

BOARD OF SUPERVISORS  
STAFFORD, VIRGINIA  
MINUTES  
Regular Meeting  
September 4, 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, September 4, 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 the Sheriff's Office for winning First Place in the 2018 Law Enforcement Challenge by the Virginia Association of Chiefs of Police for the best traffic safety programs in the State for 2017. The Sheriff's Office was awarded first place in the category for the Sheriff's Offices with 151 or more deputies. Judges awarded points to the agencies in six areas that comprised a comprehensive traffic safety program; problem identification, policies, planning, training of officers, public information and education, enforcement, and an evaluation of the outcomes of the agency's efforts. Sheriff Decatur said, "We are honored to be selected for the first place award in this category. It is a testament to the strength of our traffic safety programs and to the diligent and unwavering efforts of our deputies to keep the community safe." Ms. Bohmke offered congratulations to Sheriff Decatur and to all Stafford County law enforcement personnel.

Ms. Bohmke recognized the month of September as National Pain Awareness month, which was established in 2001 by a coalition of groups and organizations with the goal of raising awareness and educating caregivers, healthcare professionals, and the community about the available treatments, both alternative and mainstream, that may complement existing care for a more holistic approach to pain management.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt the regular agenda. There were no additions or deletions to the regular agenda.

The Voting Board tally was:

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

Nay: (0)

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

Philip Herbert - President of the Leeland Station Association Board of Directors; spoke in favor of the restricted parking item on the Board's Unfinished Business agenda. He noted that the discussion began several years ago (March, 2000) and he wished to dispel negative comments about a lack of transparency in e-mails received by Chairperson, Meg Bohmke. Mr. Herbert said that this was "another tool in its toolbox" to prevent overnight, on-street parking of commercial vehicles, boats, motor homes, and the like that may block resident's access to their homes and/or prevent emergency vehicles from the fastest route to an incident. He said that in the minutes of several HOA meetings, it was noted that no one spoke up; there was no public comment and the necessary number of residents signed the petition requesting parking restrictions.

Alane Callander - Spoke in favor of affordable housing and "Virginia Organizing," a non-partisan group dedicated to affordable housing. She thanked them, and County staff for giving it serious study and working on steps to alleviate the housing crisis in this region. Ms. Callander said that she supports the creation of a housing authority and related that when she was married over 40 years ago, she and her husband found affordable housing, but added that it was not the case now for young people just starting out. She said she was willing to pay additional taxes if it was dedicated to affordable housing.

Arthur Lasanti - Resident of Leeland Station, asked if the County did a survey of Leeland Station parking violations; how many there were and if they were isolated incidents. His son drives a small SUV, a commercial vehicle, and he received a citation 18 months ago. He was told to park it in the street as there was nothing that could be done about a vehicle parked on a state-maintained road so that is what he does.

Teresa Banguard - Vista Woods resident whose house was built where a drainage pond used to be; has been pumping water out of her basement ever since moving there as the fourth owner of the house. She said there was a disclosure available when they made the purchase 13 years ago. She has planted trees and grass that died due to the condition of the land and has kept trying but failing. There were four floods this year and she had 6' of water in her basement because there are nine waterways that drain onto her property; said her house was like a cess pool, it was shameful. She said that she and her husband were honest people that worked two and three jobs and asked how much more they were going to be asked to handle.

Theresa Onin - Vista Woods resident who has experienced flooding since 2003 due to run-off from Spring Lake Farm; there is no HOA in Vista Woods to help with the ongoing drainage problems experienced in Vista Woods; she said you cannot rerun natural waterways;

the trees were all gone. Ms. Onin said that Mrs. Maurer made great strides at getting the pipes replaced but VDOT did not respond with the needed pipe size upgrades. She has photos of her house being destroyed three times due to flooding; her children are traumatized and she cannot in good conscience sell her house. She asked the Board for its help with this problem.

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 - Ms. Bohmke is hosting a town hall meeting with Delegate Bob Thomas on September 12<sup>th</sup> at Conway Elementary School, 7:00 to 9:00 p.m. She is disappointed that Mr. Dudenhefer resigned from the BOS-SB Joint Working Committee but understands his frustration. She said that transportation was not the highest priority of the Joint Working Committee whose charter was being streamlined and changed to include the Chair and Vice-Chair of both the Board of Supervisors and School Board, along with the County Administrator and School Superintendent formulating that Committee's meeting agenda. She said that transportation was very important but not the right venue for the Joint Working Committee. Ms. Bohmke said that another member of the Board would be appointed to fill Mr. Dudenhefer's seat.

Mr. Cavalier - Mr. Cavalier spoke about the recently installed traffic signal at the intersection of Route 1 and Telegraph Road, which he had been asking VDOT for since 2000. In the future, there will be a large scale move to reconfigure the intersection to the north with Woodstock Lane. He said he appreciated the Sheriff's support as well as VDOT's and talked about the improvement to school bus safety as there are two schools on Telegraph Road (Widewater ES and Shirley Heim MS) whose buses had to go north toward Boswell's Corner then turn around to head south, which added 45 minutes to student's ride home. He attended back-to-school nights at Brooke Point HS, Shirley Heim MS, and Moncure ES. He met the new School Protection Officers (SPO) at two schools; a third SPO would be added; the pilot program for elementary schools is on-going. There is a School Resource Officer (SRO) in each high school and middle school. Mr. Cavalier thanked Sheriff Decatur for getting the pilot program together in a short amount of time, which only began after the tragic Parkland, FL shooting. VDOT is working on the timing of traffic signals at Aquia, which is slowing down rush hour.

Mr. Coen - Mr. Coen said he has great empathy for those residents dealing with stormwater problems, which he said was a massive problem in the County and something the State fell down on. He attended the Active Shooter training put on by the Sheriff's Office and complimented the Sheriff for the thought-provoking training, which was attended by most all Stafford County Public Schools personnel. He said he was pleased with the way the recent Joint Schools Working Committee went; he and DeWayne McOsker were unanimously appointed co-chairs of the Committee, which discussed Shared Services, the Joint Capital Improvement

Program (CIP), and the Virginia Public School Authority (VPSA) bonds, which would be voted on later in the agenda. The Committee also discussed next year's budget calendar and had an open and forthright discussion, which moved the Committee forward in a strong and positive way. Mr. Coen has been working with Fire Chief Joe Cardello to reinstate fire training courses in the high schools, which has a positive effect on recruitment of volunteers and career staff. Yankees in Falmouth is coming up on Saturday, September 8<sup>th</sup> from 9:00 a.m. to 5:00 p.m., and again on Sunday, September 7<sup>th</sup> from 10:00 a.m. to 3:00 p.m. at the Historic Port of Falmouth. It details the history and culture of Stafford County, not only war related, and is a "not to be missed" event.

Mr. Dudenhefer - Mr. Dudenhefer said that the Joint Working Committee was created during the time he was off the Board and he was not impressed by the quality of work being done by that Committee. In a discussion about the CIP at the recent meeting, not a single mention was made of the transportation issues in the County, which did not seem to be taken seriously. Mr. Dudenhefer said he voted against the budget and the CIP due to its lack of attention to transportation and officially resigned from the BOS-SB Joint Working Committee. He said there was a transportation study group in process but there was a lack of understanding on how to do road projects.

Mrs. Maurer - Mrs. Maurer welcomed the Vista Woods constituents and said she was at a loss for words after hearing them speaking about the stormwater situation in their homes. A community meeting was held on August 22<sup>nd</sup> and VDOT was committed to replacing the culverts; the losses were devastating including their children's pictures, their retirement, everything. She added that a Stormwater discussion had been placed on that day's agenda at her request. Mrs. Maurer welcomed school children back to the classroom and said that she would have an empty nest next year as her youngest daughter had just entered her senior year of high school. She commented on Mr. Coen having 200 "children" and spoke about the "new battle rhythm" of traffic with school opening.

Ms. Shelton - Deferred her remarks.

Mr. Snellings - Mr. Snellings said that he usually deferred his remarks but wanted to let everyone know that he won 1<sup>st</sup> place in his age group at a recent 5k walk/run. His accomplishment was awarded with a round of applause.

Report of the County Attorney – Ms. McClendon deferred her remarks.

Report of the County Administrator – Mr. Foley introduced Fire Chief Joe Cardello who gave a presentation on the recently completed Fire and Rescue Assessment. Chief Cardello introduced Ms. Sasha Meak, recently hired as the Department's Volunteer Retention Specialist. Ms. Meak

moved here from Austria and has a background with the United States Marine Corps. Another new-hire for the Department is Mr. Bruce Wright, hired as a logistician.

Chief Cardello said that in April 2017, a Fire and Rescue Assessment was completed. 57 recommendations were given to improve the Department; these recommendations were organized into five themes. A Fire and Rescue Assessment Review Work Group was formed to address the deficiencies that were noted in the Assessment.

Theme 1 was Organizational Development, which included the formation of a strategic plan, accountability practices, and community risk reduction. Ms. Bohmke asked for examples of community risk reduction. Chief Cardello talked about hundreds of smoke alarm batteries and smoke alarms being replaced as a result of door-to-door to neighborhoods by fire fighters. In one instance, the home of a hearing impaired senior citizen had a strobe light fire alarm installed. Carbon monoxide detectors were also installed. Kids Kamps were held where children were told about the E911 system and safety measures they could take in their homes.

Theme 2 was Communications, which included periodic command staff meetings on a recurring monthly basis where all command staff and volunteer chiefs can discuss issues that are affecting them; the meetings also serve as general information sessions. This theme also dealt with personnel that expressed frustration with not knowing what was going on in the Department. A new monthly newsletter has been designed that will serve as an information-sharing mechanism and will have input from all divisions within the Department.

