

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
DRAFT Regular Meeting
June 4, 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, June 4, 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 Maurer, and Cindy C. Shelton.

Also in attendance were Thomas C. Foley, County Administrator; Rysheda McClendon, County Attorney; Cheryl Giles, Deputy Clerk; Julia Holmes, Asst. Deputy Clerk; associated staff and other interested parties.

Chairman Snellings remarked about the horrific and unimaginable events that happened last Friday in the City of Virginia Beach. Twelve employees went to work for the city that day, to serve their community, and they never made it home to their families. A long-time fellow employee came to work with two guns and fired on multiple floors, killing 12 and injuring others. Sadly, one of those employees was a former employee of Stafford County. Christopher K. Rapp served as Director of Public Works from 2015 to 2017. Chris is remembered by all his colleagues as a kind and gentle, unassuming and humble man.

Chairman Snellings asked all to pause for a moment of silence to remember and honor Chris and the other victims.

Presentations - Mr. Snellings read a proclamation and Mr. Jeff Shover, Citizen's Assistance Manager, presented certificates and recognized Citizen Assistance volunteers including Don Brennan (365 hours); Tom Comuntzis (870 hours); Jane Conner (433 hours); Charlotte Crismond (751 hours); Valarie Hart (240 Hours); Nick Kopchinsky (1906 hours); Doris McAdams (205 hours); Maria Morrison (200 hours); Kenna Sander (903 hours); Mark Seymour (1551 hours); and William Tignor (202 hours).

Mr. Chairman Snellings and Mr. Shover recognized and presented certificates to the Student Youth Engaged in Stafford (Y.E.S.) Volunteer Participants including Joe Kubicki, Connor Merk, Jarrett Holmes, and Serina Herron.

Mr. Coen read a proclamation recognizing "Move Over" Awareness Month and presented it to Public Safety personnel. Sheriff David Decatur thanked the Board for the recognition and for bringing awareness and attention to the need of moving over and making sure all First Responders are kept safe. Sheriff Decatur thanked the public safety personnel for their support in the community. A Fire and Rescue staff member thanked Colonial Forge High School EMT participants and Lisa Davidson for educating the youth about the importance of the Move Over Awareness campaign.

Presentations by the Public - The following persons addressed the Board about the following topics:

1. Mr. Greg Gavin – Juneteenth holiday.
2. Jeff Adams – repair of audio alert system at Stafford Middle School.
3. Kaitlyn Fulmore, Student – change Stafford roads to improve safety.
4. Isabela Motta, Student – change Stafford roads to improve safety.
5. Josephine Guckian, Student – change Stafford roads to improve safety.
6. Charlotte Vasquez, Student – cut vegetation and change Stafford roads to improve safety.
7. Kylee Fields, Student – repair potholes and change Stafford roads to improve safety.
8. Lauren Livingston, Student – change Stafford roads to improve safety.
9. Eleanor Motta, Student – change Stafford road to improve safety.
10. Michelle Snow, Student – change Stafford roads to improve safety.
11. Crystal Awillar, - “Clear the trees for Helen, Please” sign.
12. Gina Chan, Student – road safety at intersection of Shields/Mine Road.
13. Jarrett Holmes, Student – road safety at intersection of Winding Creek and Embrey Mill Road.
14. Becky Guy – support of the lease agreement for the Patawomeck Indian tribe.
15. David Sousa – changes to Stafford roads to improve safety.
16. Holly Hazard – future in good hands with today’s youth; making high school #6 a priority.
17. Paul Waldowski – various topics.

Mr. Snellings thanked the students who showed up and spoke at the meeting. He stated the Board is listening to their comments, knows there are issues, and is doing their best to correct them. With regards to a comment about pedestrians walking on the Abel Lake bridge, Mr. Snellings stated the bridge was not designed for pedestrians and discouraged anyone from walking on the bridge.

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 – Commented she was impressed and proud of the students who spoke during the public presentation. She suggested the students “try on the hat” of becoming an elected official; addressed a student’s concern about potholes that have not been filled since January; requested the Board have a work session with VDOT and County staff to discuss how complaints are processed; read statistics about vehicle crashes that occurred over the Memorial Day weekend; pulled item #6, #9, and #18.

Mr. Cavalier – Deferred his report.

Mr. Coen - Reported he met with the Museum Board; attended a concert Sunday with the Marine Corps Band at Chatham; attended a memorial remembrance service at Bethlehem Primitive Baptist Church; Mr. Coen stated he was very proud of the young adults that spoke during the public presentation period.

Mr. Dudenhefer – Commented about his daughter’s car accident and that he was proud of how well the students handled themselves when presenting their comments. He encouraged

students to continue to attend Board meetings and to bring their parents because they could be the conscious of what the Board does over the next several months. Road safety is the main reason he sits on the Board. In the next six weeks, the Board would have to make some decisions that will have a price tag. It costs to fund the projects that need to get done. The Board has restrictions and has to follow the law. It is important to know what the restrictions are so that when requests are made to the Board, the requests are not for things that could be illegal. Mr. Dudenhefer addressed some of the concerns identified by students regarding pedestrians walking on the Kellogg Mill Road bridge and road safety concerns at the Winding Creek/Embrey Mill Road intersection.

Ms. Maurer – Commented it had been a hard time in the Rock Hill district because of the microburst that occurred in the area. There was significant damage to some homes in one neighborhood; expressed her apologies for missing the May 21st Board meeting. Her daughter spoke during the public presentations about road safety concerns on Kellogg Mill Road; stated one thing she would not miss as a Board member would be being informed about tragedies and sharing with her daughter that one of her friends has passed away. She thanked the Board and staff for working quickly to get the vegetation cleared and Kellogg Mill road paved; working with Mr. Dudenhefer on the traffic road study; addressed a student's concern about too much development; encouraged everyone to get involved with the Healthy Growth Strategies and the Transportation Bond Referendum items; pulled item #1.

Ms. Shelton – Deferred her report; pulled items #14 and #20.

Mr. Snellings – Deferred his report.

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

Report of the County Administrator – Mr. Foley deferred his report. He introduced the new Assistant Deputy Clerk, Julia Holmes.

APPROVAL OF THE CONSENT AGENDA

Mr. Dudenhefer motioned, seconded by Ms. Bohmke, to adopt the Consent Agenda with the exception of Item #1 pulled by Mrs. Maurer, #6, #9, and #18 pulled by Ms. Bohmke, and #14 and #20 pulled by Ms. Shelton.

The Voting Board tally was:

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

Item 1. County Administration; Approve the May 21, 2019 Board Meeting Minutes. Mrs. Maurer stated she pulled the item because she would abstain voting since she did not attend the meeting.

Mr. Coen motioned, seconded by Ms. Shelton, to approve the May 21, 2010 Board Meeting Minutes.

The Voting Board tally was:

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

Item 2. County Administration; A Resolution to Reject an Unsolicited Proposal for the Courthouse Construction Project Using the Public/Private Education and Infrastructure Act.

Item 3. Community Engagement; Proclamation Honoring and Recognizing the Friendship Between Stafford, England, and Stafford, Virginia, Since 1992.

Proclamation P19-26 reads as follows:

A PROCLAMATION TO REAFFIRM THE FRIENDSHIP BETWEEN STAFFORD,
ENGLAND, AND STAFFORD, VIRGINIA

WHEREAS, the Stafford, England, and Stafford, Virginia, Friendship Association was established in 1992; and

WHEREAS, Stafford, England, and Stafford, Virginia, are sister cities with close cultural and historical ties; and

WHEREAS, members of the association have made many visits to both sides of the Atlantic over the years; and

WHEREAS, Stafford, Virginia, is honored to have a delegation of guests from Stafford, England, visiting; and

WHEREAS, members of both groups will participate in a final meeting via Skype on June 18, 2019, after which the group will disband; and

WHEREAS, Stafford thanks the Friendship Association for its many wonderful events and cultural activities over the years that have enriched the community; and

NOW, THEREFORE, BE IT PROCLAIMED that the Stafford County Board of Supervisors on this the 4th day of June, 2019, hereby honors and recognizes the Stafford, England, and Stafford, Virginia Friendship Association for its many contributions to the culture of Stafford county.

Item 4. Community Engagement; Proclamation Recognizing June 2019 as Move Over Awareness Month in Stafford County.

