

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES

Regular Meeting

January 22, 2019

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Gary Snellings, Chairman, at 3:00 p.m., on Tuesday, January 22, 2019 in the Board Chambers, George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

Roll Call The following members were present: Gary Snellings, Chairman; L. Mark Dudenhefer, Vice Chairman; Meg Bohmke; Jack R. Cavalier; Thomas C. Coen; Wendy E. Maurer; and Cindy C. Shelton.

Also in attendance were: Thomas C. Foley, County Administrator; Rysheda McClendon, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Cheryl D. Giles, Deputy Clerk; associated staff and other interested parties.

Ms. Shelton presented a proclamation and commemorative coin to the parents of the first baby born in 2019 in Stafford County. Jhkai Malcolm Odie was born at 12:01 a.m. on Tuesday, January 1, 2019, at Stafford Hospital and was also the first baby born in the Fredericksburg region. Jhkai is the son of Shakiyla Mason and Jerome Odie.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt the regular agenda. There were no additions or deletions to the regular agenda. There was a change to proposed Resolution R19-40, which was voted on during consideration of Item #4 on the Consent Agenda.

The Voting Board tally was:

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

Presentations by the Public The following person addressed the Board:

Paul Waldowski - Mr. Waldowski said he changed his image; he spoke about the elected officials picking committees and said that Stafford was the only one of 95 counties that had a Utilities Commission. He announced that he was running for Commissioner of the Revenue and for the Rock Hill District Supervisor seat. February 1st would be the 25th anniversary of his retirement from the United States Air Force. He spoke about a new way of redistricting saying that Republicans and Democrats were equally inept and maybe he would build a wall. He concluded his remarks saying that there were four commonwealths, 45 states, and one Republic of Texas.

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 thanked Donna Lewis for inviting her to speak to the Elder Studies attendees at UMW; she shared with them the County's strategic plan and what is happening in the County. VDOT is hosting a Route 17/I-95 interchange meeting on 1/30/19 from 5:00 to 7:00 p.m. at James Monroe High School. There was a transportation meeting at Drew Middle School on 1/16/19 where citizens expressed frustration with VDOT's lack of road maintenance and lack of responsiveness to citizen complaints about road issues in the County including pot holes, water standing on roadways and freezing, and a lack of attention to safety concerns. Ms. Bohmke said that she would address their concerns with local VDOT staff. On Monday, 1/21/19, Ms. Bohmke attended a human trafficking forum and panel discussion which she said was phenomenal. It was hosted by the General Federation of Women's Clubs of Virginia. Gut-wrenching stories were told by panel members that included one survivor and the mother of a survivor. She spoke about Mr. Bill Wolfe and his "Just Ask" prevention program. Mr. Wolfe was a former Fairfax policeman who spent time working in human trafficking then started the "Just Ask" non-profit to educate people about this crime. In October 2018, President Trump and Secretary of State, Mike Pompeo, recognized Mr. Wolfe for the program. Ms. Bohmke shared statistics including over 300,000 children were trafficked in the United States this year and one child being sold every 30 seconds; human trafficking is the second largest criminal enterprise in the world and it affects all communities and does not discriminate on race, ethnicity, gender or socio-economic class. The survivor said that she was drawn into it by a very normal looking person, someone who looked like anyone else you might meet. Ms. Bohmke said that Fairfax County Schools adopted a sex trafficking awareness curriculum for students in 6th through 12th grades; Ms. Bohmke said she would be speaking with Dr. Chase, the Falmouth School Board member, about human trafficking education in Stafford County schools. On Friday, 1/25/19, a play called "Between the Cracks" about human trafficking will be shown at UMW. The movie is free and will take place in Lee Hall, Room 411. Ms. Bohmke then thanked the Utilities crew for finding and fixing a water main leak off Enon Road.

Mr. Cavalier - Mr. Cavalier said that he met with the County's new contracts administrator along with Mr. Foley and Mr. Presley and recommended to his fellow Board members that if they have not met Charity Hooper, they should arrange to do so as she was absolutely fantastic. She said things that needed to be said and was doing things with the understanding of the issues and hurdles needed to be gotten over. Mr. Cavalier said that Charity was writing contracts the way they should be written and saving the County money and was a new-hire that would pay for itself. He attended a Fredericksburg Regional Alliance (FRA) meeting and reported that FRA is developing a regional strategic plan, which he would provide updates on as they were available. Mr. Cavalier attended one of the Schools redistricting meetings where the consultant's plans included moving between 800 to 3000 elementary school students, which would disrupt and make a lot of families unhappy. He chaired the Public Safety

Committee (PSC) meeting where there was a discussion about retention issues in the Sheriff's Office, which was a part of the ongoing compensation study. A new public safety training center to replace the old one was also discussed. Mr. Cavalier reported that there was a lot of work to do on that proposal. There will be a transportation meeting at Moncure Elementary School at 7:00 p.m. on Wednesday night. Mr. Cavalier stated for the record that he fully supported the Stafford Education Association's position on pay raises this year; Mr. Cavalier added that he believed in parity on both sides of the street with equal raises for both School and County staff.

Mr. Coen - Mr. Coen said that he met with the new Contracts Administrator and was very impressed. He attended a meeting of RAAA's Healthy Generations who does great work for senior citizens in the region. Mr. Coen attended the transportation meeting with Ms. Bohmke and Mr. Snellings and said that road maintenance issues, not new road construction, was the main concern of the attendees at the meeting. He attended the NAACP event. He met about a new school's initiative; 3rd grade students tour the County facilities each year and high school seniors participate in Student Government Day. In addition to 3rd and 12th grade students, there is a program under consideration for 7th graders to have a video contest showing things they know about County government. There will be a concentrated effort to ensure the students have what they need to produce the videos. Mr. Coen officially announced that he was a candidate for reelection as the George Washington District Supervisor in 2019.

Mr. Dudenhefer - Mr. Dudenhefer said that he received notice from the Pence Group that an agreement with Regal Cinemas was worked out and he hoped to see dirt moving in March on a new movie theater at The Garrison. He talked about rumors on Facebook and said that some were negative just to get a rise out of people and it was most offensive. Mr. Dudenhefer spoke about the Transportation Study, which was a work in progress since February, 2018. He said it had a very important effect on transportation in the County. He reflected on road safety as there was a recent uptick in the number of traffic fatalities in the County. Mr. Dudenhefer said that the next day was the 15th anniversary of his daughter's death in a traffic accident and his goal was to protect his grandchildren and the children of County residents from future tragedies caused by bad road conditions. He said that anyone with an interest in traffic safety should attend the meeting the next evening at Moncure ES and speak up and be heard. He said that none of the projects could be completed without a financial plan, which staff and the Board was working on and would have available in late winter or spring. Mr. Dudenhefer spoke about Smart Scale funding of which Stafford County was granted \$1 Million out of a total of \$800 Million in available funding so the County could not wait for VDOT to fix County roads. He appealed to everyone to get involved.

Mrs. Maurer - Mrs. Maurer attended the NAACP Installation event, which was a wonderful event and she wished everyone much success. She spoke about Lt. Governor Justin Fairfax's inauguration story, which she said was very inspiring and everyone should hear. She attended the Alpha Phi Alpha Black and Gold Ball, which was a wonderful event that showcased incredible black male leaders with brilliant minds. Mrs. Maurer attended the Legislative Committee meetings and reported that the County's efforts in the General Assembly were moving forward but that the Proffer bill was still contentious adding that said that she thought impact fees were the fairest way to go. Mrs. Maurer was appointed Chair of the VRE Finance Committee; she will report back to the Board on subsidy allocations and new financial policies. Mrs. Maurer also met with Charity Hooper, the County's new contracts administrator. She got a great briefing and talked about Mrs. Maurer serious concerns about procurement issues here and on the Schools' side of the street. She pulled Item #8 from the Consent Agenda.

Ms. Shelton - Ms. Shelton said that it was a wonderful new year and thanked people for attending the Aquia Town Hall meeting; she talked about the transportation meeting scheduled for the next evening. She along with other Board members attended the NAACP Installation of Officers Ceremony. Ms. Shelton said that everyone should be treated equally with peace, love, and recognition that everyone is an equal and rightful resident of Stafford.

Mr. Snellings - Mr. Snellings said that he attended last week's transportation meeting and was very disappointed that only seven people out of County of 146,000 people showed up. He urged citizens to attend the meeting the following night and said to not rely on Facebook for information and details about what is happening in the County.

