

BOARD OF SUPERVISORS  
STAFFORD, VIRGINIA  
MINUTES  
Regular Meeting  
April 17, 2018

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 3:00 p.m., on Tuesday, April 17, 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; Wendy E. Maurer; and Cindy C. Shelton. Mr. L. Mark Dudenhefer was out of town and did not attend the meeting.

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 Ms. Shelton, to adopt the agenda as presented. There were no additions or deletions to the agenda.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

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

Gregory Gavan - Power Point presentation and requested that the Board consider putting in a canoe launch near Lake Mooney to the Rappahannock River. He requested that a feasibility study be done. Mr. Snellings asked Mr. Foley to have staff look into that option.

Clark Leming - Spoke regarding Agenda Item #18, the revocation of SUP80-11; spoke about recent activity at the car lot and previous activity that was out of compliance with the conditions of the SUP, after which the property owner evicted the tenant and violations ceased. There were no car sales on the lot until February 2018 and the property owner is a partner in the new business that was established on the site. He spoke about a new violation where the cars were parked too close to Derrick Lane and over the 10' setback; that the vehicles were moved under protest. Mr. Leming said that it was his contention that the setback (back in 1980) was intended for Route 1, not Derrick Lane which was a dirt road back then. There were only 24 vehicle trips per day in 1981. He said that there was no documentation of tractor-trailers coming and going and blocking Derrick Lane while unloading vehicles.

Darlene Pack - Resident of 25 Derrick Lane; no vehicles on the lot until February and in March, test drivers began speeding up and down Derrick Lane; the right turn sign is missing; on March 29<sup>th</sup> she took a picture of a tow truck parked on Derrick Lane with no one around it. A Mercedes driver was driving at a dangerous speed, also on Derrick Lane. This has been to the Planning Commission once and the Board twice, now three times and the owner is showing no sense of responsibility; he is an absentee landlord and Derrick Lane residents' support revocation of SUP 80-11.

Sharon Goodchild - Did not disagree with Mr. Leming, Derrick Lane was a dirt road back in 1981 but the conditions of the SUP applied to it, not to Route 1; she supported the revocation of SUP 80-11; offered to provide the Board with time/date stamped pictures of violations since the car lot has resumed business at that location.

Sylvia Pendleton - Resident of 57 Derrick Lane who referred to the following dates and times of issues with the car lot and test drivers: 2/24/18 at 1:45 p.m., a BMW was speeding on Derrick Lane doing up to 50 mph; 3/12/18 at 4:30 p.m., a CC Towing flatbed truck was blocking Derrick Lane; 3/17/18 (no time given), a blue SUV with no tags was left in the road; 3/31/18 (no time given), a black Mercedes was test driving a vehicle on Derrick Lane with no one from the dealership in the vehicle – she stopped the drivers and asked if they knew they were not supposed to test drive vehicles on Derrick Lane. They replied that no one told them that they could not test drive a vehicle on Derrick Lane.

Bob Goochland - Resident of 54 Derrick Lane who said that the 10' setback was definitely intended for Derrick Lane, not for Route 1 as was proposed by Mr. Leming.

Maurice (no last name given) - Partner in the dealership (with the owner) and they were trying to be good neighbors, and never intentionally violated conditions of the SUP.

The next comment was received via e-mail from a citizen who was unable to attend the meeting and his comments have been added to the minutes at the request of Ms. Shelton.

Douglas Pack - “Mr. Prosser had given us guarantees and put up a sign for no test driving on Derrick Lane and that he would be in the car with all customers. There have been two test drives but this last one yesterday was speeding and our neighbor came out and stopped them. The owner was given a 6 month trial period and only since February 15<sup>th</sup> of this year they started parking cars on the lot. This means that they have not had a full 6 month operation trial. From Feb to Now March 31 there has been several issues. We have not seen Mr. Prosser, which he stated he would be there every day. I'm sure the lawyer will point out that it didn't have to be a trial “operational” period.”

Presentation of the Government Finance Officers Association Distinguished Budget Presentation Award Ms. Bohmke gave details of the award and Mr. Snellings presented the

certificate to Andrea Light, Budget Division Director, and to Donna Olsen. Ms. Light noted that it was the 31<sup>st</sup> year in a row that the County's budget office received this recognition.

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 five interviews (via Skype) for the executive director position at GWRC; second interviews of the three finalists are scheduled for the first week in May and they hope to have someone hired by the end of May. Planning District 16's County Administrators and Mr. Tim Baroody, Fredericksburg City Manager, are participating in the search for the new GWRC director. The City of Fredericksburg earmarked \$50,000 for a homelessness study in the City, and an additional \$10,000 to Mary Washington Hospital to help the homeless in the City. Ms. Bohmke attended the Falmouth Elementary School 50<sup>th</sup> Anniversary celebration; she attended Eric Olsen's Victim Witness award ceremony. The Molly Gill Award was given to Ms. Ann Maria Francis-Thompson who was attacked by a foster child living in her home. She was selected because she has not allowed this trauma to define who she is; Ms. Bohmke thanked Mr. Olsen for recognizing and acknowledging her courage and disposition. Marilyn Dufurat, in the Victim Witness Office was honored by Attorney General Mark Herring for being one of Virginia's 10 Unsung Heroes. Mr. Herring got to meet Kahn, the County's Courthouse dog. Ms. Dufurat will be recognized at one of the Board's May meetings. Ms. Bohmke participated in the Stafford Hospital 5k walk/run with some of her colleagues. After the race she attended opening day for girls' softball and boys' baseball at Chichester Park, which has phenomenal grounds. Thanked the Sheriff's Office for selecting the Rappahannock Council Against Sexual Assault as a partner with Mission BBQ, which resulted in a donation of \$3,719 to RCASA. Ms. Bohmke noted that everyone on the dais was wearing teal ribbons in support of Sexual Assault Month.

Mr. Cavalier - Provided an update on the Public Safety Committee meeting, the Sheriff's Security Task Force and a discussion about adding School Resource Officers (SRO) into each elementary school, Head Start, and the Alternative School, which he said was a good idea and an insurance policy against possible violence in those schools. Mr. Cavalier noted that older people and younger children often develop a bond so the idea of using retired deputies in these schools was a good match. Prince William County is working on a pilot program and Stafford County will keep track of its progress. The new Fire Chief, Joe Cardello, was introduced at the PSC meeting; he comes from Prince Georges County, Maryland and will start on May 1<sup>st</sup>. Mr. Cavalier and Mr. Snellings toured Fredericksburg Christian School, the purchase of which is on the Schools' CIP list. He attended the Widewater Beach Committee's annual meeting; there is a canoe launch at Widewater State Park onto Aquia Creek, and a boat launch onto the Potomac River, which will open if funds are approved in the State budget. He also attended an Eagle Scout Court of Honor at the Church of Latter Day Saints.