Proclamation P19-30 reads as follows:

A PROCLAMATION DESIGNATING JUNE 2019 AS MOVE OVER
AWARENESS MONTH IN STAFFORD COUNTY

WHEREAS, law enforcement officers and first responders face many dangers in their honorable mission to protect and serve the residents of and visitors to Stafford County; and

WHEREAS, since 1999, 213 on-duty law enforcement officers nationwide have been struck and killed while working on highways; and

WHEREAS, since 2007, the Virginia State Police and the Virginia Department of Transportation have been involved with the Move Over or Slow Down Campaign to educate members of the public on the Move Over law, which was enacted to protect law enforcement officers and first responders stopped on the side of the highway; and

WHEREAS, despite the fact that Move Over laws have been adopted in all 50 states, approximately 71 percent of Americans are not aware of these laws; the Move Over or Slow Down Campaign is dedicated to educating the public on how these laws can help save the lives of both first responders and motorists; and

WHEREAS, the Stafford County Sheriff's Office and the Virginia State Police patrol Stafford's roads every day, keeping roads safe and helping motorists; and

WHEREAS, Stafford County recognizes the importance of educating the population about the Move Over Law to assist in protecting the safety of law enforcement officers and first responders; and therefore,

NOW, THEREFORE, BE IT PROCLAIMED that the Stafford County Board of Supervisors on this the 4th day of June, 2019, hereby recognizes June 2019 as Move Over Awareness Month.

Item 5. Economic Development Authority and Tourism; Authorize Reappointment of Joel Griffin and Donald H. Newlin to the Economic Development Authority.

Item 6. Finance and Budget; Approval of Proposed Amendments to the Principles of High Performance Financial Management for School Appropriation Methods. Ms. Bohmke asked about the reference to the revised Performance Standards in relation to encumbrances. Ms. Bohmke inquired about the level of encumbrance that would be referred to.

Andrea Light, Budget Director explained that when staff looked at encumbrances for 2018 that rolled over into 2019, for the County there were 644 purchase orders across several funds. Providing that level of detail to the Board is not valuable. Staff looked at a cutoff of \$50,000 which covered about 90% of the overall value of encumbrances being rolled over. Only about 65 purchase orders met this value.

Mr. Foley commented this is a new process that staff feels would give the Board meaningful information about encumbrances that are carried over. Staff recommends the Board approves the item with the language of \$50,000 replacing the word large encumbrances.

Ms. Bohmke asked if this would apply to the Schools. Mr. Foley responded that it would apply to the Schools too.

Ms. Bohmke motioned, seconded by Mrs. Maurer, to adopt resolution R19-182 with the additional change of the \$50,000 language for large encumbrances.

The Voting Board tally was:

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

Resolution R19-182 reads as follows:

**A RESOLUTION TO AMEND THE PRINCIPLES OF HIGH PERFORMANCE
FINANCIAL MANAGEMENT POLICY REGARDING SCHOOLS
APPROPRIATION METHODS**

WHEREAS, the amendments will increase the reporting and transparency between the School Board and the Board; and

WHEREAS, the Board carefully considered the recommendations of the Finance, Audit, and Budget Committee; and

WHEREAS, the Board finds that adoption of the proposed Principles of High Performance Financial Management amendments are consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does amend the Principles of High Performance Financial Management for school appropriation methods.

Item 7. Finance and Budget; Authorize the County Administrator to Execute Contract Renewals with Virginia Association of Counties Group Self Insurance Risk Pool and Brown & Brown Insurance.

Resolution R19-167 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE POLICY RENEWALS WITH THE VIRGINIA ASSOCIATION OF
COUNTIES GROUP SELF INSURANCE RISK POOL, AND BROWN &
BROWN INSURANCE AGENCY OF VIRGINIA, INC. FOR INSURANCE
COVERAGE FOR FY2020**

WHEREAS, staff reviewed the County's insurance coverage claims experience and related costs for FY2019; and

WHEREAS, the Board budgeted funds for the County's insurance needs for FY2020 and will be considering the appropriation of funds on June 4, 2019 in Proposed Resolution R19-73; and

WHEREAS, The Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) submitted a policy renewal proposal to the County for general liability, property, automobile, Line of Duty, cyber, animal mortality, volunteer, and Workers' Compensation; and

WHEREAS, VACORP submitted a policy renewal proposal to the County for accident and sickness insurance for the Volunteer Fire and Rescue personnel, the Sheriffs' Special Deputies, and the Sheriffs' Auxiliary Groups; and

WHEREAS, Volunteer Firemen's Insurance Services (VFIS) through Brown & Brown Insurance Agency of Virginia, Inc. submitted a policy renewal proposal for increased benefits for the Volunteer Fire and Rescue personnel, the Sheriff's Special Deputies, and the Sheriff's Auxiliary Groups; and

WHEREAS, staff determined that these proposals are reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does authorize the County Administrator to execute the following contracts:

1. Contract renewal with the Virginia Association of Counties Group Self Insurance Risk Pool (VACORP) for general liability, property, automobile, Line of Duty, cyber, animal mortality, volunteer, and Workers' Compensation insurance in the amount not to exceed One Million Seven Hundred Seventy-Nine Thousand Five Hundred Seventy-Seven Dollars (\$1,779,577); a contract renewal with Volunteer Firemen's Insurance Services (VFIS) through Brown & Brown Insurance in the amount not to exceed Seventy-One Thousand Eight Hundred Eleven Dollars (\$71,811) and VACORP for accident and sickness for the Volunteer Fire and Rescue, Sheriffs' Special Deputies, and Sheriffs' Auxiliary Groups in the amount not to exceed Eight-Two Thousand One Hundred Seventy-Three Dollars (\$82,173) for FY2020; unless amended by a duly executed contract amendment.

Item 8. Finance and Budget: Appropriation of the FY2020 Budget.

Resolution R19-73 reads as follows:

**A RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2020
COUNTY BUDGETS WHICH INCLUDES THE SCHOOL BUDGETS**

WHEREAS, the Board is committed to maintaining the undesignated fund balance, and wishes to retain adequate budgetary control given the challenging economic climate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the General Fund, General Government expenditures, which include an Operating Transfer to the Schools be and they hereby are appropriated at 95% of the adopted FY2020 budgets and other funds are appropriated as follows:

I. GENERAL GOVERNMENT FUNDS:

General Fund:
Board of Supervisors

305,272,281
693,030

Commissioner of the Revenue	2,802,171
County Administrator	1,291,366
County Attorney	1,118,569
Registrar and Electoral Board	580,024
Finance and Budget	2,182,240
Geographic Information System	654,744
Human Resources	795,651
Information Technology	2,260,265
Office of Community Engagement	462,557
Treasurer	2,277,729
Sheriff	25,283,571
Fire & Rescue Services	21,655,650
15th District Court Unit	364,394
Code Compliance	4,855,958
Rappahannock Juvenile Detention Center	1,203,536
Rappahannock Regional Jail	6,485,320
Circuit Court	342,738
Clerk of the Circuit Court	1,588,023
Commonwealth Attorney	3,436,274
Court Deputies	2,784,647
General District Court	111,766
Juvenile and Domestic Relations	108,965
Magistrate	8,389
Cooperative Extension Program	188,759
Economic Development	553,327
Partner Agencies - Community Development	289,633
Planning and Zoning	2,347,418
Human Services	7,472,270
Partner Agencies - Health and Social Services	1,560,734
Social Services	7,797,029
Parks and Recreation	7,677,261
Central Rappahannock Regional Library	5,379,867
Engineering	396,197
Community Facilities	4,568,722
Schools Operating Budget Transfer	120,525,509
Schools Shared Services/Audit	109,542
Public Day School Transfer	492,100
Schools Designated Repairs, Replacement and Rehab	1,373,572
Schools Debt Service	31,696,129
Partner Agencies - Germanna Community College	331,415
Transfer to Capital Projects Fund	8,736,870

Non-Departmental Compensation/Benefits	1,944,650
Non-Departmental Economic Development	262,972
Non-Departmental Insurance	857,637
Non-Departmental Operating Budget	631,645
Contingency Reserve	
Other Non-Departmental	1,371,201
County Debt Service	13,782,968
Vehicle Replacement Program County	95,000
Vehicle Replacement Program Sheriff	999,268
One-time Projects	483,009
<u>Other Funds</u>	
Asset Forfeiture Fund	260,000
Capital Improvements Fund	817,780
Fleet Services Fund	4,288,941
Garrisonville Road Service District Fund	580,958
Hidden Lake Special Revenue Fund	111,700
Lake Arrowhead Service District Fund	119,511
Lake Carroll Service District Fund	13,875
Lynhaven Lane Service District	14,000
Tourism Fund	2,032,020
Transportation Fund	4,700,296
Transportation Impact Fee - County-Wide Fund	2,463,029
Utilities Funds	60,962,614
Warrenton Road Service District Fund	21,920

II. SCHOOLS FUNDS:

Construction Fund	557,855
Grants Fund	13,237,009
Health Services Fund	31,722,329
Nutrition Services Fund	14,348,338
Schools Operating Fund	298,934,415
Workers' Compensation Fund	617,430

; and

BE IT FURTHER RESOLVED that debt service is appropriated at 100% of the adopted FY2020 budgets; and

BE IT FURTHER RESOLVED in compliance with the County's Capital Projects Budget and Appropriation Policy (Policy) all large scale capital projects, regardless of the source of funding or the fund in which they are accounted for, beginning in the first year

of the Capital Improvement Program (CIP), shall be budgeted in whole and appropriated in phases on a quarterly basis in accordance with the Policy and all laws applicable thereto; and

BE IT FURTHER RESOLVED capital expenditures for the School's Capital Projects Fund, the County's Capital Project Fund, the Nutrition Services Fund, the Transportation Fund, the Warrenton Road Service District Fund and the Garrisonville Road Services District Fund will be requested to be appropriated after the adoption of the FY2020-29 CIP;

BE IT FURTHER RESOLVED that the Board intends to consider the appropriation of the 5% balance of the General Government Fund, General Government budget (less debt service) and the local school transfer (less debt service), following the mid-year and third quarter review and completion of the FY2019 audit, in consideration of the then current financial conditions; and

BE IT FURTHER RESOLVED that at the close of the fiscal year, all appropriations shall lapse for budget items other than capital projects, encumbrances, commitments, and grants. The following appropriations shall be maintained as noted or until the Board, by resolution or ordinance, changes or eliminates the designated appropriations:

- (i) Capital projects, until the completion of the project;
- (ii) Encumbrances and commitments; and
- (iii) Grant funds for the duration of the grant.