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

Report of the County Administrator – Mr. Foley spoke about revisions to proposed Resolution R19-40, which came out of the Finance, Audit, and Budget Committee meeting held earlier. Ms. McClendon recommended that Item #4 be pulled from the Consent Agenda so that it could be voted on separately. Mrs. Maurer pulled Item #4 from the Consent Agenda.

Budget Division Director, Ms. Andrea Light presented the FY2019 Mid-Year Financial Review. She said that at mid-year, General Fund revenues were projected to be slightly below the adopted budget; real estate and personal property revenues were slightly lower as a percentage of the budget than at the same time in 2018; sales, meals, and transient occupancy taxes remained strong revenue generators. She noted that building permits and fee revenues were projected under FY2018 actuals and apartments in FY2017 and FY2019 provided an unusual increase in one-time permits and fees; all other work outputs indicated slow, steady growth.

Regarding expenditures, Ms. Light said that health insurance costs were projected to be under budget, which continued a trend since the adoption of the new health insurance program. Vacancy savings were budgeted at \$500,000 and projected savings were slightly above that target. Costs for the Juvenile Detention Center projected to be below budget and debt service savings were projected to be \$600,000 due to the timing of the borrow and favorable rates.

Ms. Bohmke asked about \$600,000 in debt savings. Ms. Light replied that it had to do (in part) with the timing of the Master Lease on Fire and Rescue apparatus and making only one payment, not two. Ms. Bohmke said that it did not have to do with interest rates. Ms. Light said that it was partially that but mostly due to timing of the Master Lease debt service.

Ms. Light said that CSA – Private Day School costs were projected to be under budget. Mrs. Maurer talked about \$285,000 allocated for the Schools to use to expand private day school. The School Board chose to not expand the program so the County was keeping that amount in its budget. Regarding Social Services, Ms. Light said that through turnover, vacancy savings, and being good steward of public funds, the Social Services department was projected to be under budget by \$579,044. The 5% appropriation hold did not appropriate this savings but staff would continue to monitor revenues and expenditures and bring changes to the Board as necessary.

Ms. Light reported that all fund balance policy requirements were met and in compliance with all of the Board's policies at year end. The Capital Projects Reserve had approximately \$1.6 Million in funding that could be programmed into the FY2020 Capital Improvement Program (CIP). Utilities Fund user fee revenues were slightly above budget; pro-rata revenues exceed budget projections; expenditures were slightly under budget; and overall the Utilities Fund continued steady, modest growth.

The gas tax reported at the state level was behind, only three months were provided but the gas tax appears to be stabilizing revenues and providing funding beyond budget projections. Mrs. Maurer said it was behind at the State level; there was a \$900,000 surplus this year due to changed legislation and the gasoline tax floor. In the Transportation Fund, Ms. Light reported that interest revenue was projecting above budget and operating expenditures were in line.

In Schools, the average daily membership (a collective measure through March 31st) was tracking with budget and revenues were projected to be in line. Regarding School expenditures, only four teacher salaries were recorded, 3rd Quarter projections would provide more accuracy on expenditure projections for the Schools and health insurance continues to trend the same for the Schools as for the County.

In concluding her remarks, Ms. Light said that General Fund revenues, while projecting to be slightly under budget, continued a steady growth over FY2018 actuals. Expenditure savings in health insurance, vacancy savings, and debt service provide a favorably balanced budget and expenditure savings, Ms. Light noted, are anticipated to provide a sufficient source of funding for the projected year-end \$1 Million to Transportation.

Mr. Foley thanked Ms. Light for her presentation and introduced Landfill Director, Mr. Keith Dayton who provided the R-Board Financial Report for FY2018. Mr. Dayton said that the FY2018 financial statement by Cherry Bekaert is complete and confirms the steady progress towards the financial stability of the Landfill. Current assets increased by approximately \$2.9 Million; total liabilities increased by approximately \$1 Million, mainly as a result of implementing GASB 75 recording the OPEG liability of \$2.7 Million; the Landfill's total net position improved approximately \$2.4 Million to nearly \$10.5 Million; its unrestricted net position improved approximately \$1.3 Million and operating expenses decreased by \$2.3 Million as a result of a management position to return to a positive unrestricted net position. The R-Board has more than \$8.6 Million in its investment fund and nearly \$2.6 Million in its cash account, for a reserve total of nearly \$11.3 Million. Mr. Dayton added that flow control was the single greatest factor in the reversal of the Landfill's financial performance. \$600,000 collected in resident fees played a critical role in the transition to a positive position (the first time since 2013). There were no audit findings related to the R-Board's financial statement. Ms. Bohmke said that it was many more years before 2013 with opening new cells included in the financial concerns at the landfill, to which Mr. Dayton agreed.

Ms. Shelton thanked Mr. Dayton for his report and talked about recycling issues and the significant challenges with the cost of recycling, which the R-Board was addressing. Ms. Bohmke said she wanted this report to be presented to the public and to the full Board as Chairman of the R-Board (along with Ms. Shelton); she spoke about partnering with the City of Fredericksburg and the new ways of handling trash and how Stafford County was on top of it.

APPROVAL OF THE CONSENT AGENDA

Mr. Coen motioned, seconded by Mrs. Maurer, to adopt the Consent Agenda. Mrs. Maurer pulled Items #4 and #8 from the Consent Agenda.

The Voting Board tally was:

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

Item 1. County Administration; Approve Minutes of the December 11, 2018 and January 8, 2019 Board Meetings and Work Session Minutes dated November 7, 2018, November 27, 2018, December 11, 2018, and December 13, 2018

Item 2. Finance and Budget; Approve the Expenditure Listing

Resolution R19-20 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED DECEMBER 12, 2018 THROUGH JANUARY 21, 2019,

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 22nd day of January, 2019 that the above-mentioned EL be and hereby is approved.

Item 3. Finance and Budget; Authorize the County Administrator to Execute a Contract Renewal for Financial Advisory Services

Resolution R19-04 reads as follows

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE A CONTRACT RENEWAL WITH PUBLIC FINANCIAL
MANAGEMENT INC. FOR FINANCIAL ADVISORY SERVICES FOR
FY2019

WHEREAS, the current contract for Public Financial Management, Inc. (PFM) for financial advisory services has nine, one-year renewal options; and

WHEREAS, the first year contract costs were below the procurement threshold; however, subsequent renewals will raise the aggregate contract amount above the procurement threshold, which requires Board authorization; and

WHEREAS, the current contract for PFM is due for renewal; and

WHEREAS, funds for these services have been budgeted and appropriated in the FY2019 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the County Administrator be and he hereby is authorized to execute the first of nine renewals with Public Financial Management Inc. for financial advisory services, in an amount not to exceed Forty-four Thousand Seven Hundred Dollars (\$44,700) and an additional Four Thousand Dollars (\$4,000) related to Moody's AAA Bond Rating presentation, in FY2019.

Item 4. Finance and Budget; Authorize the County Administrator to Appropriate a Portion of the FY2019 5% Appropriation Hold Mrs. Maurer asked that this item be pulled so that the \$285,000 Children's Services Act (CSA) savings could be included.

Mrs. Maurer motioned, seconded by Ms. Shelton, to adopt revised Resolution R19-40.