Mr. Coen - Did a ride-along on Engine 12 and Medic Unit 1, and thanked public safety staff for permitting him to get an insider's view of the incredible work they do. Thanks firefighters and CSX for work at a recent fire and residents that provided water to the

firemen. Toured Fredericksburg Christian School; participated in the Stafford Hospital 5k, and attended the Falmouth Elementary School 50<sup>th</sup> Anniversary celebration, where he saw a picture of Sheriff Decatur when he was in fifth grade there.

Mr. Dudenhefer - Absent

Mrs. Maurer - Recently attended her alma mater, UNLV, debate team reunion; also attended PRTC where there was discussion about the gasoline tax bill; all revenues for transportation projects are gone due to reduced gas prices; a portion of the gas tax goes to VRE, which has a fiscal cliff and \$1 million may be added to localities budgets as a contribution to VRE. She provided an update on the Finance, Audit, and Budget (FAB) Committee meeting, which included more work on the FY19 budget process and offered congratulations to the Budget Division staff, who were awarded the GFOA award for the 31<sup>st</sup> year in a row. Mrs. Maurer said it was greatly deserved and staff was much appreciated. A 3<sup>rd</sup> quarter review was provided, revenues are good and expenses are down, except for the Children's Services Act (CSA), private day school, which remains a challenge.

Ms. Shelton - Deferred comments.

Mr. Snellings - Thanked citizen, Gregory Gavan, for doing a lot of work regarding sign clean-up on roads; thanked staff and Lisa Butler saying that illegal or improperly placed 700 signs were removed from County streets and rights-of-way. He asked staff to look into a possible canoe launch at Lake Mooney.

Report of the County Attorney – Deferred comments.

Report of the County Administrator – Mr. Foley introduced Interim Public Works Director, Keith Dayton. Mr. Dayton provided an update on parks and roads projects in the County. Mrs. Maurer asked when the cones on Garrisonville Road would come down. Mr. Dayton replied that paving would be done in early May, followed by striping and when that was complete, the cones would be removed. Mr. Cavalier asked if the design for the Route 1/Telegraph Road/Woodstock Lane improvement project was permanent or temporary. Mr. Dayton said that it was the permanent design; that there was a conflict with a pole but when resolved the temporary traffic signal would be installed. Ms. Shelton asked to be invited to a pre-construction meeting and asked that the transformers on the ground at Courthouse Road and Andrew Chapel Road be removed.

Mr. Foley then introduced Budget Division Director, Ms. Andrea Light, who provided the Board with the third quarter report. She noted that overall, property taxes were expected to exceed the FY2018 budget; personal property taxes were strong and also expected to exceed budget. Consumption taxes and building and permit fees were also anticipated to exceed budget. Ambulance charges were projecting slightly below budget; interest is projected to be a

solid source of revenue in FY2018. Total expenditures will be under budget and \$500,000 in vacancy savings will also be met. Health insurance is tracking under budget and reserved prior health insurance savings of \$470,120 will be remitted to OPEB as per the County's financial policies. The Rappahannock Juvenile Detention Center is over budget due to the number of juvenile offenders there from Stafford as well as the nature and severity of their offenses. Private Day School placements exceed budget by \$1.5 million; residential treatment facilities are exceeding budget by \$389,000. There is a projected Capital Projects Reserve balance (above the \$1.5 million required) of \$3,709,012. Proposed uses include \$2,050,783 for one-time uses; an increase to CSA reserves of \$250,000; and an increase to the Corrections fund balance of \$450,000. If all proposals are incorporated into the adopted budget, the projected balance will be \$958,329. The available amount in the Schools Capital Projects Reserve is \$46,222. Reserves for the new Courthouse are \$1.2 million and the reserve for major School capital projects is \$900,000. Regarding transportation and utilities, impact fees are strong and gas taxes are higher than budgeted; Utilities availability fees will exceed budget and interest rates continue to create a positive flow.

**APPROVAL OF THE CONSENT AGENDA**

Mrs. Maurer motioned, seconded by Mr. Ceon, to adopt the Consent Agenda.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

Item 4. County Administration; Approve Minutes of the April 3, 2018 Meeting and the Minutes of the March 27, 2018 Budget Work Session

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R18-99 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED APRIL 03, 2018 THROUGH APRIL 16, 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 17<sup>th</sup> day of April, 2018 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize the County Administrator to Budget and Appropriate Health Benefit Savings to the Other Post-Employment Benefits Trust

Resolution R18-89 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE HEALTH BENEFIT SAVINGS TO THE OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST FUND

WHEREAS, health insurance savings in FY17 in the amount of \$470,120, were realized and held in reserve; and

WHEREAS, the County's Principles of High Performance Financial Management designate that any health care savings, after all expenditure and reserve needs have been met, be contributed to the Other Post-Employment Benefits (OPEB) Trust Fund; and

WHEREAS, with careful management, these funds are not anticipated to be needed in FY18 for health insurance costs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the County Administrator be and he hereby is authorized to budget and appropriate health care benefit savings in the amount of Four Hundred Seventy Thousand One Hundred Twenty Dollars (\$470,120), held in reserve in the General Fund, to the Other Post-Employment Benefits (OPEB) Trust Fund.

Item 7. Commonwealth's Attorney; Authorize the County Administrator to Accept the Victim/Witness Assistant Program Grant from the Virginia Department of Criminal Justice Services

Resolution R18-90 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPLY FOR THE CONTINUATION OF GRANT #18U9564VW16 WITH THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FY2019-2021

WHEREAS, the Virginia Department of Criminal Justice provides grant funding to support local Victim/Witness programs through its Victim/Witness Grant Program (Grant); and

WHEREAS, the Commonwealth Attorney's office was awarded Grant funding for the County's Victim/Witness Assistance Program in 2016, and desires to apply for continuation funding for FY2019-2021; and

WHEREAS, the projected maximum Grant award for FY2019 is \$194,753.00, reflecting a 2% increase in funding over the FY2018, and level funding in FY2020-2021; and

WHEREAS, there is no local/County match required at this time; and

WHEREAS, a completed application including an itemized budget and budget narrative must be received by the Department of Criminal Justice Services before 5:00 p.m. on Wednesday, April 18, 2018; and

WHEREAS, the Board finds that applying for the Grant promotes the health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17th day of April, 2018, that it be and hereby does authorize the County Administrator to apply for a continuation of Grant Number 18-U9564VW16 in the maximum amount of One Hundred Ninety-four Thousand Seven Hundred Fifty-three Dollars (\$194,753) from the Virginia Department of Criminal Justice Services for FY2019-2021.

