that happen. Mr. Coen said that there was a disconnect between the Schools' and County's formatting in the budget documents, which was disconcerting. He said that page-by-page, blurb-by-blurb, there were differences that needed to be explained; that one time expenditures should be crystal clear and not included along with the recurring expenses. Mr. Coen said that rationale and depth were missing as to why, where, how, and who. He then asked about legal services and hiring a new attorney and why that was in the instructional budget. Dr. Benson replied saying that legal services were contracted out and used for special education, general counsel, and specific legal support required by the Division.

In speaking about the disparity in what the Joint CIP Oversight Committee discussed, and was discussed by both Boards in December, Ms. Hazard said they (the School Board) was not exactly ecstatic. She added that a March meeting was cancelled but that was too late anyway; that the two Boards needed to meet face-to-face before then and that the School Board reached out but there was no reply from the Board of Supervisors. Ms. Bohmke and Mrs. Maurer said they never received such a request; Mr. Dudenhefer, Chairman of the Board's FAB Committee, said that he never received that request. Mr. Foley said that it was discussed at the Joint Schools Working Committee meeting but there was never full agreement reached. Ms. Bohmke said that had she received a request, she would have alerted the full Board. She said that the Board was trying to understand what was driving the purchase of Fredericksburg Christian School (FCS); the remodel (or rebuild) of Ferry Farm ES and Hartwood ES; building High School #6 and Elementary School #18. She said that a response to a request for accurate data had not been received by the Board of Supervisors. Ms. Bohmke asked for an explanation of why numbers in the budget were different for each elementary school such as \$36,000 for Falmouth ES; \$32,000 for Anthony Burns ES; only \$12,002 for another ES, etc. Mr. McOsker said that there were different programs offered at different schools and different enrollment numbers, requiring different resources. Mrs. Maurer asked for a spreadsheet with data items

including FY17 numbers; the number of people added, mid-year and average daily numbers. She noted that she spent a full year working with the Joint CIP Oversight Committee and was surprised in December, 2017 to see a new set of numbers and asked why the School Board changed in mid-path; that there was a gentlemen's agreement to use one set of agreed upon numbers but then a new set of numbers was proposed for consideration. Ms. Hazard said that the dollar figures only changed because enrollment/capacity in the elementary schools changed in the fall. Mrs. Maurer said that not sharing the Pre-K enrollment was disingenuous and moving forward, the Board would appreciate receiving all the numbers that it asked for. Mrs. Maurer spoke about FCS and if there was a buy-in to bus student from opposite ends of the County. She asked if Pre-K numbers were artificially inflated. Ms. Hazard said that Pre-K was State-mandated. Mrs. Maurer said that it was mandated within the Division, not within specific schools in the Division. Ms. Hazard said that additional space was needed to meet the State requirements. Ms. Healy said that the numbers were not manipulated; that they did an overall look at all the elementary schools; that it was transparent.

Mr. Dudenhefer said that he had been off the Board for six years and it felt like he had not missed a meeting. He met with Dr. Benson and Ms. Hazard in January and asked the hard questions about difficult issues, which to date, they made no effort to address including a question about teachers market pay adjustments. He said that he did not just want to pay to market, but asked how much it would cost to pay better than market; and he questioned about tenured teachers with more than 11 years of service and how much they made vs. new teachers. Dr. Chase said that they did not want to decrease salaries and penalize teachers with over 11 years in the Division. Mr. Dudenhefer spoke about his years in the military and equalizing pay grades and capping salaries. He said that the gap keeps getting wider and wider and that troubled him. Ms. Healy said the goal was to get everyone to at least the market median, with the ultimate goal to get them to the top of the market. Mr. McOsker said that the human capital plan was a difficult one; it would take \$1.8 million to get to the market median for teachers in years 0 – 11 and with a COLA increase; that market median was always moving and he spoke about retention vs. recruitment bonuses. Mr. Dudenhefer said that it skirts the long-term problem with no way to fix it. After mentioning a 10-year compliance plan, Ms. Yeung said that the School Board could look into that but that they need to get to the median. Dr. Benson said they did not discuss capping salaries but rather catching up and staying with the model of targeted salary enhancement.