The Voting Board tally was:

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

Revised Resolution R19:40 reads as follows:

**A RESOLUTION AUTHORIZING A PARTIAL RELEASE OF THE FY2019
APPROPRIATION HOLD**

WHEREAS, to provide financial flexibility, the Board placed a 5% appropriation hold on the FY2019 budget, with the release of the hold pending a mid-year fiscal review; and

WHEREAS, the FY2019 mid-year review projects for revenues are slightly under budget; and

WHEREAS, to provide cautionary mitigation, the Board desires to continue to hold appropriations from Human Services to coincide with a projected expenditure savings of \$1,196,000 and Social Services to coincide with a projected savings of \$579,044;

WHEREAS, the FY2019 Adopted Budget included \$285,000 to fund a public day school program which will not occur, again to provide cautionary mitigation, these funds are held and not appropriated below;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that it be and hereby does appropriate \$11,072,372 as follows:

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Board of Supervisors Minutes

January 22, 2019

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General Fund:	5%	Hold	Release
Board of Supervisors	36,307		36,307
Commissioner of the Revenue	141,070		141,070
County Administrator	66,870		66,870
County Attorney	52,546		52,546
Electoral Board and Registrar	26,578		26,578
Finance and Budget	86,727		86,727
Geographic Information System	32,353		32,353
Human Resources	32,025		32,025
Information Technology	115,690		115,690
Office of Community Engagement	19,663		19,663
Treasurer	108,089		108,089
Sheriff	1,312,411		1,312,411
Fire & Rescue Services	1,081,188		1,081,188
15th District Court Unit	18,714		18,714
Code Compliance	221,718		221,718
Rappahannock Juvenile Detention Center	60,765		60,765
Rappahannock Regional Jail	257,225		257,225
Circuit Court	18,665		18,665
Clerk of the Circuit Court	79,371		79,371
Commonwealth Attorney	163,029		163,029
Court Deputies	127,454		127,454
General District Court	5,882		5,882
Juvenile and Domestic Relations	5,735		5,735
Magistrate	441		441
Cooperative Extension Program	9,567		9,567
Economic Development	36,827		36,827
Community Development Partner Agencies	25,070		25,070
Planning and Community Development	128,217		128,217
Human Services	432,370	(1,196,000)	(763,630)
Health and Social Services Partner Agencies	68,675		68,675
Social Services	393,332	(579,044)	(185,712)
Parks and Recreation	395,628		395,628
Parks, Recreation and Cultural Partner Agencies	11,303		11,303
Regional Library	265,097		265,097
Engineering	30,096		30,096
Community Facilities	241,471		241,471
Operating Budget Transfer to Schools	6,115,879		6,115,879
Public Day School Transfer	25,900		25,900
Public Day School Additional Classroom	285,000	(285,000)	0
Transfer to Capital Projects Fund	226,416		226,416
Non-Departmental	195,999		195,999
Vehicle Replacement Program County	21,716		21,716
Vehicle Replacement Program Sheriff	35,650		35,650
Capital Outlay	90,537		90,537
Capital Outlay One-Time (Courthouse Ramp-up)	27,150		27,150
Total all Expenditures	13,132,416	(2,060,044)	11,072,372

Item 5. Public Works (Transportation); Authorize the County Administrator to Advertise a Public Hearing to Amend and Reordain Stafford County Code, Sec. 15-56, "Designation of Restricted Parking Areas" in the Austin's Landing Subdivision

Resolution R19-35 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND REORDAINING STAFFORD COUNTY CODE SEC. 15-56, "DESIGNATION OF RESTRICTED PARKING AREAS," TO CERTAIN STREETS WITHIN THE AUSTIN'S LANDING SUBDIVISION, LOCATED WITHIN THE AQUA ELECTION DISTRICT

WHEREAS, Virginia Code §§ 46.2-1222.1 and 46.2-1224 authorize the County to regulate or prohibit 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 Austin's Landing Homeowners Association (Association) has approved a letter requesting the establishment of a restricted parking area within the Austin's Landing subdivision and the letter satisfies the requirements of Stafford County Code Sec. 15-56; and

WHEREAS, the letter from the Association, requests that Carnaby Street (SR-1590) and Belcroft Drive (SR-2114) within the Austin's Landing subdivision be designated as a restricted parking area; and

WHEREAS, only these two streets within the Austin's Landing subdivision meet the established criteria to designate a restricted parking area; and

WHEREAS, the Board desires to consider public comments concerning the proposed restricted parking area;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and reordaining Stafford County Code Sec. 15-56, "Designation of restricted parking areas" to designate Carnaby Street (SR-1590) and Belcroft Drive (SR-2114) within the Austin's Landing subdivision as a restricted parking area, pursuant to proposed Ordinance O19-19.

Item 6. Public Works (Transportation); Authorize the County Administrator to Advertise a Public Hearing to Consider Condemnation and Exercise of the County's Quick Take Powers re. the Courthouse Road/Route 1 Intersection Improvement Project

Resolution R19-07 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE ROUTE 1 AND COURTHOUSE ROAD INTERSECTION IMPROVEMENT PROJECT, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements at the intersection of Route 1 and Courthouse Road (SR-630) (Project) as a critical part of the County's road improvement plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff has acquired some necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 30-87A consists of approximately 0.8744 acres of land owned by David G. Brickley and Mary L. Pfitzner; and

WHEREAS, due to the design of the Project, the Board must acquire 540 square feet of permanent storm drainage easement and 271 square feet of temporary construction easement on Tax Map Parcel No. 30-87A; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-87A, together with damages, if any, to the remainder of the parcel is Four Thousand Two Hundred Fifteen Dollars (\$4,215), based upon the 2018 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel No. 30-87 consists of approximately 0.6096 acres of land owned by David G. Brickley and C. Barry Pfitzner, Successor Trustee, and Raymond J. Morley, Jr, Successor Trustee, Trustees of the G. Richard Pfitzner Revocable Inter Vivos Trust; and

WHEREAS, due to the design of the Project, the Board must acquire 68 square feet of permanent traffic control easement on Tax Map Parcel No. 30-87; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-87, together with damages, if any, to the remainder of the parcel is Five Hundred Fifty-nine Dollars (\$559), based upon the 2018 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel Nos. 30-61, 30-62, and 30-63 consist of approximately 0.7965 acres of land owned by Troy Farms, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 7,277 square feet of fee simple right-of-way, 3,863 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia, 693 square feet of permanent drainage easement, 530 square feet of permanent traffic control easement, and 5,354 square feet of temporary construction easement on Tax Map Parcel Nos. 30-61, 30-62, and 30-63; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel Nos. 30-61, 30-62, and 30-63, together with damages, if any, to the remainder of the parcels is Five Hundred Fifty-two Thousand Six Hundred Eighty Dollars (\$552,680), based upon the 2018 appraisal conducted by the County's consultant; and

WHEREAS, the Board, through its consultant, made bona fide but ineffectual efforts to purchase the affected areas of the above-listed parcels by offering said fair market value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the property owners, but will continue to work with the property owners to attempt to reach an acceptable settlement; and

WHEREAS, to determine the necessity for condemnation and exercise of its quick-take powers to acquire the land and easements for the construction of the Route 1 and Courthouse Road Intersection Improvement Project, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, permanent drainage easement, permanent storm drainage easement, permanent traffic control easements, temporary construction easements, and permanent utility easement to be conveyed to Dominion Energy Virginia on the properties of David G. Brickley and Mary L. Pfitzner, Tax Map Parcel No. 30-87A; David G. Brickley and C. Barry Pfitzner, Successor Trustee, and Raymond J. Morley Jr., Successor Trustee, Trustees of the G. Richard Pfitzner Revocable Inter Vivos Trust, Tax Map Parcel No. 30-87; and Troy Farms, LLC, Tax Map Parcel Nos. 30-61, 30-62, and 30-63; all in connection with the Route 1 and Courthouse Road Intersection Improvement Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 7. Public Works (Transportation); Petition VDOT to Include Thomas Lane into the Secondary System of State Highways

Resolution R19-15 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE THOMAS LANE LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code §§ 33.2-105 and 33.2-705 the Board desires to petition the Virginia Department of Transportation (VDOT) to include Thomas Lane into the Secondary System of State Highways; and

WHEREAS, for a period greater than 46 years, Thomas Lane has been dedicated for public use and used as platted on Taylor's Subdivision plat recorded in Plat Book 5 on page 148 among the land records of Stafford County, Virginia; and

WHEREAS, for a period greater than 54 years, Thomas Lane has been used and maintained by VDOT as the access road to the VDOT Area Headquarters office on Thomas Lane; and

WHEREAS, VDOT inspected Thomas Lane and found it satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Thomas Lane into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Thomas Lane (SR-2174)	From: Intersection of Route 1034 Short Street To: Intersection of Route 1580 Olde Forge Drive	0.14 mi. ROW 30-50'

An unrestricted right-of-way as indicated above for the street with necessary easements for cuts, fills, and drainage is guaranteed as evidenced and recorded among the land records of Stafford County, Virginia by Plat of Record entitled Virginia Department of Highways Right of Way Division, Highway Right of Way Map Book 2 Page 275 dated November 12, 1964, and as evidenced by Taylor's Subdivision Plat Map Book 5 Page 148 dated August 31, 1972; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this Resolution to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 8. Public Works (Transportation); Authorize the County Administrator to Execute a Contract and Budget and Appropriate Additional Funds for the Construction of the Juggins Road Improvement Project Mrs. Maurer pulled this item and asked Public Works Director, Mr. Jason Towery, to explain the need for an additional \$350,000 when it appeared from the numbers on the background report that there was \$400,000 left over in the project fund. Mr. Towery explained about Utilities relocation, right-of-way acquisition and construction costs coming in higher than estimated but still within the overall budget. Mrs. Maurer asked that Mr. Towery provide her with more detail although she was willing to approve the item. Mr. Cavalier noted that this was in his district.