Theme 3 was Training. This theme included training standards, marketing of training to volunteers and streamlining volunteer on-boarding, the implementation of physical ability testing as part of the hiring process, and addressing the condition of the County's training center. Mrs. Maurer spoke about the quick roll-out prior to Chief Cardello coming on board, and subsequent kicking out of 75% of the recruits. She asked the Chief to be mindful of these processes.

Theme 4 included Budget, Capital Improvements, and Administration. A new funding formula and process was recently approved and is in place. A County-wide facilities assessment is complete, which will provide a report on the "State of the Department's Facilities." CIP decisions and recommendations will emerge from that report. Results of that report are expected within the next four weeks.

Theme 5 is Delivery and Services. Increased basic life support (BLS) service involves supporting volunteer personnel to ensure their members with EMT training are able to provide service (on-boarding, release process). The Volunteer Coordinator (Ms. Meak) will greatly assist in this area. The Department is also planning to put an additional career-staffed BLS unit in service this fall. Another issues addressed in Theme 5 was more logistical support that should

be provided to the Fire, EMS, and Life Safety programs. Staff is in the planning process of hiring a Life Safety Educator who will oversee all public education programs (schools, public requests for demonstrations and information, smoke alarms, etc.). Chief Cardello said that this position was critical to the community's risk reduction and engagement efforts. He added that most regional departments have a dedicated person in this position; state funding has been identified to pay for this position. Testing of ground ladders, hoses, and fire pumps on all apparatus is an annual requirement. Staff has added a database to document testing efforts; this documentation was a missing element in the Department, which will now produce testing records. Ms. Bohmke asked if the tests were State required. Chief Cardello responded that some were State required and others were kept in-house on record for the equipment replacement cycle. The newly hired Volunteer Coordinator will work with the volunteer recruitment process while receiving guidance on this from Chief Cardello.

Chief Cardello said that there is an on-going reevaluation of the High School Fire Protection program. There have been meetings held with Stafford County Public Schools (SCPS) about starting (or re-starting) a program in fall, 2019. The Chief noted that this program was important to both volunteer and career recruiting efforts.

Chief Cardello concluded his remarks noting that of the 57 suggestions or recommendations, all have been addressed or were in the implementation process.

Mr. Foley then introduced Mr. Bryon Counsell, Deputy Director of Public Works. Mr. Counsell gave the Board an update on road and construction projects in the County including the status of work at Fire/Rescue Station 14 on Shelton Shop Road; the Mountain View and Poplar Road project; the Brooke Road Safety Improvement project (the bridge by Stagecoach Road will be closed until January, 2019 although the two residences in that area will have full access to their homes). The Garrisonville Road project is complete; the punch list is nearly complete; signalization of traffic lights is being addressed.

Property acquisition for the Route 1/Courthouse Road project is underway; staff met with most property owners and the project is on schedule. Drainage and base stone has been installed in Phase 4 of the Belmont-Ferry Farm Trail and fiber relocation is underway. Phase 6 of the that project is in the design phase and under review by the Infrastructure Committee.

Following Chief Cardello and Mr. Counsell's reports, Mr. Foley noted that the new application was in place for the streamlined agenda process. However, there was a nearly country-wide failure at Microsoft, which was still down at the time of Mr. Foley's report, and impacted the ability to access agenda materials. Staff reverted back to the former way of displaying agenda materials, which were available since 10:30 a.m. on the Board's iPads and on the County's website. Mr. Foley said that in terms of what the Board sees, staff would continue with the old

way of viewing Board meeting agenda materials. The Board will be notified via e-mail of training opportunities for use of the new automated agenda process.

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

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt the Consent Agenda. Mrs. Maurer pulled Items 5 and 6.

The Voting Board tally was:

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

#### **Item 3. County Administration; Approve Minutes of the August 21, 2018 Meeting**

#### **Item 4. Finance and Budget; Approve the Expenditure Listing**

Resolution R18-217 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED AUGUST 21, 2018 THROUGH SEPTEMBER 3, 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 4<sup>th</sup> day of September, 2018, that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Authorize the Annual Budget Calendar Mrs. Maurer asked that this item be pulled to discuss program vs. design capacity school enrollment numbers. Schools' are currently using program capacity numbers but the Board requested design capacity enrollment figures. She also noted for the record that on Page 2, October 16, 2018, there was a planned review of all Transportation projects.

Ms. Shelton said that the State used design capacity numbers and asked why SCPS would use a different methodology. She said that it only made sense to use design vs. program capacity when calculating enrollment numbers. Mr. Coen said there was a long history between the Board and School Board regarding the CIP and enrollment numbers. He added that the Schools should be aligned with what the State says.

Ms. Bohmke noted that the first three whereas clauses speak to what has been accomplished and thanks Board members, Mr. Foley, and staff for its efforts on behalf of the budget process.

Mrs. Maurer motioned, seconded by Ms. Shelton, to adopt proposed Resolution R18-211 as amended omitting the November 15, 2018 reference to reviewing program capacity related to school enrollment.

The Voting Board tally was:

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

Resolution R18-211 as amended reads as follows:

A RESOLUTION ADOPTING THE FY2020 BUDGET CALENDAR

WHEREAS, the Budget Calendar includes new processes for the Board and County staff;  
and

WHEREAS, the Board and the School Board have adopted a Joint Capital Improvement Program (CIP); and

WHEREAS, staff is preparing a Long Term Financial Projection to be presented to the Board in November, and is scheduling follow up work sessions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that it be and hereby does adopt the FY2020 Budget Calendar as follows:

**August**

Monday, August 20, 2018 CIP-All requests for County and School CIP projects due

Tuesday, August 21, 2018 CIP-Present CIP policy/procedure changes to the FAB

Monday, August 27, 2018 CIP-Joint Working Group review Joint CIP Policy

**September**

Tuesday, September 04, 2018 CIP-Present Joint CIP Policy for Board approval

Tuesday, September 11, 2018 CIP-School Board Meeting - adopts the CIP priorities

Tuesday, September 18, 2018 Present FY2018 year-end summary financial results

**October**

Monday, October 01, 2018 CIP- Technical Review Committee (TRC) receives projects

Monday, October 08, 2018 CIP - TRC meeting - Review all Schools Projects



Tuesday, October 09, 2018	CIP - TRC meeting - Review all Public Works Projects
Friday, October 12, 2018	CIP - TRC meeting - Review all Public Safety Projects
Monday, October 15, 2018	CIP – TRC meeting - Review all Parks Projects
Tuesday, October 16, 2018	CIP - TRC meeting - Review all Transportation Projects
Tuesday, October 16, 2018	1st Quarter Review - current fiscal year and preliminary upcoming fiscal year overview
<b><u>November</u></b>	
Wednesday, November 07, 2018	Present Five Year Financial Plan to Board of Supervisors
Wednesday, November 07, 2018	CIP-School submits updated enrollment projections to TRC for review
Friday, November 09, 2018	CIP-TRC committee forward CIP to both Boards for information and the OSC committee
Thursday, November 15, 2018	CIP Tentative Date: CIP Oversight Committee (OSC), Meeting #1 - project overviews/review
Tuesday, November 27, 2018	Five Year Financial Plan Work Session Transportation, Utilities, CIP and debt capacity
Thursday, November 29, 2018	CIP Tentative Date: CIP OSC Meeting #2 - revenues, debt capacity, and final recommendations
<b><u>December</u></b>	
Tuesday, December 4, 2018	Five Year Financial Plan Work Session to confirm Board's priorities
Thursday, December 6, 2018	CIP-Tentative Date: CIP OSC Meeting #3 – finalize the recommended CIP
Tuesday, December 18, 2018	Presentation of the Comprehensive Annual Financial Report and Audit to the Board of Supervisors
Tuesday, December 18, 2018	CIP-Tentative Date: Joint Meeting of Board of Supervisors and School Board to present OSC recommended CIP
Tuesday, December 18, 2018	Final recommendations on the Five Year Financial Plan

Friday, December 28, 2018 CIP-Final recommended CIP document prepared for  
County Administrator

**January**

Friday, January 18, 2019 CIP-County Administrator/Superintendent final review of  
CIP

Tuesday, January 22, 2019 Board meeting – mid-year review

**March**

Tuesday, March 05, 2019 Presentation of Proposed Budget and CIP to Board of  
Supervisors

Tuesday, March 05, 2019 Board of Supervisors authorize Public Hearings for the  
FY2020 Budget, the CY2019 tax rates, and the CIP

Tuesday, March 12, 2019 Budget Work Session: General Fund revenue and  
expenditure

Tuesday, March 19, 2019 Joint Budget Work session with School Board presenting  
their Approved Budget to the Board of Supervisors

Tuesday, March 26, 2019 Budget Work session Debt, Financial Policy limitations  
(debt capacity) CIP

**April**

Tuesday, April 02, 2019 Budget Work Session as needed

Tuesday, April 02, 2019 Budget, tax rate and CIP Public Hearings

Tuesday, April 09, 2019 Budget Work Session as needed

Tuesday, April 16, 2019 3rd Quarter Financial Review

Tuesday, April 16, 2019 Budget Work Session and adopt the FY2020 Budget, CIP,  
CY2019 Tax Rates

Item 6. Finance and Budget; Authorize Revisions to the Joint Capital Improvement Program  
Process Mrs. Maurer asked that this item be pulled for discussion for the same reason as she  
pulled Item #5, program vs. design capacity enrollment numbers.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-216 with an  
amendment to the Process document removing the reference highlighted in **Green** on the  
document (School Board approves program capacity methodology).

