

BOARD OF SUPERVISORS  
STAFFORD, VIRGINIA  
MINUTES  
Regular Meeting  
May 15, 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, May 15, 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.

Ms. Bohmke recognized National Police Week and Peace Officers Memorial Day. She noted that last week the County was honored to have the Law Enforcement United (LEU) with its hundreds of bicyclists stop at the Public Safety Building on its way to Washington D.C. and the Law Enforcement Officers Memorial.

Ms. Bohmke invited the public to the County's observance of Memorial Day on Friday, May 25<sup>th</sup> at 9:00 a.m. at the Armed Services Memorial on the grounds of the Government Center, saying that the gathering will remember those who made the ultimate sacrifice in service to our country. Also, additional bricks purchased since the last Veteran's Day memorial, have been installed.

Mr. Snellings motioned, seconded by Mr. Coen, to adopt the agenda as presented with the addition of one item added to the Consent Agenda, proposed Resolution R18-138: A Resolution Expressing Stafford County's Position in Support of Congressman Rob Wittman's Request for a Detailed Analysis of the Potential Move of the Chemical Biological Radiological Defense Division from Dahlgren to Indian Head.

The Voting Board tally was:

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

Following the adoption of the agenda and add on item, Mrs. Maurer spoke about an item on the Closed Meeting agenda (Item #3) regarding the Cardinal Meadows rezoning and asked that the

text of e-mail she received, as well as verbatim text of a voice mail received from Charles W. Payne, Jr., Esq. with the law firm of Hirschler Fleischer, be added for the record into the minutes of the May 15, 2018 meeting. The subject of the e-mail was RE: Cardinal Meadows Extension/rezoning application RC16151556. The date/time of the e-mail was May 5, 2018, 7:40 a.m. to Principle Planner, Mike Zuraf and cc'd to Jeff Harvey (Director of Planning and Zoning); Matt Murphy and Mark King; and Rysheda M. McClendon (County Attorney); it reads as follows:

*Mike, I hope this finds you well. My client is requesting that the Cardinal Meadows rezoning application be delayed and suspended for a minimum period of six (6) months for the following reasons: (i) inability to directly communicate with the district supervisor regarding the proposal, even though several attempts have been made to undertake this reasonable process; (ii) there is a new Amyclae at the Greens HOA board of directors we most recently commenced a dialogue and require more time to address their concerns; (iii) there are ongoing discussion by members of the general assembly about possible amendments to the current proffer legislation that we believe could improve the rezoning environment in Stafford County if approved; and (iv) the school capacity evaluations for this area of the county should become more clear for all parties within the aforesaid extension period. We appreciate your time and attention to this matter. Respectfully submitted, Charles W. Payne, Jr. Hirschler Fleischer*

Mrs. Maurer said that she took exception to the e-mail, particularly the “inability to directly communicate with the district supervisor regarding the proposal, even though several attempts have been made to undertake this reasonable process.” Subsequently, Mrs. Maurer received voice mail from Mr. Payne asking for an “up or down” vote. Mrs. Maurer said that without public comment, she had no intention of providing Mr. Payne with an “up or down” vote as it was inappropriate of him to have asked for such; it was not right. The verbatim text of Mr. Payne’s voice mail is as follows:

*“Hey Wendy, it’s Charlie Payne. I hope you’re well. Hey, I am following up on communications from me to you via e-mail on Cardinal Meadows and I believe that (inaudible) has also reached out to you. And I know you’re very clear about the project; I’m not sure you have taken a look at what we sent recently, which significantly revises the project to 61 lots. Only two or three of those units would go through Amyclae, the rest would go west through Shelton Woods or Shelton Knolls, I’m sorry. Umm, and we’ve done some TIA analysis on the intersection of Shelton Shop and that traffic and it remains and A or B level of services. There are some significant proffers and I know you have clearly stated that you don’t talk about proffers, but they are fairly close to where they were before the new legislation, which you know I am not a big fan of either. Umm, anyways, I’d just like to get sort of an up or down from you. I think knowing where especially you are would help us going forward with a decision about the project so and again, it’s up to you, it’s up to you if you feel comfortable in letting me know that, certainly I think we’ve worked together and I think you know that I’m very supportive of Stafford County, its Board but I also got to represent my client so I just want to tell them to save money or move forward. So if you could let me know, I’d appreciate it. I’m at 540-604-2108 is*

*my direct office and this is my cell and you have that. I appreciate your time. Hope you have a good day. Bye.”*

Ms. Bohmke presented a proclamation recognizing Emergency Service Providers Week, May 20-26, 2018 to Chief Joe Cardello, Deputy Chief Lori Knowles, Assistant Chief Joe Grainger, Captain Steve Mitchell, and Ms. Martha Newton, Rescue 7/White Oak President). Also present were members of the Colonial Forge High School Firefighters training course.

Ms. Bohmke presented a proclamation to Mr. Thurman Campbell, recognizing Mr. Campbell for serving for 16 years on the Stafford Regional Airport Authority and for his contributions to the Airport and to citizens of Stafford County.

Mr. Curry Robert gave a presentation and updated the Board on the Fredericksburg Regional Authority (FRA) in the interest of economic development in the region. In talking about marketing metrics, Mr. Curry noted that Stafford had an opportunity at 17 projects to date and reviewed FRA's FY18 marketing calendar noting that the FY19 marketing calendar was tentative and dependent on the State's marketing calendar, which had yet to be released. He spoke about innovation and entrepreneurship including Dahlgren Tech transfers; defense contractors; providing start up assistance to two defense contractors; CIT; and new Richmond ventures; FDI; CANSEC; and DSEI. There were two new additions to the pipeline (beginning in FY15) and at the end of the pipeline (FY17) was 48. Mr. Curry spoke about independent and State led marketing trips.

Mrs. Maurer asked Mr. Roberts about how FRA used to attend commercial real estate events and if they were still doing so. Mr. Roberts replied that it was done on a strategic basis and mentioned EAIC and FDI. Mrs. Maurer spoke about a site consultant in Richmond and new locations that were retail centered. Mr. Roberts then spoke about a mix of retail, industrial, and commercial properties, adding that FRA did not deal in retail as much. Mrs. Maurer mentioned ICSE; Mr. Roberts said that FRA did not typically attend ICSE but he would be happy to help the County in providing marketing information. In response to Mrs. Maurer's question, Mr. Foley said that the County was awaiting its newly hired Director of Economic Development, Mr. John Holden, who would start on May 21<sup>st</sup>; he would attend ICSE representing Stafford County.

Ms. Bohmke spoke about Dahlgren Tech transfers. Mr. Roberts said that NSWC had 250 patents and he was participating on a Governor's committee at Dahlgren on May 14<sup>th</sup> and would look for the low hanging fruit. He said that the United Kingdom (U.K.) and Canada expressed a need for partners in the United States; 10 submitted white papers and 8 submitted letters of intent. He spoke about Dominion Virginia Power having a veteran's preference when hiring, which was discussed at a Dominion contractors' event.