Mrs. Maurer motioned, seconded by Mr. Cavalier, to adopt revised Resolution R19-40.

The Voting Board tally was:

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

Resolution R19-37 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH TAVARES CONCRETE CO., INC., AND TO BUDGET AND APPROPRIATE ADDITIONAL FUNDS FOR THE CONSTRUCTION OF THE JUGGINS ROAD IMPROVEMENT PROJECT, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

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

WHEREAS, the County advertised for bids for the Project in December, 2018, and received bids on January 9, 2019; and

WHEREAS, the bid received from Tavares Concrete Co., Inc., in the amount of \$1,336,449, was the lowest responsive and responsible bid for the construction of the Project; and

WHEREAS, additional funds must be budgeted and appropriated from the Transportation Fund in order to execute contracts for the construction of the Project as well as construction engineering and inspection services; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the County Administrator be and he hereby is authorized to execute a contract with Tavares Concrete Co., Inc. for the construction of the Juggins Road Improvement Project (Project), in an amount not to exceed One Million Three Hundred Thirty-Six Thousand Four Hundred Forty-Nine Dollars (\$1,336,449), unless amended by a duly executed change order; and

BE IT FURTHER RESOLVED that Three Hundred Fifty Thousand Dollars (\$350,000) is budgeted and appropriated from the Transportation Fund to the Project account for construction of the roadway improvements and construction engineering and inspection services for the Project.

Item 9. Public Works (Transportation); Authorize the County Administrator to Budget and Appropriate Funds for the Flatford Road Sidewalk Project

Resolution R19-41 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE FUNDS FOR THE FLATFORD ROAD SIDEWALK PROJECT, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board identified construction of a sidewalk along Flatford Road (SR-709) (Project), as a critical part of Stafford County's pedestrian facility improvement plan; and

WHEREAS, the County submitted a successful grant application for funding from the Transportation Alternatives Program (TAP), allowing for reimbursement of 80% of the Project's costs; and

WHEREAS, funds must be budgeted and appropriated from the Garrisonville Road Service District in order to execute a contract for design and engineering services to initiate the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the County Administrator be and he hereby is authorized to budget and appropriate Eighty-Eight Thousand Dollars (\$88,000) from the Garrisonville Road Service District Fund to the Transportation Fund to support the execution of a contract for design and engineering services in connection with the Flatford Road Sidewalk project.

Item 10. Public Works (Utilities); Authorize the County Administrator to Execute a Contract for Design Services for the Falls Run Interceptor Sewer Phase 2 Project

Resolution R19-32 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RUMMEL, KLEPPER & KAHL, LLP FOR THE DESIGN OF THE FALLS RUN INTERCEPTOR SEWER PHASE 2 PROJECT LOCATED WITHIN THE FALMOUTH AND GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board included the Falls Run Interceptor Phase 2 Project (Project) as a part of the Public Works (Utilities Division) Capital Improvement Program (CIP); and

WHEREAS, the Project consists of replacing approximately 12,300 linear feet of existing 12 and 15-inch interceptor sewer line with new 24 and 30-inch sewer lines; and

WHEREAS, the Project will serve the existing customers as well as provide additional capacity for anticipated development in the Falmouth and George Washington Election Districts; and

WHEREAS, the County solicited and received a proposal for the design of the Project from Rummel, Klepper, & Kahl, LLP (RK&K), one of the County's on-call engineering firms approved by the Board pursuant to Resolution R16-220 to provide professional engineering services in support of the Utilities Division's CIP projects; and

WHEREAS, staff determined that the proposal submitted by RK&K for \$436,772 is reasonable for the scope of work desired; and

WHEREAS, funds are available for the design and construction of the Project in the Public Works Department, Utilities Division, CIP budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the County Administrator be and he hereby is authorized to execute a contract for the design of the Falls Run Interceptor Sewer, Phase 2 project with Rummel, Klepper, & Kahl, LLP (RK&K) in accordance with the RK&K's proposal dated December 17, 2018, in an amount not to exceed Four Hundred Thirty-Six Thousand Seven Hundred Seventy-Two Dollars (\$436,772), unless amended by a duly-authorized contract amendment.

Item 11. Community Engagement; Proclamation Recognizing Cesar Casiano, Deshawn Green, and Miles Mason's Efforts at Extinguishing and Report a House Fire in Rappahannock Landing

Proclamation P19-01 reads as follows:

A PROCLAMATION RECOGNIZING CESAR CASIANO, MYLES
MASON AND DESHAWN GREEN FOR THEIR HEROIC EFFORTS
IN EXTINGUISHING A TOWNHOUSE FIRE

WHEREAS, Cesar Casiano, age 11, Myles Mason, age 12, and DeShawn Green, age 11, are three Stafford County youths; and

WHEREAS, these individuals noticed a fire had started on the exterior of a townhouse in Rappahannock Landing in the summer of 2018; and

WHEREAS, they worked together to extinguish the fire, using skills learned through the Boy Scouts, and saved the interior of the structure from damage; and

WHEREAS, their quick thinking and action prevented the fire from spreading to the other homes in the neighborhood and causing catastrophic damage; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that it be and hereby does honor and recognize Cesar Casiano, Myles Mason, and DeShawn Green for their selflessness and service in putting out the fire in Rappahannock Landing.

Item 12. Community Engagement; Proclamation Recognizing the First Baby Born in Stafford County in 2019

Proclamation P19-02 reads as follows:

**A PROCLAMATION RECOGNIZING JHKAI MALCOLM ODIE AS
THE FIRST BABY BORN IN STAFFORD IN 2019**

WHEREAS, Jhkai Malcolm Odie was born at 12:01 a.m. on Tuesday, January 1, 2019, at Stafford Hospital; and

WHEREAS, Jhkai was the first baby born in Stafford County in 2019, and the first baby born in 2019 in the Fredericksburg region; and

WHEREAS, at birth, Jhkai Malcolm Odie weighed seven pounds, eight ounces and was 20 inches long; and

WHEREAS, Jhkai is the son of Shakiyla Mason and Jerome Odie, residents of Stafford County; and

NOW, THEREFORE, BE IT PROCLAIMED the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that it be and hereby does recognize Jhkai Malcolm Odie as the first baby born in Stafford County in 2019.

Item13. County Administration; Amend the County's Public-Private Education Facilities and Infrastructure Act (PPEA) Policy

Resolution R19-44 reads as follows:

**A RESOLUTION TO APPROVE A NEW PUBLIC-PRIVATE EDUCATION
FACILITIES AND INFRASTRUCTURE ACT OF 2002 (PPEA) POLICY**

WHEREAS, Board previously approved guidelines and procedures for the implementation of the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) projects on January 7, 2003, as last revised on January 21, 2003 (Policy); and

WHEREAS, the PPEA has been substantially amended by the General Assembly since approval of the County's Policy; and

WHEREAS, the Board must update its Policy to be in compliance with the State Code and to continue to have the opportunity to use this avenue for the development of public facilities; and

WHEREAS, the Board finds that adoption of a new Policy is in the best interests of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that the document "Stafford County Implementation Procedures for the Public-Private Education Facilities and Infrastructure Act of 2002," dated May 2003 be and it hereby is amended and replaced by that document "Public-Private Education Facilities and Infrastructure Act of 2002, as Amended (PPEA), Guidelines and Procedures, Stafford County," dated January 22, 2019.

UNFINISHED BUSINESS

Item 14. County Attorney; Discuss the Board of Supervisors' Bylaws and Rules of Procedure
Mrs. Maurer and Mr. Dudenhefer were 2018 members of the (ad hoc) Bylaws Committee. Mrs. Maurer noted that revisions to the Bylaws were discussed in 2018 and deferred by vote of the Board to the second meeting in January 2019. She said that she felt that the red-lined version of the Bylaws, provided by Ms. McClendon, encapsulated the changes including keeping the current system of Standing Committees and added how things were referred to the Standing Committees by the Board instead of agenda items being added by anyone and everyone. She said that each Board member could add up to two items and that nothing stopped in the Committees; all votes were forwarded to the full Board for a decision. She noted that the Bylaws and Legislative Committees were ad hoc committees, not standing committees.