Mr. Dudenhefer said that there were recent issues facing the JSWC and additional School Resource Officers (SRO), school security, etc. He said that he thought the money would be better spent on the student's mental health than putting a SRO in every school. He spoke about the Sheriff's Task Force and that the Schools' were asking for \$2.2 million without waiting for the results of the Sheriff's Task Force and some resolution to be found in its workings. Mr. McOsker said that the Sheriff's Task Force was awesome. He spoke about the recent Parkland, FL shooting and the even more recent shooting in St. Mary's, MC and how the SRO "took out" the shooter there. He said that security was a phased approach with necessary upgrades and physical equipment, some of which was already in place like air phones, vestibules/double

entrances, no egress from the exterior doors, etc. Mr. Dudenhefer said that his point was missed. Mr. McOsker said that he knew the point of Mr. Dudenhefer's statement was treating student mental issues, which was part of the long-term phase. Ms. Egan said that the School Board's intent was to bring something to the JSWC for consideration, not to pick it up and run with it; she would like for the FAB Committee to look at it and not to put one SRO in each school and be done. Ms. Egan asked if there should be two SROs in each high school and none in the elementary schools and she added that the School Board's resolution says, "Let's talk," it doesn't say to cough up \$2.2 million. Mr. Cavalier said that he was Chairman of the Board's Public Safety Committee and there would be a safety/school security briefing at each upcoming meeting, including a briefing about the Sheriff's Task Force. He said that everyone present was welcome to attend the meetings and added the deputies knew a lot more about security and to let the experts take over. In reference to Dr. Chase's saying that some teachers did not get a COLA last year, Mr. Cavalier said that it was not up to the Board of Supervisors; that only one set of people allocated the raises and it was the School Board so that should not be put on the Board of Supervisors because it was not them that made the call, although that is what the Stafford Education Association did. He said that FCS was a sub-standard facility and the cost of renovations were not included in the budget but considered an intangible that was not brought up. FCS did not have the amenities of other schools in the District, which parents may not like. He said that he did not agree with rebuilding Ferry Farm ES; that Hartwood ES was in the wrong place and should be a priority in locating its' rebuild in a place with water and sewer and over a Ferry Farm ES rebuild or renovation. He said that there was no comparison with the rebuild of Moncure ES. Ms. Decatur said that the approved budget last year included a 2.5% COLA but in the end, there was not enough money to fund it so it was cut. She said that it was hard to find 2.5%, which was a large bulk of money.

Ms. Hazard said that the Schools' CIP options were not approved by the School Board, only the vote on maintenance items. Ms. Bohmke asked, if the School Board did not yet vote on its CIP, when they would vote on it. Ms. Bohmke asked about the Board of Supervisors voting on a CIP that the School Board did not approve. She said that the 3-on-3 group should meet to discuss the CIP. Mrs. Maurer spoke about the process and the recommendations of the Joint CIP Oversight Committee. Mr. Dudenhefer suggested having another joint FAB meeting.

The joint budget work session adjourned at approximately 6:40 p.m.

At 7:00 p.m. the Chairman called the evening session to order. Ms. Shelton gave the invocation and Mr. Snellings led the Pledge of Allegiance to the Flag of the United States of America.

Ms. Bohmke spoke about the anticipated over-flow crowd and additional seating being made available in the ABC Conference Room on the 2<sup>nd</sup> floor, or the Activities Room or Lunch Room on the 1<sup>st</sup> floor of the Government Center. The Fire Marshal was on hand and no one would be permitted to stand along the back wall of the Board Chambers.

Michelle Wittman - Teacher at North Stafford HS; two children in Stafford County Public Schools (SCPS); she was happy with her children's teachers or she would pack up and go elsewhere with better pay and benefits; teachers were under-paid and SCPS were under-funded; she did not get a raise last year; and the per pupil level of funding was not sufficient. She spoke about the need for bus replacement and/or maintenance; supporting a SRO on each elementary school, which would not be possible without the Board's support and financing. Her home increased in value and will support paying more taxes and asked that the additional funds go to the Schools for payment of the SROs, as a one cent tax increase was only \$10.00/month. She said it was time to stop pointing fingers and get priorities straight.

James Jackson - Spoke about Truslow Road traffic and needed infrastructure improvements on Route 17.

James Fry - Spoke about the Aquia Harbour Lions Club fund raiser at Riverside Dinner Theater on April 28<sup>th</sup> to benefit St. Jude's Children's Hospital.

Paul Waldowski - Spoke about gerry mandering; 7 supervisors; 7 members of the Planning Commission; 7 School Board members with only 5 high schools; and what could be done with all the extra money if there were only five of each "as it should be." That money could be used to buy more school buses and not always be in a reactive mode but rather in a proactive mode.