Item 8. Information Technology; Authorize the County Administrator to Execute a Contract with Advanced Media Solutions of Virginia, LLC for Video Services for the Planning Commission and the Board of Supervisors

Resolution R18-103 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH ADVANCED MEDIA SOLUTIONS OF VIRGINIA, LLC FOR VIDEO SERVICES FOR THE PLANNING COMMISSION AND BOARD OF SUPERVIORS MEETINGS

WHEREAS, the County issued a request for proposal (RFP #322183) for video services for the Planning Commission and Board of Supervisors meetings; and

WHEREAS, video services are composed of live broadcasting Board of Supervisors and Planning Commission meetings on the County's cable TV channel, and live-streaming on the County's website; and

WHEREAS, services also include maintaining the County's bulletin board (SCALA) system on a 24-hour, seven-day-per-week basis, and video on demand for archived meetings; and

WHEREAS, staff recommends awarding the contract to Advanced Media Solutions of Virginia, LLC in the amount of \$126,000 per year with an option to renew for up to five additional one-year terms, with an annual increase not to exceed 3% for years two through six, which staff finds reasonable for the scope of services desired; and

WHEREAS; funds are available in the Board of Supervisors' budget for this expense;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of April, 2018, that the County Administrator be and he hereby is authorized to execute a one-year contract with Advanced Media Solutions of Virginia, LLC in an amount not to exceed One Hundred Twenty-Six Thousand Dollars (\$126,000), with the option to renew for five additional one-year terms, with an annual increase not to exceed 3% for years two through six, for video services for the Planning Commission and Board of Supervisors meetings, unless amended by a duly-executed contract amendment.

Item 9. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Solicit Comments on the Telegraph Road Safety Improvement Project

Resolution R18-95 reads as follows:

RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO SOLICIT COMMENTS ON THE TELEGRAPH ROAD SAFETY 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 and safety performance as the original concept; and

WHEREAS, the Virginia Department of Transportation (VDOT) reviewed the County's request to modify the scope of the Project to allow construction of the alternative Project, and approved the changes subject to the County making certain commitments; and

WHEREAS, one of the commitments included the assurance that the public involvement process has been completed and that public comments, if any, have been addressed; and

WHEREAS, the Board desires to conduct a public hearing as the most efficient way to receive public comment on the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 17<sup>th</sup> day of April, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to solicit comments from the public pertaining to the Telegraph Road Safety Improvement Project.

Item 10. Planning and Zoning; Request that the Planning Commission Conduct a Comprehensive Review of the Cluster Development Regulations, Develop Modifications to the Cluster Ordinance Regulations, and Adjustments to the Cluster Subdivision Area Map

Resolution R18-97 reads as follows:

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION CONDUCT A COMPREHENSIVE REVIEW OF THE CLUSTER DEVELOPMENT REGULATIONS, DEVELOP MODIFICATIONS TO THE CLUSTER DEVELOPMENT REGULATIONS, AND CONSIDER ADJUSTMENTS TO THE CLUSTER SUBDIVISION AREAS MAP

WHEREAS, Virginia Code § 15.2-2286.1, authorizes certain localities to make provisions for cluster developments; 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 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, and Zoning and Subdivision Ordinance regarding cluster development regulations, to provide for quality development, and to preserve the rural character of the rural areas of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the Planning Commission be and it hereby is requested to conduct a comprehensive review of the cluster development regulations in the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance; develop modifications to the cluster development regulations; and consider adjustments to the Cluster Subdivision Areas map as deemed appropriate; and

BE IT FURTHER RESOLVED that the Planning Commission is requested to make recommendations to the Board by March 31, 2019.

Item 11. Utilities; Authorize Fleet Services to Construct and Operate a Fueling Station on TMP 30-3B

Resolution R18-104 reads as follows:

A RESOLUTION TO AUTHORIZE FLEET SERVICES TO CONSTRUCT A FUELING STATION ON TAX MAP PARCEL NO. 30-3B, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, on October 17, 1978, the Board and the School Board entered into an agreement for the construction of a central garage for maintenance services for County and School Vehicles (Agreement); and

WHEREAS, the Agreement established the Central Garage Committee (Committee) comprised of the County Administrator, the Superintendent of Schools, and a tie-breaker, currently the Stafford County Sherriff; and

WHEREAS, the Committee oversees the operation of the Central Garage and fueling stations through fleet services, which is jointly funded by the County and the Schools; and

WHEREAS, the interchange improvements at I-95 and Courthouse Road necessitated the removal of the previous fueling station, and there is a need for a northern fueling station in the County; and

WHEREAS, the Committee identified Tax Map Parcel No. 30-3B, County-owned property adjacent to the Aquia Wastewater Treatment Facility (Site); and

WHEREAS, the Planning Commission performed a Comprehensive Plan Compliance Review for the proposed facility on the site and found it to be substantially in accord with the County's Comprehensive Plan; and

WHEREAS, the Committee reviewed the proposed plans and recommends approval of the Site for construction of the fueling facility; and

WHEREAS, there are funds available within the Fleet Services budget for construction of the facility; and

WHEREAS, the Board desires to have Fleet Services construct a fueling station on the Site for the benefit of County and Schools vehicles;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that it be and hereby does authorize Fleet Services to construct a fueling station on Tax Map Parcel No. 30-3B in line and in conformance with the October 17, 1978 agreement.