Ms. Shelton made a substitute motion, seconded by Mr. Dudenhefer, concerning the weighted values on Page 11 of the document and that the process should be for all projects, not just the Schools. She asked why the values were equal when priorities should be given a higher percentage; the percentage on Economic Development should be dropped down. Mr. Cavalier said that the Oversight Committee spent a lot of time development those numbers, which were based on the Albemarle County model. He said to change the numbers right then was arbitrary and any re-ranking should be done at a work session or by the Oversight Committee, not at the forum of a Board meeting. Mr. Coen agreed with Mr. Cavalier. Mr. Foley said the percentages were foundational to the process and any changes would need to be done quickly as the CIP process had begun in August. Ms. Shelton asked Mr. Foley where to send the document for revisions and expressed that there was no understanding or justification given to the weighted values; she asked where they came from. Mr. Foley said there was a significant debate at the Joint Schools Working Committee meeting in June. Ms. Shelton said that she felt the Board should weigh in on the percentages. She said that the decision criteria were not transparent. Ms. Bohmke asked, "Where do we go from here?" Mrs. Maurer replied that it should go to the Finance, Audit, and Budget (FAB) Committee as a send-back, or to a work session with all seven Board members present. She said that it should not be changed now and without further discussion. Ms. Bohmke restated the original motion noting that the Board was in agreement that a work session would be held to reconsider the weighted values contained in the Joint CIP document. Ms. Shelton withdrew her motion after restating that a future work session would be scheduled regarding the weighted values as shown in the Joint CIP document.

The Voting Board tally on Mrs. Maurer's original motion was:

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

Resolution R18-226 reads as follows:

**A RESOLUTION TO APPROVE THE PROCESS FOR THE JOINT COUNTY  
AND SCHOOLS CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, it is the desire of the Board and the School Board to form a Joint Capital Improvement Program (CIP); and

WHEREAS, a joint CIP policy (Policy) was adopted by the Board and School Board in 2017, to facilitate this joint CIP process; and

WHEREAS, after the first year of implementation, the Board desired to revise the Policy to continue to improve the process for submission, consideration, and review of projects in the joint CIP; and

WHEREAS, at its meeting on August 21, 2018, the Finance, Audit, and Budget Committee reviewed a draft of the revisions to the Policy; and

WHEREAS, at its meeting on June 25, 2018, and at its meeting on August 27, 2018, the Joint Board and School Board Working Committee (JSWC) reviewed a draft of the revisions to the Policy; and

WHEREAS, the JSWC agreed with the revisions to the Policy and recommends approval;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the joint Capital Improvement Program (CIP) policy between Stafford County and the Stafford County Public Schools be and it hereby is approved in accordance with that document entitled "Joint Capital Improvement Program Process," Version 2.0, dated June 2018.

Item 7. Fire and Rescue; Authorize the County Administrator to Execute a Contract with Stryker Medial for Annual Inspections, Maintenance, and Repairs to Stryker Power Load Cot Systems

Resolution R18-223 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH STRYKER SALES CORPORATION FOR THE ANNUAL INSPECTIONS, MAINTENANCE, AND REPAIR OF STRYKER POWER LOAD COT SYSTEMS

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

WHEREAS, the Stafford County Fire and Rescue Department is currently standardized to all Stryker Sales Corporation (Stryker) Emergency Medical Services (EMS) ambulance power cots and stair chairs; and

WHEREAS, inspection, maintenance, and repair of Stryker equipment is unique to Stryker as the sole manufacturer of Stryker EMS ambulance cot systems and replacement parts; and

WHEREAS, to use other vendors to provide support equipment, inspections, or repair is incompatible and potentially damaging to the Stryker EMS equipment, and it would void the warranties on the County's current Stryker equipment; and

WHEREAS, Stryker has provided the County with a proposal to provide inspection, maintenance, and repair services for seven years for a total cost of \$110,832.00; and

WHEREAS, staff reviewed the proposal, and determined that is reasonable for the scope of services required; and

WHEREAS, funds are available in the Fire and Rescue Department's FY19 operating budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to execute a contract with Stryker Sales Corporation (Stryker) to provide annual inspection, maintenance, and repair services for Stryker Emergency Medical Services (EMS) ambulance power cot systems for seven years, in the amount not to exceed One Hundred Ten Thousand Eight Hundred Thirty-Two Dollars (\$110,832.00), to be paid in seven annual installments of Fifteen Thousand Eight Hundred Thirty-Four Dollars (\$15,834.00), unless amended by a duly-executed contract amendment.

Item 8. Fire, Rescue, and Emergency Services

Resolution R18-223 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PHYSIO-CONTROL, INC. FOR THE PURCHASE OF REPLACEMENT CARDIAC EQUIPMENT AND BUDGET AND APPROPRIATE MASTER LEASE FUNDS

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

WHEREAS, the cardiac equipment used by the Stafford County Fire and Rescue Department, the Stafford Sheriff's Office, Stafford County Parks and Recreation, and Stafford County Public Schools are standardized to all Physio-Control LIFEPAK monitors/defibrillators, automated external defibrillators (AEDs), LUCAS automated chest compression systems, battery packs, and McGRATH MAC EMS video laryngoscopes (Cardiac Equipment); and

WHEREAS, Cardiac Equipment are essential for the County's emergency medical service providers and it is necessary to replace outdated and unserviceable Cardiac Equipment; and

WHEREAS, a contract to purchase competitively priced Cardiac Equipment from Physio-Control, Inc. may be cooperatively procured through the NASPO ValuePoint contract number OK-SW-300; and

WHEREAS, staff has evaluated the pricing provided by Physio-Control, Inc., and found it reasonable for the equipment desired; and

WHEREAS, the County prides itself on being a designated HEARTsafe Community, which supports rapid recognition of cardiac emergencies, advanced life support treatment, and transportation to definitive care facilities; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that it be and hereby does authorize the County Administrator to execute a contract with Physio-Control, Inc. for the purchase of replacement LIFEPAK monitors/defibrillators, automated external defibrillators (AEDs), LUCAS automated chest compression systems, battery packs, and McGRATH MAC EMS video laryngoscopes, in

an amount not to exceed Three Hundred Seventeen Thousand Nine Hundred Sixty-Four Dollars (\$317,964), unless amended by a duly executed contract amendment;

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to budget and appropriate Two Hundred Ninety-Two Thousand Two Hundred Thirty-Five Dollars (\$292,235) from the Master Lease proceeds, to fund the purchase of 45 LifePak CR+ Yds, and six LifePak 15 Monitor/Defibrillators.

Item 9. Sheriff; Authorize the County Administrator to Allocate Funds for Public Safety Emergency Communications Personnel

Resolution R18-214 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO  
ALLOCATE FUNDS FOR EMERGENCY COMMUNICATIONS PERSONNEL

WHEREAS, the Stafford County Emergency Communications Center (ECC) is a division of the Sheriff's Office and is the 911 answering point for the County, providing central dispatch and radio communications for the Sheriff's Office, Fire and Rescue Department, Animal Control, after hours communication services for the Public Works Department, notification point for services for controlled burns in the County, and communications support for the Aquia Harbour Police Department; and

WHEREAS, the ECC is currently experiencing a staffing shortage and anticipates further stresses in maintaining adequate staffing levels; and

WHEREAS, an independent compensation study conducted by Titan (Arthur J. Gallagher & Company) concluded that other comparable agencies have multiple compensation levels for ECC emergency communication officers (Officers) as they progress through certifications and job requirements; and

WHEREAS, Stafford's ECC Officers' starting pay is 29% below and midpoint pay is 22% below market median, and peer agencies offer shift pay differentials for evening and/or night shift employees; and

WHEREAS, the Board desires to take amend the ECC Officers' compensation structure to retain the current staff and improve the recruitment and retention of new Officers, to ensure critical emergency communication services are maintained;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to work with the Sheriff to implement the compensation and classification recommendations provided and inspired by the Titan (Arthur J. Gallagher & Company) Study, to ensure goal of retaining current Emergency Communications Center (ECC) emergency communication officers (Officers) and recruiting new ECC Officers is met; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to allocate funds for the implementation of the classification and compensation adjustments referenced in amount not to exceed Two Hundred Ninety-Six Thousand Dollars (\$296,000), available in the FY2019 General Fund and budgeted for this purpose.

Item 10. Planning and Zoning; Authorize an Update to the Tri-County/City Soil and Water Conservation District Memorandum of Understanding

Resolution R18-195 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN UPDATED AND RESTATED MEMORANDUM OF UNDERSTANDING WITH THE TRI-COUNTY/CITY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, Stafford County Code Sec. 27B-8(a)(10) requires agricultural lands within Chesapeake Bay Preservation Areas to have soil and water quality conservation plans in place to ensure water quality protection; and

WHEREAS, soil and water conservation districts have been designated by the State as the agency responsible for development and implementation of the agricultural lands requirement; and

WHEREAS, the Tri-County/City Soil and Water Conservation District (District) and the County established a Memorandum of Understanding (MOU), dated August 21, 1992, to establish a basis for cooperation between the County and the District, including identification of responsibilities between parties for compliance with agricultural regulations as required under the Chesapeake Bay Preservation Act program; and

WHEREAS, Virginia Department of Environmental Quality (DEQ) has conducted a compliance review of the County's Chesapeake Bay Preservation Act program and requires an updated MOU; and

WHEREAS, the County and the District desire to update and restate the MOU;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to execute an updated and restated Memorandum of Understanding with the Tri-County/City Soil and Water Conservation District to implement the agricultural lands requirements of the Stafford County Chesapeake Bay Preservation Areas Overlay Ordinance.

Item 11. Human Resources; Authorize the County Administrator to Execute a Contract for the County's Classification and Compensation Study

Resolution R18-220 reads as follows:

TO EXECUTE A CONTRACT WITH THE SEGAL COMPANY (EASTERN STATES), INC. FOR A CLASSIFICATION AND COMPENSATION SYSTEM WITH MARKET STUDY

WHEREAS, the County desires to initiate a comprehensive classification and compensation analysis (Project), which addresses internal equity and external market competitiveness to enhance recruitment and retention efforts of County staff; and

WHEREAS, funds were budgeted and appropriated in the FY2019 General Fund budget for this Project; and

WHEREAS, a Request for Proposals was issued to solicit and evaluate interested and qualified firms for the Project; and

WHEREAS, The Segal Company (Eastern States), Inc., doing business as The Segal Group, Inc., was identified by a selection committee as the best qualified firm whose proposed services best meets the needs of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of September, 2018, that it be and hereby does authorize the County Administrator to execute a contract for the analysis and recommendation of a comprehensive classification and compensation system with The Segal Company (Eastern States), Inc., doing business as The Segal Group, Inc., in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000), unless amended by a duly executed contract amendment.

