BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
June 18, 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 18, 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 welcomed everyone to the meeting and announced he received a request from a Board Member to switch the order of business on the agenda. The Presentation to the Public would be done before VDOT's Quarterly Report.

Presentations - Mr. Snellings presented a Proclamation to Bethla P. Janis, Chief Deputy Treasurer on her retirement of 47 years of service to Stafford County citizens and to the Treasurer's Office. Laura Rudy, Treasurer remarked that Bethla Janis was recognized at the Treasurer's Association of Virginia Annual Conference banquet and received the Distinguished Service Award. Ms. Janis thanked the Board for the proclamation and thanked the Treasurer's Office staff for their support. She remarked that she enjoyed working for the County and serving the citizens of Stafford County.

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

1. Kaitlyn Fulmore (Student) – Updated the Board about a new group named "Changing Stafford Roads." The group plans to make County roads safer through advocating road improvements and more frequent and proactive maintenance of roadway systems. The group plans to put out a new survey in mid-July and would provide the Board with the results. The group requested the Board consider the results when deciding which roads to apply to the Transportation Bond Referendum.

2. Gina Chan (Student) – Commented about safety issues on Stephaniga Road and the merge lane on I-95 North from the Centerport Parkway exit.

3. Rebecca Chung (Student) – Commented about the finances for repairing Stafford County roads.

4. Paul Magner, Decatur Road – Commented his service dog was run over by a tow truck near his driveway. He presented a petition signed by residents petitioning VDOT to put a stop sign at the intersection of Brent Point Place and Decatur Road to help slow the speed of traffic to protect children, residents, and pets.

5. Corrine Rodgers, (Student) – Provided comments on behalf of David Sousa who could not attend the meeting. She stated Mr. Sousa is concerned about issues on rural roads and an advocate for the Transportation Bond Referendum being put on the ballot this year.

VDOT Quarterly Report – Report presented by Lynne Keenan, Fredericksburg Residency Administrator. (See attached report) Ms. Keenan addressed the following Board member's questions.

Mrs. Maurer asked if there are still plans to get a light at the 630 Interchange at Winding Creek Rd, Kellogg Mill Rd, and Courthouse Road before school starts this year. Ms. Keenan responded she was not sure of the date, but would find out and provide the information to Mrs. Maurer.

Mr. Dudenhefer requested that a list of places where site lines are not visible be completed and that mowing of those sites be done four times a year rather than twice a year. Ms. Keenan responded VDOT is working with staff to identify those areas and VDOT is looking to do more intersection clearing where there is line of site issues.

Ms. Bohmke inquired if individual Board members could submit a list of roads that need mowing to County staff to submit to VDOT. Ms. Keenan responded that would be acceptable. Ms. Bohmke thanked Ms. Keenan for the work that was done on Leeland Road.

Mr. Dudenhefer requested VDOT work with County staff to provide a plan to determine wedge widening projects where safety issues are a major factor. Ms. Keenan responded VDOT has worked with County staff to come up with a plan that involves both wedge widening in conjunction with a resurfacing schedule and would continue to work closely with County staff to come up with both safety and projects that need to be resurfaced based on the exhausted life of the payment. Jason Towery, Public Works Director responded VDOT has worked with staff to determine wedge widening and safety projects and highlighted the work completed on Andrew Chapel road as an example. Mr. Dudenhefer requested an update about VDOT's multi-year plan be provided at the next Infrastructure Committee meeting.

Mr. Coen inquired if the process would be state mandated if the County wanted to address some of the safety issues brought forth by the "Changing Stafford Roads" (CSR) group. Ms. Keenan responded work could be done in the right-of-away either by VDOT, VDOT's contractor or under a permit. Mr. Coen then asked if the CSR group wanted to alter the process, would they need to go through state legislation to change it. Ms. Keenan deferred her response to Mr. David Beale, Assistant Residency Engineer. Mr. Beale responded VDOT has worked with the County on a County-Wide Permit. If some parameters could be set under these conditions, VDOT could look at waiving permit fees. The permit is the vehicle to

authorize the work, but VDOT could look at issuing a permit that covers a large area that could enable the County to do things on its schedule, with proper notification, so that it is not a hindrance to the process.

Ms. Bohmke asked how VDOT makes the determination to contract out some of the projects and how could the Board hold the contractor more accountable for work that is not completed properly. Ms. Keenan responded it is based upon what is available with manpower and equipment and the time that would be required for each project. If it is something that could be done within the skill set of VDOT employees, that route is selected first because it is more economical. If the project is significantly beyond the capacity, the time, or the skill set within VDOT's area headquarters, then those are areas that are contracted out.