Item 12. Utilities; Authorize the County Administrator to Submit a Grant Application to the Virginia Dam Safety, Flood Prevention, and Protection Assistance Fund for Repairs to the Abel Lake Sluice Type Gate Valve

Resolution R18-91 reads as follows:

A RESOLUTION RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO AND ACCEPTING FUNDS FROM THE VIRGINIA DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE FUND FOR REPAIRS AND REPLACEMENT OF THE ABEL LAKE SLUICE TYPE GATE VALVE, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Virginia General Assembly created the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund (Dam Safety Fund) to assist with costs for a specific regulated dam, for a specific eligible project; and

WHEREAS, the State announced the solicitation of applications for the Dam Safety Fund grants for a specific eligible project; and

WHEREAS, the Dam Safety Fund grant would help defray the cost of the needed repairs at the Abel Lake Dam sluice type gate valve, located in the Hartwood Election District; and

WHEREAS, the County proposes to use the Dam Safety Fund grant money to engineer and design improvements to the Abel Lake Dam; and

WHEREAS, the estimated cost of the repairs and replacement is \$150,000, and the County proposes to request \$75,000 in grant funds with a County match of \$75,000, which is available in the Utilities Capital Improvement Program (CIP) fund; and

WHEREAS, the grant application was due on March 30, 2018, and as time was of the essence, the Board desires to acknowledge and ratify the submission of the grant; and

WHEREAS, the Board desires to authorize the acceptance of the grant funds, if awarded;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the County Administrator's submission of an application for funds from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund grant (Grant) be and it hereby is ratified; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to accept the Grant, if awarded, for repairs and replacement of the Abel Lake Dam sluice type gate valve,

in an amount not to exceed Seventy-five Thousand Dollars (\$75,000), with a County match of Seventy-five Thousand Dollars (\$75,000).

Item 13. Fire, Rescue, and Emergency Services; Authorize the County Administrator to Approve Financing, Budget and Appropriate Proceeds, and Execute a Contract for the Purchase of Two Replacement Fire Suppression Apparatus

Resolution R18-93 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE FINANCING, BUDGET AND APPROPRIATE THE PROCEEDS, AND EXECUTE A CONTRACT FOR THE PURCHASE OF TWO REPLACEMENT FIRE SUPPRESSION APPARATUS

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

WHEREAS, the County's Fire, Rescue, and Emergency Services Department (Department) operates pumper engines (Engines) as part of its all-hazard approach to emergency response; and

WHEREAS, there are currently two Engines that have surpassed the recommended service life of ten years and has high mileage as established by the Department's Fleet Replacement Plan; and

WHEREAS, the Department desires to place two current Engines with new 2018 Spartan Metro Star engines; and

WHEREAS, the Board desires to utilize the Houston-Galveston Area Council (H-GAC) cooperative procurement service, a nationally recognized service to purchase the new Engines, which are manufactured by Spartan Fire Apparatus, and offered through FESCO Emergency Sales; and

WHEREAS, FESCO Emergency Sales will provide the two replacement Engines at a price of \$1,294,000, which staff has evaluated and finds to be reasonable for the equipment desired; and

WHEREAS, funds for this purchase are available in the FY2018-27 Capital Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the County Administrator be and he hereby is authorized to execute a contract utilizing the Houston-Galveston Area cooperative procurement service, to purchase two replacement Class A pumper engines from FESCO Emergency Sales, in the amount not to exceed One Million Two Hundred Ninety-four Thousand Dollars (\$1,294,000), unless amended by a duly-executed contract amendment as included in the FY2018-27 Capital Improvement Program; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve financing through the Master Lease, and to budget and appropriate funds obtained through the

Master Lease in an amount not to exceed One Million Two Hundred Ninety-four Thousand Dollars (\$1,294,000).

Item 14. County Attorney; Authorization to Exceed the Procurement Threshold in Ongoing Litigation

Resolution R18-96 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY TO EXCEED  
THE PROCUREMENT THRESHOLD IN SPECIFIC ONGOING LITIGATION**

WHEREAS, the County Attorney's Office provides legal services to the Board in defending and pursuing the Board's position in active and ongoing litigation; and

WHEREAS, the County Attorney engages the services of outside legal counsel and experts to aid in providing legal representation to the Board; and

WHEREAS, the County Attorney has requested and the Board desires to exceed the procurement threshold in specific ongoing litigation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the County Attorney be and she hereby is authorized to exceed the procurement threshold and continue funding legal services in the ongoing and active litigation matters concerning Crow's Nest Harbour and the Cluster Ordinance amendments.

Item 15. Community Engagement; Authorize the County Administrator to Advertise a Public Hearing to Consider a New Agreement with Cox Communications

Resolution R18-94 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO  
ADVERTISE A PUBLIC HEARING TO CONSIDER A NEW CABLE  
FRANCHISE AGREEMENT WITH COX COMMUNICATIONS**

WHEREAS, the County's current cable franchise agreement extension with Cox Communications (Cox) expires on June 6, 2018; and

WHEREAS, County staff, outside counsel, and representatives of Cox completed negotiations on a new franchise agreement on March 8, 2018; and

WHEREAS, at its meeting on April 2, 2018, the Telecommunications Commission voted unanimously to recommend that following a public hearing, the Board authorize the County Administrator to execute the new agreement; and

WHEREAS, the Board desires to receive public testimony at a public hearing on the terms of the new agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April 17, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider execution of a new cable franchise agreement with Cox Communications.

Item 16. Community Engagement: Proclamation Recognizing the 200<sup>th</sup> Anniversary of Mount Olive Baptist Church Note, presented May 19<sup>th</sup> by Supervisor Snellings at the Church's event.

Proclamation P18-10 reads as follows:

**A PROCLAMATION RECOGNIZING THE 200<sup>TH</sup> ANNIVERSARY OF  
MOUNT OLIVE BAPTIST CHURCH**

WHEREAS, Mount Olive Baptist Church is the oldest African American church in Stafford County, founded on May 16, 1818, near Roseville by Rev. Horace Crutcher and five other individuals; and

WHEREAS, this year, the congregation of Mount Olive Baptist Church and their pastor, the Rev. Dr. George A. Langhorne, will celebrate its 200<sup>th</sup> Anniversary; and

WHEREAS, over the last 200 years, the Church has served Stafford's community tirelessly and continuously through its many missions, ministries, and activities for its members and to the benefit of the community; and

WHEREAS, some of Mount Olive's outreach programs include providing care, financial assistance, food, clothes, school supplies, and other items to the needy, as well as to senior citizens, shut-ins, those who are ill or in distress, and others; and

WHEREAS, Mount Olive has provided programs and activities for its youth including financial assistance to further their education; and

WHEREAS, the church has many auxiliaries, ministries, choirs, and is a member of many civic organizations and is a supporter of local groups such as S.E.R.V.E and the Stafford County Department of Fire and Rescue; and

WHEREAS, the church's motto is, "The Church Where Everybody is Somebody for God;"

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that it be and hereby does recognize the 200<sup>th</sup> Anniversary of Mount Olive Baptist Church and commends its members for their ongoing commitment to fellowship and community outreach and support.