Mr. Dudenhefer said he was confused about where the discussion concluded with the County Attorney and issues that needed to be changed – whether to abolish Standing Committees – or not. He said he felt that this item should be referred back to the Bylaws Committee for additional review of the (provided) red-line version and brought back on February 19th for a vote. Mrs. Maurer said she had concerns about deferring a vote as there have been several months for Board members to review and discuss changes; that some of the changes were needed due to State Code issues, and she needed input from her fellow Board members before “planting my flag.”

Mr. Cavalier said that Ms. McClendon did a nice job summarizing the Board's comments over a period of the past several meetings. He spoke about the timeliness of getting things done and the delay of possibly a month or more that would be caused by having the full Board refer all items to Standing Committees. He also talked about reports being presented to Standing Committees then to the full Board citing examples of Sheriff Decatur and Chief Cardello's reports, which could be an hour long, and there not being time at a full Board meeting for reports of that length.

Ms. Bohmke questioned Section 5.2, Under Seven Days and asked if that was business days or calendar days. She said she had no problem with there being two Board members on ad hoc committees, not three. She spoke about having a more structured process. Ms. Bohmke spoke about the need for more transparency for the public.

Ms. Shelton agreed with Ms. Bohmke and said that with there being no deadlines for the ad hoc committees it sometimes took nearly a year to get a report back from them. She said she was ready to make a decision and if the decisions made were not perfect, they could be changed by further consideration and vote of the Board. Mr. Coen said there was a clear delineation with what State Code says and it must be taken care of as soon as possible, with the other issues that could be handled later.

Mr. Dudenhefer asked Ms. McClendon if the Board was missing anything important. Ms. McClendon clarified that the Board and its Bylaws was currently in line with State Code. She said that changes to the Bylaws were workable and to elicit clarity could be discussed at the Committee level.

Mr. Snellings said that he agreed with referring changes back to the Bylaws Committee for additional review and discussion. He said he did a complete 180 degree turn around in his thinking about standing committees. He said he did not want to further bog down the Board meeting and asked for a motion.

Mr. Dudenhefer motioned, seconded by Mr. Cavalier, to defer a vote on the Board of Supervisors' Bylaws and Rules of Procedure to the February 19, 2019 meeting.

The Voting Board tally was:

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

Item 15. County Administration; Consider Board of Supervisors Standing Committee Appointments Mr. Dudenhefer asked why there were only two Board members on the Bylaws Committee. Mrs. Maurer said she was okay with appointing three Board members to the (ad hoc) Bylaws Committee.

Ms. Bohmke noted that when she was Chairman, she only served on one Standing Committee, the Infrastructure Committee. She said based on Mr. Cavalier's numbers in an e-mail sent earlier that day, that she was happy to give up her membership on some of the eight committees on which she served and mentioned the R-Board and GWRC.

Without reaching consensus on Board appointments to the Infrastructure Committee (IC), Mr. Snellings asked that the four members that wished to serve on the IC talk on the phone or in person and settle it in time for a vote at the February 5th Board meeting. Ms. McClendon said there should be a motion to the effect.

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt Standing Committee appoints as noted with the exception of the IC appointments which were deferred until the February 5, 2019 meeting (noting that the 2018 IC membership would remain in place):

The Voting Board tally was:

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

Bylaws Committee (ad hoc):	Dudenhefer, Maurer, Shelton
Community & ED Committee:	Maurer, Snellings, Shelton
Finance, Audit and Budget Committee:	Cavalier, Dudenhefer, Maurer
Infrastructure Committee:	Deferred to February 5, 2019
Legislative Committee (ad hoc):	Dudenhefer, Shelton
Public Safety Committee:	Bohmke Cavalier, Coen

NEW BUSINESS

Item 16. Parks, Recreation and Community Service/Economic Development; Discuss Authorizing the County Administrator to Execute an Agreement with and Transfer Funds to the Economic Development Authority for the Gauntlet Golf Course at Curtis Park Michael Morris, Parks, Recreation, and Community Facilities Director, discussed this issue with the Board and said that if the Board agreed, it could come back at the February 5th Board meeting for a vote.

Mrs. Maurer said that she wanted to see a copy of the original agreement before she could vote on it. She asked about revenue sharing; Mr. Morris replied that there was no revenue sharing agreement. Mrs. Maurer noted that there were a lot of costs referenced in the background report that were not weather related such as the update clubhouse, tree removal, etc. that were not affected by the impact of recent weather conditions that ruined the greens. She asked that Mr. Morris add the requested information with the February 5th agenda materials.

Ms. Bohmke relayed that her brother owned a golf course and said that damaged greens was an ongoing liability at golf courses. She asked about the financial viability of the leasee if he could not make the \$25,000 lease payment. Mr. Morris said that the owner did not request this transfer of funds to cover his lease payment. Ms. Bohmke asked to see the financials presented to the County before it entered into the lease agreement. She said she needed more information before voting on it at the Board's February 5th meeting. Mr. Morris replied that financial information was available from March 2018, and would be provided for the next meeting.

Mr. Snellings said that he brought this to the Board for its consideration; that he met with Mr. Morris at and viewed the damage to the Gauntlet Golf Course. He said that he attended the grand opening and that the current leasee had done wonders with the Course but blight took over the greens and they could not be played on. Mr. Snellings said he suggested this and he did not want to lose the Gauntlet. Mr. Cavalier said that greens' being ruined was common throughout this region due to record rainfall and record heat in July. Mr. Snellings said he hated to see the leasee slapped with this his first year of business.

Item 17. Public Works (Capital Construction); Discuss the Belmont-Ferry Farm Trail, Phase 6 Alignment and Point of Termination Jason Towery, Public Works Director, gave a presentation and answered Board members questions. He provided a summary and background of the situation with Phase 6 of the Belmont-Ferry Farm Trail. The Board's IC was provided a summary of options at its meeting in July 2018, which included information regarding changes in the Trail terminus made necessary due to the inability to secure an easement across the George Washington Foundation property. The IC Committee voted 2 to 1 to connect the trail to the Cool Springs Road bike lanes. Mr. Towery said that the Trail was funded through the Transportation Alternatives Program (TAP) and the County was only responsible for 20% of the qualifying costs. VDOT has alerted the County to the fact that due to a Federal recession, there may be a loss of funds from TAP for projects that are not making progress. Mr. Towery displayed images of the proposed alignment and a cost breakdown for Trail terminus options. He noted that this item would come back to the Board for a vote on February 5th.

Item 18. Planning and Zoning; Discuss a Referral to the Planning Commission an Ordinance to Amend and Reordain County Code, Sec. 28-24, "Measurements" to Reduce the Encroachment into Side Yards for Outside Basement Entrances and Ingress-Egress Window Wells Jeff Harvey, Director of Planning and Zoning, presented this item to the Board. He provided background information saying that lot sizes in the PD-1, PD-2, and P-TND districts ranged from 80' to 40' for single-family dwellings, which resulted in small side yards that may limit the opportunity for encroachments. He said that many homes with basements used emergency ingress/egress window wells to comply with building code regulations and at times, the window wells and outside basement entrances encroached into side yards where the allowable encroachment into a required side yard was 6', and no closer than 6' to the property line. A request was made to lessen this dimension. The CEDC heard the request at its November 7, 2018 meeting and voted to forward this item to the full Board for its consideration with a vote of not recommending that this referral/request go forward.

Mrs. Maurer asked if this request for consideration was brought on by the developer's request for smaller lots. She said that homeowners who bought their homes in good faith should not be punished. Mrs. Maurer asked Ms. McClendon if they could recognize the non-conformity due to encroachment. Ms. McClendon said her office would have to look into it. Mr. Cavalier said the builders said that it was their fault. Mr. Coen noted that if this was sent down to the Planning Commission, the Commission could not make changes. Ms. McClendon said it could come back to the Board on February 5th with additional options for the Commission. She noted that the CEDC was not satisfied with moving forward but asked for additional discussion at a future meeting as well as input from the Fire Marshal and Building Official [both were in attendance].