Jamie Decatur - School Board member who spoke regarding CIP questions brought up at the just completed joint budget work session. She said that the School Board did adopt its CIP and offered to send the meeting minutes to the Board. She spoke about Mr. Cavalier being on the new Joint CIP Oversight Committee where this year there was a wedge placed in the budget for the Schools' CIP projects. There was a joint meeting in December but the process was interrupted and a full report was never presented and the first full year of a joint CIP had snafus, hence the wedge in the School Board's budget.

Jo Knight - Said that she would never give up on getting underground electrical and utilities in the Courthouse area, even if there was no support from Richmond. It should be required in a new development area such as the Courthouse although she knew that going against Dominion was difficult.

Kara Burford - Teacher at Falmouth ES; thanked the Board for hearing her concerns; had no pay raise last year and said that funds were diverted to unneeded projects like the teacher learning summit. Raising taxes by one cent would amount to a \$1.6 million increase, which would help the under-funded schools. Spotsylvania County gives \$126 million to schools and taxes are only \$.85/\$100 and asked why with less revenues, Spotsylvania County was able to give more money to its schools. Schools should be fully funded and should outdo other localities.

Christian Peabody - Stafford Education Association (SEA) vice president and Falmouth ED music teacher; said that the School Board's budget was a challenge and that teachers only got to see it the preceding Friday and he could appreciate the Board of Supervisors' frustration. Spoke about lack of STEP increases and working in Stafford but

being unable to afford living in Stafford; talked about identifying priorities; the dire need of school nurses and security enhancements in all schools.

**UNFINISHED BUSINESS**

Item 23. Finance and Budget; Authorize the County Administrator to Advertise a Public Hearing to Consider the CY2018 Tax Rates; the FY2019 Budget; and the FY2019-2028 Capital Improvement Program Budget Division Director, Ms. Andrea Light, presented this item saying that the tax rates could be lowered but once a rate was advertised, it could not be increased without readvertising and holding a second public hearing on the new rate. If the Board adopted the proposed Resolution, an ad for tax rates would be run on Saturday, March 24<sup>th</sup> and the tax rate public hearing would be held at a special Board meeting on April 24<sup>th</sup>. Mr. Dudenhefer said that things felt different now than in the past.

Mr. Dudenhefer motioned, seconded Mr. Coen, to approve proposed Resolution R18-58, which set the advertised tax rate on all categories at the current rate of what they are currently being charged, which for property taxes is \$.99/\$100. Mr. Coen noted that the rate was not being set, just the authorization to advertise a public hearing at that rate. He said there was a climate change and he listened to what people were saying. Mrs. Maurer said that she agreed with Mr. Dudenhefer's motion; that it was a tough year and the Board just got the School Board budget where there was a large gap, which was still being analyzed.

The Voting Board tally was:

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

Resolution R18-58 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE PUBLIC HEARINGS ON THE PROPOSED CALENDAR YEAR 2018 TAX RATES; PROPOSED FISCAL YEAR 2019 COUNTY BUDGET; AND PROPOSED FISCAL YEAR 2019-2028 CAPITAL IMPROVEMENT PROGRAM

WHEREAS, Virginia Code § 15.2-2506 requires and the Board desires to cause to be published in a newspaper having general circulation in the County, a brief synopsis of the proposed County budget and notice of a public hearing, at which any citizen of the County shall have the right to attend and state his/her views; and

WHEREAS, the Board desires to also hold a public hearing to receive public comment and testimony on the proposed tax rates and Capital Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing on the proposed CY2018 tax rates, FY2019 County budget, and the FY2019-28 Capital Improvement Program.

**PUBLIC HEARINGS**

Item 24. Planning and Zoning: Consider Amending a Conditional Use Permit Regarding Access and Buffers on 6.5 Acres Zoned M-1 Director of Planning and Zoning, Mr. Jeff Harvey, gave a presentation and answered Board members questions.

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

Paul Waldowski                      Stephen Gorney (Applicant)

The Chairman closed the public hearing.

Mr. Coen motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R18-32. Mr. Coen said that when the Planning Commission heard this item, it voted approval 6 – 0; that the seventh seat was vacant at the time the PC took its vote.