; and

BE IT FURTHER RESOLVED that budgets and appropriations are authorized to increase for the following items of non-budgeted, restricted revenue that may occur during FY2020:

1. Insurance recoveries received for damages to County and Schools properties for which County or Schools funds have been expended to make repairs;
2. Defaulted developer and builder securities to be used for uncompleted projects;
3. Donations for a specific purpose;
4. Asset forfeiture funds;
5. Grants in accordance with the grant policy;
6. Roll-back taxes and reserves for the Purchase of Development Rights program pursuant to the County's financial policies;
7. Incentive payments to developers in compliance with Board-approved agreements; and
8. Advance refunding of debt.

; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve insurance settlements less than \$100,000, in concurrence with the County's insurance carrier; and

BE IT FURTHER RESOLVED that to comply with Governmental Accounting Standards Board's standards and generally accepted accounting practices, some projects or sets of accounts may need to be moved between funds, and the County Administrator is authorized to make such transfers; and

BE IT STILL FURTHER RESOLVED that to ensure the taxpayers of Stafford County are paying the lowest tax rates possible, all outside funding sources such as state funds, federal funds, proffers, and user fees will be designated to be spent first, with any local matches that are required. After these funds are spent, local tax dollars may be spent.

Item 9. Finance and Budget; Budget and Appropriate FY2018 Health Insurance Savings to the OPEB Trust Fund. Ms. Bohmke asked if the reference to the write-up about OPEB "prior years" meant more than one year or related to just the past year.

Ms. Light responded the prior year refers to the FY2018 results only. Mr. Foley commented staff could change it to read "prior year" instead of "prior years."

Ms. Bohmke asked if this would apply to the Schools. Mr. Foley responded that it would apply to the Schools too.

Ms. Bohmke motioned, seconded by Mr. Coen, to adopt resolution R19-170.

The Voting Board tally was:

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

Resolution R19-170 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FY18 HEALTH INSURANCE SAVINGS TO THE OTHER POST-EMPLOYMENT BENEFITS (OPEB) TRUST

WHEREAS, health insurance savings in in the amount of \$876,509 were realized and held in reserve from Fiscal Year (FY) 2018; and

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

WHEREAS, with careful management, these funds are not anticipated to be required in FY19 for health insurance costs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does budget and appropriate FY18 health care benefit savings in the amount of Eight Hundred Seventy-Six Thousand Five Hundred Nine Dollars (\$876,509), held in reserve in the General Fund, to the Other Post-Employment Benefits (OPEB) Trust Fund.

Item 10. Finance and Budget; Budget and Appropriate FY2018 Sheriff's Office Funding for the Additional Purchase of Vehicles.

Resolution R19-172 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FY2018 YEAR-END SET ASIDE FUNDS TO PURCHASE ADDITIONAL VEHICLES FOR THE SHERIFF'S OFFICE

WHEREAS, the Sheriff's Office has identified the purchase of replacement vehicles as one-time uses for FY2018 year-end set aside funds in the amount of \$172,500; and

WHEREAS, the FY2018 audit has confirmed that these funds are available;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does budget and appropriate FY2018 year-end funds in the amount of One Hundred Seventy-Two Thousand Five Hundred Dollars (\$172,500), held in reserve in the General Fund, to the Sheriff's Office for the purchase of replacement vehicles.

Item 11. Finance and Budget; Approve New School Planning Policy for the Development of the Capital Improvement Program.

Resolution R19-183 reads as follows:

A RESOLUTION ADOPTING THE NEW SCHOOL PLANNING POLICY FOR THE DEVELOPMENT OF THE CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Board finds that the adoption of the proposed New School Planning Policy for the Development of the Capital Improvement Program (Policy) is consistent with good planning, and financial planning and management practices; and

WHEREAS, the Policy applies only to new elementary, middle, and high school buildings being constructed for Stafford County Public Schools, and does not address the renovation of existing school buildings; and

WHEREAS, the Policy recognizes that when adding a new school to the Capital Improvement Program, the need for land acquisition, current capacity, and projected school enrollment must be considered;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the New School Planning Policy for the Development of

the Capital Improvement Program, as provided in the attached Exhibit A, be and it hereby is approved and adopted.

Item 12. Finance and Budget; Appoint Alexandre A. Espinosa to the Local Finance Board for the County's OPEB Trust.

Item 13. Public Works (Transportation); Endorse the FY2020-I-95/I-395 Commuter Choice Application for the Leeland Road Bike and Pedestrian Upgrades Project

Resolution R19-175 reads as follows:

A RESOLUTION ENDORSING THE FY2020 I-95/395 COMMUTER CHOICE APPLICATION FOR BICYCLE, PEDESTRIAN, AND ROADWAY IMPROVEMENTS TO LEELAND ROAD

WHEREAS, the I-95/395 Commuter Choice program supports projects that maximum person throughput and implement multimodal improvements that are specifically designed to benefit toll payers; and

WHEREAS, the I-95/395 Commuter Choice program will receive an estimated \$15 million annually to disburse amongst qualifying and selected projects; and

WHEREAS, the Northern Virginia Transportation Commission (NVTC) has developed an evaluation and selection process for proposed projects; and

WHEREAS, NVTC has issued a call for projects for the FY2020 I-95/395 Commuter Choice program; and

WHEREAS, the Board supports and endorses one application to be submitted by County staff for bicycle, pedestrian, and roadway improvements to be made along Leeland Road in order to provide better, safer accessibility to the existing Leeland Road VRE station;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does endorse the submission of a I-95/395 Commuter Choice application for bicycle, pedestrian, and roadway improvements to be made along Leeland Road to compete for FY2020 funds.

Item 14. Public Works Utilities); Authorize the County Administrator to Execute an Addendum to a Lease Agreement for Additional Space Located at 2128 Jefferson Davis Highway. Ms. Shelton asked if the lease was a triple net lease. It is a lease where the lessee pays all the costs. Jason Towery, Public Works Director responded yes, the lease is a triple net lease. Ms. Shelton stated when she reviewed the lease; she did not see the total cost of the items included for the cost of the lease. Ms. Shelton then asked about the insurance cost. Mr. Towery responded the utilities are paid by Public Works and that he was not familiar with the insurance cost, but could research and provide the information. Mr. Foley commented the County is self-insured for health insurance, we have our own pool where the claims go in to pay our claims. We are not self-insured for general liability and other types of insurance. We bid that out and have a competitive rate that applies to the new space being leased.

Ms. Shelton motioned, seconded by Mrs. Maurer, to adopt resolution R19-138.

The Voting Board tally was:

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

Resolution R19-138 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN ADDENDUM TO A LEASE AGREEMENT FOR ADDITIONAL SPACE LOCATED AT 2128 JEFFERSON DAVIS HIGHWAY, SUITE 201

WHEREAS, pursuant to Resolution R16-300, Stafford County leased Suites 101, 103, and 203 at 2128 Jefferson Davis Highway from Courthouse Square L.L.C., (Landlord) for the Department of Public Works, Utilities Division; and

WHEREAS, Suite 201 is now available for lease, which is an expansion of 2,250 square feet at a year one cost of approximately \$3,334 per month; and

WHEREAS, the Landlord has offered to add Suite 201 to the County's current lease which will expire on September 20, 2021; and

WHEREAS, the pro-rated annual rent for Suites 101, 103, 201, and 203 for the third year beginning July 1, 2019 and ending September 30, 2019 is \$80,030.40; and

WHEREAS, the annual rent for Suites 101, 103, 201, and 203 is \$161,661.48 for the fourth year beginning October 1, 2019 and ending September 20, 2020, with a 1% increase per annum; and

WHEREAS, staff determined that the lease rate is reasonable for the additional office space; and

WHEREAS, annual lease costs are budgeted in the Department of Public Works, Utilities Division's FY2020 approved budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the County Administrator, or his designee, be and he hereby is authorized to execute an addendum to the lease agreement with Courthouse Square L.L.C., to add approximately 2,250 square feet of rentable area to the leased premises, addressed as 2128 Jefferson Davis Hwy, Suite 201, and increase the Minimum Annual Rent (Basic Rent) payments for Suites 101, 103, 201, and 203, as defined in the lease, to amounts not to exceed the following:

Dates	Minimum Annual Amount	Minimum Monthly Amount
July 1, 2019 – September 30, 2019	\$ 80,030.40	\$13,338.40

October 1, 2019 – September 30, 2020	\$161,661.48	\$13,471.79
October 1, 2020 – September 30, 2021	\$163,278.18	\$13,606.51

Item 15. Public Works (Capital Projects); Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of the County's Quick-Take Powers to Acquire a Permanent Water-Sanitary Sewer Easement on Tax Map Parcel No. 21L-6-M.