**UNFINISHED BUSINESS**

Item 17. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of the County's Quick Take Power in Connection with the Juggins Road Improvement Project for Temporary and Permanent Easements on TMP 21-L-6-M Mr. Cavalier said that he spoke with the head of the Board of Directors and the property manager who said they had no confidence in their ability to get the required number of signatures and were amenable to the condemnation/quick take solution. One concern was that they believed there would be a sidewalk constructed from Perry Farms all the way to the new elementary school, and that they could use the school once or twice a year for HOA meetings. Mr. Cavalier forwarded that request onto Jamie Decatur.

Mr. Cavalier motioned, seconded by Mr. Coen to adopt proposed Resolution R18-83.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

Resolution R18-83 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A TEMPORARY CONSTRUCTION EASEMENT, AND PERMANENT UTILITY EASEMENTS ON TAX MAP PARCEL NO. 21L-6-M FOR THE JUGGINS ROAD IMPROVEMENT PROJECT LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Juggins Road (SR-711), north of Chadwick Drive (SR-766) (Project), as a critical part of Stafford County's road improvement plan; and

WHEREAS, acquisition of right-of-way and easements are necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 21L-6-M (Property) consists of approximately 0.480 acres of land owned by the Perry Farms Homeowners Association (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 0.107 acres of fee simple right-of-way, 0.051 acres of temporary construction easement, 0.097 acres of permanent utility easement to be conveyed to Columbia Gas, and 0.097 acres of permanent utility easement to be conveyed to Verizon for the Project on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is determined to be approximately \$2,564, based upon an evaluation in October 2017 by a certified appraiser; and

WHEREAS, the Board, through its acquisition consultant, made a bona fide effort to purchase the affected areas of the Property by offering said fair market value on behalf of the County to the Property Owner; and

WHEREAS, the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach final settlement; and

WHEREAS, to determine the necessity for condemnation and exercise of the County's quick-take powers, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, a temporary construction easement, and permanent utility easements to be conveyed to Columbia Gas and Verizon, on the property of the Perry Farms Homeowners Association, Tax Map Parcel No. 21L-6-M, all in connection with the Juggins Road Improvement Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 18. Planning and Zoning: Consider Revoking SUP80-11 for a Used Automobile Sales and Service Facility Located on TMP 21-44, in the B-2 Urban Commercial Zoning District, 24 Derrick Lane Zoning Administrator, Ms. Susan Blackburn, gave a presentation and answered Board members questions. Pictures of past violations were distributed in hard copy to the Board, and a detailed history was given of car dealerships on that property. Following a Board meeting on October 17, 2017 where the Board deferred a vote on revocation of SUP80-11, the property remained vacant until February, 2018. Complaints from residents of Derrick Lane were received shortly thereafter. On March 28, 2018, a violation of Condition #3 was observed by County staff. Staff noted the violation and noted that it had been corrected on a follow-up visit on April 5, 2018. On a follow-up staff visit on April 11, 2018, the vehicles were relocated and were compliant with the conditions of the SUP.

Mr. Snellings asked for a staff recommendation. Ms. Blackburn replied that if the occupant could not remain compliant with the conditions of SUP80-11, it was the Board's prerogative to revoke the SUP. Mr. Snellings asked for confirmation that speeding on Derrick Lane was not one of the conditions and could not be considered by the Board when considering revoking the SUP. Ms. Blackburn confirmed that speeding on Derrick Lane was not a condition of the SUP.

Mr. Coen spoke about the timeline and noted that when Zoning staff returned to the dealership, the violations had been abated. Ms. Shelton said that she visited the dealership on March 18<sup>th</sup> but there was no staff on site for her to talk with. She received letters from Derrick Lane residents documenting dates/time of violations including a tow truck blocking the road and speeders on the street; this information was provided to Ms. Blackburn.

Mr. Cavalier said it was deferred for six months as a probationary period and remained vacant until February, leaving only two months for violations to occur as they could not occur if the lot was empty. He asked why the owner took a chance. He said that he felt for the residents and would not make this decision lightly but the residents had noted complaint after complaint. Mr. Cavalier said he had no comfort level that the current occupant would comply with the conditions of the SUP.

County Attorney, Rysheda McClendon, recommended allowing the applicant to respond. Mr. Leming said that he disagreed with the comments; that when violations were noted with the previous tenant, the owner (Mr. Atai) evicted that tenant. He noted that when the violations were first brought to the owner's attention, he met with Ms. Blackburn on site and a fence, with all the necessary permits, was erected. Mr. Leming agreed that the former tenant's parking on the street was a blatant violation but that tenant had been kicked off the property. He spoke about the 1981 SUP and plat saying that it was a prescriptive easement, not a right-of-way; he spoke with the surveyor to get the boundary of the property at 24 Derrick Lane. He spoke with VDOT about a 1984 letter regarding paving Derrick Lane and added that no one know where

the old, prescriptive right-of-way is. In 2003, there was a resolution to pave Derrick Lane. The intended use (in 1981) of that area was used car dealers up and down Route 1; Derrick Lane was not in any form such as it is today. Mr. Leming said that he did not blame the neighbors for being upset but that the owner did not have any bad intentions and moved the vehicles. He denied any test runs or unloading cars on Derrick Lane; that there are two sides to every story and two months was not enough time to show that the current tenant could be a good neighbor; it was premature to revoke the SUP at this time. It was Mr. Atai's intention to do the right thing and to conduct his business adhering to County rules.

Ms. Shelton said that she loved the small businesses in the County, they were very important. It was also very important that they be good neighbors and work well with other businesses and neighbors. She noted that last October, the violations were made clear to the owner and once the lot had a new tenant, a violation occurred again and the neighbors were again being troubled by test driving vehicles at unsafe speeds on Derrick Lane in front of their homes.

Mr. Snellings said that he was sympathetic to the plight of the homeowners on Derrick Lane; that he lives on a high traffic road, too, but that the County had no control over test driving vehicles on Derrick Lane; speed control was up to the Sheriff. And there was no solid staff recommendation so he was not going to support revoking SUP80-11.

Mr. Coen noted that he was on the Planning Commission when this came up the first time and there was meticulous documentation of numerous violations. He thought that staff did phenomenal work then and now at documenting violations including laser measurements of vehicles parked over the line. Mr. Coen said he reread the Planning Commission minutes, which talked about wanting the dealership to be good neighbors and remain in compliance with conditions of the SUP. He said that the lot was kept vacant for four of the six months, he felt that it was not premature to revoke the SUP as the dealership was onerous to the neighbors, who had documented further violations just since February. Mr. Coen, too, said that he supported small businesses in the County, adding that the neighbors should not have to put what they have had to deal with for several years.