Ms. Shelton thanked VDOT for the wedge-widening on Andrew Chapel Road. She asked why are there currently barrels located on Andrew Chapel Road and Brooke Road and when would they be removed. Ms. Keenan responded the barrels are located on Brooke Road because there was not enough room to properly anchor guard rails. Delineators have been ordered and are scheduled to be installed by VDOT in the next few weeks. The barrels are a temporary condition to alert drivers to the change in the status and calm traffic down. Ms. Keenan stated she would check to see if delineators would be placed on Andrew Chapel Road and why the barrels are still located on Andrew Chapel Road.

Mr. Cavalier thanked Ms. Keenan and her staff for taking care of the problems at Abel Lake and for taking care of clearing the vegetation at Brent Point Road and Decatur Road. Mr. Cavalier inquired if the Decatur Road Wedge Widening project is on the calendar for next summer and asked that he be kept in the loop about work done at the intersection of Brent Point Road and Decatur Road. Ms. Keenan responded that Mr. Cavalier's statement was correct and that she would keep him informed about the work on Brent Point and Decatur Road. Mr. Cavalier asked Ms. Keenan to take a look at the road conditions in Stonebridge subdivision and the road condition at 950 Widewater Road. Ms. Keenan responded a VDOT Superintendent was sent out today to look at the road conditions and the signs at Decatur Road would be put back up tomorrow.

Mrs. Maurer asked if any Wedge Widening was planned or identified for Shelton Shop Road. Mr. Towery responded Shelton Shop Road is one of the bond projects. Mrs. Maurer inquired about the resurfacing in Vista Woods. Ms. Keenan responded that after the drainage pipes have been removed in Vista Woods, the resurfacing would then be scheduled.

Ms. Maurer motioned, seconded by Mr. Dudenhefer, to approve the Regular Agenda.

The Voting Board tally was:

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

<u>Board Member Presentations</u> 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 – Reported she attended Stafford High School graduation ceremony and congratulated all of the 2019 graduates; commended the students for their efforts in "Changing Stafford Roads"; attended the GWRC meeting; congratulated the Stafford High School baseball team on winning the State title.

Mr. Cavalier – Reported he attended the FREDEX Groundbreaking ceremony; attended the annual Stonebridge Homeowners Association meeting; attended the Fredericksburg Regional Alliance meeting; attended the Brooke Point High School graduation ceremony; congratulated Paul Milde on winning the Republican primary and thanked Bob Thomas for his service as Delegate; Mr. Cavalier read the following abstention statement with regards to the Route 1/Courthouse Road Intersection Project Condemnations for closed session and open session discussions: "I voluntarily abstain from any discussion or vote on agenda items pertaining to the condemnation and exercise of quick-take powers in connection with the Route 1 and Courthouse Road Intersection Improvement Project, because I have an affiliation with a business that is associated with the properties subject to condemnation. The clerk will please note my abstention and the reason in the record today and in the record at any future meeting where the Board discusses or considers this matter.

Mr. Coen – Reported he attended the memorial service for Helen Wang; attended Colonial Forge High School graduation ceremony; and invited everyone to the Fourth of July at Ferry Farm event at George Washington's boyhood home.

Mr. Dudenhefer – Reported he attended the memorial service for Helen Wang and commented he was disappointed by the photo of the Wang family in Free-Lance Star; and attended a meeting with the "Changing Stafford County Roads" group. Mr. Dudenhefer stated the students should "be careful and not listen to what is said by anyone, but watch what is done, words and actions are two different things."

Ms. Maurer – Reported she attended the memorial service for Helen Wang; attended PRTC, FAMPO, and GWRC meeting; attended the Rotary "Retreat of the Flags;" attended the FREDEX groundbreaking ceremony; attended the FAB meeting and reported the following recommendations were made: remove the Schools from the decision making process and to include transportation in the CIP Policy; and attended Colonial Forge High School graduation ceremony and proudly handed her daughter her diploma; pulled item #7 and #9.

Ms. Shelton – Displayed the Stafford Hospital 5K/Run/Walk trophy she received for having the most participants representing a district; attended the FAMPO meeting; attended the FREDEX Groundbreaking ceremony; and attended the OPEB meeting.

Mr. Snellings – Thanked students for attending the Board meeting and encouraged them to continue to attend Board meetings.

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

Report of the County Administrator – Mr. Foley reported the scheduled construction report would be provided by Mr. Bryon Counsell and asked Mr. Towery to provide an update about the transportation items that were discussed and that staff is working in coordination with VDOT.