The Voting Board tally was:

Yea:                      (7)      Bohmke, Cavalier, Coen, Dudenhefer, Maurer, Shelton, Snellings

Nay:                      (0)

Resolution R18-32 reads as follows:

A RESOLUTION TO APPROVE AMENDMENTS TO AN EXISTING CONDITIONAL USE PERMIT (CUP) FOR AN EXCEPTION TO THE MAXIMUM HEIGHT OF A STRUCTURE IN THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 45-15E, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, MAPEI Corporation, applicant, submitted Application CUP17152105, requesting to amend conditions of an existing conditional use permit (CUP) for an exception to the maximum height of a structure in the M-1, Light Industrial Zoning District on Tax Map Parcel No. 45-15E, located within the George Washington Election District; and

WHEREAS, Tax Map Parcel No. 45-15E is subject to conditions pursuant to Resolution R98-07, adopted by the Board on January 6, 1998; 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 has considered the criteria in Stafford County Code Sec. 28-185 and finds that the request meets the standards of the Zoning Ordinance for issuance of an amendment to CUP conditions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that a conditional use permit (CUP) amendment request pursuant to application CUP17152105 be and it hereby is approved to amend the conditions placed upon Tax Map Parcel No. 45-15E (Property) pursuant to Resolution R98-07 by hereby replacing them completely and fully with the following conditions:



1. The CUP is to permit a 2,300 square-foot structure on the Property to exceed the height limit allowed in the M-1, Light Industrial Zoning District, but the structure shall not exceed 75 feet.
2. The structure can only be used for storage and processing of materials used for manufacturing.
3. The existing tower structure shall be in accordance with the layout plan prepared by Sullivan, Donahoe & Ingalls, titled "Mapei Minor Conditional Use Permit Amendment," dated January 17, 2018, as last revised (Layout Plan).
4. A natural 30-foot buffer shall be retained along the northwest property line. A 40-foot buffer shall be retained along the northern portion of the northeast property line to the greatest extent possible. The 30-foot and 40-foot buffers shall be generally as shown on the Layout Plan.
5. Existing vegetation in buffer areas shall be preserved to the greatest extent possible, and supplemented with plantings as necessary to restore native woodland conditions.
6. The structure and processing facility shall be comprised of non-flammable material to the extent possible and any flammable components will be clearly incidental in nature.
7. This CUP may be revoked for violation of these conditions or any applicable federal, state, or county code, law, ordinance, or regulation.

Item 25. Planning and Zoning: Consider an Amendment to the Subdivision and Zoning Ordinances to Repeal All Regulations Concerning Cluster Subdivisions and Cluster Development Mr. Harvey gave a presentation and answered Board members questions. Mr. Cavalier asked if Clusters were state-mandated; Mr. Harvey confirmed that they were. Mr. Cavalier spoke about the Board's 2012 consideration of Clusters and if the County's (then) ordinance was in compliance with state regulations. Mr. Harvey said that in 2012, the County's Cluster Ordinance was not in compliance but it was now. Mr. Dudenhefer asked why this issue was not dealt with in 2012. He asked if the changes could have been made without repealing the ordinance. Mr. Harvey replied that the changes could have been made without repealing the ordinance; he spoke about wiping the slate clean and starting all over with a new Cluster ordinance.

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

David Beiler	Sean Halsey	Mike Stonehill, Jr. and Sr.
Daniel Hudson	Jackie Erickson	Roger Valentino
Rob Gollahan	Tom Cropp	Rob Neal
S. M. Small	Gene Brown	Susan Stonehill
Jennifer Lowe	Tricia Belman	Matt Belman
Angia Grove	Jo Knight	Debra Snyder
Rob Gollahan, Sr.	Paul Waldowski	Ryan Foroughi

The Board took a break at 9:00 p.m. and reconvened the public hearing at 9:09 p.m.

Kristen Bowman	Will Carmean	Tommy Franklin
Tim Refner	Margaret Carver	Justin Sullivan
Danny Hatch	Bruce Reese	Janet Hilton
Alane Callander	Jeremiah Horstick	Jeff Wiley
Jason Moore	Tim McMahon	Skip Causey

Mark Sims

John Danielson

Alex McAllister

Ruth Carlone submitted a written statement which was provided to the Board; she was unable to attend the meeting.

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed/revised Ordinance O18-13, Option 3.

Mr. Cavalier noted that in his 15 years, this was one of the longer public hearings but not the longest. He said that he was not influenced one iota by the public comment, which had no relevance to the subject matter. He said that the new Option 3 was thrust upon him at the last minute; he had no chance to talk with property owners in his district and would vote against it. Ms. Shelton said that she agreed with Mr. Cavalier and as ex-military, she could not break the law or be in violation of state-mandated Cluster regulations. However, she liked the new solution even though there was not much time to review it.