Mr. Cavalier noted that residents of Derrick Lane had been before the Board and the Planning Commission on several occasions, both about the car dealership and the hotel property; they were always been respectful and patient, allowing the County to do its job. He said that he felt that problems of the past were indications of problems in the future and he would support revocation of the SUP.

Mrs. Maurer said that Mr. Snellings had a good argument; that she made the original motion for deferral in October 2017. She said that knowing the investment and cost of legal representation, it was incumbent upon the property owner to remain in compliance with the conditions of the SUP. She said that this was the last chance and there were already violations noted even though they only occupied the property for the past two months. She said that she would support revocation of the SUP.

Ms. Bohmke thanked everyone, including the Derrick Lane residents present in the Chambers. She said that they did not deserve what was happening on their road; she, too, was a proponent of small businesses but there did not appear to be any mutual respect, tact, or diplomacy on the part of the property owner or his tenants, and she would support revocation of the SUP.

Ms. Shelton motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-101.

The Voting Board tally was:

Yea:	(5)	Bohmke, Cavalier, Coen, Maurer, Shelton
Nay:	(1)	Snellings
Absent:	(1)	Dudenhefer

Resolution R18-101 reads as follows:

A RESOLUTION TO REVOKE SPECIAL USE PERMIT SUP80-11 FOR A USED AUTOMOBILE SALES AND SERVICE FACILITY IN A B-2, URBAN COMMERCIAL ZONING DISTRICT, ON TAX MAP PARCEL NO. 21-44, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, pursuant to Resolution R81-68, special use permit (SUP) application SUP80-11 for a used automobile sales and service facility in the B-2, Urban Commercial Zoning District, on Tax Map Parcel No. 21-44 (Property), was approved by the Board with conditions, on January 20, 1981; and

WHEREAS, David Attai (Property Owner) has failed to comply with such conditions, and despite notification of non-compliance, has repeatedly violated the conditions of SUP80-11; and

WHEREAS, SUP80-11 Condition No. 7 states, “this permit may be revoked at the discretion of the Board of Supervisors for violation of these conditions or for violation of the County Code;” and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and the Zoning Administrator, 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 17<sup>th</sup> day of April, 2018, that special use permit SUP80-11 adopted pursuant to Resolution R81-68 be and it hereby is revoked.

**CLOSED MEETING**

At 4:31p.m., Mr. Snellings motioned, seconded by Mr. Coen, to adopt proposed Resolution CM 18-09.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

Resolution CM18-09 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion regarding recruitment for the department head position in Economic Development and Public Works; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, does hereby authorize discussion of the above referenced matter in Closed Meeting.

### **CLOSED MEETING CERTIFICATION**

At 4:55 p.m., Mrs. Maurer motioned, seconded by Ms. Shelton, to adopt proposed Resolution CM 18-09(a).

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

Resolution CM-18-09 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 17, 2018

WHEREAS, the Board has, on this the 17<sup>th</sup> day of April, 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 17<sup>th</sup> day of April, 2018, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Board.

At 4:56 p.m., the Chairman adjourned the afternoon session of the April 17, 2018 meeting.

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

Ms. Bohmke asked Mr. Foley to announce details about hiring of the County's new Economic Development Director. Mr. Foley said that he was pleased to announce that Mr. John Holden had accepted the position of Economic Development Director, effective May 21, 2018. Mr. Holden has extensive experience over the last 20 years in economic and business development across the State of Maine. Mr. Holden was quoted as saying, "Stafford County has seen significant economic growth over the last decade and has more great things on the horizon, including the development of Downtown Stafford. I am excited to be a part of the County's efforts and I look forward to being a part of Stafford's future."

## Presentations by the Public – II

Lou Wendling - Resident since 1986 and retired Brooke Point HS teacher who is raising a seven year old grandson that attends Moncure ES; she is active in the PTO and thanked several teachers, aids, bus drivers, and the principal for the outstanding care they provide for her grandson. She said that they are worth more than they are paid and encouraged the Board to adopt the \$0.99 tax rate.

Julie Perham - Teacher at Hampton Oaks ES; thanked the Board for doing its difficult job and said that she supported the \$0.99 tax rate in hopes that the additional funds would go toward teacher raises; that there were teachers moving to communities where they could live and work since they could not afford to live in Stafford due to low wages. She said that quality teachers make for good schools, which attract new residents, which lead to new businesses. She spoke about low paid paraprofessionals that in spite of their low salaries, bring food to school for the students that don't have any. The Board should increase taxes to provide optimal funding for the schools.

Elizabeth Hidrobo - Taught at Brooke Point HS for 15 years; spoke about students writing essays (or not having to write them as was the case) and how writing was preparation for college but due to lack of funding, classes are not available to teach this valuable tool to students. If Stafford is the sixth richest country, why is Stafford not able to give the 4% raise to its school personnel that Spotsylvania (who is not even in the top 25%) able to give? Please raise taxes to provide for school staff, bus drivers, paraprofessionals, and teachers.

Shawn Freeman - Served 22 years in the Marines; moved back to Stafford in 2006 for the third time at the end of his military service. Teachers leaving because pay is entirely unreasonable; asked why teachers are not paid comparable to surrounding counties; there was a lack of priorities. He said there was no second chance to replace the education that students were missing. \$66 million was spent to rebuild Stafford HS – why wasn't that school renovated instead saving millions of dollars. Moncure ES is being rebuilt yet there is no net gain to student capacity... why?

Donna Chitty - Talked about the new Dollar General store going on Courthouse Road across from Stafford ES and already existing traffic issues with Stafford Avenue and Hope Road; said that she is scared now to pull out onto Courthouse Road due to poor visibility and excessive traffic. The new I-95 intersection will not help; it will only make things worse. Asked for clarification about the proposed downtown Stafford and traffic calming proposals for Courthouse Road. (Following the meeting, contact information was obtained and County staff was asked to contact Ms. Chitty.)

Ruth Carlone - Agreed with previous speaker that the new Dollar General is being a put in a horrible location for retail. She spoke about a shortage of volunteer firemen and the need for a business license to operate in the County, which the Board rescinded. She spoke about SERVE, teacher and bus driver salaries, and income from business licenses that could help compensate those deserving people; said the County was short changing its kids.