Mr. Towery stated Staff has been working with VDOT in addressing safety concerns. Staff took a look at some of the individual concerns that were brought up at the June 4th Board meeting and turned them over to VDOT. Staff has been in contact with VDOT and brainstorming many concepts and ideas and have met with internal staff to talk about ways the County could be more efficient in taking some of the concerns that have been brought to our attention. A meeting is scheduled with VDOT on June 19th to review the different ideas that have been discussed. At the July 2nd Infrastructure Committee meeting, VDOT will provide an update, go over various concerns, and provide potential recommendations for things that could be done moving forward. Staff has reached out to the students that conducted the survey and will continue to work with them as they collect the data to determine if there is any direct input Staff could use on the safety concerns.

Mr. Counsell provided updates about the following projects:

- Fire Station #14
- Poplar Road & Mountain View Road Intersection Improvements
- Brooke Road Safety Improvements
- Route 1 at Courthouse Road Intersection Improvements
- Belmont-Ferry Farm Trail Phase 4
- Belmont-Ferry Farm Trail Phase 6
- Juggins Road Improvements
- Berea Church Road Safety Improvements
- Route 1 & Woodstock Lane Intersection Improvements

Mr. Dudenhefer inquired about renaming the project title to reflect the location of the road. Mr. Counsell responded he would update and rename the project title.

- Route 1/Enon Road Improvements – Ms. Bohmke requested staff inform the Board on the status of the CTB votes for the project.

Mr. Counsell noted that the transportation projects listed are the transportation projects that are currently underway in some form of design, right-of-way, or construction. There are other transportation projects that are in the CIP, but they are not mentioned because there is currently nothing to report.

- Claiborne Sewer Run Interceptor
- Claiborne Run Parallel Force Main
- Lower Accokeek Pump Station
- Route 1 Wayside Sewer Interceptor

Mr. Snellings inquired if the governor had indicated a replacement member for CTB. Mr. Dudenhefer responded the appointee that was being considered was an employee of the NTSB and for that reason the appointment was considered a conflict of interest. The name was withdrawn and now another name has to be recommended.

APPROVAL OF THE CONSENT AGENDA

Mrs. Maurer motioned, seconded by Mr. Coen, to adopt the Consent Agenda with the exception of Item #7 and #9 pulled by Mrs. Maurer.

The Voting Board tally was:

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

Item 1. County Administration; Approve the June 4, 2019 CIP Work Session, Transportation Work Session, and Board Meeting Minutes.

Item 2. County Administration; Authorize the Reappointment of Kheia D. Hilton to the Rappahannock Area Community Services Board.

Item 3. County Administration; Authorize the Appointment of Christen C. Gallik to the Rappahannock Area Youth Services and Group Home Commission.

Item 4. Community Engagement; Proclamation Recognizing Bethla P. Janis on Her 47 Years of Service to the Stafford County Citizens and to the Treasurer's Office.

Proclamation P19-23 reads as follows:

A PROCLAMATION HONORING AND RECOGNIZING BETHLA P. JANIS FOR HER 47 YEARS OF SERVICE TO STAFFORD COUNTY

WHEREAS, on July 1, 1972, Bethla P. "Beth" Janis commenced her career in the Stafford County Treasurer's Office and has served the citizens of Stafford County with integrity and commitment for 47 years; and

WHEREAS, Beth started as an Account Clerk in the Stafford County Treasurer's Office , was promoted to Deputy Treasurer in 1982, and promoted again in 2006 to Chief Deputy Treasurer; and

WHEREAS, on August 2, 2004, Beth completed the educational requirements to receive her certification and designation as Master Governmental Deputy Treasurer from the University of Virginia's Weldon Cooper Center for Public Service and the University's School of Continuing and Professional Studies under the auspices of the Treasurers' Association of Virginia. Beth has maintained this certification through continued education for the past thirteen years; and

WHEREAS, during her tenure, Beth served the citizens of Stafford County under four different elected treasurers. Her commitment and dedication is reflected in her diligence to ensure that the daily operation of the Treasurer's office runs proficiently. Her institutional knowledge is vast and she has been responsible for the oversight and supervision of the most essential duties of the Treasurer, most importantly monitoring the revenues that flow in and out of the County coffers; and

WHEREAS, Beth has been guided by a strong set of personal values and among these values are honesty, integrity and fairness. She has been the moral compass of the office, respected by her peers and looked on as a mentor; and

confidence and commitment that makes Beth the devoted leader she has been these past 47 years to Stafford County citizens;

NOW, THEREFORE, BE IT PROCLAIMED, that the Stafford County Board of Supervisors commends an outstanding career serving the citizens of Stafford County, Bethla P. Janis, on the occasion of her retirement.

Item 5. Community Engagement; Proclamation Recognizing and Congratulating GEICO on 25 Years of Doing Business in Stafford County.