Mrs. Maurer attended Senator Warner's security contractor event, which was attended by 50+ contractors and was held at SimVentions' Stafford location. Mrs. Maurer talked about follow through on the authority to operate and background checks and how the bogged-down process was having a chilling effect on economic development and the need for better technology to expedite the security and background check process. She asked Mr. Roberts to solicit ideas and report back to staff. He said that he would ask the local defense contractors work group. Mrs.

Maurer said that he should offer up the Fredericksburg Region to take up the challenge. Ms. Shelton said that she knew of solutions on non-appropriated funds/ATO issues in San Antonio (USAF) and she had case studies that she would share. Mrs. Maurer said she had concerns about building skiff space, selling shares and requiring pre-built-out skiff space; which was no longer certified once the tenant moved out. She asked Mr. Roberts if he knew of a solution. Mr. Roberts spoke about co-located space whether it was just a desk or a room lease in a space not shared with others. Mrs. Maurer talked about unoccupied skiff space in North Stafford with upfront construction costs paid and that could be recertified. She said this would be something for Mr. Holden to look into when he got on board.

Mr. Roberts concluded his report saying that there were 60,000 commuters going out of the local area on a near daily basis and the labor force growth rate of 1.9% was up from 2010 to 2017. He worked with the Commissioner of the Revenue, Scott Mayausky about the Merchant's Capital Tax for Distribution Centers. He met with and prepared a briefing on economic development in Virginia and told Mr. Mayausky about the GoVirginia PamunkeyNet initiative.

Ms. Bohmke thanked Mr. Roberts for his update and noted that Mr. Cavalier was the Board's representative on the FRA and said that economic development was "what it was all about."

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

Phil Hornung - Gave a handout to the Board regarding the Widewater State Park annual update, saying that he was the Vice President of the Friends of Widewater State Park. He said that their work would not be possible without the aid of Mark Dudenhefer when he was in the General Assembly and Mr. Cavalier, his Supervisor. He read the "Friends" mission statement and said they were working with the Department of Conservation and Recreation on an action plan that had six goals. He spoke about pre-colonial times to the present day and said he was concerned that Richmond would not approve the necessary budget to provide operating funds for the Park.

Dan Hicks - Gave a Power Point presentation regarding youth baseball in the County and asked the Board to repeal the SBL Agreement dated 1/6/17 and replace it with an agreement with the IBL (Independent Baseball League). He has a presentation scheduled for the Stafford Sports Commission on May 17<sup>th</sup> and suggested IBL as a bridge option between recreation and high cost travel baseball where County residents would have access to Parks and Rec Sports Division ball fields; both IBL and SBL would be required to pay for the use of the fields during tournament play and the fund would be passed along to the County's Parks and Rec Department. He talked about the SBL charges per player (\$165.00), which included \$5.00 per player passed onto the County's Parks and Rec department; and \$27.00 for a tee shirt, cap, and socks for each player. The rest of the money was kept by SBL who (he said) monopolizes the fields to keep other teams from playing on them. Mr. Hicks concluded his remarks giving a side-by-side comparison of SBL and the proposed IBL.

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 - Deferred comments
- Mr. Cavalier - Deferred Comments
- Mr. Coen - Deferred Comments
- Mr. Dudenhefer - Deferred Comments
- Mrs. Maurer - Deferred Comments – Pulled #17 from the Consent Agenda
- Ms. Shelton - Spoke about Military Appreciation Month and a significant challenge for veterans and having support in Richmond for Veterans Services in court cases.
- Mr. Snellings - May 16<sup>th</sup> is the 200<sup>th</sup> anniversary of Mt. Olive Baptist Church, the oldest church in Stafford County and one of the oldest in Virginia.

Report of the County Attorney – Deferred Comments

Report of the County Administrator – Deferred the construction report to the Board and noted that this meeting’s agenda contained the last Monthly Report, which would now be found on the County’s website and pared down to include usable, actionable items of interest to the citizens of the County and to Board members.

**APPROVAL OF THE CONSENT AGENDA**

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt the Consent Agenda with the exception of Item #17, pulled for discussion by Mrs. Maurer.

The Voting Board tally was:

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

Item 4. County Administration; Approve Minutes of the May 1, 2018 Meeting and the May 2, 2018 Budget Work Session

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R18-117 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED MAY 01, 2018 THROUGH MAY 14, 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 15<sup>th</sup> day of May, 2018 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize Appropriation of the Schools' Insurance Proceeds

Resolution R18-122 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE INSURANCE PROCEEDS TO THE SCHOOLS OPERATING FUND

WHEREAS, the School Board maintains a contingency to account for insurance and grant revenues; and

WHEREAS, in FY18 the actual revenue received is expected to exceed the amount budgeted and appropriated; and

WHEREAS, funds from this account are spent only when and if actually received;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to budget and appropriate funds in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000) to the Schools' Operating Fund to increase its contingency account.

Item 7. Community Engagement; Proclamation Recognizing Emergency Services Providers Week, May 20-26, 2018

Proclamation P18-11 reads as follows:

A PROCLAMATION RECOGNIZING MAY 20-26, 2018 AS EMERGENCY MEDICAL SERVICES WEEK IN STAFFORD COUNTY

WHEREAS, emergency medical services provide a vital public need; and

WHEREAS, members of Stafford County's Fire and Rescue emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden injury or illness; and

WHEREAS, the emergency medical services system consists of emergency medical technicians, paramedics, firefighters, emergency room physicians and nurses, educators, administrators, and others; and

WHEREAS, it is appropriate to recognize the value and accomplishments of Stafford County's emergency medical services provides by designating this week in their honor;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that it be and hereby does recognize May 20-26, 2018 as Emergency Medical Services Week in Stafford County.

Item 8. Community Engagement; Proclamation Recognizing Stafford County's Citizen Assistance Volunteers

Proclamation P18-13 reads as follows:

A PROCLAMATION RECOGNIZING STAFFORD COUNTY'S CITIZEN ASSISTANCE VOLUNTEERS

WHEREAS, one foundation of a decent and just society is the willingness of its people to work together for a common good through volunteers joined together to help those in need; to give their time to recreational and cultural programs; to historic preservation; and to contributing their time and talents to local government; and

WHEREAS, citizen assistance volunteers provide switchboard, reception, and ombudsman services at the George L. Gordon Government Center, and in the past year responded to more than 100,000 requests; and

WHEREAS, this year, citizen assistance volunteers donated 30,000 hours in response to requests for data entry support, traffic and transportation services at the Sheriff's Office; clerical and reception support in the Courts; providing assistance at special events; coaching basketball, cheerleading, football, and volleyball teams; and providing immediate response and assistance during local weather events;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5<sup>th</sup> day of June, 2018, that it be and hereby does recognize, commends and thank all Stafford County's citizen assistance volunteers.