Resolution R19-152 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE A PERMANENT WATER-SANITARY SEWER EASEMENT ON TAX MAP PARCEL NO. 21L-6-M, FOR THE CONSTRUCTION AND MAINTENANCE OF THE SEWER SYSTEM, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Stafford County Public Schools have identified the completion of construction of the Anne E. Moncure Elementary School (School), located on County-owned Tax Map Parcel No. 21-16, as a critical part of Stafford County's public school system; and

WHEREAS, the County's operation and maintenance of the public water supply and sewage disposal system is an inherent public use, that is essential to the operation of the School (Project); and

WHEREAS, acquisition of an easement is necessary to construct and maintain a portion of sewer line that runs along Juggins Road to the School; and

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

WHEREAS, due to the design of the Project, the Board must acquire 0.071 acres of permanent water-sanitary sewer easement on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is determined to be approximately Four Hundred Dollars (\$400); and

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

WHEREAS, the County has been unable to negotiate a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach final settlement; and

WHEREAS, to determine the necessity for condemnation and exercise of the its quick-take powers to acquire the easement for the 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 4th day of June, 2019, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to consider the condemnation and use of its quick-take powers to acquire a permanent water-sanitary sewer easement on the property of Perry Farms Homeowners' Association, Inc., Tax Map Parcel No. 21L-6-M, all in connection with the construction and operation of the public sewer system necessary to provide service to Anne E. Moncure Elementary School, located on Tax Map Parcel No. 21-16, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 16. Planning and Zoning; A Resolution Authorizing the County Administrator to Execute a Deed of Easement for the Purchase of Development Rights on a Portion of Tax Map Parcel No. 22-19 (McClevey Property), Within the Griffis-Widewater Election District, and Appropriate Matching Funds.

Resolution R19-179 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON A PORTION OF TAX MAP PARCEL NO. 22-19 (MCCLEVEY PROPERTY), WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT; AND TO BUDGET AND APPROPRIATE MATCHING FUNDS

WHEREAS, Stafford County Code Chapter 22A, Purchase of Development Rights (PDR), enables the County to acquire conservation easements voluntarily offered by property owners as one means of protecting the County's open space, agricultural and forest lands, and natural and cultural resources; and

WHEREAS, in 2017, the Board adopted Resolution R17-197 which authorized the County Administrator to negotiate the acquisition of a conservation easement on Tax Map Parcel No. 22-19 subject to appropriation and the availability of funds through the County's Purchase of Development Rights (PDR) fund; and

WHEREAS, Resolution R17-197 also authorized application for matching funds through the United States Department of Defense's Readiness and Environmental Protection Initiative Program (REPI) and the Virginia Land Conservation Foundation (VLCF), in an amount not to exceed Four Hundred Fifty Thousand Dollars (\$450,000), for the potential acquisition of such easement; and

WHEREAS, the PDR Administrator and PDR Committee recommended that the Board acquire development rights from a portion of Tax Map Parcel No. 22-19 (Property); and

WHEREAS, the Board carefully considered the recommendations of the PDR Administrator, the PDR Committee, and staff, and determined that development rights from the Property should be purchased; and

WHEREAS, the Board finds that this purchase conforms to the Comprehensive Plan, and preserves and provides open space land; and

WHEREAS, the Deed of Easement and associated documents have been prepared and County funds for purchase have been appropriated; and

WHEREAS, the matching funds through the REPI and VLCF programs must be budgeted and appropriated;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the County Administrator, or his designee, be and he hereby is authorized to execute a Deed of Easement, pursuant to the County's Purchase of Development Rights (PDR) Program, for the purchase of development rights on a portion of Tax Map Parcel No. 22-19 (Property) in an amount not to exceed Five Hundred Sixty Thousand Dollars (\$560,000), with no less than Four Hundred Fifty Thousand Dollars (\$450,000) reimbursable from the Commonwealth of Virginia and/or United States Government; and

BE IT FURTHER RESOLVED that Four Hundred Fifty Thousand (\$450,000) in Federal and/or State-matching PDR grant funds is budgeted and appropriated to the PDR Land Conservation fund, for payment to the McCleveys, or another appropriate party, at or upon settlement on the Property; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to sign any other document that he deems necessary to effectuate this transaction and Resolution.

Item 17. Planning and Zoning; Consider Authorizing the County Administrator or His Designee to Negotiate and Execute Deeds of Easement for the Purchase of Development Rights on Caton, Shelton and Littlejohn Properties; and Authorize Applications for Matching Funds Through Various Agencies.

Resolution R19-140 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE DEEDS OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON TAX MAP PARCEL NOS. 17-49G, 17-49H AND 17-49J (CATON PROPERTY); TAX MAP PARCEL NO. 34-46A (SHELTON PROPERTY), AND TAX MAP PARCEL NOS. 59-34, 59-36 AND 59-36A (LITTLEJOHN PROPERTY), AND AUTHORIZE APPLICATIONS FOR MATCHING FUNDS THROUGH THE UNITED STATES GOVERNMENT, THE COMMONWEALTH OF VIRGINIA, OR OTHER APPLICABLE AGENCIES

WHEREAS, a Purchase of Development Rights (PDR) Program round for applications was initiated in June, 2017; and

WHEREAS, the PDR Administrator and PDR Committee reviewed applications submitted under the PDR Program and ranked the applications in accordance with the requirements and criteria established in Stafford County Code, Section 22A-6; and

WHEREAS, the PDR Program currently has \$780,000 available for the purchase of development rights on properties located in the County; and

WHEREAS, the Department of Defense's (DoD) Readiness and Environmental Protection Initiative (REPI) protects the Nation's military readiness, enhances relationships with communities, and preserves the environment through easements or other interests in land from willing sellers that preserve critical buffer areas near military installations; and

WHEREAS, REPI funds cost-sharing partnerships for the military with state and local governments and private conservation organizations, as authorized by Congress in 10 U.S.C. § 2684a; and

WHEREAS, REPI funds are currently available for land conservation purposes; and

WHEREAS, the County has identified an eligible PDR application property on Tax Map Parcel Nos. 17-49G, 17-49I and 17-49J (Caton Property), within the Hartwood Election District, for potential acquisition of an easement through the REPI program; and

WHEREAS, the Virginia Land Conservation Foundation, through the Virginia Department of Conservation and Recreation, has matching funds available for a FY2020 application round; and

WHEREAS, the County has identified two eligible PDR application properties, Tax Map Parcel No. 34-46A (Shelton Property) and Tax Map Parcel Nos. 59-34, 59-36 and 59-36A (Littlejohn Property), for potential acquisition of easements through the VLFCF program; and

WHEREAS, additional agencies, including Virginia Department of Agriculture and Consumer Services and the United States Department of Agriculture, may offer matching funds in FY2020 that would supplement County funds; and

WHEREAS, the Board reviewed the recommendations of the PDR Administrator and PDR Committee and determined that the Caton Property, the Shelton Property, and the Littlejohn Property be considered for the purchase of development rights under the PDR Program; and

WHEREAS, the Board desires to apply for matching funds through the United States Government and the Commonwealth of Virginia to leverage the County's PDR allocation; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the County Administrator, or his designee, be and he

hereby is authorized to negotiate and execute deeds of easement for the purchase of development rights on Tax Map Parcels Nos. 17-49G and 17-49J (Caton Property), within the Hartwood Election District; Tax Map Parcel No. 34-46A (Shelton Property), within the Hartwood Election District; and Tax Map Parcel Nos. 59-34, 59-36 and 59-36A (Littlejohn Property), within the George Washington Election District; and to apply for matching funds through the United States Government and the Commonwealth of Virginia for a total amount not to exceed Six Hundred Fifty Thousand Dollars (\$650,000), plus incidental costs, with a minimum of Six Hundred Fifty Thousand Dollars (\$650,000) reimbursable by the United States Government and/or the Commonwealth of Virginia; and

BE IT FURTHER RESOLVED that consideration of the properties is subject to appropriation and availability of funds through the County's PDR program funds and the availability of 50% matching funds through the United States Government and/or the Commonwealth of Virginia; and

BE IT STILL FURTHER RESOLVED that the remaining applications under the 2017 PDR Program round may be considered for future easement acquisition as additional funds become available, as authorized by the Board.