Proclamation P19-37 reads as follows:

A PROCLAMATION RECOGNIZING AND CONGRATULATING GEICO ON 25 YEARS OF DOING BUSINESS IN STAFFORD COUNTY

WHEREAS, GEICO marks its 25th anniversary of doing business in Stafford County this year and the 20th anniversary of its print shop; and

WHEREAS, GEICO has been an outstanding business citizen over the years, currently providing more than 4,000 jobs in the Fredericksburg Regional Office, of their more than 40,000 associates company-wide; and

WHEREAS, GEICO's affordable insurance rates have directly benefited the citizens of Stafford County; and

WHEREAS, GEICO's generous charitable practices have benefited the County greatly through their distribution of nearly $14 million to groups like the Stafford County Public Schools, the Stafford Education Foundation, the Rappahannock YMCA, Stafford Rotary, Boys and Girls Clubs and many other organizations; and

WHEREAS, GEICO has been a particularly strong supporter of Stafford's community partner, the Rappahannock United Way, raising $1,044,000 for the organization in 2018; and

WHEREAS, GEICO's employees have given thousands of hours of invaluable volunteer service to these groups; and

WHEREAS, GEICO has been a major supporter of efforts by Stafford County on behalf of the community, such as the 350th Anniversary and the Stafford Armed Services Memorial; and

WHEREAS, GEICO's presence in Stafford County has greatly improved the quality of life for Stafford's citizens by its business practices and charitable practices;

NOW, THEREFORE, BE IT PROCLAIMED, that the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does recognize and honor GEICO on its 25th anniversary of doing business in Stafford County.

Item 6. Finance and Budget; Approve the Expenditure Listing.

Resolution R19-173 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JUNE 4, 2019 THROUGH JUNE 17, 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 18th day of June, 2019 that the above-mentioned EL be and hereby is approved.

Item 7. Finance and Budget; Adoption of the FY2020-2024 Capital Improvement Program (CIP) With Planning. Mrs. Maurer stated after speaking with staff, it was determined that this item was an oversight to put on to the Consent Agenda. There was discussion about the CIP with regards to Hartwood Elementary School (HES). There was some concern in the CIP with HES remodel/rebuild with rebuilding HES on the same site given the fact that it is not on public water and sewer. FAB committee members suggested some changes to the Elementary School #18/Hartwood Elementary School Rebuild, but wanted to be sure Mr. Snellings had an opportunity to weigh in on the suggestions. Mr. Snellings stated he would accept the recommendations made by the committee. Ms. Andrea Light, Budget Division Director reported the HES Renovation/Rebuild had been replaced with Elementary School Capacity. Staff changed the footnote on the item to specify that this would look at the HES and the Board's concern of the lack of county water and sewer that is needed for the site. The description was changed from Hartwood Elementary Rebuild/Renovation to Elementary School Capacity.

Mrs. Maurer motioned, seconded by Ms. Bohmke, to approve Resolution R19-74.

Mrs. Maurer commented she reluctantly made the motion because we are not racking and stacking transportation in the CIP; however, she is confident that within the next year, we would be incorporating the racking and stacking of the transportation projects as a component part of the analysis in the future.

Ms. Bohmke commented she would like to receive a report from the School Board as it relates to HES and a compilation of when they have had to close the school. She stated she would support the CIP, but believes the School Board needs to go back and look at why Phase 2 is not being done for Ferry Farm Elementary School.

Ms. Shelton commented she reluctantly supports the CIP. She stated she wanted to be assured in the future to not be in a position of how she feels today. Last year she met with School Board members and school staff to get an understanding of what is in each school. She was very dismayed the information had not been provided this year.

Mr. Coen commented he hoped the School Board would revisit the Ferry Farm Elementary School issue.

Mr. Cavalier commented the Board did not take anything out of the CIP for the Schools; the HES issue was just reworded because HES is a capacity issue. The School Board took out Elementary School #18 altogether in their latest iteration of the CIP, so to not address any capacity issue at the Elementary School, seemed a bit short-sighted. This is the reason the Board added in a generic capacity for elementary schools with the $25M price tag. Hopefully, the School Board would come up with a plan with regards to the future of HES. Mr. Cavalier commented about the lack of air conditioning in ten elementary school's kitchens and cafeterias. Schools will open in August this year, and 10 schools out of the 30 elementary schools do not have air conditioning. He contacted school staff about completing work arounds to resolve this issue, but did not receive a response from school staff about the work arounds or other plans to resolve this issue. Mr. Cavalier expressed he was frustrated with the lack of cooperation from the School Board.

Mr. Coen commented when the discussion started four years ago about school beginning in August, he asked if a full-fledge analysis of what it would entail would be completed. For ten schools to have inadequate air conditioning when people will be making food during the hottest times of the year is inconceivable. Mr. Coen stated he is leery of what other analysis were not completed that would have an impact on a lot of people lives; however he would support the CIP and thanked staff for the hard work that was done to bring it forward and for the footnotes that were added to the CIP.