Ms. Shelton asked Deputy Fire Marshal, Andrew Milliken, to attend the meeting and asked if he looked at the sites being discussed. Mr. Milliken said that he was not involved but knowledgeable about the scenario, if not involved in the review process. Ms. Shelton asked if the encroachments met fire code. Mr. Milliken said that egress windows were a separate consideration and the emphasis was on fire wall regulations.

Mr. Snellings said he remembered when the lot sizes were changed and was pretty sure that he voted against it and asked if the Board could revise it. Mr. Harvey replied that the Board could change the Zoning Ordinance, which would place some lots in non-conforming status. Ms. Cary Jamison, Chief Building Official said there were 129 non-conforming lots; that they meet building code requirements regarding separation distance from the property line to the actual structure. She said that the Building Code was not the same as the Zoning Ordinance and there had to be a minimum 10' between the dwelling wall and the adjacent dwelling wall. The Building Code requires a 5' minimum between the wall opening to the property line.

Ms. Bohmke said she received e-mails regarding clusters and had done Internet research and found that a lot of materials used in building today were not fire retardant and therefore more combustible and susceptible to fire now than in years past. Mr. Milliken said that building materials used today were definitely more susceptible to fires than in decades past. He said that sprinklers were available but added that a decade ago flashover time was 20 minutes, now it was 3 to 5 minutes. He said that the proximity of homes next to each other also added to the time it took to get a fire under control. Mr. Milliken said that 5' from the property line meets the building code but without more resources like departments have in Richmond and Fairfax, it makes response time even more crucial.

Mr. Harvey asked if this should come back on the Consent Agenda or as Unfinished Business (on February 5th). Mr. Snellings replied that it should come back as Unfinished Business.

Item 19. Economic Development; Consider Rescinding a Memorandum of Understanding with Mosaic Aquia Capital, LLC, associated with Aquia Town Center Mr. Mike Smith presented this item and answered Board members questions. He said that in 2015 there was an incentive agreement with Mosaic Aquia Capital, LLC. Mr. Dudenhefer asked Mr. Smith to explain the incentive with an emphasis on the fact that to date, Mosaic has received no money. Mr. Smith said that the agreement provided for future incremental tax revenues based on taxes paid to the County for development of Aquia Town Center. The amount was \$6.25 Million over a period of 15 years with a 5% escalator. Mr. Dudenhefer said that other than some clean-up, no work has been done at Aquia Town Center. Mr. Smith said that nothing has been paid to Mosaic. Mrs. Maurer asked about the value of the 5% escalator. Mr. Smith said it worked backwards and was currently \$7 Million. Mrs. Maurer repeated that it was \$7 Million and was \$6.25 Million. Mr. Smith spoke about liability against future taxes. Mrs. Maurer asked if this was in the CAFR; Mr. Smith said it was not. Mrs. Maurer said she had a problem with this and asked

about the proposed 160,000 s.f. of development. Mr. Smith said he believed that was the plan at the time. She asked if the \$56 Million in tax revenue was still applicable; Mr. Smith said no.

Mrs. Maurer spoke about the timeline saying that there was supposed to be development started in 2017 and asked about the tax revenue projection to date; Mr. Smith said it was \$66,000. Mr. Cavalier clarified that the \$66,000 tax revenue was from Rite Aid and did not take into consideration what future tax revenue could be generated. Mr. Smith said that they used to be higher when a grocery store was in the picture; currently \$500,000 to \$1 Million in the out years. Mr. Cavalier said they tore down the movie theater, which was moved to The Garrison, so they would get that amount plus more. He said that rescinding the agreement sent a bad message and that continuing to negotiate could bring about a win-win for everyone.

Mrs. Maurer asked if Mosaic asked to pull its plans and have its securities removed. Mr. Smith said, "Yes." There were not dates offered for a resubmittal. Mr. Cavalier said that the current plans include a grocery store. Mr. Smith said, "Yes." Mr. Cavalier said that plans change. Mrs. Maurer asked if they could amend their plans without pulling securities. Mr. Harvey replied that developers can amend plans; security values were based on improvements, roads, sediment control, etc.

CLOSED MEETING

At 4:43 p.m., Mr. Dudenhefer motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 19-02.

The Voting Board tally was:

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

Resolution CM19-02 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion and consideration of the acquisition of real property for a public purpose and the disposition of public property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its facilities in the County; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), and (A)(5) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors that on this the 22nd day of January, 2019, that it be and hereby does authorize discussion of the above matter in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 5:19 p.m., Mr. Dudenhefer motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 19-02 (c).

The Voting Board tally was:

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

Resolution CM19-02(c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 22, 2019

WHEREAS, the Board has, on this the 22nd day of January, 2019, 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 22nd day of January, 2019, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened, were heard, discussed, or considered by the Board.

At 5:20 p.m., the Chairman recessed the afternoon session of the January 22, 2019 Board meeting.

At 7:00 p.m. the Chairman called the evening session to order. Mr. Coen gave the invocation, and Mr. Cavalier led the Pledge of Allegiance to the flag of the United States of America.

Mr. Coen and Deputy Fire Marshal Andrew Milliken presented a proclamation to Cesar Casiano, Deshawn Green, and Myles Mason for their efforts at putting out a townhouse fire in the Rappahannock Landing Subdivision.

Presentations by the Public – II The following persons addressed the Board:

Fred Robinson - Mr. Robinson said he had a farm in the County and talked about down-zoning, which he said was entirely unjust and took away the value of resident's property. He said someone with nine acres would lose two-thirds of the property value. His property has hills, gullies, wetlands, etc. He said it was wrong to put it on the backs of land-owners.

Mr. Snellings noted that the letter recently received by some land-owners was sent by a developer, not the County and there was nothing on the agenda having to do with downzoning.

Alane Callander - Ms. Callander recommended that Board members attend community dinners, not to cook and serve but to sit with the homeless and learn their stories. She said that statistics were fine but sitting and talking let you find out what these people were going through.

Mr. Snellings noted that the Board was going to be at the Thurman Brisben Homeless Shelter in April to cook, serve, and eat with the people there.

Richard Dodson - Mr. Dodson thanked whoever at VDOT was responsible for timing the traffic signals on Route 17 and said he wished they would go to Route 610 next. He talked about Verizon wanting to charge him \$20,000 for internet service and said that residents in rural areas needed Internet access as much as people in the suburbs.

Andrew Munden - Mr. Munden spoke about the need for Internet service throughout the County, much more than just one tower or one small company offering to provide it. He said it would cost an arm and a leg to get Comcast or Verizon involved and asked the Board to exert its influence with other Internet providers. He said that Dominion would not play nice; it has to be a comprehensive, County-wide effort.

Donald King - Mr. King said there should be new bridges built across the River.

Paul Waldowski - Mr. Waldowski talked about watching the 3:00 p.m. session of the Board meeting and listening to Board member's answers. He said there were no issues but if you listened to elected officials, there were all kinds of issues that were, in reality, opportunities. He said they were elected even if they did not get a 50% majority of the vote; he talked about gerrymandering. Mr. Waldowski said he saw a family at Porter Library and at Panera Bread; he said he likes to argue about anything. He talked about the 57 acres Pence Fence; traffic; attending the School Board meetings trying to protect "our" kids on Mountain View Road – he got permission from VDOT to move the sign; said the School Superintendent earns \$226,000 annually. He talked about his lack of a water/sewer bill and going to the Circuit Court vs. the Board of Equalization. He said he was not concerned about himself but people who need it. He

was a Life Scout with 31 merit badges and remembered eating mustard and relish sandwiches and reminded the Board that Virginia was not a state but a Commonwealth.

At 7:20 p.m., the Chairman took a brief recess to allow member of the Planning Commission to take their seats at the dais.

JOINT PUBLIC HEARINGS WITH THE PLANNING COMMISSION

Mr. Snellings read the rules of procedure for joint public hearings and turned the gavel over to Planning Commission Chair, Ms. Crystal Vanuch, who called the Planning Commission to order. Commissioner Darrell English called role; Ms. Vanuch said there was a quorum and turned the meeting back to Mr. Snellings who introduced the first joint public hearing item.