Bonnie Cox - Stafford teacher for 20 years; said the bus situation was frustrating and caused teachers to work an hour over-time every day for which they did not get paid. Buses have to do a second run due to a lack of vehicles and children are on buses for too long a time due to traffic in this area. That day she was kicked in the stomach by a student who she told to not run in the hallway; she was bruised by a child that she told to not hit another student. These children need help; there is supposed to be one counselor for 250 students where as there is only one counselor for 700+ students at her school (did not name the school). Children are physically aggressive and very frustrated and need help. She asked that the Board please raise taxes to better provide a safe and supportive school environment.

Sharon Foley - A resident of the Aquia District who spoke about Courthouse redevelopment that was discussed back in 2010 but there has been no progress since then. She lives two miles away and all she sees are piles of dirt similar to what is at Aquia Harbour. Traffic near Stafford Avenue is horrible and a Dollar General Store is a bad idea. Equated situations in the County with the game Jenga where things are being pulled out of the bottom and the tower is about to fall over. She said she moved here for the schools and have one child with four and one-half years to go and asked the Board to please pass the higher tax rate to afford needed infrastructure and money to the Schools.

Paul Waldowski - Talked about priorities and lame ducks; new fire station and land outside North Stafford High School; gerrymandering; politicians not receiving at least 50% of the vote should not be in office; talked about tax rates and acreage; teachers and blue collar workers are being hurt by tax rates; Fredericksburg Christian School; lawyers that do not care about \$500,000 saying that was just billable hours; his son, Adam, aced the SOL tests; there are 45 states, four commonwealths, and the republic of Texas.

## **PUBLIC HEARINGS**

Item 19. Finance and Budget; Set the Tax Rate for the Lake Arrowhead Service District Ms. Light said that the rate was \$0.10 per \$100 of assessed value. Mrs. Maurer said the original budgeted amount was \$112,000 and the tax rate changed due to reassessment. She thanked Senator Richard Stuart for his help with grant funding and the residents who supported the idea of a service district at Lake Arrowhead, as well as the Board for its support.

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

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Mr. Coen to adopt proposed Ordinance O18-22.

The Voting Board tally was:

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

Absent: (1) Dudenhefer

Ordinance O18-22 reads as follows:

AN ORDINANCE TO ESTABLISH THE LAKE ARROWHEAD SERVICE  
DISTRICT CALENDAR YEAR 2018 TAX RATE

WHEREAS, at its meeting on February 7, 2017, the Board approved Ordinance O17-01 creating the Lake Arrowhead Service District; and

WHEREAS, the Virginia Code requires, and the Board desires to set a special tax assessment for properties within the Lake Arrowhead Service District boundaries; and

WHEREAS, a public hearing on the proposed Calendar Year 2018 tax rates was held on Tuesday, April 17, 2018, at 7:00 P.M., in the Board Chambers at the George L. Gordon, Jr., Government Center, located at 1300 Courthouse Road, Stafford, Virginia; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the special tax assessment rate be and it hereby is established for the Lake Arrowhead Service District for the calendar year beginning on January 1, 2018 at \$0.10 per \$100 of assessed valuation.

Item 20. Finance and Budget; Set the Tax Rate for the Lake Carroll Service District Ms. Light said that the rate was \$.144 per \$100 of assessed value. Mr. Coen said that the Lake Arrowhead Service District helped set a precedent that made the evolution of the Lake Carroll Service District go smoothly. He met with lakeside residents in the Argyle Heights neighborhood, all of whom expressed support for this Service District.

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

The Chairman closed the public hearing.

Mr. Coen motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O18-23.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings  
Nay: (0)  
Absent: (1) Dudenhefer

Ordinance O18-23 reads as follows:

AN ORDINANCE TO ESTABLISH THE LAKE CARROLL SERVICE DISTRICT  
CALENDAR YEAR 2018 TAX RATE

WHEREAS, at its meeting on November 21, 2017, the Board approved Ordinance O17-41 creating the Lake Carroll Service District; and

WHEREAS, the Virginia Code requires, and the Board desires to set a special tax assessment for properties within the Lake Carroll Service District boundaries; and

WHEREAS, a public hearing on the proposed Calendar Year 2018 tax rate was held on Tuesday, April 17, 2018, at 7:00 P.M., in the Board Chambers at the George L. Gordon, Jr., Government Center, located at 1300 Courthouse Road Stafford, Virginia; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the special tax assessment rate be and it hereby is established for the Lake Carroll Service District for the calendar year beginning on January 1, 2018 at \$0.144 per \$100 of assessed valuation.

Item 21. Planning and Zoning; Consider Amended Proffers on 12.25 Acres Zoned RBC on TMP 44W-2A and 44W-2B, to Modify Requirements for Washers and Dryers in Each Unit in Celebrate Virginia Planning and Zoning Director, Mr. Jeff Harvey, gave a presentation and answered Board members questions. Chris Hornung for Silver Companies, and their representative, Senator Richard Stuart, were in the Chambers for the presentation. Mr. Harvey said the request was a minor proffer amendment in an area zoned RBC, Recreational Business Campus. The current proffer states that there shall be washers and dryers in each unit. The amendment would require that, at the time of occupancy, the necessary electrical, plumbing and venting connections be installed. The applicant indicated the need for the amendment due to prospective tenants wanting to bring their own washers and dryers. Washers and dryers, provided by a third party vendor, are available to tenants for an additional monthly rental fee. Mr. Harvey noted that staff found that the amendment did not degrade the high quality of the development, nor did it change the intensity or use of the development, and it allows for reliable compliance with the proffers. Mr. Harvey noted that while staff supports the amendment, the Planning Commission recommended denial at its meeting on February 14, 2018.

Mrs. Maurer asked if staff would be required to make a second visit to an occupied unit to ensure compliance. She said there was no way, without a second visit, to ensure that there was a washer and dryer in each unit with the way the amendment was written, which would require extra staff time and money to complete.

Mr. Chris Hornung, said that up to 50% of the mostly empty nesters and young professional renters at this high-end apartment complex expressed a desire to bring their own washers and dryers as they had already purchased higher-end units than were being installed by the third party vendor. He added that there could be an addendum to each lease stating that either the tenant provided its own washer and dryer or leased one for an increase of approximately \$30 per month added onto the apartment rental. Mr. Hornung said there was no central laundry at the facility and having the hook-ups, or a washer and dryer, in each unit was intended to convey the quality of the development. Mrs. Maurer asked about the already printed brochures that



Mr. Snellings motioned, seconded by Mr. Coen, to adopt proposed Ordinance O18-11.