Item 12. Economic Development: Authorize the County Administrator to Advertise a Public Hearing to Consider an Ordinance to Provide for a Separate Classification of Certain Merchant's Capital Tax for Wholesalers

Resolution R18-224 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
ADVERTISE A PUBLIC HEARING TO CONSIDER AN ORDINANCE FOR A  
SEPARATE CLASSIFICATION OF MERCHANTS' CAPITAL TAX FOR  
WHOLESALERS

WHEREAS, Stafford County has identified supply chain and logistics companies as one of its target sectors, which includes distribution warehouses; and

WHEREAS, it is the intent of the Board to attract distribution centers to the County to create jobs and increase overall tax revenue; and

WHEREAS, the Board petitioned the General Assembly for the creation of a new sub-category within the merchants' capital tax classification to give localities the option to set a lower tax rate for distribution companies; and



WHEREAS, the County's current merchants' capital tax rate is not competitive with its comparative localities;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of September, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider an ordinance to establish a separate classification of merchants' capital tax for wholesalers.

Item 13. County Attorney; Authorize the Appointment of Mr. Don Bates to the Celebrate Virginia North Community Development Authority Board

Resolution R18-225 reads as follows:

A RESOLUTION TO APPOINT DON BATES TO THE CELEBRATE VIRGINIA NORTH COMMUNITY DEVELOPMENT AUTHORITY BOARD

WHEREAS, on November 4, 1999, the Board adopted Ordinance O99-54 (Ordinance), creating the Celebrate Virginia North Community Development Authority (CDA); and

WHEREAS, the affairs of the CDA shall be conducted and the powers of the CDA exercised by a CDA Board of five members, as established in the Ordinance; and

WHEREAS, the Board is authorized to appoint members to the CDA Board pursuant to Virginia Code § 15.2-5113, Paragraph 5 of the Ordinance, and Article V of the Celebrate Virginia North CDA Articles of Incorporation; and

WHEREAS, under the Ordinance, 51% of the Owners of the real property included within the CDA (Petitioners), are entitled to nominate CDA Board members; and

WHEREAS, F. Johnson Coleman, a CDA Board member, has been inactive as a CDA Board member; and

WHEREAS, the Petitioners propose Don Bates as its nominee to fill the vacancy on the CDA Board; and

WHEREAS, the Board considered the Petitioners' request and desires to appoint Mr. Bates to the CDA Board;

NOW THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors, on this the 4<sup>th</sup> day of September, 2018, that Don Bates be and he hereby is appointed as a member of the Celebrate Virginia North Community Development Authority Board for a term of four years, which shall coincide with the term of the seat being vacated by F. Johnson Coleman; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective upon adoption; and

BE IT STILL FURTHER RESOLVED, that the County Attorney or her designee shall forward a copy of this Resolution to the Petitioners.

Item 14. Commonwealth's Attorney; Authorize the County Administrator to Advertise a Public Hearing to Adopt a Local Ordinance to Increase the Prohibition of Prostitution

Resolution R18-227 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING STAFFORD COUNTY CODE CHAPTER 17 "OFFENSES—MISCELLANEOUS," TO INCREASE THE PROHIBITION OF PROSTITUTION

WHEREAS, Virginia Code § 18.2-346 criminalizes prostitution; and

WHEREAS, the Board desires to consider enacting local regulations to increase the prohibitions of prostitution and related activities pursuant to proposed Ordinance O18-40, which would amend and reordain Stafford County Code Chapter 17 "Offenses—Miscellaneous;" and

WHEREAS, the Board believes that consideration of such amendments is in the best interest of the public's health, safety, and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending County Code Chapter 17 "Offenses—Miscellaneous," to increase the prohibition of prostitution, pursuant to proposed Ordinance O18-40.

Item 15. County Administration; Authorize the County Administrator to Execute a Contract with Cozen O'Conner Public Strategies for Professional Legislative Services

Resolution R18-216 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COZEN O'CONNOR PUBLIC STRATEGIES, LLC FOR PROFESSIONAL LEGISLATIVE SERVICES

WHEREAS, Stafford County desires to enter into a contract for legislative services to maintain and build upon its infrastructure within the Virginia General Assembly; and

WHEREAS, the County solicited proposals for legislative services and received one responsive proposal from Cozen O'Connor Public Strategies, LLC (Cozen O'Conner); and

WHEREAS, County staff reviewed the proposal and found that it meets the County's needs for professional legislative consulting services and is reasonable for the scope of services required, and the Board's Legislative Committee supports these findings;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to execute a contract for professional legislative services with Cozen O'Connor Public Strategies, LLC for a term of one year with an option to renew for four additional one-year terms, in an amount not to exceed Fifty Thousand Dollars (\$50,000), unless amended by a duly authorized contract amendment.

Item 16. County Administration; Authorize Changing the Board of Supervisors Meeting from Tuesday, November 6, 2018 (Election Day) to Wednesday, November 7, 2018.

Item 17. Community Engagement; Approve a Proclamation Recognizing Constitution Week, September 17-23, 20198

Proclamation P18-19 reads as follows:

A PROCLAMATION RECOGNIZING SEPTEMBER 17-23, 2018  
AS CONSTITUTION WEEK IN STAFFORD COUNTY

WHEREAS, September 17, 2018, marks the 229<sup>th</sup> anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to celebrate the longest surviving written charter of government; and

WHEREAS, the Constitution played a significant role not only in American history but the spread of democratic ideals around the world; and

WHEREAS, two of America's and Stafford's most revered native sons, George Washington and George Mason, attended and had significant impacts on the Constitutional Convention of 1787; and

WHEREAS, George Mason wrote the Virginia Declaration of Rights, which became the basis for the Bill of Rights, and then became the first ten amendments to the Constitution; and

WHEREAS, Federal Law #915 guarantees the issuance of a proclamation each year by the President of the United States designating Constitution Week;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that it be and hereby does proclaim September 17 through 23, 2018, as Constitution Week in Stafford County; and

BE IT FURTHER PROCLAIMED that Stafford citizens are encouraged to reaffirm the ideals of our founding fathers by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, the Constitution of the United States of America.

**UNFINISHED BUSINESS**

Item 18. Public Works (Transportation); Amend and Reordain Stafford County Code Sec. 15-56, "Designation of Restricted Parking Areas" within the Leeland Station Subdivision Public Works Director, Mr. Jason Towery, gave a presentation and answered Board members questions. In April 2018, the County received a petition from the Leeland Station Community Association requesting the establishment of a restricted parking area in the subdivision. The Association adopted a Certificate of Resolution requesting that all streets within Leeland Station be under a restricted parking area designation. He noted that all identified streets met the definition of a "public highway" as defined in County Code Sec. 15-55. On June 5, 2018, the Board authorized a public hearing, which was held on July 10, 2018. If approved, County Code Sec. 15-56 "Designation of restricted parking areas," would be amended and reordained designating the requested streets within the Leeland Station subdivision under a new restricted parking area.

Mrs. Maurer asked about signage. Mr. Towery said there were no signage requirements. Mrs. Maurer asked about enforcement by the Sheriff. Mr. Towery said there would be notification to the "offender" by the Community Association. If there were repeated violations, there would be a \$35 fine and citation issued by the Sheriff's Office. Following multiple offenses, vehicles could be towed.

Ms. Bohmke said that this was in her district and she received a few calls and e-mails expressing concerns. She said that the HOA followed the letter of the law and its actions were transparent. Some of the concerns were that enough information was not "out there." Ms. Bohmke said that it was posted on Facebook last week; all agenda materials were available to the public; and the public hearing and consideration at this meeting met advertisement requirements. She added that a HOA has certain rights within its covenants but if it involves a public street, the Sheriff must be involved for enforcement.

Ms. Bohmke motioned, seconded by Ms. Shelton, to adopt proposed Ordinance O18-27.

The Voting Board tally was:

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

Ordinance O18-27 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SEC. 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO ALL STREETS WITHIN THE LEELAND STATION SUBDIVISION, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Virginia Code § 46.2-1222.1 and 46.21224 authorizes the County to regulate or prohibit the parking on any public highway in the County, of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

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

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

WHEREAS, the Leeland Station Community Association has approved a resolution requesting the establishment of a restricted parking area within the Leeland Station subdivision and the resolution satisfies the requirements of Stafford County Code Sec. 15-56; and

WHEREAS, all streets within the Leeland Station subdivision meet the established criteria to be designated as a restricted parking area; and

WHEREAS, the Board has conducted a public hearing in accordance with Virginia Code § 15.2-1427; and

WHEREAS, the Board has carefully considered the recommendations 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 4<sup>th</sup> day of September 2018, that Stafford County Code Sec. 15-56, entitled “Designation of restricted parking areas,” be and it hereby is amended and reordained as follows, all other portions remain unchanged:

**Sec. 15-56 - Designation of restricted parking areas.**

(f) The following constitute the restricted parking areas within Stafford County where the provisions of this section are in full force and effect:

(19) Leeland Station Subdivision on the following named streets:

- (A) Arboretum Lane;
- (B) Adelaide Court;
- (C) Birney Court;
- (D) Brisbane Court;
- (E) Brownfield Drive;
- (F) Bush Hill Court;
- (G) Call Court;
- (H) Canberra Court;
- (I) Chandler Court;
- (J) Colechester Court;
- (K) Colemans Mill Drive;
- (L) Cotton Blossom Court;
- (M) Crovo Lane;
- (N) Dabney Court;
- (O) Daffan Court;

- (P) Denton Court;
- (Q) Doswell Court;
- (R) Edwin Court;
- (S) Elmont Court;
- (T) Glen Allen Court;
- (U) Greenhill Lane;
- (V) Hobart Lane;
- (W) Hunton Drive;
- (X) Kenwood Court
- (Y) Laconia Drive;
- (Z) Maroochy Court;
- (AA) Morrison Court;
- (BB) Neabsco Drive;
- (CC) Newington Court;
- (DD) Orange Blossom Court;
- (EE) Perth Drive;
- (FF) Portland Drive;
- (GG) Ravensworth Court;
- (HH) Rice Road;
- (II) Riggs Road;
- (JJ) Rixey Court;
- (KK) Silver Comet Drive;
- (LL) Slusher Court;
- (MM) Smyrna Street;
- (NN) Switchyard Court;
- (OO) Tenola Court;
- (PP) Turner Field Court;
- (QQ) Vaughn Court;
- (RR) Wallaroo Court;
- (SS) Walnut Farms Parkway;
- (TT) Wheeler Court;
- (UU) Wister Drive;
- (VV) Woodford Drive.