Item 9. Community Engagement; Proclamation Recognizing Mr. Thurman Campbell for 16 Years' Service on the Stafford Regional Airport Authority

Proclamation P18-14 reads as follows:

A PROCLAMATION HONORING AND RECOGNIZING THURMAN CAMPBELL FOR 16 YEARS OF SERVICE ON THE STAFFORD REGIONAL AIRPORT AUTHORITY

WHEREAS, Thurman Campbell is a well-known, retired local businessman who served on the Stafford Regional Airport Authority for 16 years; and

WHEREAS, Mr. Campbell has been an active member of the community and is known for his scrupulous honesty and being a friend to all; and

WHEREAS, a great example of his leadership happened when, in 2004, the Airport received notice that the company providing fixed-base operations would depart in two weeks. Mr. Campbell averted a crisis by proposing that the Airport take over those operations. He secured the necessary equipment and training for operations and the Airport still provides its fixed-base operations to this day; and

WHEREAS, he acted as Chairman for the Authority for several years and served as Treasurer during which time he began the on-going practice of bringing in an independent auditor for yearly audits; and

WHEREAS, Campbell initiated negotiations for the Airport's first corporate tenant and he facilitated the Wings 'N' Wheels Festival that was attended by thousands annually; and

WHEREAS, he also worked with (then) Speaker of the House, Bill Howell, to have Stafford County resident, Mr. Randy Burdette, appointed by Governor Mark Warner as the Director of the Virginia Department of Aviation;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that it be and hereby does recognize and comment Mr. Thurman "T" Campbell for his service to the Stafford Regional Airport Authority and to the citizens of Stafford County.

Item 10. Community Engagement: Proclamation Recognizing Mr. David Shotwell, Robotics Teacher at Colonial Forge High School

Proclamation P18-05 reads as follows:

A PROCLAMATION HONORING AND RECOGNIZING DAVID  
SHOTWELL FOR HIS WORK AS A STAFFORD COUNTY TEACHER  
AND WITH THE ROBOTICS TEAM

WHEREAS, David Shotwell is a history teacher at Colonial Forge High School for the Commonwealth Governor's School and has been a teacher in Stafford County for more than 30 years. He is also the only original Governor's School teacher remaining in Stafford County; and

WHEREAS, Mr. Shotwell has coached the Robotics Team for the regional Governor's School for 20 years, spending thousands of outside school hours encouraging students to learn more about Science, Technology, Engineering and Mathematics (STEM); and

WHEREAS, he has worked with hundreds of students over the years, helping them to win multiple awards, including design, programming and engineering, and inspiration awards; and

WHEREAS, Mr. Shotwell has focused on recruiting more girls for the Robotics Team, resulting in a record number participating this year; and

WHEREAS, Mr. Shotwell also encourages children to be interested in robotics and STEM by taking his team to do demonstrations in elementary schools around the area; and

WHEREAS, Mr. Shotwell's enthusiasm and love of students has made a difference in the lives of countless children as well as in Stafford County Schools; and

WHEREAS, the Stafford Economic Development Authority's sponsorship of the robotics program has empowered and enabled Mr. Shotwell to encourage and engage Stafford's students;



NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that it be and hereby does honor and commend Mr. David Shotwell for his work as a teacher and as coach of the Robotics Team.

Item 11. Community Engagement; Proclamation Recognizing White Oak Equipment, Inc. for Hosting an Oyster Roast for 34 Years and Raising More than \$1 Million to Benefit the Local Community (This proclamation will be presented on May 15, 2018.)

Proclamation P18-09 reads as follows:

A PROCLAMATION RECOGNIZING WHITE OAK EQUIPMENT, INC., FOR HOSTING AN OYSTER ROAST FOR 34 YEARS AND FOR RAISING MORE THAN \$1 MILLION TO HELP BENEFIT THE COMMUNITY

WHEREAS, Frank McCarty, owner of White Oak Equipment, Inc., hosted the first Oyster Roast benefit 34 years ago to assist the family of his friend and employee, Jim Dawson, during his struggle with cancer; and

WHEREAS, throughout the years, the Oyster Roast has raised more than \$1 Million, and every dollar has benefited 32 recipients and their families, and two local organizations; and

WHEREAS, the Oyster Roast is a highly anticipated community gathering sponsored by White Oak Equipment in conjunction with Friendship Baptist Church and Fairview Baptist Church, as well as dozens of other dedicated community members and businesses; and

WHEREAS, the White Oak Equipment Oyster Roast is a wonderful example of the local community coming together to assist those in need, and Frank McCarty is the embodiment of a remarkable friend to the local community;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that it be and hereby does recognize White Oak Equipment and Frank McCarty for service and dedication to those in need in Stafford County and surrounding communities.

Item 12. Public Works; Authorize the Installation of Watch for Children Signs on Olde Concord Road (SR-721)

Resolution R18-120 reads as follows:

A RESOLUTION AUTHORIZING THE INSTALLATION AND MAINTENANCE OF TWO "WATCH FOR CHILDREN" SIGNS ON OLDE CONCORD ROAD (SR-721), LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, the Board adopted the Residential Traffic Management Plan (RTMP) on February 19, 2008, to provide Stafford County citizens with various programs to address traffic-related concerns; and

WHEREAS, the installation and maintenance of “Watch for Children” (WFC) signs are authorized pursuant to Virginia Code § 33.2-251; and

WHEREAS, the residents along Olde Concord Road petitioned for the purchase and installation of WFC signs along Olde Concord Road; and

WHEREAS, the Virginia Department of Transportation’s (VDOT) policy permits the installation and maintenance of two WFC signs along Olde Concord Road; and

WHEREAS, the proposed locations on Olde Concord Road meet the essential criteria for the installation as it is a collector road and not serving as primary access to commercial or industrial areas, based on the current RTMP, WFC Sign Program; and

WHEREAS, the Board finds that installing the WFC signs 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 the 15<sup>th</sup> day of May, 2018, that it be and hereby does approve the purchase, installation, and maintenance of two “Watch for Children” signs along Olde Concord Road (SR-721) at these specific locations:

- Approximately 200 feet past the posted speed limit sign on Olde Concord Road past its intersection with Hope Road (SR – 687) traveling northbound; and
- Approximately 200 feet past the posted speed limit sign on Olde Concord Road past its intersection with Greenridge Drive (SR – 1395) traveling southbound; and

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

Item 13. Fire, Rescue, and Emergency Services; Authorize the County Administrator to Advertise a Public Hearing to Consider Revisions to the County’s Fire Code

Resolution R18-105 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER REPEALING AND REORDAINING ARTICLES I THROUGH VI OF COUNTY CODE, CHAPTER 12, ENTITLED, “FIRE PREVENTION AND PROTECTION,” TO ACCOUNT FOR CHANGES IN STATEWIDE LEGISLATION

WHEREAS, the Board has identified public safety as a top priority; and

WHEREAS, the Board is committed to protecting the lives and property of County residents, business, visitors and first-responders from the devastating consequences of fires, explosions and hazardous materials throughout Stafford County; and

WHEREAS, national model fire codes are frequently updated to address changes in technology, materials, business practices and hazards; and

WHEREAS, Virginia Code § 27-97, authorizes the County to adopt fire prevention regulations that are more restrictive, or more extensive in scope than the Virginia Statewide Fire Prevention Code; and

WHEREAS, the Board desires to consider repealing and adopting new portions of County Code Chapter 12;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider repealing and replacing Articles I through VI Stafford County Code Chapter 12, entitled, "Fire Prevention and Protection."