Item 18: Planning and Zoning: Authorize a Resolution to Refer to the Planning Commission the Use of Apiaries (Beehives) in Residential and Planned Development Districts. Ms. Bohmke expressed concern about how the resolution is written to send to the Planning Commission. She commented allowing four beehives seemed excessive. One beehive could generate 10 to 60 thousand bees. The comparative chart of localities that was included in the resolution does not permit beehives or only allows one or two beehives in residential areas.

Mr. Harvey stated the proposed Resolution would allow the Planning Commission to make modifications it deemed necessary. If the Board prefers, the resolution could modify the referring ordinance to reduce the number of beehive boxes.

Mr. Dudenhefer commented two letters were received from beehive enthusiasts to take a look at the ordinance. He recommended sending it to the Planning Commission "as is" to give it a full hearing. The resolution was not meant as a directive, but for them to investigate it.

Ms. Shelton commented she agreed with Mr. Dudenhefer's comments. One thing that was discussed at the committee meeting was the value of bees.

Ms. Bohmke commented she would support resolution R19-163, but would not support four beehives in residential areas.

Ms. Shelton motioned, seconded by Mrs. Maurer, to adopt resolution R19-163.

The Voting Board tally was:

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

Resolution R19-163 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO CONSIDER AMENDING AND REORDAINING STAFFORD COUNTY CODE SEC. 28-35, TABLE 3.1, "TABLE OF USES AND STANDARDS" AND SEC. 28-39, "SPECIAL REGULATIONS" TO ALLOW FOR THE KEEPING OF HONEYBEES (APIARIES) WITHIN THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT AND TO ESTABLISH REGULATIONS REGARDING THE SAME

WHEREAS, the Stafford County Code (Code) allows for specific uses and defines how such uses are permitted within the zoning districts; and

WHEREAS, the keeping of honeybees (apiaries) is permitted in the A-1, Agricultural and A-2, Rural Residential Zoning Districts as an agriculture operation; and

WHEREAS, the Board desires to consider allowing for such a use in the R-1, Suburban Residential Zoning District; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance A1-37 to the Planning Commission for its review, to hold a public hearing, and to provide its recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the proposed amendments to Stafford County Code Sec. 28-35, Table 3.1, "Table of uses and standards" and Sec. 28-39, "Special regulations," pursuant to proposed Ordinance A1-37, be and they hereby are referred to the Planning Commission for its review, to hold a public hearing, provide its recommendations to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission is authorized to make modifications to proposed Ordinance A1-37 as it deems necessary and appropriate.

Item 19. Parks, Recreation and Community Facilities: Authorize Expenditures with Carter Machinery, Inc., for Backup Generator Services.

Resolution R19-176 reads as follows:

A RESOLUTION AUTHORIZING EXPENDITURES WITH CARTER MACHINERY, INCORPORATED, FOR BACKUP GENERATOR SERVICES

WHEREAS, professional generator services are needed to service, maintain, and repair back-up generators at various County facilities, which are beyond the capacity of County staff; and

WHEREAS, Stafford County Rider Agreement #19-5030-CO060 was executed May 8, 2019, with Carter Machinery Company, Incorporated for generator services through January 31, 2020, with one optional, one year renewal remaining through Virginia Association of State College and University Purchasing Professionals (VASCUPP) cooperative contract #VTS-209-2016; and

WHEREAS, the Departments of Parks, Recreation and Community Facilities and Public Works (Utilities Division) estimate expenditures in the amount of \$200,000 for generator services from July 1, 2019 through January 31, 2020; and

WHEREAS, funds are available in the FY20 Parks, Recreation and Community Facilities and Public Works, Utilities Division, Department budgets for these expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that it be and hereby does authorize expenditures in an amount not to exceed Two Hundred Thousand Dollars (\$200,000) to Carter Machinery Company, Incorporated, to service, maintain, and repair back-up generators at various County facilities.

Item 20. Parks, Recreation and Community Facilities; Authorize Contract Renewal with Virginia Landscape Management, Inc., for Landscaping and Grounds Maintenance Services at Various County Facilities. Ms. Shelton asked if the contract could take into consideration the information the students presented for completing VDOT Right-of-Way services.

Mr. Smith responded the County maintains the Gateway Right-of-Ways. We have a budget of \$400,000 that covers the entire year for the Gateway items. If additional clearing were added to the contract, additional funds would need to come from the Transportation Fund.

Ms. Shelton stated since the funds have already been defined, she motioned, seconded by Mrs. Maurer, to adopt resolution R19-163.

The Voting Board tally was:

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

Resolution R9-177 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT RENEWAL WITH VIRGINIA LANDSCAPE MANAGEMENT, INC., FOR LANDSCAPING AND GROUNDS MAINTENANCE

WHEREAS, professional landscaping, grounds maintenance, and Virginia Department of Transportation (VDOT) right-of-way services are needed at various County facilities that are beyond the capabilities of County staff; and

WHEREAS, the current contract with Virginia Landscape Management, Inc., was approved by the Board on June 20, 2017, pursuant to Resolution R17-174, and is due for renewal; and

WHEREAS, funds are available in the Parks, Recreation and Community Facilities' FY2020 budget for the contract renewal in the amount of \$175,000; and

WHEREAS, staff determined the proposed renewal is reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the County Administrator be and he hereby is authorized to execute a renewal contract with Virginia Landscape Management, Inc., for landscaping, grounds maintenance, and Virginia Department of Transportation (VDOT) right-of-way services at various County facilities in an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000), unless amended by a duly-executed contract amendment.

UNFINISHED BUSINESS

Item 21. County Administration; Discussion of Possible Healthy Growth Strategies. Mike Smith, Deputy County Administrator presented background information and an overview of the strategies. He highlighted the following three options: 1) lot size change; 2) incentives without a change in lot size; and 3) a combination of the first two options, requested the Board's direction, and addressed the Board's questions.

Mrs. Maurer made a motion to approve Option 3 of the Healthy Growth Strategies. She stated she understands the concern about reducing values, but we can't continue to develop on three acre lot sizes in our rural areas. We don't have the infrastructure to support it. She expressed concern about the values and the retirement accounts that are caught up in a lot of the parcels of land. With Option 3, the value of the land is kept and development rights could be transferred. Ms. Bohmke seconded the motion to approve Option 3 of the Healthy Growth Strategies.

Ms. Shelton made a substitute motion to approve Option 2. The motion was seconded by Mr. Coen. Ms. Shelton commented Stafford County has a huge problem with Broadband. The density requirement to bring in broadband is a problem. We don't have the density requirement in the rural area on three acre lots. With the consideration of changing lot sizes to make them larger, we are going to condemn those individuals to not be able to have broadband.

Mrs. Maurer commented density is different than lot size. We can reduce the lot size while keeping the density. The biggest issue is we are allowing one house per three acres. We just don't have the infrastructure to support Option 2. Mrs. Maurer stated Stafford has the most liberal zoning policies in the Commonwealth of Virginia and it's leading to issues. We can't afford to provide all the services and support the infrastructure and continue to maintain the density that we are doing.

Mr. Dudenhefer commented with Option 2, we would end up with having the same level of growth we have in the rural areas. We are going to significantly increase the growth in the Urban Services Area (USA). Instead of adjusting our growth, we end up with both. It would be a disaster. Any program that incentivizes building in the USA, without a change in how we deal with rural areas, is a recipe for failure.

Mr. Coen commented he supports Option 2. Option 2 puts growth where we want it, which is a TDR area and in our UDA. The problem with Option 3 is that it puts the ownership on one set of our population for decisions that were not theirs to make. If we go with Option 3, we are

saying to property owners that we are down zoning their property and if they want it back you can try to get it in a TDR. He stated that is not equitable. After speaking with the Commissioner of Revenue, he realizes when those properties are down zoned, those properties would go down in value and the amount of tax dollars raised would go down, which mean we would have to raise taxes on property owners in the USA. Option 2 gives more incentives and is more equitable for all residents of the County.

Ms. Bohmke asked Mr. Jeff Harvey, Planning Director if Option 3 is selected, would we be down zoning and would the property owner have to buy the property back if they want to do TDRs. Mr. Harvey responded Option 3 is essentially changing the density for the rural areas so people would have fewer lots that they could put on a property in the future. In exchange, they would be granted a certain number of development rights for the property. They could choose to sell the development rights instead of building lots or they could choose not to sell the development rights. It's their individual choice. Through the TDR program, someone could sell their development rights to another person who could sell them to a developer who would build a project in our Targeted Growth Area (TGA). Option 3 looks at a direct correlation between slowing down development in the rural areas and potentially facilitating more development in the TGA.