Item 19. Finance and Budget; Authorize the Initial and Final Issuance and Sale of Virginia Public School Authority (VPSA) Bonds for the Schools' FY2019 Capital Improvement Projects  
Budget Division Director, Ms. Andrea Light, presented this item. She noted that the advertised public hearing was held at the Board meeting on August 21, 2018. Mrs. Maurer asked for confirmation that a vote on these two resolutions did not authorize debt or appropriate any funds. Ms. Light confirmed that by this vote, there was no further obligation on part of the Board. The deadline by which to ratify the debt was not until October 1, 2018.

Mr. Coen motioned, seconded by Mr. Snellings, to adopt proposed Resolution R18-191.

The Voting Board tally was:

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

Nay: (0)

Resolution R18-191 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$25,000,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF STAFFORD, VIRGINIA TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY

WHEREAS, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") has received a request from the Stafford County School Board (the "School Board") to contract a debt and issue general obligation school bonds (the "Bonds") of the County in an amount not to exceed \$25,000,000 to finance (a) capital school improvement projects for public school purposes that are approved for bond funding in the Capital Improvements Program, as the Capital Improvements Program may be amended from time to time (including without limitation the purchase and renovation of Fredericksburg Christian School and the rebuilding of Ferry Farm Elementary School), and (b) costs of issuing the Bonds (collectively, the "Projects");

WHEREAS, the Board has determined that it is necessary and expedient to issue the Bonds in an amount not to exceed \$25,000,000 to finance the Projects;

WHEREAS, the Board held a public hearing on August 21, 2018, on the issuance of the Bonds in accordance with the requirements of Section 15.2-2606, Code of Virginia of 1950, as amended (the "Virginia Code"); and

WHEREAS, the Board has determined that it may be necessary or desirable to advance money to pay the costs for the Projects and to reimburse such advances with proceeds from one or more series of Bonds.

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

Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and to issue and sell the Bonds of the County in the aggregate principal amount not to exceed \$25,000,000 for the purpose of financing the Projects. The issuance and sale of Bonds to Virginia Public School Authority ("VPSA") in one or more series is hereby authorized and approved.

Declaration of Intent. The Board hereby adopts this declaration of official intent under Treasury Regulation § 1.150.2. The Board reasonably expects to reimburse advances made or to be made by the County or School Board to pay the cost of the Projects.

Submission of Application to VPSA. The Board hereby authorizes and directs the County Administrator of the County (the "County Administrator") to submit an application to VPSA in order to sell the Bonds to VPSA at such sale or sales of VPSA as the County Administrator may determine in his sole discretion, subject to the limitations set forth in paragraph 1 above.

Form of the Bonds. Each series of Bonds shall be in such form as may be attached to any subsequent resolution that approves the details of such series of Bonds.

Payment. All payment terms of a series of Bonds shall be set forth in a subsequent resolution that approves the details of such series of Bonds.

Execution of the Bonds. No Bonds shall be executed until the Board adopts a subsequent resolution approving of and setting forth the details of the Bonds.

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

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

Further Actions. Subject to the limitation on the execution of Bonds set forth in Section 6, the County Administrator, the Chairman of the Board, and all such other officers, employees and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator or the Chairman of the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and the filing of any application with VPSA and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on August 21, 2018, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The front page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Stafford, Virginia, this 4<sup>th</sup> day of September, 2018.

Mr. Coen motioned, seconded by Mr. Snellings, to adopt proposed Resolution R18-200.



The Voting Board tally was:

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

Resolution R18-200 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,000,000 GENERAL OBLIGATION SCHOOL BOND OF STAFFORD COUNTY, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, on August 21, 2018, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of Section 15.2-2606 of the Virginia Code, in an amount not to exceed \$15,000,000 to finance (a) capital school improvement projects for public school purposes that are approved for bond funding in the Capital Improvements Program, as the Capital Improvements Program may be amended from time to time (including without limitation the purchase and renovation of Fredericksburg Christian School), and (b) costs of issuing the Bonds (collectively, the "Projects");

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

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

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

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$13,967,253 is the amount of proceeds requested by the County (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond;

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

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

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

**1. Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$15,000,000 (the "Local School Bond") for the purpose of financing a portion of the Projects. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

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

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

**4. Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent

(5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not be later than the end of the fiscal year that is 21 years after the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

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

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

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

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

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

\* \* \*

The undersigned Clerk of the Board of Supervisors of Stafford County, Virginia (the "Board"), hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board held on Tuesday, August 21, 2018, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: \_\_\_\_\_.

Members absent from the meeting were: \_\_\_\_\_.

Members voting in favor of the foregoing resolution were: \_\_\_\_\_.

Members voting against the foregoing resolution were: \_\_\_\_\_.

Members abstaining from voting on the foregoing resolution were: \_\_\_\_\_.

WITNESS MY HAND and the seal of the Board of Supervisors of Stafford County, Virginia, as of \_\_\_\_\_, 2018.

**EXHIBIT A**

**(FORM OF TEMPORARY BOND)**

**NO. TR-1**

\$ \_\_\_\_\_

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

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

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

**STAFFORD COUNTY, VIRGINIA** (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** ("VPSA") the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 20\_\_ and annually on July 15 thereafter to and including July 15, 20\_\_ (each a "Principal Payment Date"), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on January 15, 2019 (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as VPSA is the registered owner of this Bond, U.S. Bank National Association, as bond registrar and paying agent (the "Bond Registrar"), shall make all payments of the principal of and interest and premium, if any, on this Bond, without the presentation or surrender hereof, to VPSA, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of the principal of and interest and premium, if any, on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business

day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

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

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

This Bond may be exchanged without cost, on twenty (20) days written notice from the VPSA, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid.

This Bond is registered in the name of the VPSA on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

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

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

Provided, however, that the principal installments of this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior

written consent of VPSA or other registered owner of this Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

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

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

**IN WITNESS WHEREOF**, the Board of Supervisors of Stafford County, Virginia has caused this Bond to be issued in the name of Stafford County, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated [\_\_\_\_\_] \_\_ [17 days prior to the closing date], 2018.

Item 20. Finance and Budget; Authorize the County Administrator to Budget and Appropriate Cash and Bond Funding for the Schools' FY2019 Capital Improvement Projects Ms. Light said that Mr. Foley received letters from the School Board that were included in the Board's add-on folder. (The four memos were the early childhood education delivery model; the elementary school program capacity model; a cost accounting for the rebuild of Anne E. Moncure ES; and County-wide elementary school redistricting.) Mrs. Maurer said that she appreciated the way the information was cross-referenced between the document and the resolution; that she liked the stair-stepping. She spoke about the School Board's past requests of over-asking for funds then moving money to other projects without the Board's knowledge. She said this would alleviate that practice and mentioned the drama about North Stafford HS's library and locker bay for which there was not enough money but then "mysteriously" got done. Mr. Foley noted that the new procedures and guidelines would add to accountability on projects.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-201.

The Voting Board tally was:

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

Resolution R18-201 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE AVAILABLE FUNDING FOR THE SCHOOLS' CAPITAL IMPROVEMENT PROGRAM PROJECTS



WHEREAS, the Board allocated \$1,629,181 of the local transfer for Schools' Capital Projects; and

WHEREAS, the FY2019-28 Capital Improvement Program (CIP) allocated the use of reserves held in the General Fund for Schools' Capital Projects in the amount of \$2,370,931; and

WHEREAS, a portion of these funds are needed for upcoming Schools projects in the amount of \$1,000,000 from the operating transfer and \$1,611,547 from reserves;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to budget and appropriate from reserves and the local operating transfer as follows:

Transfer from <u>General Fund</u>	\$2,611,547
Transfer to <u>Schools Capital Projects Fund</u>	\$2,611,547

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt proposed Resolution R18-209.