Item 20. Planning and Zoning; Consider Amending the County's Comprehensive Plan in Accordance with VA Code § 15.2-2229, by Adopting Proposed Amendments to Chapter 3, "The Land Use Plan," of the Document Entitled "Stafford County, Virginia, Comprehensive Plan, 2016-2036," Adopted on August 16, 2016, regarding Cluster Subdivision Areas Jeff Harvey gave a presentation and noted that Items 20 and 21 on the agenda would be presented concurrently. He said that this was not downzoning and that conventional development was permitted anywhere in the County, consistent with zoning regulations. Notice was provided and 27,572 letters were sent out to all property owners in A-1, A-2, and R-1 zoned land over 11,500 s.f. in size, and the proposed amendment affected any of those citizens wishing to subdivide their property.

Proposed Resolution R19-11 would amend the Comprehensive Plan to add a new "cluster subdivision area" map to redefine locations where cluster subdivisions may be recommended. Ms. Bohmke asked when the Comp Plan was last updated; Mr. Harvey said it was in 2016 and would be updated again in 2021. Mr. Snellings said this was not the last time the Board and Planning Commission would be doing this; it was required by State law whenever the County got close to its 40% open space requirement. He asked if the entire County could be opened up for cluster eventually. Mr. Harvey agreed with Mr. Snellings.

Proposed Ordinance O19-02 would repeal Ordinance O18-13, adopt a new "cluster subdivision area" map that would establish the location where cluster designated subdivisions may be permitted in the A-1, A-2 and R-1 zoning districts, and delete a reference to cluster development as a permitted use in the R-2 and R-3 zoning districts, which had not been allowed since 2012.

Mr. Harvey spoke about the 2018 adoption of a cluster subdivision area map; he outlined state code requirements for cluster development; and talked about expansion of the area approved for cluster development to ensure compliance with state code requirements. The Board held a work session on December 13, 2018 to finalize a map and authorize this joint public hearing.

Mr. Harvey presented a map showing the current cluster areas, the proposed areas, and a third map with the changes highlighted. The revised map provided a buffer to ensure compliance with State Code and would be reevaluated as part of the 5-year update to the Comp Plan.

Planning Commissioner Steve Apicella spoke about methodology and a suitability matrix used by the Planning Commission to rank properties on several criteria including proximity to water and sewer, well yields, proximity to Marine Corps Base Quantico bombing ranges, noise impacts, etc. Mr. Harvey said the Board took it into consideration and reduced the percentage from 60% to 50%. Mr. Apicella said that it was necessary to expand the areas to stay in compliance with State Code.

Mr. Coen said it did not increase density and stated that just because property was in an identified area, the land owner did not have to subdivide his/her property. Mr. Harvey said that staff recommended approval of proposed Resolution R19-11 and proposed Ordinance O19-02.

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

Lorena Critzer	Tim Mason	Andrew Mungen
Laurel Baker	Nan Rawlison	Thomas Kropp
Wendell Chandler	Kristen Maxin	Donald King
Richard Dodson	Alane Callander	Paul Waldowski

The Chairman closed the public hearing.

Mr. Apicella asked Mr. Harvey to explain by-right development. Mr. Harvey said that under the current Zoning Ordinance, certain properties could be developed without special consideration from the Board. Mr. Apicella talked about 30 acres zoned A-1 with 10 development units and the difference between cluster and conventional development. He noted that if property was converted from conventional to cluster there was no increase in density. Mr. Harvey said that with a conditional use permit (CUP), density could be increased in the R-1 Zoning District.

Mr. Bain clarified that it had to be 15 contiguous acres, not scattered throughout 30 acres; that the purpose was to consolidate to allow for more open space. Mr. Harvey talked about open space industry standards. Mr. Apicella said that with conventional or cluster, they would still have to get site plan approval and demonstrate compliance with building codes and the County's Zoning Ordinance.

From the Planning Commission, Mr. English motioned, seconded by Mr. Randall, to adopt proposed Resolution R19-11. The motion was approved by unanimous voice vote.

Mr. Dudenhefer asked who in the audience understood the Dillon Rule and offered to explain it to anyone who wanted to contact him. He said that the Board was not trying to appease Richmond; it was trying to comply with stringent State laws, some of which were egregious and very complicated. He spoke about the proffer bill and forestry laws, which were very complicated. Mr. Dudenhefer said that staff, the Planning Commission, and the Board spent a lot of time and energy on cluster development in the County; it was not a fly-by-night decision being made this evening.

Mr. Coen thanked the citizens who came out for the joint public hearing and reemphasized that it was not downzoning. He spoke about the developer's mailing and crying wolf and said some were for and some were against the cluster map and ordinance being considered this evening. He said that he has a 1/3 acre lot and received a letter. By adopting this map and ordinance, Mr. Coen said it would save time, money, and keep from upsetting a lot of people if this had to be done more often. He added that the Board could only do so much; that he personally liked the first iteration and the second, not so much. If the County designated where it wanted growth it would have some control rather than expanding into the rural areas and the County was forced by Richmond to do this exercise.

Ms. Bohmke said that by far, stormwater issues, run-off, silt, and clogged culverts were the subject of the most calls she received from residents of the Falmouth District, whether it was in new or old subdivisions. She said if citizens had problems to contact their supervisor who would work with VDOT. She spoke about the subcommittee that evaluated 4,000 parcels saying that it was fair, and done without favoritism. Ms. Bohmke talked about staying away from rural areas due in part to the added cost for Fire and Rescue services, School bus expenses, etc. all of which cost additional dollars and additional time, which was why clusters were located mostly within the Urban Services Area (USA). She thanked everyone for coming to the hearing.

Ms. Shelton said that most knew that she was 100% in favor of clusters. She said that a large amount of data was produced and reviewed to make decisions, to balance it out and to set the cluster areas and she would vote in favor of the proposed Ordinance and Resolution.

Mr. Cavalier said that he did not vote for Option 2 that included most of Widewater but that he had no problem with cluster development in general. He talked about the total devastation of land in Widewater by foresters who had no intention of reseeding the land that now looked like a war zone as a result of timbering. He said that by-right clustering was a better option for Widewater and for the County in general.

Mr. Snellings said that the General Assembly was in session and he laid awake at night worrying about what the County would be forced to do based on new laws and state mandates.

From the Board, Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-11.

The Voting Board tally was:

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

Resolution R19-11 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH VIRGINIA CODE § 15.2-2229, BY ADOPTING THE PROPOSED AMENDMENTS TO CHAPTER 3, "THE LAND USE PLAN," OF THE DOCUMENT ENTITLED "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2016-2036," ADOPTED ON AUGUST 16, 2016 (COMPREHENSIVE PLAN), REGARDING CLUSTER DEVELOPMENT

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

WHEREAS, Stafford County permits cluster development; and

WHEREAS, Stafford County has provisions for cluster development in the Stafford County Comprehensive Plan; and

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

WHEREAS, the Board desires to amend the Comprehensive Plan to provide for quality development and preservation of the rural character of the rural areas of the County by adopting a new map to designate where cluster development may be recommended; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed Comprehensive Plan amendments and provided its recommendations to the Board; and

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

WHEREAS, the Board finds that adoption of the proposed Comprehensive Plan amendments is consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that it be and hereby does adopt amendments to the document entitled "Stafford County, Virginia, Comprehensive Plan 2016-2036," adopted on August 16, 2016, as last revised, to replace the current and incorporate a new map as Figure 3.9, entitled "Figure 3.9 Cluster Subdivision Areas," dated December 13, 2018, attached hereto as **Exhibit A**, all other portions of the Comprehensive Plan remaining unchanged.

Item 21. Planning and Zoning; Consider Repealing Ordinance O18-13; Amending and Reordaining County Code Sec. 28-35, Table 3.1 District Uses and Standards re. Cluster Subdivision Areas; and Adopt a New Cluster Subdivision Area Map

This item was discussed concurrently with Item 20. Planning and Zoning; Consider Amending the County's Comprehensive Plan in Accordance with VA Code § 15.2-2229, by Adopting Proposed Amendments to Chapter 3, "The Land Use Plan," of the Document Entitled "Stafford County, Virginia, Comprehensive Plan, 2016-2036," Adopted on August 16, 2016, regarding Cluster Subdivision Areas

From the Planning Commission, Mr. English motioned, seconded by Mr. McPherson, to adopt proposed Ordinance O19-02. The motion was approved by unanimous voice vote.

From the Board, Mr. Dudenhefer motioned, seconded by Ms. Bohmke, to adopt proposed Ordinance O19-02.