Mr. Coen spoke about the Planning Commission's process and public input and the issues to be considered. He said that he was an instructor at two universities, which banned laptops, kindles, iPads, etc. as students were not paying attention to the instructors and that many were punished by the actions of the few.

Mr. Dudenhefer spoke about misinformation on signs, on a mailer, and on the website, all of which were intended to scare people. The fault was not with the Board. Most of his people were in ¼ lot subdivisions so Clusters did not necessarily mean a lot to residents of his district (and Mr. Coen agreed, saying that in the Ferry Farm subdivision, there were also all small lots). Mr. Dudenhefer spoke about when he was in the General Assembly in 2016 and he tried to meet with the Fredericksburg Area Builder's Association members and developers, they all refused to meet with him and that left no option for working with the same developers at this evening's meeting. Mr. Dudenhefer talked about mega problems in the County including a \$160 million school; a \$71 million courthouse; runaway growth, etc. He said that it was a matter of supply and demand and people are moving in to replace people leaving the County because of those issues among others. He said that developers are saying that they want to work with the County but none of those developers have withdrawn their plans in favor of working with the County on new plans, they expect to be grandfathered in. Mr. Dudenhefer held up a copy of the red inked flyer attached to the Sunday edition of the Free Lance-Star and said that he hoped to never run into the person responsible for that; it was mean-spirited and angry, and not factual.

Mr. Snellings said his family has been here since the 1600's and when he was in high school, there were 16,000 people in Stafford County. When he built his house in 1979, there were 250 cars on his road, now there are 7,700 a day per VDOT's most recent count. He said that two out of every three citizens want to repeal the Cluster Ordinance; he attended five HOA meetings where each one wanted the repeal; phone calls that he has received are running three to one in favor of repealing with one of the issues being community drainfields and how to make them work when they eventually fail and they all will eventually fail.

Ms. Bohmke said that she was uneducated on this matter until she took time to sink her teeth into it. She said there were not a lot of community drainfields in the Falmouth District but she spoke with a soil scientist about community drainfields and supports Option 3 as a good solution. She spoke about transportation, growth in the County, the need for new schools and a new courthouse, not having road funds coming in anymore and, in taking all of that into account, she would support Option 3.

The Voting Board tally was:

Yea: (6) Bohmke, Coen, Dudenhefer, Maurer, Shelton, Snellings  
Nay: (1) Cavalier

Ordinance O18-13 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY  
CODE SEC. 28-35, TABLE 3.1 DISTRICT USES AND STANDARDS

WHEREAS, pursuant to Virginia Code § 15.2-2286.1 certain localities provide for cluster development; and

WHEREAS, Stafford County has provisions for cluster development; and

WHEREAS, cluster development is currently permitted in the A-1, Agricultural; A-2, Rural Residential; and R-1, Suburban Residential Zoning Districts; and

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

WHEREAS, the Board desires to focus the area in which cluster development is permitted to ensure quality development, address citizen's concerns, and better meet the goals and objectives of the Comprehensive Plan; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of March, 2018, that Stafford County Code Sec. 28-35, Table 3.1. District Uses and Standards, be and its hereby amended and reordained as follows, all other portion of the County Code remaining unchanged:

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

**Table 3.1. District Uses and Standards**

*A-1 Agricultural.*

(d) *Requirements:*

(7) Cluster designed subdivisions are permitted on parcels within the boundary established on the map entitled "Cluster Subdivision Areas."

*A-2 Rural Residential.*

*(d) Requirements:*

(6) Cluster designed subdivisions are permitted on parcels within the boundary established on the map entitled "Cluster Subdivision Areas."

*R-1 Suburban Residential.*

*(b) Conditional use permit:*

Cluster subdivision, maximum density 2.25 du/acre, on parcels within the boundary established on the map entitled "Cluster Subdivision Areas."

*(d) Requirements:*

(5) Cluster designed subdivisions are permitted on parcels within the boundary established on the map entitled "Cluster Subdivision Areas."

*R-2 Urban Residential—Medium Density.*

*(a) Uses permitted by right:*

~~Cluster development.~~

*R-3 Urban Residential—High Density.*

*(a) Uses permitted by right:*

~~Cluster development.~~

; and

BE IT FURTHER ORDAINED that the map entitled, "Cluster Subdivision Areas," attached hereto as **Exhibit A**, pursuant to that map presented to the Board as Option 3, is hereby adopted.

Adjournment At 10:14 p.m., the Chairman adjourned the March 20, 2018 meeting of the Stafford County Board of Supervisors.

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Thomas C. Foley  
County Administrator

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Meg Bohmke  
Chairman