The Voting Board tally was:

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

Resolution R18-209 reads as follows:

**A RESOLUTION TO BUDGET AND APPROPRIATE VIRGINIA PUBLIC SCHOOL AUTHORITY BOND PROCEEDS FOR SCHOOLS CAPITAL IMPROVEMENT PROGRAM PROJECTS**

WHEREAS, the Board adopted the FY2019-28 Capital Improvement Program (CIP), which planned the use of Virginia Public School Authority (VPSA) funds to finance certain projects; and

WHEREAS, the Schools will enter into property acquisition, construction contracts and furniture, fixtures and equipment for the renovation of Fredericksburg Christian School to an Early Childhood Special Education Center which includes bond funding of \$7,234,753; and

WHEREAS, the repair of mechanical systems at Rock Hill Elementary School is planned to contract the design for \$200,000;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the County Administrator be and he hereby is authorized to budget and appropriate the Virginia Public School Authority bond proceeds as follows:

Transfer to <u>Schools Capital Projects Fund</u>	\$7,434,753
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**NEW BUSINESS**

Item 21. Planning and Zoning; Discuss Investigation of Anonymous Complaints Director of Planning and Zoning, Mr. Jeff Harvey, presented this item to the Board. He reminded the Board that this had been an item of discussion at the July 10<sup>th</sup> Community and Economic Development Committee (CEDC) meeting. He said that most complaints have to do with tall grass or garbage, some are for abandoned vehicles and most complaints are received via phone, although some do come in on the Planning and Zoning page on the County's website. There are currently two inspectors. One is assigned to the northern end of the County and one to the southern end. Anonymous complaints account for approximately 20% of the complaints received; most people identify themselves and request follow-up to their complaints.

Mrs. Maurer asked about Freedom of Information Act (FOIA) regulations and if the identity of a caller was required to be disclosed. She spoke about a constituent making less than flattering posts about her neighbor where there was no reason for the complaint that said they were running a business out of their home (when the neighbor's business is located in Central Park.) She asked about the process for responding to complaints and if because this complaint was lodged by a member of one of the County's boards, it was given more credence. Mrs. Maurer added that she did not mean that there was any mal-intent on staff's part, but she was concerned that the inspection was more highly motivated given who lodged the complaint (and was not a resident of the Rock Hill District). She asked if possibly the complaint was retaliatory in nature because there was no way there was a business being conducted out of her neighbor's home. She said she did not want to see staff used as a weapon. Mr. Snellings said that he would have to see evidence as these were serious accusations.

Mr. Dudenhefer asked if reaction to the complaint followed due process and if a notice of violation was issued. Mr. Harvey said that there was no notice of violation issued after staff spoke with the property owner. Mr. Dudenhefer spoke about doing a pre-investigation and more research done before approaching the home owner. He said that the Sheriff didn't do business that way. He also asked if it was in every case that a complaint was responded to the same day it was received. Mr. Harvey responded that it was a matter of timing; if the inspector was already going to be in the neighborhood/area of the complaint, it could take place on the same day the complaint was received. Inspectors work one-half day in the field and one-half day in the office helping out with customer service at the front counter. Mr. Dudenhefer asked again about the process. Mr. Harvey said staff would do research to justify the complaint. Mr. Dudenhefer asked what would happen if there was no evidence. Mr. Harvey said the inspector would go out to the property to do a visual inspection and if possible, speak to the owner or resident. Mr. Dudenhefer spoke about frivolous complaints and petty acts of vengeance. Mr. Harvey said he handled an array of complaints in his 30 years with Stafford County and each one was treated with the same process; that some people used the County as a conduit to work out personal grudges but most complaints were expressing legitimate concerns. Mr. Dudenhefer again asked how the Sheriff handled complaints and said that staff should not be

more aggressive than the Sheriff's deputies when investigating a complaint; that there should be due process.

Ms. Bohmke said that they did not disclose the name of the person who complained about the neighbor in Mrs. Maurer's district. She added that people of "standing in the community" should not have greater rights. Mr. Foley confirmed that the process is not done differently depending on who called in a complaint. Ms. Bohmke said she receives calls the time about tall grass; she takes the information and e-mails it Anthony Toigo so there is a record of the complaint being filed and it shows up on her weekly report.

Ms. Shelton asked about accountability and how other surrounding localities handled complaints. She said that people should be held accountable for their actions. Mr. Foley said that some localities do divulge the name of the complainant, others do not. Mr. Snellings said he would defend staff. He had five complaints last week where neighbors were reporting neighbors for tall grass, garbage, etc.

Mr. Snellings asked Ms. McClendon about FOIA responsibility. Ms. McClendon responded that it was not encapsulated in this State; the State sets the FOIA regulations and the Board adopts them. Mrs. Maurer said she did not want the name released and wanted to make sure this was not a retaliation issue.

Item 22. Discuss Affordable Housing and the Definition of a Housing Authority in Virginia  
Human Services/Community Engagement Director, Ms. Donna Krauss, and Assistant County Attorney, Ms. Jeannise Ewing, gave a presentation and answered Board members questions. Ms. Krauss spoke about the 2008 George Washington Regional Commission's (GWRC) study on affordable housing, which included the definition of affordable housing in the region and addressed housing needs for various income levels. She spoke about "A.L.I.C.E." and the United Way initiative on financial hardship across the Commonwealth, including Stafford County. A meeting was held recently at GWRC with "Virginia Organizing," an organization addressing affordable housing. The City of Fredericksburg is in the process of initiating a RFP to complete a regional study and the County has plans to address the need for affordable housing in its Comprehensive Plan.

Ms. Ewing said that Virginia Code authorizes the County to engage in research, study, and experimentation in housing alternatives; to make grants and loans to property owners to repair residential rental properties that provide 20% of units to persons of low/moderate income; to provide homeownership grants to employees of the County; to offer residential housing assistance grants; to enter into public-private partnerships to provide affordable workforce housing; to amend the County's Zoning Ordinance to provide for an affordable housing dwelling unit program; and to participate in federal programs to administer federal funds.

Mr. Snellings asked for details about forming a housing authority. Ms. Ewing said that localities may establish a redevelopment and housing authority, which requires a local determination of need for such an authority; activation by referendum; and appointment of commissioners by the local governing body. She added that an authority exists to promote safe and sanitary housing conditions and typically performs the following functions: operates housing projects; administers federally-funded housing programs; redevelops land to eliminate blight; and facilitates the development and rehabilitation of affordable housing through loan and grant programs. Authorities have extensive, enumerated powers. Once created, an Authority may sue and be sued; make and execute contracts and other instruments; make, amend, and repeal bylaws, rules, and regulations to carry out the purpose and powers of the Authority. In connection with any housing project, an Authority may lease or rent any dwellings, land, buildings, structures, or facilities; establish and revise rents or charges; own, hold, and improve real or personal property; purchase, lease, acquire by gift, grant, or otherwise any real or personal property; exercise the power of eminent domain to acquire any real property; sell, lease, transfer, or dispose of any real or personal property; and/or insure or provide for the insurance of any real or personal property or operations of the authority. In addition, Ms. Ewing noted that powers of Authorities included making loans or grants of funds received from federal programs or other sources for the prevention and elimination of blighted or slum areas; assistance for housing construction or rehabilitation by private sponsors; borrow money, issue bonds and other obligations, and give security (bonds, loans and other obligations are subject to such limitations as imposed by law). Authorities may make grants, loans, or refinance loans to provide assistance for planning, development, acquisition, construction repair, rehabilitation equipping, or maintenance of commercial, residential or other buildings. Approval is required by the local governing body for any loan provided if the building is not located within a housing, redevelopment, or conservation or rehabilitation area. Rehabilitation work funded by grants or loans must be in compliance with property maintenance standards contained in the redevelopment or conservation plans. Authorities may conduct examinations and investigations and provide its findings to appropriate agencies with regard to any building or property where conditions exist that are dangerous to the public health, morals, safety, or welfare. Limitations on Authorities include being subject to all planning, zoning, building, or other local, state, and federal laws. Eminent domain powers are limited to housing projects, blight removal, and redevelopment and conservation areas approved by the local governing body; and an authority cannot exercise its power of eminent domain for private enterprise, job creation, tax revenue generation, or economic development.

Mrs. Maurer asked who defined a blighted area, particularly in the case of exercising eminent domain. Ms. Ewing said that it was a very broad term and blighted areas would be determined by the local governing body. Mrs. Maurer asked about the size of the blight, cited the boarded up gas station on Garrisonville Road, and asked if there were specific sizes or acreage required for the blight designation. Ms. Ewing said there were no size specifications. Mr. Dudenhefer asked who was on the hook of the Authority went under. Ms. Ewing said that the Authority was

on the hook, not the local governing body. Mr. Dudenhefer said someone had to issue the bonds and give the Authority to issue the bonds and to condemn private property. Mrs. Maurer said that apparent broad authority given to housing authorities made her nervous. Ms. Ewing said that the power of eminent domain was limited to housing projects and blight renovations.

Mr. Snellings asked what would happen if a member of the Authority went rogue; how could they be removed from the Authority and was it a difficult process. He cited the example of a four-year appointment to the Stafford Regional Airport Authority and the difficulty if an appointed member had to be removed. Ms. Ewing said she did not have that information and would have to get back to the Board with an answer to Mr. Snellings question. She added that there should be provisions and certain terms written into the bylaws of the Authority. Mr. Snellings asked about who would be on the hook if the Authority borrowed money that it did not pay back. Ms. Ewing reiterated that it would be the Authority, not the local governing body. He asked, if the Board determined a blighted area, what that process is. Ms. Ewing said that the County Administrator would have to authorize a public hearing; the public hearing would have to be duly-advertised and held in accordance with specified State regulations; and then the Board would vote to note an area as being blighted. If it was a redevelopment or conservation area, blight could be determined without approval of the local governing body.

Mr. Snellings noted that the GWRC study was done in 2008 and asked if there were any more recent studies done and, if not, staff should request that GWRC entertain doing another study with more current data and a better definition of affordable housing in today's economic climate.

Mr. Coen spoke about teachers, fire fighters, sheriff's deputies, etc. who could not afford housing in Stafford County and if the zoning remained the same, it would not help people to be able to afford to live where they worked. Mr. Harvey stated that zoning referred to the number of homes allowed to be placed on an acre. A housing authority could condemn property and build a housing complex on that site. Anything built by an Authority still had to comply with all state and local zoning regulations and ordinances and the County's Comprehensive Plan. He added that there were several redevelopment areas identified in the County, they were not blighted but identified for development. Mr. Coen talked about the definition of affordable and people working in starter jobs that could still not afford housing deemed to be "affordable." He said that the Board had to figure out what the current situation was and asked that it be sent back to GWRC for a more in-depth study and updated information.