The Voting Board tally was:

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

Ordinance O19-02 reads as follows:

AN ORDINANCE TO REPEAL ORDINANCE O18-13, AND TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-35, TABLE 3.1 DISTRICT USES AND STANDARDS

WHEREAS, Virginia Code § 15.2-2286.1, states that certain localities are authorized to provide for cluster development; and

WHEREAS, Stafford County has provisions for cluster development in the Stafford County Zoning Ordinance; and

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that Ordinance O18-13 be and it hereby is repealed; and

BE IT FURTHER ORDAINED that Stafford County Code Sec. 28-35, Table 3.1. District Uses and Standards, is hereby amended and reordained as follows, all other portion of the County Code remaining unchanged:

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

Table 3.1. District Uses and Standards

A-1 Agricultural.

(d) Requirements:

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

A-2 Rural Residential.

(d) Requirements:

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

R-1 Suburban Residential.

(d) Requirements:

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

R-2 Urban Residential—Medium Density.

(a) Uses permitted by right:

~~Cluster development.~~

R-3 Urban Residential—High Density.

(a) Uses permitted by right:

~~Cluster development.~~

; and

BE IT STILL FURTHER ORDAINED that the map entitled, "Cluster Subdivision Areas," dated December 13, 2018, attached hereto as **Exhibit A**, is hereby adopted.

Item 22. Planning and Zoning; Consider Amending and Reordaining Stafford County Code Chapter 28 regarding Parking Standards Mr. Harvey presented this item to the Planning Commission and Board members noting that in October 2018, the Board adopted Ordinance O18-02, which changed the size of parking spaces from 8.5'x18' to 9'x20'. This change had some unintended consequences for some projects already in process. Proposed Ordinance O19-01 would grandfather in those developments that had plans submitted on or prior to October 31,

2018. Mr. Harvey said there were 24 commercial applications and 2 residential applications to which this would apply.

Mr. Apicella asked if grandfathering could be limited to commercial applications/non-residential. Ms. McClendon said she would need time to evaluate the proposed ordinance and make any necessary changes. Mr. Harvey confirmed that there were 24 non-residential and 2 residential at site plan approval.

Mr. Randall asked what the basis was for the October 31, 2018 date. Mr. Harvey said that the effective date of the Ordinance was October 16, 2018 and it covered two weeks after adoption. Mr. Randall spoke about unintended consequences and the adverse impact on developers or staff. Mr. Harvey said he received feedback from developers saying that it would affect parking lot size, grading, retaining walls, etc.

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

Ryan Foroughi

The Chairman closed the public hearing.

Mr. English asked about grandfathering in all plans as he did not want to see the burden put on businesses and suggested a date of January 1, 2019. Ms. Vanuch asked Mr. Harvey how many more plans would be impacted by changing the date to January 1, 2019. Mr. Harvey said he did not know an exact number but estimated that it would be six to eight projects. He said it would not apply to CUP applications or zoning reclassifications, just to site plans.

Mr. Randall commented about bigger cars saying that his truck had the same name and model as several years ago but it was bigger and he was a big believer in larger parking spaces. He said he was not up for grandfathering but the size change was best for the County.

Mr. Apicella asked about adding the word "site" on Page 2, Section 1A of the proposed Ordinance. He asked if the Planning Commission made the legally permissible change, could the Board strike it. He said the idea was to promote economic development, not hinder it. Mr. Harvey said that proposed Ordinance O19-01 was advertised and a revision to it could be adopted so long as it was within the framework of the advertisement. Mr. English agreed with adding the word "site" vs. grandfathering all. Ms. Vanuch also agreed saying that it affected several projects in the Rock Hill District, which could be set back several months and might even necessitate moving a building back 5'. She said it was a burden especially on small businesses.

From the Planning Commission, Mr. Apicella motioned, seconded by Mr. English, to add the word "site" on Page 2, Section 1A, of proposed Ordinance O19-01. By voice vote, the tally was 6 – 1 with Mr. Randall casting the dissenting vote.

Mr. Apicella motioned, seconded by Mr. English to adopt proposed Ordinance O19-01 with the addition of the word "site" on Page 2, Section 1A. By voice vote, the tally was 6 – 1 with Mr. Randall casting the dissenting vote.

From the Board, Mrs. Maurer motioned, seconded by Ms. Bohmke, to adopt proposed Ordinance O19-01 as amended.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Dudenhefer, Maurer, Snellings
Nay:	(2)	Cavalier, Shelton

Ordinance O19-01 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-102 "OFF-STREET PARKING," TO REESTABLISH PREVIOUS PARKING STANDARDS

WHEREAS, the Board amended parking and loading space standards pursuant to Ordinance O18-02, adopted on October 16, 2018; and

WHEREAS, the new standards have affected some economic development projects submitted prior to the adoption of Ordinance O18-02; and

WHEREAS, the Board desires to amend the Zoning Ordinance to allow projects which were submitted prior to October 31, 2018, to continue review and approval under a portion of the previous parking standards; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that Stafford County Code Sec. 28- 102, "Off-street parking" be and it hereby is amended and reordained as follows with all other portions remaining unchanged:

Sec. 28-102. - Off-street parking.

1) Size of parking spaces.

- a. For plans of development (1) submitted to the department of planning and zoning for review and approval on or prior to October 31, 2018, and (2) for which approval of such plans are being diligently pursued, without delay, the following may apply if selected by the applicant: each parking space shall have a minimum width of 8 feet 6 inches and a minimum length of 18 feet for perpendicular and

angle parking and a minimum length of 22 feet for parallel parking. Any parking spaces exceeding the number of required spaces may be designated as compact car spaces with a minimum width of 8 feet and a minimum length of 15 feet.

- b. For all other plans of development not covered in subsection 28-102(1)(a) above, Each parking space shall have a minimum width of nine (9) feet and a minimum length of twenty (20) feet for perpendicular and angle parking and a minimum length of twenty-two (22) feet for parallel parking.

At 8:50 p.m., the Board took a brief break and Ms. Vanuch adjourned the Planning Commission.

PUBLIC HEARING

Item 23. Planning and Zoning; Consider an Amendment to Stafford County Code Sec. 28-185, "Conditional Use Permits," to Amend the Standard for Revocation of a Conditional Use Permit
Mr. Harvey presented this to the Board saying that it was a request to change language to omit the word "willful" from non-compliance terms for revocation of a CUP. He said that the County's current language exceeded peer localities and State code.

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

Mr. Dudenhefer motioned, seconded by Ms. Shelton, to adopt proposed Ordinance O19-18.

The Voting Board tally was:

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

Proposed Ordinance O19-18 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN COUNTY CODE SEC. 28-185, "CONDITIONAL USE PERMITS," TO REMOVE THE TERM WILLFUL FROM THE STANDARD FOR REVOCATION OF A CONDITIONAL USE PERMIT

WHEREAS, the Stafford County Code (Code) provides that a conditional use permit (CUP) may be required for uses which are generally compatible with the other land uses permitted in a zoning district, but which require individual review and imposition of conditions to mitigate the their impact; and

WHEREAS, Code Sec. 28-185 states that CUPs may be revoked for willful noncompliance with the ordinance or any conditions imposed with the approval of the CUP; and

WHEREAS, the Virginia Code requires a finding of "noncompliance" to revoke a CUP after appropriate notice and a public hearing is held; and

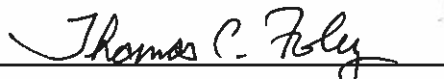
WHEREAS, the Board desires to remove the term "willful" and update the reference to the Virginia Code section which describes the notice and hearing requirements;

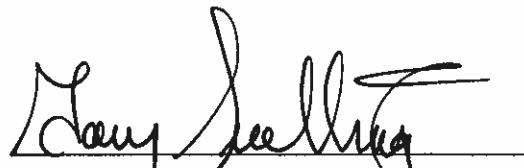
NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 22nd day of January, 2019, that Stafford County Code Sec. 28-185 "Conditional use permits," be it and hereby is amended and reordained as follows, all other portions remain unchanged:

Sec. 28-185. - Conditional use permits.

- (f) *Revocation.* Any permit issued pursuant to this article may be revoked by the board of supervisors, after notice and hearing pursuant to Code of Virginia § ~~15.1-431~~ 15.2-2204, for ~~willful~~ noncompliance with this ordinance or any conditions imposed under the authority of this article.

Adjournment At 9:02 p.m., the Chairman adjourned the January 22, 2019 meeting of the Stafford County Board of Supervisors.


Thomas C. Foley
County Administrator


Gary Snellings
Chairman