The Voting Board tally was:

Yea:	(4)	Cavalier, Coen, Shelton, Snellings
Nay:	(2)	Bohmke, Maurer
Absent:	(1)	Dudenhefer

Ordinance O18-11 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE PROFFERED CONDITIONS ON TAX MAP PARCEL NOS. 44W-2A AND 44W-2B, ZONED RBC, RECREATIONAL BUSINESS CAMPUS, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, submitted Application RC17152138, requesting an amendment to proffered conditions on Tax Map Parcel Nos. 44W-2A and 44W-2B, zoned RBC, Recreational Business Campus, located within the Hartwood Election District; and

WHEREAS, Tax Map Parcel No. 44W-2A is subject to proffered conditions pursuant to Ordinance O15-38 and Tax Map Parcel No. 44W-2B is subject to proffered conditions pursuant to Ordinance O15-37, both adopted by the Board on October 20, 2015; and

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

WHEREAS, the Board finds that the requested zoning amendment is compatible with the surrounding land uses and meets the criteria for a rezoning in Stafford County Code Sec. 28-206; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of this Ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of April, 2018, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained to amend proffered conditions on Tax Map Parcel Nos. 44W-2A and 44W-2B, zoned RBC, Recreational Business Campus, as specified in the proffer statement entitled, "Proffer Statement, Celebrate Virginia North, Parcels 44W-2A, 44W-2B," dated February 14, 2018.

Item 22. Planning and Zoning; Consider Amending Stafford County Code to Amend RBC Zoning District Regulations Regarding Lot Size, Width, and Setbacks Mr. Harvey noted that this was a housekeeping item aimed at correcting items removed from the Zoning Ordinance when clusters were originally repealed. It would reinstate Table 5.1 which governed lot size, width, and setbacks in the RBC, Recreational Business Campus, zoning districts. Mr. Snellings asked for confirmation that this did not increase density. Mr. Harvey confirmed that it did not increase density in the RBC.

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

Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O18-05.

The Voting Board tally was:

Yea:	(6)	Bohmke, Cavalier, Coen, Maurer, Shelton, Snellings
Nay:	(0)	
Absent:	(1)	Dudenhefer

Ordinance O18-05 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN COUNTY CODE SEC. 28-35, TABLE 3.1. "DISTRICT USES AND STANDARDS," TO RE-ESTABLISH REQUIREMENTS FOR RETIREMENT HOUSING TYPES IN THE RECREATIONAL BUSINESS CAMPUS ZONING DISTRICT AND TO CLEAN UP OTHER ZONING ORDINANCE PROVISIONS

WHEREAS, the RBC, Recreational Business Campus Zoning District allows for retirement housing and refers to Table 5.1 Cluster Regulations for minimum lot sizes and building setbacks; and

WHEREAS, Table 5.1 was repealed with the adoption of Ordinance O12-20; and

WHEREAS, the Board desires to re-establish these regulations for minimum lot size and building setbacks and establish other requirements for retirement housing types in the RBC Zoning District; and

WHEREAS, the Board desires to remove other references to Table 5.1 in the Zoning Ordinance as a clean-up measure; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on the this the 17<sup>th</sup> day of April, 2018, that Stafford County Code Sec. 28-35, Table 3.1 "District Uses and Standards," be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

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

**Table 3.1. District Uses and Standards**

*R-2 Urban Residential—Medium Density.*

(d) *Requirements:*

(6) ~~—Cluster development ..... See Table 5.1 for requirements~~

*R-3 Urban Residential—High Density.*

(d) *Requirements:*

(6) ~~—Cluster development ..... See Table 5.1 for requirements~~

*RBC Recreational Business Campus.*

(c) *Requirements:*

(2) ~~—Minimum yards:— Feet~~

~~Front ..... 40~~

~~Side ..... 0~~

~~Back ..... 25~~

~~(Retirement housing) ..... See Table 5.1, Cluster option for R-2 district~~

Multifamily	Feet
Front .....	40
Side .....	0
Back .....	25

~~\* For multifamily structures, the minimum setback is thirty-five (35) feet from any public right-of-way, and thirty (30) feet from any other structure.~~

~~Nonresidential buildings shall have an additional yard requirement of one foot for each foot of building height greater than fifty (50) feet.~~

(3) ~~—Maximum building height ..... 120 feet~~

~~Maximum building height (multifamily dwelling) ..... 50 feet~~

(4) ~~—Minimum district size ..... 500 acres~~

(5) ~~—Minimum lot area:~~

~~Retirement housing ..... See Table 5.1, Cluster Option for R-2 District~~

~~Executive housing ..... 1 acre~~

(2) ~~—Retirement housing~~

\*For multifamily structures, the minimum setback is 35 feet from any public right-of-way, and 30 feet from any other structure.

\*\*Minimum distance between townhouse end units.

\*\*\*Side yard requirements: The first number indicates the minimum yard for one of the side yards. The second number is the minimum combed total for both side yards.

(3) Executive housing

Minimum yards: \_\_\_\_\_ Feet

Front ..... 40

Side ..... 0

Back ..... 25

Minimum lot area..... 1 acre

	<u>Single-family</u>	<u>Duplex</u>	<u>Town-house</u>	<u>Multi-family*</u>	<u>Village</u>	<u>Patio</u>	<u>Weak-link Townhouse</u>
<u>Minimum yards (feet)</u>							
<b>Front</b>	<u>25</u>	<u>25</u>	<u>15</u>	<u>40</u>	<u>10</u>	<u>10</u>	<u>15</u>
<b>Side***</b>	<u>5/12</u>	<u>3/15</u>	<u>20**</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>
<b>Back</b>	<u>25</u>	<u>25</u>	<u>20</u>	<u>25</u>	<u>20</u>	<u>0</u>	<u>25</u>
<u>Maximum height (feet)</u>	<u>35</u>	<u>35</u>	<u>35</u>	<u>50</u>	<u>35</u>	<u>35</u>	<u>32</u>
<u>Minimum lot width (feet)</u>	<u>60</u>	<u>40</u>	<u>16</u>		<u>60</u>	<u>50</u>	<u>36</u>
<u>Minimum lot size (square feet)</u>	<u>8,000</u>	<u>4,000</u>	<u>1,200</u>		<u>5,500</u>	<u>5,000</u>	<u>3,200</u>

(4) Minimum yards nonresidential: \_\_\_\_\_ Feet

Front ..... 40

Side ..... 0

Back ..... 25

Nonresidential buildings shall have an additional yard requirement of one foot for each foot of building height greater than 50 feet.

(5) Maximum building height nonresidential buildings ..... 120 feet

(6) Minimum district size ..... 500 acres

Adjournment At 8:16 p.m., the Chairman adjourned the April 17, 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