Item 14. County Administration; Authorize the Reappointment of Mr. Terry Payne to the Industrial Authority of Stafford County and Staunton, VA

Item 15. County Administration; Authorize the Appointment of Mr. Matthew Zurasky to the Rappahannock Area Community Services Board

Item 16. County Administration; Authorize the Appointment of Mr. Bobby Anderson to the FAMPO Citizen's Transportation Advisory Group as a Member-at-Large

Item 17. Parks, Recreation, and Community Facilities; Authorize the County Administrator to Execute a Contract Renewal with Waste Management Mrs. Maurer inquired if this item had gone out to bid before the contract renewal and riding the Schools' contract was decided upon. She said that there used to be only one but now there were two trash vendors in the County and when it came time for the next renewal, she hoped to see that the contract would be open for a competitive bid.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-118.

The Voting Board tally was:

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

Resolution R18-118 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT RENEWAL WITH WASTE MANAGEMENT  
OF VIRGINIA, INC., FOR REFUSE AND RECYCLING SERVICES AT  
VARIOUS COUNTY FACILITIES

WHEREAS, professional refuse and recycling services, which are beyond the capacity of County staff, are needed at various County facilities; and

WHEREAS, Stafford County Public Schools have a contract with Waste Management of Virginia, Inc., for these services, which includes a cooperative procurement provision that the County is utilizing; and

WHEREAS, this contract can be renewed annually through June 30, 2019; and

WHEREAS, funds for these services are available in the Parks, Recreation, and Community Facilities FY2019 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May 2018, that the County Administrator, or his designee, be and he hereby is authorized to execute a contract renewal with Waste Management of Virginia, Inc., for refuse collection and recycling services at various County facilities, in an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000), unless amended by a duly-executed contract amendment.

Item 18. County Attorney: Authorize the County Administrator to Advertise a Public Hearing to Update the Name of the England Run Polling Place

Resolution R18-121 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO  
ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN  
STAFFORD COUNTY CODE SEC. 9-34, "DESIGNATED"

WHEREAS, County Code Sec. 9-34 specifies England Run Library as the designated polling place for the England Run precinct; and

WHEREAS, in December, 2017, pursuant to Resolution R17-307, the Board renamed the England Run Library the William J. Howell Library; and

WHEREAS, the Board desires to consider updating the County Code to reflect this name change;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider an ordinance to amend and reordain County Code Sec. 9-34, "Designated," to update the name of the polling place for the England Run precinct.

Item 19. Utilities: Authorize the County Administrator to Execute a Contract with Johnston Construction Company for the Construction of the Stafford Oaks Sewage Pump Station

Resolution R18-123 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO  
EXECUTE A CONTRACT WITH JOHNSTON ENVIRONMENTAL  
COMPANY, FOR CONSTRUCTION OF THE STAFFORD OAKS SEWAGE  
PUMP STATION PROJECT, LOCATED WITHIN THE AQUIA ELECTION  
DISTRICT

WHEREAS, the Stafford Oaks Sewage Pump Station Project (Project) is included in the Utilities Capital Improvements Program (CIP), and it is designed to replace the existing Stafford Oaks Sewage Pump Station; and

WHEREAS, the County solicited bids for the construction of the Project; and

WHEREAS, four bids were received, and staff determined that the bid submitted by Johnston Construction Company (d/b/a Johnston Environmental Company), in the amount of \$1,079,505, is the lowest responsive and responsible bid, and is reasonable for the scope of services proposed; and

WHEREAS, funds are available and have been appropriated in the Utilities CIP budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to execute a contract with Johnston Construction Company (d/b/a Johnston Environmental Company), in an amount not to exceed One Million Seventy-Nine Thousand Five Hundred Five Dollars (\$1,079,505) for the construction of the Stafford Oaks Sewage Pump Station Project, unless modified by a duly-authorized change order.

Item 20. Authorize an Unsubsidized Pump and Haul Agreement with the Virginia Department of Health for 685 Courthouse Road

Resolution R18-125 reads as follows:

A RESOLUTION AUTHORIZING RESIDENTIAL (NON-SUBSIDIZED)  
PUMP AND HAUL SERVICE AT 685 COURTHOUSE ROAD, LOCATED  
WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the County has a General Permit Agreement (Agreement) with the Virginia Department of Health (VDH) for pump and haul services; and

WHEREAS, the owner of 685 Courthouse Road, Tax Map Parcel No. 29-43B (Property), requested pump and haul services when the existing sewage system on the Property failed; and

WHEREAS, the Property is certified by VDH for pump and haul service but must be added to the Agreement; and

WHEREAS, the Board finds that the Property meets the requirements to qualify for the County's residential (non-subsidized) pump and haul service, last amended by the Board on June 16, 2015, Resolution R15-106; and

WHEREAS, the Board finds that residential (non-subsidized) pump and haul services at the Property promotes public health, safety, and welfare of the County and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to add 685 Courthouse Road, Tax Map Parcel No. 29-43B (Property), to the General Permit

Agreement (Agreement) with the Virginia Department of Health (VDH) for residential (non-subsidized) pump and haul service; and

BE IT FURTHER RESOLVED that this service will be discontinued and removed from the Agreement with VDH when public sewer becomes available to the Property; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial obligation and the Property's owner, Danny Crawford, or any subsequent property owners, shall bear all costs associated with pump and haul service at the Property.

**ADD ON TO THE CONSENT AGENDA:**

County Administration; A Resolution Expressing Stafford County's Position in Support of Congressman Rob Wittman's Request for a Detailed Analysis of the Potential Move of the Chemical Biological Radiological Defense Division from Dahlgren to Indian Head

Resolution R18-138 reads as follows:

A RESOLUTION EXPRESSING STAFFORD COUNTY'S POSITION IN SUPPORT OF CONGRESSMAN ROB WITTMAN'S REQUEST FOR A DETAILED ANALYSIS OF THE POTENTIAL MOVE OF THE CHEMICAL BIOLOGICAL RADIOLOGICAL DEFENSE DIVISION FROM DAHLGREN TO INDIAN HEAD

WHEREAS, the United States Navy has expressed an intent to relocate the Chemical Biological Radiological Defense Division, CBR-D, from the Naval Surface Warfare Center in Dahlgren to the Naval Surface Warfare Center in Indian Head, Maryland; and

WHEREAS, the move of this facility would relocate 154 jobs held by residents of Stafford County and the surrounding region, as well as remove a source of industry for local contractors; and

WHEREAS, minimal information has been made available to the public regarding the reasons behind the proposed move; and