Ms. Bohmke asked if we selected Option 3, would we be penalizing the farmers. Mr. Harvey responded it would be based upon how the TDR program is set up. Will there be enough incentives in the program that when people sever their development rights, will there be a market for them to sell them. Will there be a reasonable price of a return on their investments compared to where they are today. Once they sell them, are they going to go in a TGA, or are we going to set up our zoning in the TGA that would matches our goals for our Comp Plan. Ms. Bohmke stated she was not convinced Option 2 would solve the issues in the rural area.

Mr. Cavalier commented that none of the options have pinnacle. Looking towards the future, the younger generations are not going to buy houses on large lots. Millennials want to be in a place where they could work, live, and play in the same area. If he had to select one of the three options, he would support Option 2.

Mr. Snellings commented this is a difficult decision for him because he lives in a rural area and about 25 acres in A-1. Whatever decisions are made would affect him financially. Every time he rides through the Hartwood district and sees cement trucks, he knows another home is being built. He would support Option 3 because he thinks it is fair to everyone. It would be fair to the landowner.

The Voting Board tally for the substitute motion for Option 2 was:

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

The substitute motion failed.

The Voting Board tally for the original motion for Option 3 was:

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

The motion for Option 3 passed. Mr. Snellings asked Mr. Harvey about what steps to take next. Mr. Harvey responded staff would bring the item back at the June 18th Board meeting to talk about steps moving forward. Specifically, to establish a committee to work through the TDR process, to understand the right incentives are in the TDR program for the landowners, and to ensure the TDR program would be successful. This would take place over an extended period of time to work out the details. It would also need to go through a public hearing process with the Planning Commission and then back to the Board. It would involve zoning code changes and amendments to the Comp Plan.

Mr. Foley stated that since this item is a strategic priority, staff would come back with a schedule to provide more details.

Mr. Snellings announced the New Business items and the Closed Meeting would be moved to the end of the agenda because of the time constraints.

Item 22. Economic Development; Consider Rescinding or Amending a Memorandum of Understanding with Aquia Capital LLC, Associated with Aquia Town Center. Mr. Holden presented background information about this item and addressed the Board's questions.

Mr. Cavalier asked what the thought process was on the demolition of the footers that are there for the 15,000 square foot building. Mr. Holden responded it was his understanding that the Board wanted the site cleaned up. The first discussion was about demolishing it and cleaning it up; however, after talking with the developer, we decided to give them the proposed timeline of 180 days to submit a permit and 18 months to construct on the site. By the end of the agreement, if nothing happened at the site, the site would be left with an undeveloped piece of foundation with a screen around it and no incremental tax revenue. The alternative was to give them a reasonable amount of time to get something permitted or demolish it and do something else on the site.

Mr. Cavalier commented that he did not see anything in the new Memorandum of Understanding (MOU) with regards to the roadways within the site and the poor conditions of those roads. Mr. Cavalier inquired if that had been addressed. Mr. Holden responded the roadway conditions had not been addressed because he was not aware of the poor conditions of the roads. Mr. Cavalier stated that if the MOU is approved, improvement of the roadways would have to be included in a future agreement. Mr. Foley commented the assumption was that if the site develops in those three years the roads would be a part of the infrastructure and would have to go in order for it to be a marketable property. Mr. Cavalier stated the roads are an issue now and need to be addressed before the site is developed. Mr. Snellings asked if the improvement of the roads could be put in the agreement now. Mr. Foley responded the agreement could be rescinded or it has terms in it that the Board is satisfied with. The resolution choices are to either rescind the agreement or agree to the proposed amendments. Staff is looking for the Board's direction on what type of amendments to include in the agreement.

Mr. Foley asked if the Board would like to go over the four amendments and provide Staff with direction about the items. Mr. Snellings inquired if there is a time restraint for making recommendations. Mr. Foley responded there was not a time restraint and staff could take as

long as the the Board needed. The Board set the original timeline at 60 days. Mr. Cavalier commented he was prepared to act on it today because the longer it is put off, the longer the site would be in disrepair.

Mr. Holden briefed the Board about the following four staff recommendations for amendments to the agreement and asked for their direction:

1. 180 days to demolish the site or initiate a building permit in that timeframe and within that timeframe have 18 months of completion of the construction.
2. Cash instead of a letter of credit.
3. Include Transient Occupancy Tax in the agreement.
4. No Transferability.

Mr. Cavalier commented to add language that the traveling lanes are brought up to their original standard.

County Attorney McClendon recommended the Board move for approval of R19-186 with the direction given to staff and note that if Mosiac is not willing to execute the agreement, it would give the County Administrator the ability to give them notice that the Board has rescinded the agreement. It would incorporate all the actions that were discussed. Mr. Cavalier asked if Mosiac does not sign the agreement, it goes to automatic rescission and not back to the Board for a vote. Ms. McClendon responded if the Board would like to give that direction they could. At the last meeting, it was the direction that was given to staff, so that is how the resolution was drafted, but if the Board would like it to come back to the Board, if they are unwilling to execute, staff could do that as well.

The Board agreed to have the recommended changes to the agreement and to have it brought back to the June 18th Board meeting.

Item 23. Planning and Zoning; Consider Amending and Reordaining County Code Chapter 28 Regarding Transfer of Development Rights Standards. Mr. Harvey provided background information about this item and addressed the Board's questions.

Ms. Shelton made a motion, seconded by Ms. Bohmke for discussion purposes.

Ms. Bohmke commented she is in favor of the TDR program, but does continue to have heartburn over the fact that someone who has a lot in Crow's Nest Harbour could still receive a development right. If it is not buildable and they are below one acre, they should not be getting a development right. Certain individuals are getting preferential treatment by our Board members by people who want these development rights. It is not good policy on our part. The land could be put into a conservation easement and could be forever protected. The lots would never be developed. There could be unintended consequences that we may not know about with regards to the new comprehensive TDR Healthy Strategy. For those reasons, she would not support this item.

Mr. Snellings commented he agreed with Ms. Bohmke and felt it would set a precedent if development rights are granted to a piece of property that can't be built on to start with.

Ms. Bohmke pointed out that the Planning Commission voted 6 to 0 against approving the proposed ordinance.

The Voting Board tally was:

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

The motion failed.

Ordinance O19-25 reads as follows:

At 5:38 p.m., Mr. Snellings recessed the afternoon session of the May 7, 2019 meeting.

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

Presentations – There were no presentations.

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

Paul Waldowski – 8 Pickett Lane. Commented about Transfer Development Rights and Dillon Rules.

David Sousa – Expressed that Stafford County should not mimic Fairfax County. Stafford is a rural area and Fairfax's property values are higher than Stafford's; commented he agreed with Ms. Bohmke's comments about Transfer Development Rights.

Daniel Cortez – 19 Hidden Springs Lane. – Expressed his support about re-electing Delegate Bob. Thomas.

PUBLIC HEARINGS

Item 24. Sheriff; Consider Amending and Reordaining Stafford County Code Chapter 15, Article VII, "Towing of Trespassing Motor Vehicles from Private Property" to Comply with Changes to the Code of Virginia. Captain Lee Peters addressed this item and answered Board members questions.

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

- Paul Waldoski

The Chairman closed the public hearing.

Mr. motioned, seconded by Ms. Bohmke, to adopt proposed Resolution O19-31.

The Voting Board tally was:

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

Ordinance O19-31 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 15-168, "TOWING OF MOTOR VEHICLES FROM PRIVATE PROPERTY;" SEC. 15-169, "CHARGES FOR TOWING AND STORAGE OF MOTOR VEHICLES;" SEC. 15-170, "SIGNS REQUIRED ON PROPERTY;" AND SEC. 15-175, "TOW FIRM OPERATOR'S LOG," REGARDING TOWING

WHEREAS, on July 1, 2018, Virginia Code §§ 46.2-1232 and 1233 were amended to add Planning District 16, of which Stafford is a part, to such sections; and

WHEREAS, Stafford County Code, Chapter 15, needs to be amended to reflect these State Code changes; and

WHEREAS, the Board carefully considered the recommendations of the Sheriff's Office and staff, and the public testimony, if any, at the public hearing; and

WHEREAS, the Board desires to amend the County Code and finds that these amendments secure and promote the public health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that Stafford County Code Sec. 15-168, "Towing of motor vehicles from private property;" Sec. 15-169, "Charges for towing and storage of motor vehicles;" Sec. 15-170, "Signs required on property;" and Sec. 15-175, "Towing firm operator's log," be and they hereby are amended and reordained as follows, all other portions remain unchanged:

Sec. 15-168. - Towing of motor vehicles from private property.

- (b) No owner, lessee, custodian, or other person lawfully in charge of any private parking lot or parking area or parking space therein, or of any other private lot or building shall have any motor vehicle or trailer occupying the lot, area, space, or building removed by a tow truck service without authorization of the property owner, lessee, custodian, or other person lawfully in charge of the premises, or their agent, except in accordance with the provisions of this article.