Mr. Snellings commented that the "P" in CIP stands for "Plan." It could be changed at any time and is not in concrete. It is not the Budget. He agreed with the FAB committee's recommendation about HES. It is ludicrous to build a school on a site where there is no water or sewer. Capacity is needed and would need to be worked out. Mr. Snellings stated his concern about the comment made about the possibility of safety issues at FFES. He hopes the School Board would bring safety concern issues to the Board's attention. Ms. Bohmke clarified that in her comments she meant "air quality" issues and not "safety" issues at FFES. Mr. Snellings responded the Board needs to find out if the air quality issue is a safety issue.

The Voting Board tally was:

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

<u>Resolution R19-74 reads as follows:</u>

A RESOLUTION TO ADOPT THE FISCAL YEARS 2020-2029 CAPITAL IMPROVEMENT PROGRAM WITH THE INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, a public hearing on the proposed Fiscal Years (FY) 2020-2029 Capital Improvement Program (CIP) was held on April 2nd , 7:00 P.M., at Brooke Point High School located at 1700 Courthouse Road Stafford, Virginia; and

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

WHEREAS, the five-year CIP with an additional five-year planning period is a significant part of the County's comprehensive planning; and

WHEREAS, the Board finds that it is necessary to identify needed capital improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that the intent to reimburse certain capital improvement expenditures for projects indicated in the FY2020-29 CIP be and it hereby is adopted as follows:

General Government

ERP System

Information Technology Repair, Replacement, and Rehabilitation

Fiber Network

Public Safety

Replacement Apparatus and Ambulance
Public Safety Joint Training Center
Cardiac Equipment Replacement
Fire and Rescue Repair, Replacement, and Rehabilitation

CAD
Sheriff Repair, Replacement, and Rehabilitation
Stormwater

Judicial

Courthouse

Parking Lot and Initial Start of Downtown

Parks and Recreation

Parks and Recreation Repair, Replacement, and Rehabilitation

Library

Public Works

Community Facilities Repair, Replacement, and Rehabilitation

Education

Renovate Ferry Farm Elementary School

Drew Middle School Renovation

Hartwood Elementary School Rebuild/ Rehabilitation
High School #6

Bond Funded Repair, Replacement, and Rehabilitation

Cash Funded Repair, Replacement, and Rehabilitation
Nutrition Funded Repair, Replacement, and Rehabilitation

Transportation

Stefaniga - Mountain View Road Intersection

Route 1 @ Potomac Creek Drive (SR-761)

Route 1 - Enon Road Improvements
Belmont - Ferry Farm Trail - Phase 6

Berea Church Road (SR-654) Improvements
Courthouse Road (SR-630) @ Route 1 Intersection Improvement
County Improvements/Road Widening
Tech Center Drive
Telegraph Rd (SR-637) and Woodstock Ln (SR-639) @ Route 1 Safety Improvements
Flatford Road Sidewalk
Onville Road Sidewalk

Utilities (Water)

342-01 24" Main from Olde Forge Drive to Cambridge Street
342-02 24" Main from Cambridge Street to Cool Springs Road
342-06 - 24" Main from Truslow Road/I-95 to Enon Road Water Tank
342-15 24" Main from Enon Road Tank to Centerport Parkway
410-300 Construct PRV between 480/410 Zone along Warrenton Road near Sanford Drive
410-301: Construct PRV between 480/410 Zone along CVA Parkway near Sanford Drive
433-05 16" Main along Courthouse Road from PS at 433/370 Zone to Rollinswood Lane
472-100 - Construct 0.5 Million Gallon Storage Tank along Garrisonville Road near Ripley Road
472-200 Construct 0.9 MGD pumping station along Mountain View Road near Lightfoot Road
480-01 Construct 16" main from the existing 16" main at Celebrate VA Tank to the existing 12" main at Jewett Lane and Celebrate Virginia Parkway
480-02 Construct 16" main to connect existing 12" main at CVA Parkway under US 17 to existing 12" main at Warrenton Road and International Parkway
Hydrant Valves Replacement Program
Lake Mooney Additional Modules for Interconnection
Lake Mooney Permanganate
LMWTP -002 Lake Mooney Thickener Tank and Equipment
LMWTP-001 Lake Mooney WTP - Install Second Centrifuge
LMWTP-005 - Lake Mooney WTP Water Treatment Optimization Studies
LMWTP-007 - Lake Mooney WTP Replace membrane cassettes
SLWTP-001 Smith Lake WTP - Filter Repairs
SLWTP-002 Smith Lake WTP - Facility Upgrades
SLWTP-003 Smith Lake WTP - Water Treatment optimization Studies
Redundant Gate Replacement for Abel Lake and Smith Lake
Regional Water Interconnection
Smith Lake Pump Station Replacement
Tank Removal
Water Distribution Rehab - Neighborhood Systems
Water Distribution Rehab - Small Water Projects
Water Distribution Rehab - Transmission Lines Replacement
310-10 Construct 24" main from I-95 to 12" main along Jefferson Davis Highway near Sunnyside Drive
Water Extension Projects