WHEREAS, during the 2005 Base Realignment and Closure (BRAC), the Department of Defense recommended moving Dahlgren's Chemical, Biological and Radiological (CBR-D) work to the Aberdeen Proving Ground in Maryland. The Navy wisely argued against this move, instead recommending the location of the chem/bio facility at Dahlgren as a natural fit. The Navy also pointed out the presence of a new, expensive CBR-D facility with certified level III laboratories fitted with watertight doors to replicate shipboard conditions. The facility was located at Dahlgren. The type of chemical work performed at Indian Head has no relation to the work performed at Dahlgren and would require an expensive refitting of an older facility; and

WHEREAS, regional officials have requested detailed information on two documents: a feasibility study on the potential move, and the architectural and engineering assessment of the overall timeline for facility renovation required to support the transition of CBR. To date, that information has not been received. Additionally, at the Commander's briefing on December 6,

2017, elected officials again requested a cost benefit analysis. To date, that also has not been received; and

WHEREAS, Congressman Rob Wittman has inserted Provision 922 into H.R. 5515 – The FY2019 National Defense Authorization Act as follows:

*“This section would require the Secretary of the Navy to provide a report to the congressional defense committees on the timeline, costs, risks, and benefits of transferring the Chemical, Biological, and Radiological Defense Division, Dahlgren, Virginia, to another location. The report would be required not later than 90 days after the date of the enactment of this Act. This section would further prohibit the Secretary of the Navy from transferring or preparing to transfer the Chemical, Biological, and Radiological Defense Division to another location until 45 days after submission of the report.”*

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that the Board be and it hereby does support Congressman Rob Wittman’s Provision 922 in H.R. 5515 – The FY2019 National Defense Authorization Act for a detailed analysis of the reason for the potential move of the Chemical Biological Radiological Defense Division from the Naval Surface Warfare Center in Dahlgren to the Naval Surface Warfare Center in Indian Head, Maryland.

## **UNFINISHED BUSINESS**

At 4:00 p.m., the Chairman announced that the Board would be moving to the A/B/C Conference Room for a joint meeting with the School Board for the purpose of discussing the Schools’ wish to purchase Fredericksburg Christian School, and would return to the Board Chambers before adjourning to Closed Meeting. All members of the Board of Supervisors were present and members of the School Board except for Ms. Jamie Decatur and Ms. Irene Egan were present for the discussion.

Ms. Bohmke began the joint meeting saying that the meeting was called to discuss the purchase of Fredericksburg Christian School (FCS) and consideration of adding an addition to FCS so as to accommodate additional classrooms that would be needed and provide a long term solution. She said that she and Ms. Shelton were attending the Schools’ Honors Banquet and spoke with School Board members saying that they (the School Board) did not do a good job of telling their story about why FCS was needed. Ms. Shelton expressed her concerns about the purchase and said it was decided to give the School Board another opportunity to “tell its story.”

Deputy County Administrator, Mr. Michael Smith spoke about asking staff to consider options for a northern Early Childhood Special Education (ECSE)/Headstart site including the following: Moncure ES as a 10-year option; Moncure ES as a permanent option; and FCS as is, and considering future needs. Staff looked at the overall costs of each option; the costs per classroom for each option; how each option would meet future capacity needs; and other pros and cons specific to each option.

Looking at Moncure ES as a temporary site, the costs ranged from \$8 to \$12 Million depending on the initial rehab work completed. With 38 classrooms, this option was the lowest cost per class at \$250,000 to \$320,000. However, it was investing money in a temporary use. It also has the highest future maintenance costs as many of the maintenance needs were deferred due to the

expected opening of the new Moncure ES. After its temporary use, a new site would need to be constructed to house over 400 students; commercial use of the site is preferred as the sale price could help off-set future capital costs.

Looking at the old Moncure ES as a permanent site, staff researched moving forward with it as a permanent site or expanding FCS. Considerations were that the Moncure site presented safety concerns due to traffic; the sale of the old Moncure site would generate commercial tax revenue; and FCS provides space for additional expansion after the 10-year window, which Moncure did not.

Staff's recommendation after looking at the options referenced above was the purchase and expansion of FCS, which would allow the use of an ECSE/Headstart north site in FY20, with an expansion to open in FY21. This was the lowest cost per classroom for a permanent option; it allows for the sale of the Moncure property to offset future capital costs and generate future commercial tax revenue; and provides options for future expansion when needed, beyond the 10-year window.

School impacts include using the latest enrollment and student capacity numbers, staff believed the CIP best meets the needs of the School system; a northern ECSE/Headstart center with the purchase of FCS in FY19 and an additional building in FY20; it allows for repairs and renovations to Ferry ES; ES #18 to be completed in FY28; HS #6 to be completed in FY26, assuming that the HS will be built on proffered land, with no land acquisition included; and as capacity and enrollment are provided on the total system, redistricting will be needed to fill all available seats.

In response to Mrs. Maurer's question, Mr. Matt Townsend with the Schools clarified the numbers on the ECSE map regarding those students with an IEP (individual educational profile). He noted that putting 10 students in one classroom was out of conformity with State standards so there would be two shifts with five students each. Ms. Bohmke asked who would be located at the Gari Melchers' complex. Mr. Townsend said that the plan was to move 10 from Melchers' to the northern site at FCS. Ms. Bohmke noted that the Melchers' renovation was not included in the CIP. Mr. Smith confirmed that Melchers' was not included in the CIP.

Mr. McOsker thanked the Board for the breakdown but said that he felt that rather planning on an addition to FCS, the money should be earmarked for the renovation of Ferry Farm ES, which was long overdue and sorely needed. He added that it was time to take care of the taxpayers in the southern part of the County and suggested taking 50% of the proposed \$11.8 Million for the addition at FCS and redirect it to Ferry Farm ES. Ms. Bohmke acknowledged that she heard what Mr. McOsker was saying but said that it would be years before redistricting was accomplished, and that she would like to see the School Board do its redistricting to free up seats and give more flexibility where seats were needed. Mr. McOsker said that was his intention; that there were more than enough seats at Rock Hill ES. Mrs. Maurer said that while she appreciated the seemingly simple solution, you could not take one-half of the school and Pre-K without changing the whole nature of the school and short changing students at both locations. Rock Hill ES is at 50% capacity and the principal has asked for more students but not if redistricting is off the table or at the expense of the students.

Mr. McOsker asked that the money not be spent on an addition to FCS as the School Board did not request it nor does it have a redistricting plan in place yet. Ms. Bohmke said that



redistricting had to happen. Ms. Healy said that purchasing FCS would free up 500 seats throughout the County. She added that County-wide redistricting would be a challenge but it could be done; that the high school model worked well and was well received by the community; and if FCS was not purchased to free up those seats, there was no point in doing redistricting or doing spot redistricting, which causes chaos. If FCS was acquired, the School Board would look at County-wide redistricting in the elementary schools.

Mrs. Maurer spoke about load balancing and holding Pre-K hostage with an improper load balance of students. Ms. Healy noted that that was not what she said and that she would never use the word “hostage” when talking about school children. She said that they would add Pre-K where there was room and that it would be chaotic to redistrict now without the additional space that purchasing FCS would give. Ms. Healy said they looked at doing redistricting when the new Moncure ES opens, but it is outdated now. She added that the School Board was being practical and reasonable especially in dealing with special needs students.