If such tow is performed during the normal business hours of the property owner, lessee, custodian, or other person lawfully in charge of the property from which the motor vehicle or trailer is being towed, or his agent, the tow truck operator performing the tow shall obtain ~~written~~ authorization, at the time the motor vehicle or trailer is being towed, of the property owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. Such ~~written~~ authorization shall be in writing unless there is a

~~addition to any written contract between the tow truck service and the owner, lessee, custodian, or other person lawfully in charge of the property, or his agent which clearly states the terms on which towing and recovery operators may monitor private lots on behalf of property owners. If written authorization for the tow is not required pursuant to the written contract exception stated herein, the tow truck operator shall obtain verbal approval or authorization by electronic means, including, but not limited to, email, text message, or facsimile, at the time the motor vehicle or trailer is being towed, of the property owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. If the property owner, lessee, custodian, or other person lawfully in charge of the property from which the motor vehicle or trailer is being towed, or his agent, including, but not limited to, a property management company or homeowners'/property owners' association, does not maintain an on-site office, the tow truck operator performing the tow is not required to obtain written authorization, at the time the motor vehicle or trailer is being towed, of the property owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. However, in such event, the tow truck operator shall obtain verbal approval or authorization, by electronic means, including, but not limited to, email, text message, or facsimile, at the time the motor vehicle or trailer is being towed, of the property owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. Such verbal approval or authorization by electronic means shall be in addition to any written contract between the tow truck service and the owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. The tow truck operator or tow truck service shall provide the sheriff's office, upon request, with the following information or documentation related to any tow requiring verbal approval or authorization by electronic means:~~

- ~~(1) The full name and title of the individual approving or authorizing the tow;~~
- ~~(2) The date and time that the tow was approved or authorized; and~~
- ~~(3) How the tow truck operator contacted the individual approving or authorizing the tow.~~

If such tow is performed outside the normal business hours of the property owner, lessee, custodian, or other person lawfully in charge of the property, ~~or his agent~~, from which the motor vehicle or trailer is being towed, ~~or his agent~~, the tow truck operator performing the tow shall obtain verbal approval or authorization, by electronic means, including, but not limited to, email, text message, or facsimile, at the time the motor vehicle or trailer is being towed, of the property owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. Such verbal approval or authorization by electronic means shall be in addition to any written contract between the tow truck service and the owner, lessee, custodian, or other person lawfully in charge of the property, or his agent. The tow truck operator or tow truck service shall provide the sheriff's office, upon request, with the following information or documentation related to any tow requiring verbal approval or authorization by electronic means:

- (1) The full name and title of the individual approving or authorizing the tow;
- (2) The date and time that the tow was approved or authorized; and
- (3) How the tow truck operator contacted the individual approving or authorizing the tow to include the method used to secure the approval and identification of the device used to make contact.

- (4) Copies of all documents required to be produced to an owner of the property as set forth under subsection (c) herein below.

Sec. 15-169. - Charges for towing and storage of motor vehicles.

- (a) No tow truck service shall charge a recovery fee or initial towing fee of more than one hundred ~~thirty-five~~ dollars (\$100.00135.00) for towing any motor vehicle or trailer, with a gross weight of eleven thousand (11,000) pounds or less, from a private parking lot or parking area or parking space therein, or from any other private lot or building. No tow truck service shall charge a recovery fee or initial towing fee of more than one hundred fifty dollars (\$150.00) for towing any motor vehicle or trailer, with a gross weight of between eleven thousand and one (11,001) pounds and twenty-six thousand (26,000) pounds, from a private parking lot or parking area or parking space therein, or from any other private lot or building. No tow truck service shall charge a recovery fee or initial towing fee of more than two hundred seventy-five dollars (\$275.00) for towing any motor vehicle or trailer, with a gross weight of twenty-six thousand and one (26,001) pounds or more, from a private parking lot or parking area or parking space therein, or from any other private lot or building; except that a tow truck service may charge a recovery or initial towing fee in excess of two hundred seventy-five dollars (\$275.00) in extenuating circumstances, provided that the fee is reasonable under the circumstances. There shall be no additional charges or fees for mileage.
- (e) An after-hours release fee not to exceed ~~thirty~~ twenty-five dollars (~~\$35.00~~25.00) may be assessed for the release of any motor vehicle or trailer stored, if the owner, lessee, representative, agent, or custodian of the motor vehicle or trailer requests the release between the hours of 7:00 p.m. and 8:00 a.m. on weekdays, or any time on Saturdays, Sundays, or a federal or county holiday. In no event shall more than one such fee be charged for towing any motor vehicle or trailer.

Sec. 15-170. - Signs required on property.

- (a) The requirements of subsection (a) herein shall not apply to the towing of trespassing motor vehicles or trailers from commercial premises if the owner, lessee, custodian, or other person lawfully in charge of the premises is physically present at the site and time of the tow, and provides ~~written~~ authorization for that particular tow. This ~~written~~ authorization shall be in addition to any written contract between the tow truck service and the owner, lessee, custodian, or other person lawfully in charge of the property, or his agent.

Sec. 15-175. - Tow firm operator's log.

Tow truck services shall keep a log of all motor vehicles and trailers towed pursuant to this article. The log shall include:

- (2) The ~~written~~ authorization to tow information as set forth in subsection 15-170(b);

Item 25. Parks, Recreation and Community Facilities; Consider Leasing County-Owned Property at Duff Green Park to the Patawomeck Indian Tribe. Mr. Brion Southall, addressed this item and answered Board members questions.

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

- Price and Peter Jett, 38 Dove Lane – support of the lease agreement.
- Carla Jordan, 839 Garisonville Rd. – support of the lease agreement.
- Marina Hueners, 42048 Foley Headwaters, Aldie, VA – support of the lease agreement.
- Minnie Lightner, 1416 Brent St. – support of the lease agreement.
- Lauren McMillan, 873 White Oak Rd. – support of the lease agreement.
- Don Shelton, 9430 Aspen Ct, King George – support of the lease agreement.
- Charles Bullock, 215 Chapel Green Rd. – support of the lease agreement.
- Paul Waldowski, 8 Pickett Lane – support of the lease agreement.
- Louellen Whitefeather, – support of the lease agreement.

The Chairman closed the public hearing.

Mr. Coen motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R19-178.

The Voting Board tally was:

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

Resolution R19-178 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE WITH THE PATAWOMECK INDIAN TRIBE FOR 16.9 ACRES OF COUNTY-OWNED PROPERTY AT DUFF GREEN PARK (TAX MAP PARCEL NO. 58C-2-6) IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the County is the owner of Duff Green Park, Tax Map No. 58C-2-6, located within the George Washington Election District (Property), which currently consists of vacant land, the Duff Green House, and outbuildings; and

WHEREAS, the Patawomeck Indian Tribe of Virginia, Inc. (Tribe) desires to lease 16.9 acres of the Property to establish an Patawomeck Indian Tribe Educational Museum and Cultural Center to educate citizens and visitors on the history of the Tribe within the County; and

WHEREAS, the Tribe is one of the constituent members of the Powhatan Chiefdom, dating its presence in Stafford County to around 1300AD; and

WHEREAS, the Board and the Tribe desire to establish an Educational Museum and Cultural Village site dedicated to ongoing experiential learning, display of artifacts, and to provide an interactive demonstration of the Tribe's way of life; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that the County Administrator be and he hereby is authorized to execute a Deed of Ground Lease for 16.9 acres of property located within Duff Green Park, Tax Map Parcel No. 58C-2-6, to the Patawomeck Indian Tribe of Virginia, Inc. to establish an Educational Museum and Cultural Village.

Item 26. Planning and Zoning; Consider an Ordinance to Amend and Reordain County Code Sec. 28-24, "Measurements" to Reduce Encroachment Into Side Yard for Outside Basement Entrances and Ingress-Egress Window Wells. Mr. Jeff Harvey, Director of Planning addressed this item and answered Board members questions.

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

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Ms. Shelton, to adopt proposed Ordinance O19-10.

The Voting Board tally was:

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

Ordinance O19-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-24, "MEASUREMENTS" TO REDUCE THE AMOUNT OF ALLOWABLE ENCROACHMENT INTO A SIDE YARD SETBACK FOR INGRESS/EGRESS WINDOW WELLS AND OUTSIDE BASEMENT ENTRANCES IN SPECIFIED AREAS WITHIN THE PD-2, PLANNED DEVELOPMENT-2 ZONING DISTRICT

WHEREAS, the Stafford County Code (Code) allows for a specified amount of encroachment into a required setback for certain features attached to a structure; and

WHEREAS, the Board desires to amend the Zoning Ordinance to allow for ingress/egress window wells and outside basement entrances to encroach closer to the property line on properties that are located in a planned development zoning district and for which building permits were submitted prior to June 14, 2018; 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 RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that Stafford County Code Sec. 28-24, "Measurements" be and it hereby is amended and re-ordained as follows, with all other portions remaining unchanged:

Sec. 28-24- Measurements.

(8) Permitted encroachments.