Utilities (Wastewater)

A-115 - Aquia @ Bridge Force Main
A-18 - Replace 24" with 36" Gravity Line, Whitsons Run to Austin Run Pump Station
LFR-209 - Replace Falls Run Pump Station
LFR-217 - Expand Stafford Place Pump Station

A-205 - Expand Upper Accokeek Pump Station
A-37 - Construct 8" Gravity Line from Marshall to Heritage Oaks II Pump Station
A-40 - Aquia Drive 8" Gravity Line, Delaware Dr. to Vessel Dr.
A-47 - Aquia Harbour 15" Gravity Line at Voyage Drive

A-51 - Coal Landing 15" Main, Greenridge Drive to US1
AWWTF-002 - Aquia WWTF General Upgrades - Concrete repair, Headworks, Power Distribution

AWWTF-003 - Aquia WWTF Solids Handling - Sludge Storage Expansion
AWWTF-005 - Aquia WWTF General Upgrades - Filtration, UV, Controls, Miscellaneous
Gravity Lines & Interceptor Maintenance

Infiltration & Inflow Maintenance

LFR-120: Construct a 24-inch force main from Falls Run PS to Claiborne Run Parallel FM
LFR-129 - Replace 8" with 16" Force Main from Potomac Creek Pump Station

LFR-15 - Replace 18", 15" and 12" with 24" Line along Claiborne Run from Morton Road to Kings Hill Road
LFR-204 - Expand future Celebrate Virginia Pump Station

LFR-228 - Expand Ingleside Pump Station
LFR-3 - Falls Run Interceptor, Phase 2

LFR-30 - Construct 12" Gravity Line in England Run Pump Station to Days Inn Pump Station
LFR-31 - LFR-31 Replace 15" with 21" gravity main along Falls Run from Pennsbury Court to vicinity of Averil Court
LFR-51 - Construct 10" Line to serve future Central PDA Growth
LFR-58 - Replace 8" with 15" Line along Cambridge Street from Force Mail to Michael Street
LFR-59 - Replace 8" with 10" from Nelms Circle to Auction Drive
LFR-226 Expand Potomac Creek Pump Station

Little Falls Run Wastewater Treatment Facility - Filter Replacement
LWWTF-002 - Little Falls Run WWTF General Upgrades - Concrete Repair, Headworks, UV
LWWTF-003 - Little Falls Run WWTF Denitrification Upgrade
LWWTF-004 - Little Falls Run WWTF Upgrades (Rappahannock Policy, FWNC / NH3 Allowance)
LWWTF-005 - Little Falls Run WWTF General Upgrades - Filtration, Miscellaneous

Pump Stations

Sewer Extension Projects

Utilities (Other)

Public Works - Utilities Division Complex
Vehicle and Equipment Replacement

Contingency Allowance

NOTICE OF INTENT TO REIMBURSE

CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

Section 1: Statement of Intent. The County presently intends, at one time or from time- to-time, to finance projects in the FY2020-29 Capital Improvement Program (Projects) with tax-exempt or taxable bonds, or other obligations (Bonds), and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Projects before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects to pay the capital expenditures related to the Projects, and incurred before the issuance of the Bonds,

with an inter-fund loan or loans from the General Fund or funds from temporary appropriations or loans from the General Capital Projects Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the Projects to be financed in the FY2020-24 Capital Improvement Program. The maximum amount of the Bonds expected to be issued for the Projects is $601,553,414.

Section 3: Effective Date; Public Inspection. This Resolution is adopted for the purpose of complying with Treasury Regulation Section 1.150-2 (26 CFR 1.150-2) or any successor regulation, and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy of this Resolution in the records of Stafford County, available for inspection by the general public during Stafford County's normal business hours.

Item 8. Finance and Budget; Budget and Appropriate Schools' Worker's Compensation Funding.

Resolution R19-171 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE SCHOOL'S WORKER'S COMPENSATION FUNDING

WHEREAS, the Stafford County Public Schools has seen an increase in FY2019 Worker's Compensation claims and are projected to exceed the FY2019 approved Budget and Appropriation; and

WHEREAS, the School Superintendent has requested budget and appropriation of fund balance from the School's Worker's Compensation fund in the amount of $240,000;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does authorize to amend the FY2019 Budget to budget and appropriate $240,000 from the fund balance of School's Worker's Compensation Fund.