Ms. Bohmke said she would take it back to GWRC. She said there was a recent meeting with Virginia Organizing and when she worked in California, she worked with revenue bonds in Palm Desert to provide housing for service workers. They were wrapped in a letter of credit and resulted in AAA bond ratings. She asked how many housing authorities there were in Virginia. Ms. Ewing said maybe 10 or 12; that Prince William County had a housing authority as did Loudoun County but that there were none in Stafford, Spotsylvania, or the City of

Fredericksburg. Mr. Snellings said it was a very difficult subject; there were all sorts of approaches to affordable housing and he did not think that establishing a housing authority was the thing to do.

Item 23. Discuss Downtown Stafford Deputy County Administrator, Mr. Fred Presley, gave a presentation and answered Board members questions about Downtown Stafford. There was a community survey done in 2006 and a Courthouse Redevelopment Plan began in 2008. There were two facilitated workshops that resulted in a vision statement, “cultural, civic, work, shop, living, and recreational areas must be woven together with parks and streets to create a walkable and memorable Town of Stafford, the seat of County Government.”

Work on the Courthouse Urban Development Plan began in 2011 and finished in 2012 including the new I-95 interchange for Courthouse Road and a greater focus on the potential for a “downtown” area of the County.

In 2016, the Board adopted a new Comprehensive Plan that identified the Courthouse area as a targeted growth area for urban style development. Mr. Presley said the vision included a quiet, tree-lined neighborhood with a town center, park or historical focal point; areas like Fredericksburg, Old Town Alexandria, Reston and Arlington; options to get out of your car, i.e., a walkable downtown; community gathering spaces, coffee shops, shopping, an area that has more than just chain stores but offers feature stores and restaurants; an entertainment center; a place that embodies the live, work, and play concept that attracts young adults; a place with family-oriented spaces and child-friendly uses; and a destination that offers attractions for people living inside and outside the County.

In 2017, the Board authorized hiring a development adviser to study the possibility of creating a “downtown Stafford” and if favorable, to develop a RFP to find a developer/partner to help make it a reality. Subsequent to hiring a developer/partner (Stantec), the Board and selected staff took a tour of mixed-use developments in the region; findings were presented to the Board in a workshop in August, 2018.

Economic Development Director, Mr. John Holden, presented a market/gap analysis. He said that the median household income for Stafford County was \$97,606, which is significantly higher than Fredericksburg, which hosts many of the retail opportunities that Stafford residents desire. The higher median income, along with the findings of the gap analysis indicates that there is an opportunity for additional retail absorption in Stafford. A summary of the findings concluded that Stafford County has limited locations to gather, recreate, shop, dine, etc.; few mixed-use, walkable developments; County-owned land in a key location near highway interchange including the existing government offices and courts complex; great buying power and potential to create a vibrant downtown development. Based on these findings, Mr. Holden relayed the vision for “Downtown Stafford” as an established area with a walkable, vibrant, authentic town center with amenities, pedestrians and bikes connected to neighborhoods,

acknowledged car-dependent realities of the market; introducing a heart for the community and having a signature place that represents Stafford's culture and values. In summary, Mr. Holden said that in general, with rapid population growth, little multi-family supply in the market, and a very favorable market study and gap analysis, Stafford County should be well positioned to support a "downtown" development.

In response to a question asked at the recent Board presentation, Mr. Presley addressed how the proposed residential component of "Downtown Stafford" would support the proposed retail establishments. He said the concept plan proposed 700 new residential units (developed in two phases) with 115,000 s.f. retail, 50,000 s.f. office and 85,000 s.f. entertainment/civic space. It would benefit from the spending power of daytime office and courts population and visitors across Courthouse Road as well as the nearby Stafford Hospital and School Administration building, and would also benefit from the 700 new residences. It would be further supported by the 1,250 units in the 15-minute walking radius from Downtown Stafford including rooftops that are a part of Embrey Mill, Ultris Courthouse Square, and other nearby homes.

Responding to another question regarding challenges with the development of both the Garrison and Aquia Town Center and how they are different than Downtown Stafford, Mr. Presley said the Garrison was a single block of walkable, mixed-use office/retail surrounded by car-centered, segregated retail and multi-family residential. Similarly, the Aquia Town Center was a car-centered, segregated retail and multi-family residential (income restricted) development. Mr. Cavalier noted that it was not how the Aquia Town Center was originally intended. The proposed Downtown Stafford has vertically mixed-uses throughout the project. Mr. Presley said that proposed for Downtown Stafford was a vibrant public realm comprised of a town square/public space with diverse programming with walkable streets and sidewalks. The potential for growth was substantial, unlike Aquia and the Garrison, which have limited growth potential.

Mr. Presley said he was an economic development director in Rhode Island and he had not seen a gap analysis indicating such a major opportunity for development. Mr. Snellings asked about meeting with adjoining property owners and filing for rezoning. Mr. Presley said he is working with Mr. Harvey to get names and is reaching out to those property owners as quickly as possible.

In concluding his presentation, Mr. Presley said that the next steps were to develop a master plan for County-owned land; to develop and implement a community engagement plan to get feedback from residents and area property owners; amend the UD-5 zoning classification to accommodate the key density and building requirements needed; rezoning County-owned

property and amend the Comprehensive Plan as needed; and to develop an RFP for a development partner.

Item 25. Discuss Stormwater Management The Board agreed to hold this discussion before Item 24. Mrs. Maurer asked that this item be placed on the agenda for discussion. She said that this conversation was not limited to the Rock Hill District; that the Falmouth and George Washington Districts also had significant stormwater management issues. She spoke about the pipes being replaced in Vista Woods but an opportunity being lost as VDOT cannot upsize the pipes due to a lack maintenance funds in its budget. A service district cannot be established due to State laws and overall stormwater management policies and procedures in the County needing a comprehensive review. Mrs. Maurer noted that there have been four “10-year” storms in the past six months. She mentioned looking at a property-based code and taking a larger look at what homeowner’s can do to help themselves.

Mr. Coen talked about the County and its homeowners needing tools to combat stormwater management issues. He said that although many residents did all the right things, the flooding issues have not been remedied. Mr. Coen commended Mr. Jason Towery and the Public Works staff and talked about needing a more holistic approach to the problem.

Ms. Bohmke said that stormwater management was the single biggest problem in her district (Falmouth). She said that staff had been phenomenal and helped with a recent town hall meeting where they walked behind a building to the CSX railroad tracks and found a huge abutment that was blocking one-half of a water channel that had not been used for years. She said that residents were breaking up beaver dams every other day and that water was not fun having dealt with it herself when she was younger. She said that she was amazed that there were houses that were built in flood plains, those properties were in a list created by Keith Dayton. There was discussion about creating a stormwater management program a few years back and the County Attorney said no due to potential liability with working on private property and with issues effecting easements.

Mr. Foley spoke about County-wide aging infrastructure and staff that was working on developing a range of options and taking an in depth comprehensive look at stormwater management issues. He said they were looking at a gambit of options, which could be added to the strategic plan that was in process. Ms. Bohmke asked what the Virginia Association of Counties (VACo) was hearing from other localities and possibly proposing legislation to help combat this issue. Mr. Foley talked about changing design standards in the County to meet 100-year, not 10-year floods.

Item 24. Discuss Revisions to the Board of Supervisors Bylaws – By consent of the Board, this item was heard following Item 25. Ms. McClendon gave a presentation and answered Board members questions noting that the Board’s Legislative Committee (Mr. Dudenhefer and Mrs. Maurer) met two times and recommended changes to the order of business; designation of the



afternoon and evening sessions and specification of how items carried over from the afternoon to the evening session. In addition, recommended changes to the Consent Agenda included criteria for items to be placed on the Consent Agenda, the County Administrator will prepare the Consent Agenda, and the Chairman and Vice Chairman will review the Consent Agenda. Regarding New Business, clarification of how new business items come back to the Board for a second read and clarifies that public hearings are not new business.

There was clarification as to how items become unfinished business and that an item coming to the Board following a closed session discussion was not unfinished business. Specification as to what was considered an Add-on item, where add-on items may be placed on the agenda, and a requirement that add-on items be made available to the public during the Board meeting were also considered. It was clarified that a closed meeting may be held at any point by a vote of the Board, and the Board is allowed to vote on specific legal and personnel items after a closed meeting. Regarding the use of Board Committees, the revisions establish that the Legislative Affairs Committee is a regular committee of the Board; the Chairman is allowed to create *ad hoc* committees as needed, and committee chairman provisions were moved to the new section of the Bylaws. The term “work session” was defined and noted that all State open meeting laws were to be met for work sessions, and prohibits the Board from taking formal votes or actions during a work session.

Mr. Dudenhefer spoke about a growth management committee. Regarding the Code of Performance, it was recommended that it be adopted once a year, at the Board’s annual/organizational meeting but that it not be considered a part of the Bylaws. Statements of Economic Interest are FOIA’ble and should be placed on the County’s website for ease of use and transparency. Ms. McClendon spoke about the County’s FOIA policy and said that the current policy reflects the policies of the State’s FOIA Council so no action was required.

Mrs. Maurer said she had concerns about Section 2b *ad hoc* committees and that in the past, with a different chair and vice chair, it was problematic. She emphasized that she was not speaking about the current Board. She said she was concerned about transparency and talked about standing committee agendas and her thought that items should come to the Board first then be sent down or assigned to a particular standing committee. She said she liked the provisions for work sessions, for example to be used when determining the percentages in the CIP process. Mrs. Maurer said she was in favor of keeping the committee structure the way it was but changing the way agenda items were assigned.