- a. In measuring yards, the following additional principles shall be applied: Porches, balconies, chimneys, eaves, outside basement entrances, emergency ingress/egress window wells and like architectural features may project not more than six (6) feet into any required yard; provided that no such features shall be located closer than six (6) feet to any lot line. If the property is located in the PD-2, Planned Development-2 zoning district and an application for a building permit approved by the department of planning and zoning prior to June 14, 2018, the encroachment of an outside basement entrance and an emergency ingress/egress window well may be located up to three (3) feet to the property line.

Item 27. Public Works (Code Compliance); Consider Adoption of a Code Amendment to Address Vacation of Unsafe Structures Unfit for Occupancy. Mr. Trent Funkhouser, Assistant Director for Code Review and Inspection addressed this item and answered Board members questions.

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

- Paul Waldowski

The Chairman closed the public hearing.

Ms. Bohmke motioned, seconded by Ms. Shelton, to adopt proposed Ordinance O19-32.

The Voting Board tally was:

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

Ordinance O19-32 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 6-1, "REMOVAL OR REPAIR OF DANGEROUS STRUCTURES AND SEC. 6-16, "ADOPTED" REGARDING UNSAFE STRUCTURES, EXISTING BUILDING CODE AND MAINTENANCE CODE

WHEREAS, Stafford County Code Sec. 6-1, "Removal or repair of dangerous structures," specifies conditions for the removal, repair or securing of any building, wall, or any other structure which might endanger the public health and safety of residents of the County; and

WHEREAS, Stafford County Code Sec. 6-16, "Adopted," specifies the portions of the Virginia Uniform Statewide Building Code adopted and enforced by the County; and

WHEREAS, the Board desires to codify the portion of the Virginia Uniform Statewide Building Code which grants the Building Official the authority to order the immediate vacation of unsafe or uninhabitable structures and to secure unsafe structures from public entry until such times as such structures can be repaired; and

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

WHEREAS, the Board finds that public necessity, convenience, health, safety and general welfare require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that Stafford County Code Sec. 6-1, "Removal or repair of dangerous structures," and Sec. 6-16, "Adopted," be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

Sec. 6-1. - Removal or repair of dangerous structures.

- (b) Reasonable notice for the removal, repair or securing of any building, wall, or any other structure which might endanger the public health and safety of other residents of Stafford County shall be given by written notice mailed by certified or registered mail, return receipt requested, sent to the last known address of the property owner, and published once a week for two (2) successive weeks in a newspaper having general circulation in the county. Action shall be taken by the county after thirty (30) days following the later of the return of the receipt or newspaper publication, except that the county may take action to prevent unauthorized access to the building within seven (7) days of such notice if the structure is deemed by the building official to pose a significant threat to public safety and such fact is stated in the notice. Upon failure of the owner of any building, wall, or any other structure which might endanger public health or safety of other residents of Stafford County to remove, repair or secure any building, wall, or any other structure, as provided in such notice, the county administrator or his designee may have any building, wall, or any other structure removed, repaired or secured and bill the owner for the cost for expenses involved in the removal, repair or securing of any building, wall, or any other structure.

Sec. 6-16. - Adopted.

The building code of the county shall be the Virginia Uniform Statewide Building Code, as provided in chapter 6, title 36 (§ 36-97 et seq.) of the Code of Virginia, which is hereby adopted ~~with the following insertions as follows:~~

- (a) Construction Code (USBC, Part I), in its entirety, with the following insertions:

- (1) Insert "five feet" in the second line of section 1807.2.1 of the Building Code.
- (2) Insert "five feet" in the second line of section 1807.2.2 of the Building Code.
- (3) Insert "three hundred feet" in the fourth line of section P-303.3 of the Plumbing Code.
- (4) Insert "three feet" in the third and fifth lines of section P-308.3 of the Plumbing Code.

(b) Existing Building Code (USBC, Part II), in its entirety.

(c) Maintenance Code (USBC, Part III), including but expressly limited to:

- (1) Provisions regarding unsafe structures and structures unfit for human occupancy, including violations, enforcement, and appeals.

Item 28. Public Works (Transportation)); Consider Granting a Permanent Utility Easement on County-Owned Property (Tax Map Parcel 21-16) To Dominion Energy Virginia. Mr. Alex Owsiak, Transportation Program Manager addressed this item and answered Board members questions.

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

The Chairman closed the public hearing.

Mr. Cavalier motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R19-126.

The Voting Board tally was:

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

Resolution R19-126 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO GRANT A PERMANENT UTILITY EASEMENT TO DOMINION ENERGY VIRGINIA ON TAX MAP PARCEL NO. 21-16, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the County is the owner of Tax Map Parcel No. 21-16 (Property), which is located along Juggins Road (SR-711); and

WHEREAS, Dominion Energy Virginia desires to proceed with the installation of underground facilities and removal of overhead electric lines on the Property and requires a 15-foot utility easement to place its facilities; and

WHEREAS, a portion of existing overhead electric lines on the Property were relocated underground as part of the construction of the new Anne E. Moncure Elementary School; and

WHEREAS, pursuant to Virginia Code § 15.2-1800(B), the Board conducted a public hearing and considered the recommendation of staff, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of June, 2019, that a 15-foot permanent utility easement on Tax Map Parcel No. 21-16 be and it hereby is granted to Virginia Electric and Power Company doing business as Dominion Energy Virginia for the purpose of placing its utilities underground; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to sign the easement agreement and any other documents deemed necessary and appropriate to effectuate the Board's desires and this Resolution.

NEW BUSINESS

Discussion of Alternative Plan for Broadband. - Mr. Cavalier commented this item was discussed at today's Community and Economic Development Committee meeting. There is a second round of grants that are upcoming that require applications by September. He stated he was disappointed that we lost the first round of grants and would like to plan better for the contingency if losing the grants does occur. An alternative plan needs to be developed to address the broadband situation, specifically in the Marlborough Point and Widewater areas. If we do not receive the grant, he recommended the Board spend money to get rural residents broadband high speed internet service.

Mike Cannon, Chief Technology Officer reported we have an opportunity to apply for another VATI grant. To start the process, we would have to identify a partner, then issue an RFI that would seek partners in the proposed areas in the County where there are unserved broadband areas. Staff could apply for more than one grant. If we did not get a good response from one partner, we could go after a second grant.

Mr. Cavalier commented that he does not want us to wait until we lost the grant to come up with a new plan. That process should begin now to see what alternatives we may have and what the cost may be for the unserved areas.

Ms. Shelton stated that when she started the process of the VATI grant last year, she did not have a plan B at the time. She agreed with Mr. Cavalier's concerns and commented she does not want to make that mistake going forward. The VATI grant would only cover targeted areas and we need a more comprehensive solution. She requested Mr. Cannon come back at a later date and inform the Board on what he thinks that solution should be. Mr. Cannon responded that it would be a good idea to bring in experts to advice on how to best approach having a county-wide comprehensive strategy. We could look at the County's fiber network, the School's fiber needs, all of our free-standing structures that we have, and all of the other assets that we could leverage to provide service.

Mr. Cavalier requested periodic updates are provided at Infrastructure Committee meetings.

Discussion Regarding Transportation Bond Referendums. Mr. Dudenhefer commented this item was supposed to take place before the work session today. It was a parliamentary way of getting it on Unfinished Business next week so we could discuss it and possibly vote on it. At the work session, we were able to get a strategy going forward and don't need a vote on this. This item was for information purpose.

Mrs. Maurer highlighted some of the items that were discussed at the Transportation Work Session. She stated Board discussed a bond referendum and looked at ways of funding those road improvements instead of waiting for VDOT.

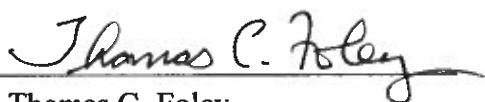
Mr. Coen requested Staff look at the goals the students presented during the afternoon's public presentation about road safety concerns. He does not want the Board to lose focus on what was presented such as: a link to post on the website about potholes or road damage issues, and a social media campaign.

Ms. Bohmke commented that she drove around her district to see if she could find places where we have poor visibility. She expressed the Board needs to have a work session with VDOT. She's concern about the information reported by some of the students of when actions were not taken to resolve road damage.

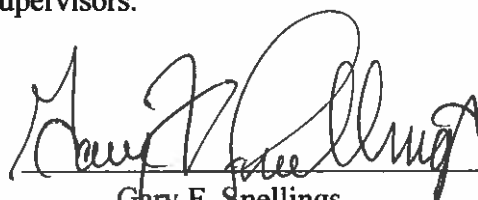
Chairman Snellings agreed with Ms. Bohmke's recommendation to have a meeting with VDOT and stated he would discuss with Staff at the Chairman/Vice Chairman meeting.

CLOSED MEETING – There was no closed meeting.

Adjournment At 8:04 p.m., the Chairman thanked the Board and staff and adjourned the June 4, 2019 meeting of the Stafford County Board of Supervisors.



Thomas C. Foley
County Administrator



Gary F. Snellings
Chairman