Item 9. Finance and Budget; Appropriation of the FY2020 Capital Improvement Program (CIP Budget for 3R Projects and Appropriation of Funds for Road Widening and Safety Improvement Projects. Mrs. Maurer stated the only reason she pulled this item was because it is the appropriation that is a result of the approval of the CIP and she was not comfortable with approving an appropriation without approving the base document.

Mrs. Maurer motioned, seconded by Ms. Bohmke, to approve Resolution R19-192.

The Voting Board tally was:

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

Resolution R19-192 reads as follows:

A RESOLUTION TO CONSIDER APPROPRIATION OF THE FY2020 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR REPAIR, REPLACEMENT, AND REHABILITATION PROJECTS

WHEREAS, on June 18, 2019 the Board adopted the FY2020-FY2024 Capital Improvements Program (CIP), with a planning period of FY2025-2029 that includes funding for the FY2020 Repair, Replacement, and Rehabilitation projects; and

WHEREAS, this follows the Financial Policies as revised by the Board of Supervisors in June 2019;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does authorize, that Four Million One Hundred Seventy-One Thousand Seven Hundred Five Dollars ($4,171,705) be and they hereby are appropriated to the FY2020 Capital Projects Fund and Nine Hundred Twelve Thousand Five Hundred Fifty-six Dollars ($912,556) be and they hereby are appropriated to the FY2020 Transportation Fund.

Item 10. Finance and Budget; Authorize the County Administrator to Execute a Contract With USI Insurance Services National, Inc. for Insurance Related to Fire and Rescue Services.

Resolution R19-187 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH USI INSURANCE SERVICES NATIONAL FOR FIRE AND RESCUE INSURANCE COVERAGE FOR FY2020

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

WHEREAS, the Board budgeted and appropriated funds for the Fire and Rescue insurance needs for FY2020; and

WHEREAS, Selective Insurance Company of America, through USI Insurance Services National, submitted policy proposals to the County for property, liability, and automobile insurance for the volunteer and career Fire and Rescue Services; 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 18th day of June, 2019, that it be and hereby does authorize the County Administrator to execute the following contract:

1. Contract with Selective Insurance Company of America, through USI Insurance Services National, for Fire and Rescue (career and volunteer) for liability, property, and automobile insurance coverage in the amount not to exceed Two Hundred Seventy-Two

Thousand Three Hundred Four Dollars ($272,304) for FY2020; unless amended by a duly executed contract amendment.

Item 11. Public Works (Transportation); Petition the Virginia Department of Transportation to Include Brooke Point Court, Within Brooke Point Estates and Spartan Drive, Within Spartan Oaks, into the Secondary System of State Highways.

Resolution R19-184 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BROOKE POINT COURT, WITHIN BROOKE POINT ESTATES, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Brooke Point Court within Brooke Point Estates, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Brooke Point Court 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 18th day of June, 2019, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street, within Brooke Point Estates, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Brooke Point Ct. (SR-2181)	From: Inter. with Courthouse Road (SR-630) To: 0.28 mi. N of Inter. with Courthouse Road (SR-630)	0.0.28 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Brooke Point Estates, recorded among the land records of Stafford County, Virginia in Plat Map No. PM 170000014 with Instrument No. LR 170002131; and

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

Resolution R19-185 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SPARTAN DRIVE, WITHIN SPARTAN OAKS, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Spartan Drive within Spartan Oaks subdivision, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Spartan Drive 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 18th day of June, 2019, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street, within Spartan Oaks subdivision, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Spartan Drive (SR-1557)	From: 0.29 mi. W Inter. with Courthouse Road (SR-630) To: 0.41 mi. W of Inter. with Courthouse Road (SR-630)	0.13 mi. ROW 60'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Spartan Oaks, recorded among the land records of Stafford County, Virginia in Plat Map No. PM 160000166 with Instrument No. LR 160018990; and

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

Item 12. Public Works (Utilities); Authorize the County Administrator to Execute a Contract for the Purchase of a Replacement Truck and Authorize a Contract for the Purchase of Closed-Circuit Television Equipment to be Installed on the Truck for Sewer Line Inspections.

Resolution R19-180 reads as follows:

AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF A REPLACEMENT TRUCK AND AUTHORIZE A CONTRACT FOR THE PURCHASE OF CLOSED-CIRCUIT TELEVISION EQUIPMENT TO BE INSTALLED ON THE TRUCK FOR SEWER LINE INSPECTIONS

WHEREAS, Public Works, Utilities Division, must replace its current closed-circuit television (CCTV) equipment truck in order to continue performing inspections and planning repairs to the County's sewage collection systems; and

WHEREAS, the CCTV equipment is required to be installed onto a truck for transportation and operation; and

WHEREAS, Public Works may cooperatively procure the CCTV through the Houston-Galveston Area Council (HGAC) contract with Subsite, LLC, contract #SC01-18; and