Mr. Snellings said he liked Mrs. Maurer’s ideas and recommended that standing committee meetings be held in the Board Chambers and be televised, depending on the cost of doing so. Mr. Cavalier said that he supports the current structure but was willing to entertain changes and farming out agenda items to committees like was done with Planning Commission referrals. The Planning Commission then gives the Board its recommendation based on what the Board asked it to do; it should be the same with send-downs to committees.

Ms. Shelton said she liked the ideas but thought that the word transparency was over-used, and liked the idea of holding committee meetings, televised, in the Board Chambers. She thought that the all Board members, not just committee members, should be allowed to vote and there should be time for public participation.

Mr. Coen said that he was relatively new to the Board but thought that if an item was heard by the Committee, then two or three weeks went by, and it was brought up to the full Board, no one seemed to care at that point. He added that he was concerned with the number of items on the Consent Agenda. There were way too many committees like the Joint Oversight Committee, the Joint FAB Committee, the Joint Schools Working Committee, etc., and he thought that the process should be streamlined. Mr. Coen thanked Mrs. Maurer for her excellent suggestions.

Ms. Bohmke said she was on the Board for five years. She said that citizens were welcome to come to ABC Conference Room but agreed that there would be more room in the Chambers and that televising the meetings would be a good thing since the committees were where the bulk of the work was happening. She said that she was in favor of work sessions and talked about parity when new Board members come on and everyone being equal but it not seeming that way depending on committee assignments. Ms. Bohmke repeated that she was in favor of televised work sessions. She suggested a pilot of nine or ten months with the new changes then reviewing the issue. Mr. Cavalier said he did not agree with the work session concept, which would be run by the Chairman and therefore, have no distribution of power, which had created problems in the past. He said he was not directing his comments to Ms. Bohmke but to problems with past Board chairs. He'd seen it both ways in his years on the Board and did not support it at all.

Ms. Shelton said she was concerned about the CIP process and also concerned with new Board members having to attend every single meeting, even if they were not on that committee, to be apprised of everything going on around the County. She said she understood Mr. Cavalier's concerns but she would like to have the opportunity to consider, weigh in, and vote on items. Mr. Cavalier said he was once a "newbie" and that's just the way it was, new Board members had to go through the process. He said that most elected bodies had a committee structure whether it is Federal, State, or local.

Mrs. Maurer brought up Page 5 and talked about items placed on the Consent Agenda that had no business being there, and how to determine what items are non-controversial and should it be left up to the Chair and Vice Chair, which she was not comfortable with. Ms. Bohmke said that Board members can pull items off the Consent Agenda for separate consideration and if an item is deemed to be controversial, it can be moved to New Business for discussion then voted on at a later meeting. She said that the County Administrator initiated the Consent Agenda. Mrs. Maurer spoke about an Aquia Town Center item that was deemed to be non-controversial but was extremely controversial and generated more than 4000 e-mails from concerned citizens. She spoke about parliamentary procedure to override the Chairman on controversial issues on a

Board meeting agenda. Ms. McClendon said that this item would be brought back to the Board for further discussion at its meeting on September 18, 2018.

**CLOSED MEETING**

At 6:21 p.m., Mr. Snellings motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 18-17.

The Voting Board tally was:

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

Resolution CM18-17 reads as follows:

**A RESOLUTION TO AUTHORIZE CLOSED MEETING**

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel and briefings by staff members regarding the Department of Justice's investigation and the establishment of cemeteries, and the Stafford County Circuit Court, which are specific legal matters requiring the provision of legal advice by counsel; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, does hereby authorize discussion of the above matter in Closed Meeting.

**CLOSED MEETING CERTIFICATION**

At 7:03 p.m., Mr. Coen motioned, seconded by Ms. Shelton, to adopt proposed Resolution CM 18-17(a).

The Voting Board tally was:

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

Resolution CM-18-17(a) reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 4, 2018**

WHEREAS, the Board has, on this the 4<sup>th</sup> day of September, 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 4<sup>th</sup> day of September, 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 7:04 p.m. the Chairman called the evening session to order.

Ms. Shelton gave the invocation; Mr. Snellings led the Pledge of Allegiance to the Flag of the United States of America.

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

Dan Collins - Hartwood District resident since 1991 that asked for assistance in getting roads in his neighborhood up to state standards and said that VDOT staff had been zero help. Mr. Snellings asked Mr. Collins to contact him the next day and they would discuss this

Debra Snyder - Vista Woods resident since 1989; thanked Mr. Snellings for placing a discussion about affordable housing on the agenda. She is a member of Virginia Organizing who has a daughter that moved here and cannot find affordable housing. Ms. Snyder submitted a flyer about the United Way A.L.I.C.E. program for distribution to the Board.

## **PUBLIC HEARING**

Item 26. Public Works (Utilities); Consider an Ordinance to Amend and Readopt Fees for Providing Public Water and Sewer Service, Pro-Rata Fees Public Works Director, Mr. Jason Towery gave a presentation and answered Board members questions. He spoke about pro-rata fees being implemented in the early 1990's. They are the proportionate share of the total estimated cost of ultimate water and sewer facilities required to serve a common area, when developed according to the Comprehensive Plan; that shall be borne by each developer within the area. They are based on Virginia Code § 15.2-2243 and should be updated annually. However, there have been no changes since 2007. Pro-rata fees are based on costs for "build-out" scenarios and on total flow demand of water/sewer at "build-out" and calculated by dividing the total construction costs of necessary improvements by the total number of gallons of demand.

Mrs. Maurer asked for a map. Mr. Towery said that maps were available on-line but had not been included in the hand-outs given to the Board. Mr. Snellings asked if this would affect his water bill. Mr. Towery said that it would not.

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

Mr. Cavalier motioned, seconded by Ms. Shelton, to adopt proposed Resolution R18-116.

The Voting Board tally was:

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

Resolution R18-116 reads as follows:

A RESOLUTION ADOPTING THE GENERAL WATER AND SEWER  
IMPROVEMENT PROGRAM AS SHOWN IN THE DOCUMENT  
TITLED "STAFFORD COUNTY GENERAL WATER AND SEWER  
IMPROVEMENT PROGRAM"

WHEREAS, the Board desires to provide reliable water and wastewater service to the citizens of Stafford County; and

WHEREAS, the Board desires that future service needs be carefully planned; and

WHEREAS, the rates and fees must be commensurate with the cost of providing service in order that the Utilities fund be self-supporting; and

WHEREAS, County Code Sec. 25-72.1 and 25-72.2 require developers and subdivision developers to pay a *pro rata* share of off-site water and sewer costs; and

WHEREAS, Virginia Code § 15.2-2243(A) requires the establishment of a general water and sewer improvement program in order to require the collection of pro-rata fees; and

WHEREAS, the Utilities Commission held a public hearing and recommends changes to the County's General Water and Sewer Improvement Program in order to continue to effectively manage the growth of its water and sewer system, and ensure proper collection of pro-rata fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that it be and hereby does amend the General Water and Sewer Improvement Program as shown in the document titled "Stafford County General Water and Sewer Improvement Program," dated April 26, 2018.

Mr. Cavalier motioned, seconded by Ms. Shelton to adopt proposed Ordinance O18-39.

The Voting Board tally was:

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

Ordinance O18-39 reads as follows:

**AN ORDINANCE TO AMEND AND READOPT PRO-RATA FEES FOR PROVIDING PUBLIC WATER AND SEWER SERVICE**

WHEREAS, the Board is authorized to set reasonable fees and charges for public water and sewer pursuant to Virginia Code §§ 15.2-2111, 15.2-2122, and 15.2-2243; and

WHEREAS, the Board desires to set fees for these services commensurate with the services provided by the County; and

WHEREAS, County Code Sections 25-72.1 and 25-72.2 require sub-dividers and developers to pay a pro-rata share of water and sewer infrastructure costs; and

WHEREAS, the General Water and Sewer Improvement Programs have been updated to reflect current estimates of the costs to construct water and sewer infrastructure in the common areas; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, that the fees for providing public water and sewer service be and they hereby are amended and readopted as follows, with all other portions remaining unchanged:

Pro Rata Charges (Per Gallon)

<u>Pressure Zone</u>	<u>Water Fees</u>		<u>Sewer Fees</u>		<u>County Code Sec. Section</u>
	<u>Current</u>	<u>Proposed</u>	<u>Current</u>	<u>Proposed</u>	
Aquia	1.92	2.27			25-72.1 &
Berea	2.24	3.56			25-72.2
Central	4.00	6.38			
Falmouth	3.40	4.13			
Garrisonville	2.61	3.22			
<u>Drainage Area</u>					
Accokeek			9.26	10.57	
Aquia			7.47	4.59	
Austin Run			5.34	2.17	
Claiborne Run			5.80	3.63	
Falls Run			10.49	5.23	
Little Falls Run			9.93	14.32	
Potomac Creek			16.55	28.22	
Rocky Pen Run			19.47	13.57	

BE IT FURTHER ORDAINED that this Ordinance shall be effective upon its adoption.

At 7:22 p.m., Mr. Snellings motioned, seconded by Mr. Cavalier to return to Closed Meeting.

The Voting Board tally was:

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

Resolution CM18-17(2) reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel and briefings by staff members regarding the Department of Justice's investigation and the establishment of cemeteries, which are specific legal matters requiring the provision of legal advice by counsel; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 4<sup>th</sup> day of September, 2018, does hereby authorize discussion of the above matter in Closed Meeting.

At 7:42 p.m., Mrs. Maurer motioned, seconded by Mr. Snellings, to certify the actions of the Board taken in Closed Meeting.

The Voting Board tally was:

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

Resolution CM18-17(2a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 4, 2018

WHEREAS, the Board has, on this the 4<sup>th</sup> day of September, 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 4<sup>th</sup> day of September, 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 7:43 p.m., the Chairman adjourned the September 4, 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