Mr. Cavalier questioned 500 seats being freed up. Ms. Healy clarified that at FCS there would be a morning program and an afternoon program plus the Headstart program, which would free up 473 seats (according to staff) with the purchase of FCS. Mr. Cavalier asked, if it were a tie between purchasing FCS and redoing Melchers, which would be preferable. He said that he did not see the nexus between those two items being connected as they were two separate things. He asked how both could be the School Board’s number one priority, especially when the Melchers remodel came out of nowhere. Mr. Cavalier said that the County could not afford to do both at the same time and asked which one the School Board would choose. Ms. Healy said that she could not speak for the entire School Board but requested that it be added to its agenda on the following Tuesday. Mr. Cavalier asked again why the two were tied together. Ms. Yeung said that the Melchers building was old and in need of repair. Ms. Healy suggested that Mr. Cavalier visit the Melchers building to which Mr. Cavalier replied that he had been there.

Mr. Coen talked about thinking outside the box and asked staff to get enrollment projections and specifics, and to consider taking care of Ferry Farm ES as time went along because there were zero dollars for Ferry Farm ES in FY2018; he would like to see a real commitment to that project with actual dollars and a design presented for consideration.

Dr. Chase said that the School Board did not suggest the addition to FCS to be on the radar or request it in the near future. She said that more money was needed for the Ferry Farm ES and that she wished to push back the addition at FCS.

Ms. Healy said that the number two priority was Ferry Farm ES as it was the only school that did not get a turn at remodeling. She said the School Board was not asking for a rebuild and to put it off for 10 years was outrageous, and suggested that members of the Board of Supervisors check out the dismal basement at Ferry Farm ES.

Ms. Yeung said that she disagreed with putting off the remodel of Ferry Farm ES; she talked with the teachers and the health of the students was at risk and it was not just environmental. She said that the teachers would be okay but the Board should think about the kids.

Mrs. Maurer said she would advocate for more money for Ferry Farm ES but questioned why there was \$1 Million built into the cost for a parking lot; she said that improvements should be racked and stacked but \$1 Million for a parking lot was extreme when there were other items with much greater health and safety importance. Dr. Benson spoke about a concern with the

lighting that had to be upgraded in the school. Mr. McOsker said that the cost of renovation, if not done now, would only go up the further that it was pushed out. He said that if \$18 Million was not available, would the Board please allocate some money to begin rehabbing Ferry Farm. He said that the School Board did not ask for an addition to FCS; that it may want it years down the road but the immediate need now was Ferry Farm ES.

Ms. Bohmke said that the School Board should do more long-term planning and that she knew the School Board did not ask for the addition to FCS. However, County staff was looking at enrollment numbers in the long-term when more classrooms would be needed at the FCS location. She said that the School Board should give all the accurate facts and figures to the Board of Supervisors; that it was frustrating to not be given the complete picture when it raised taxes for the purpose of providing more funding to the schools, the Department of Social Services, the Children's Services Act, and to the Sheriff's Office and E-911 Center.

Mrs. Healy said the School Board was voting on its budget at 5:30 that evening. Ms. Bohmke talked about accountability and the Schools pulling \$1 Million out of purchasing and services and pulling \$1.5 out of the textbooks line. She said the Board increased taxes and increased the Schools budget then the School Board pulled \$2.5 Million and asked why was it in the budget in the first place if those things were not really needed? She said that two members of the Board did not support the adopted budget because there were no transportation dollars included; a lot of work was done by County staff, hours and hours' worth, and there did not seem to be accountability on the part of the School Board. Ms. Yeung said that these were new questions and that the items taken out were very much needed but there was not enough funding to everything that was needed.

Mr. Coen said that the devil was in the details and that details were lacking. He asked about the lighting issue at Ferry Farm ES that Dr. Benson brought up. Mr. Scott Horan said that the request for proposal (RFP) would be out in about three months and the process with Inesco would take about six months. Mr. Coen said that if the purchase of FCS would free up 500 additional seats, building ES #18 could be pushed farther down the road.

Dr. Benson spoke about thinking differently and tremendous potential and the issue in the north and south of the County where space was needed. Regarding the budget, Dr. Benson said the School Board cut out all cash for infrastructure improvements; the goal was to use that cash to take care of facilities and they were relying on savings, which was not sustainable in the long term. He said that cutting back on textbooks was going to present a challenge.

Ms. Hazard said that the appeal to purchasing FCS was the ability to expand and not having to grapple with when and where since there was flat land and expansion potential at FCS. She said that there was both long term and short term potential with the FCS purchase. She said that it was not only a School Board issue but that growth was an issue for both Boards. Ms. Hazard said she wanted the elementary school principals involved in the redistricting discussion as well as service delivery models, and added that she believed in the Ferry Farm ES remodel but thought that rather than a north to south issue, she believed that it was an east to west and west to east issue.

Ms. Healy, who said that she was speaking for herself, said that the purchase of FCS and the renovation of Ferry Farm ES and Melchers were the number one and two priorities and that the addition to FCS could be moved to the future. Ms. Bohmke said that if the Schools received \$1.5 Million from the State allocation, it could go to transportation. Ms. Yeung said that

transportation was for everyone. Ms. Bohmke noted that the School Board would approve its budget that night and the Board would look at the CIP at its next meeting on June 5<sup>th</sup>. She said that the Board wanted to work off the School Board's recommendations, not the Board's assumption of what the School Board wanted.

Mr. Foley spoke saying that the School Board provided the Board of Supervisors with a list of priorities that there was no way to fund within 10 years debt capacity. If the money was put into transportation, it would push out High School #6 more as the County's debt capacity would be further reduced. He said there are tough choices that have to be made and adding transportation to the mix only made things more difficult. The addition to FCS could be pushed out a few years and the money given to Ferry Farm ES and Melchers, and the School Board had to look at capacity issues unless it changes its priorities.

Sheriff Decatur introduced 1<sup>st</sup> Sgt. Rob Pomeroy and Major John McAlister. Mr. Cavalier said that he chaired the Public Safety Committee (PSC) earlier that day and discussed school safety, which warranted immediate attention. He said there were no school security officers at the PSC meeting, they were a no-show from the Schools and it was alarming to hear Sheriff Decatur's report. He said that the Sheriff was the nicest guy who never said a bad word about anyone or anything that was untrue, and he said he was surprised by the lack of focus of the Schools security staff. Mr. Cavalier said that the Sheriff's School Security Task Force was a much needed effort towards enhancing school security. When he attended the School Board meeting (uninvited), Mr. Cavalier said there was a resolution put forth about having School Resource Officers (SROs) in each elementary school, which was not financially feasible so the Sheriff took it upon himself to set up the Task Force. Mr. Cavalier noted that there was no money in the School Board's budget for school security. He talked about the Sheriff's suggestion that three School Protection Officers (SPOs) be placed in schools (and working with the School Board to decide where they should be placed) and that as a pilot program, it would be reviewed at the end of the calendar year and reevaluated for future years; that the School Board and School staff should be all in on this project.

Sheriff Decatur said that it takes the whole community to keep the schools safe and he would be derelict in his duties if he did not bring to the attention of the Board his observations. He said that security personnel should be solely responsible for security at the schools. The Sheriff did not wish to alarm anyone but the Schools could do better with one person at each location focused on security rather than having a variety of duties. He said that he and his daughter went through the Stafford County Public Schools and thought it was fantastic. He spoke about the DARE program and his love of the System but of the attention that was needed to security issues. Ms. Yeung asked for specifics. Ms. Healy suggested that Sheriff Decatur put together a report for the School Board rather than the Sheriff detailing the issues right then.

Ms. Bohmke noted that like Sheriff Decatur, her children went through schools in the south end of the County and she had and has a great relationship with the principals. She said that she knows that the school security officers were busy but agreed with the Sheriff that they needed to focus on security. Ms. Hazard said there were exceptions to the issues stated about school security and that there should be a joint County/Schools candid discussion sooner rather than later. Mr. McOsker said that he appreciated Sheriff Decatur. Mr. Coen pointed out that Mr. Nichols and others were very supportive of the Task Force doing what it was intended for. Sheriff Decatur wanted to reiterate the great relationship he has with the Schools and the need for a strategic, five-year plan on school security.

Ms. Bohmke said that the principals, vice-principals, teachers, and staff all had a lot of balls in the air and everyone would have to work together to ensure the safety of Stafford County school students. She said that at the upcoming joint Chairman/Vice-Chairman meeting it would be discussed further.

The joint meeting between the Board of Supervisors and School Board adjourned at 5:06 p.m.

**CLOSED MEETING** (The Board returned to the Chambers before adjourning to its Closed Meeting.)

At 5:15 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-12.

The Voting Board tally was:

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

Resolution CM18-12 reads as follows:

**A RESOLUTION TO AUTHORIZE CLOSED MEETING**

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of the disposition of public real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; (2) consultation with legal counsel and briefings by staff members regarding a specific legal matter requiring the provision of legal advice by counsel; (3) discussion and consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and (4) consultation with legal counsel and briefings by staff members pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(3), (A)(7), and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, does hereby authorize discussion of the above matter in Closed Meeting.

**CLOSED MEETING CERTIFICATION**

At 5:56 p.m., Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution CM 18-12(a). It was noted that one item remained for the Board to discuss and it would return to Closed Meeting at the conclusion of the evening's public hearings.

The Voting Board tally was:

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

Resolution CM-18-12 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 15, 2018

WHEREAS, the Board has, on this the 15<sup>th</sup> day of May, 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 15<sup>th</sup> day of May, 2018, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Board.

At 5:58 p.m., the Chairman recessed the afternoon session of the May 15<sup>th</sup> Board meeting.

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. Mr. Coen presented a proclamation to Mr. Frank McCarty and his son, Mr. Mark McCarty, with White Oak Equipment for hosting the annual fund raiser/oyster roast. Mr. (Frank) McCarty spoke about and thanked the community for its help in putting on the annual event.

Mrs. Maurer presented a proclamation to Mr. David Shotwell, award winning Robotics Teacher at Colonial Forge High School congratulating him on his retirement and on the many accomplishments of his robotics teams.

Ms. Anita Dodd presented the annual Historic Preservation awards to:

Marine Corps Base Quantico, Range Management Branch - Volunteer Award for documentation of cemeteries at the Base;

Linda Silk-Sviland - Preservation Award for creation of history walls at the Rowser Building, Rouse Center and Stafford High School;

NASH Stafford LLC and Newland Communities at Embrey Mill - Preservation Award for the restoration of the Knight House at Embrey Mill;

The Stafford Armed Services Memorial Committee and Working Group - Preservation Award for their work on the Stafford Armed Services Memorial; and

The George Washington Foundation - Preservation Award for their interpretive replica of the Washington House at Ferry Farm.

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

Paul Waldowski - Gerrymandered Rock Hill District; Colonial Forge High School is in the Rock Hill District; there was a neat STEM presentation; the Rock Hill School Board representative lives in the Hartwood District, which he said amazed him. He spoke about his water bill or lack thereof and about how staff erroneously approved a site plan for the 18-unit apartment complex north of Route 610, and asked where the Director of Utilities or the County Administrator were when those mistakes were made. He is meeting with the Board of Equalization at 2:00 p.m. on June 18<sup>th</sup> because his property tax bill says 0.0000 acres and it should say 0.028 acres and the County owes him \$20,000 along with the other 65 owners. They should go to the Utilities Commission to upgrade meters to get a water/sewer bill.

### **PUBLIC HEARINGS**

Item 22. Community Engagement/Information Technology; Authorize an Extension to the Cox Communications Cable Franchise Agreement Mr. Brian Roinestad, Chairman of the Board's Telecommunication Commission (TCC) provided an update on negotiations with Cox and said that the TCC recommended that the Board approve an extension to the Cox Communications Cable Franchise Agreement. Mr. Roinestad thanked Shannon Howell and Barrett Stork with Cox. Ms. Bohmke thanked him and the TCC for its work on this agreement. Mrs. Maurer also thanked Mr. Roinestad and staff.

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

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-112.

The Voting Board tally was:

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

Resolution R18-112 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A NEW CABLE FRANCHISE AGREEMENT WITH COX COMMUNICATIONS

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

WHEREAS, the County has been in negotiations with Cox for 17 months on a new franchise agreement (Agreement); and

WHEREAS, County staff and outside counsel completed negotiations with Cox on March 8, 2018; and

WHEREAS, at its meeting on April 2, 2018, the Telecommunications Commission (TCC) recommended that the Board authorize the County Administrator to execute an Agreement with Cox; and

WHEREAS, the Board considered the recommendations of the TCC, 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 15<sup>th</sup> day of May, 2018, that the County Administrator be and he hereby is authorized to execute a cable franchise agreement with Cox Communications.

Item 23. Public Works; Consider the Condemnation and Exercise of the County's Quick Take Powers in Connection with the Juggins Road Improvement Project for Temporary and Permanent Easements on TMP 21-L-M in the Griffis-Widewater District Mr. Keith Dayton gave a presentation and answered Board members questions. He noted that the HOA Board and property manager were in favor of handling the condemnation this way due to the fact that they could not obtain the required two-thirds of the 101 signatures needed pursuant to their bylaws. Mr. Cavalier said that he spoke with the property manager and HOA board and they were in complete agreement.

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

Mr. Cavalier motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R18-84.

The Voting Board tally was:

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

Resolution R18-84 reads as follows:

A RESOLUTION AUTHORIZING 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 Two Thousand Five Hundred Sixty-five Dollars (\$2,565) based upon an evaluation dated March 30, 2018, prepared by a certified appraiser; and

WHEREAS, the Board, through its acquisition consultant, made a bona fide but ineffectual 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 terms of purchase cannot be agreed upon, and 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 an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on May 15, 2018, to determine the necessity for condemnation and exercise of the County's quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above referenced fee simple right-of-way, a temporary construction easement, and permanent utility easements to be conveyed to Columbia Gas and Verizon on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a temporary construction easement, and permanent utility easements to be conveyed to Columbia Gas and Verizon on Tax Map Parcel No. 21L-6-M (Property) for the Juggins Road Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Two Thousand Five Hundred Sixty-five Dollars (\$2,565) as just compensation for the fee simple right-of-way, temporary construction easement, and permanent utility easements to be conveyed to Columbia Gas and Verizon, including damages, if any, to the remainder of the Property, that the Board and the Perry Farms Homeowners Association (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately 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 dedicated to Columbia Gas, and 0.097 acres of permanent utility easement to be dedicated to Verizon, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take (Certificate) among the land records of Stafford County, and



authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Two Thousand Five Hundred Sixty-five Dollars (\$2,565) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, temporary construction easement, and permanent utility easements to be conveyed to Columbia Gas and Verizon, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Item 24. Planning and Zoning; Consider an Amendment to the Zoning Ordinance Index of Official Road Names Regarding Renaming the Private Segment of Big Spring Lane Mr. Jeff Harvey gave a presentation and answered Board members questions. He noted that the house at 175 Big Spring Lane (TMP 38-100) was constructed circa 1814 and the property was associated with Accokeek Farm. There was Civil War activity on the property, which may have served as a Union hospital and there may be unmarked graves of Union soldiers on the site. The name Kelvic Lane came from the construction company that located its offices there and paid to have a portion of the road paved. The Planning Commission, in the spirit of compromise, recommended that the road be named Kelvic Lane to the end of the pavement then Mineral Spring Way for the gravel portion of the road. Ms. Shelton noted that 7k Investments owned parcels along that same road and asked if they were okay with the name Kelvic Way. Mr. Harvey said they were and had signed the petition in favor of Kelvic Way.

Mr. Snellings asked if there were other road in the County with split names. Mr. Harvey talked about the intersection of American Legion and Ramoth Church Road, which changed names over I-95. Mr. Snellings asked what would happen if the gravel portion of the road were to be paved and there would be no identifying characteristic for the name change. Mr. Harvey said that staff and the Board would have to revisit the issue if that were to happen. It was noted that another petition had been provided to the Board via DVD just prior to the start of the meeting. The petition had signatures in favor of the name Mineral Spring Way.

The Chairman opened the public hearing. The following person(s) indicated a desire to speak:  
Margareta Williamson                      Dan Hicks                      (First name inaudible) Crawford  
Jo Knight                                      Robert Crawford              Paul Waldowski  
Robert Zarn

The Chairman closed the public hearing.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O18-04.

Ms. Shelton said that she knew that the Planning Commission did an immense amount of work and that this item was deferred several times due to the challenge with the split road. She said that she thought that this was a good compromise between the parties and thanked Mr. Zarn and his 45 employees and apologized that they had to go through this struggle.

Mrs. Maurer said that she supported naming the paved portion of the road Kelvic Way then naming the unpaved portion Mineral Spring Way. Ms. Shelton said she could amend her motion to go with the Planning Commission's recommendation. Mr. Dudenhefer suggested that she may wish to defer the time but Ms. Shelton said that she did not want to defer it.

Mr. Harvey noted that if the Board named one part of the road Kelvic Way, unless it established a separate name for the gravel portion, the entire length of the road would be named Kelvic Way unless it modified the proposed Ordinance.

Mr. Cavalier offered a substitute motion, seconded by Mr. Snellings, to adopt proposed Ordinance O18-04 but amending it to name the entire length of the road, paved and unpaved, Mineral Spring Way.

Mr. Cavalier said that he appreciated that the company paid to pave a portion of the road and really appreciated them locating their business in Stafford, but the County did not name roads after businesses. Mr. Coen said he watched the Planning Commission meeting and talked with his Planning Commission representative and he would vote in favor of Mr. Cavalier's substitute motion.

Ms. Snellings said that he remembered the springs and the diner at Eskimo Hill. He said this was a safety issue with it being a road with two different names. He said that he appreciated the businesses but wondered if Kelvic would be viable in the County in 10 years. Mr. Snellings said he would support Mr. Cavalier's substitute motion.

Ms. Bohmke said she was very interested in history and spoke about the awards given earlier in the evening and Walnut Farms that was developed into Leeland Station. She talked about the two roads by Valero, one street named then it turned into Forbes and it was a nightmare so she was going to support Mr. Cavalier's substitute motion.

The Voting Board tally on the substitute motion was:

Yea: (4) Bohmke, Cavalier, Coen, Snellings  
Nay: (3) Dudenhefer, Maurer, Shelton

Ordinance O18-04 as amended reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE INDEX OF OFFICIAL ROAD NAMES, A PART OF THE ZONING ORDINANCE, TO RENAME THE PRIVATE PORTION OF BIG SPRING LANE, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board established a County-wide system for naming all roads, and numbering all principal buildings in the County; and

WHEREAS, Virginia Code § 15.2-2019 authorizes the Board to name roads; and

WHEREAS, Stafford County Code Sec. 28-142 incorporates the index of official road names into the Zoning Ordinance; and

WHEREAS, Big Spring Lane has a configuration in the form of two roads designated as a public and private segment resulting in the need to change the County's official index of road names; and

WHEREAS, development along the private segment has resulted in the need to change the official index of road names; 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;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May 2018, that the Index of Official Road Names, part of the Zoning Ordinance, be and it hereby is amended and reordained to rename a road in the Stafford Postal area as follows:

<u>Location, part of the Zoning Ordinance</u>	<u>Current Road Name</u>	<u>New Road Name</u>
Big Spring Lane from the intersection with the public segment of Big Spring Lane to the terminus of the private segment of Big Spring Lane	Big Spring Lane	Mineral Spring Way

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately as designated in this Ordinance.

**CLOSED MEETING**

At 8:19 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-12 and to return to Closed Meeting for discussion on one item remaining from the earlier closed meeting.

The Voting Board tally was:

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

Resolution CM18-12 reads as follows:

**A RESOLUTION TO AUTHORIZE CLOSED MEETING**

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of the disposition of public real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; (2) consultation with legal counsel and briefings by staff members regarding a specific legal matter requiring the provision of legal advice by counsel; (3) discussion and consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and (4) consultation with legal counsel and briefings by staff members pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(3), (A)(7), and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 15<sup>th</sup> day of May, 2018, does hereby authorize discussion of the above matter in Closed Meeting.

**CLOSED MEETING CERTIFICATION**

At 9:04 p.m., Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution CM 18-12(a).

The Voting Board tally was:

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

Resolution CM-18-12 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 15, 2018

WHEREAS, the Board has, on this the 15<sup>th</sup> day of May, 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 15<sup>th</sup> day of May, 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.

Adjournment At 9:05 p.m., the Chairman adjourned the May 15, 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