WHEREAS, the CCTV truck may be purchased through the HGAC contract with Chastang Enterprises dba Chastang Ford/Chastang's Bayou City Autocar, LLC, contract #HT06-18; and

WHEREAS, funds are available for these purchases in the FY20 Public Works, Utilities Division, Capital Improvement Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 18th day of June, 2019, that the County Administrator be and he hereby is authorized to execute a contract with Subsite, LLC, through its third-party seller Indian River Equipment Company, for the purchase and installation of close-circuit television truck equipment, in an amount not to exceed One Hundred Eighty Thousand Three Hundred Seventy-Eight Dollars ($180,378); and with Chastang Enterprises dba Chastang Ford/Chastang's Bayou City Autocar, for the purchase of a 2020 Ford F450 for the installation of the close-circuit television equipment, in an amount not to exceed Fifty-Seven Thousand Six Hundred Thirty-Four Dollars ($57,634), unless modified by a duly executed contract amendment.

Item 13. Planning and Zoning; Appoint an Interim Zoning Administrator.

Resolution R19-189 reads as follows:

A RESOLUTION TO APPOINT AN INTERIM ZONING ADMINISTRATOR

WHEREAS, Susan W. Blackburn was appointed as the Zoning Administrator on November 15, 2011 pursuant to Resolution R11-303; and

WHEREAS, Susan W, Blackburn has announced her retirement to become effective July 1, 2019; and

WHEREAS, recruitment for Mr. Blackburn's replacement is underway but will not be concluded before her departure; and

WHEREAS, County Code Sec. 28-295 requires that there shall be a Zoning Administrator;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does appoint the Director of Planning and Zoning as the Interim Zoning Administrator until a suitable replacement can be found.

UNFINISHED BUSINESS

Item 14. County Administration; Discuss Transportation Bond Referendum. Deputy County Administrator Mike Smith presented information about this item and addressed the Board's questions. Mr. Smith reported staff is looking for direction from the Board on the bond project list and the bond project amount. Those two items are needed in order to request the Circuit

Court to order a special election for the bond. Mr. Smith reported the Responsive Transportation System is on the Board's Strategic Priorities. He stated the Road Widening Project List (previously referred to as the Wedge/Shoulder Widening) would be done in cooperation with VDOT, which would cost about half of doing it ourselves. The Road Widening projects are considered maintenance projects. As such, no additional Right-of-Way, Utility Relocations or changes to road alignment are permitted; therefore, some segments of the roads would not be able to use this program. Staff is working with VDOT to identify three year projections. The safety improvements would include removal of trees in clear zones, speed zone analysis, and additional signage related to safety.

The Board needs to identify a priority project list and a bond amount in order to request the Circuit Court to order a special election. As discussed in the CIP Work Session, there is available debt capacity for between $50M to $70M for a transportation bond. Three options would be presented with different projects and bond amounts. The Board could pick one of the options or any combination of projects, and a bond amount that would accomplish those projects. Staff would then develop an engagement plan to communicate information related to the projects and the proposed bond referendum. The engagement plan would come back to the Board for approval at its August 20 meeting.

The Comprehensive Road Study considered safety and congestion issues. The final report identified 10 major construction projects and 35 roads eligible for safety improvement projects with the road widening. The 10 major construction projects from the Study have a total cost of $180M which may not be achievable with the matching funds available from Federal and State sources. The Road Widening/Safety project list is focused on addressing safety concerns.

Mr. Smith then highlighted the County's funding sources and reported about leveraging of other funds. He then briefed the Board about the ten Major Road Project List and explained that even with leveraging other funds; the completion of all ten projects with $50M bond might not be practical.

Mr. Dudenhefer commented that there were more than 10 road projects, but these major projects were based upon the objective analysis done by Keith Dayton. Mr. Smith responded that all the roads were reviewed, but these were the final 10 road projects that were recommended in the Study.

Mr. Smith reported some positive aspects to consider for the Major Road Project List are possibility of leveraged funds, improvement to major thoroughfares with congestion and accidents, and improvement to roads highly traveled by young drivers.

Mr. Dudenhefer asked if the Board is able to come up with more money and could make the projects with the State look more attractive, would there be a better opportunity to add to our list of projects with Smart Scale fund. Mr. Smith responded that statement is a fair assessment, but we should remember that Smart Scale funding is out quite a bit. The last round is in FY24 and FY25. The first half of the ten-year window for the bond is used up. There is only a finite amount of money in those last five years that we would be vying for and we would need to make sure we do not put all of the projects in the last five years and expect Smart Scale. Smart Scale funding would not be available in those years.

Mr. Smith reported some negative aspects to consider for the Major Road Project List are the following:

- Morton and Layhill are small sections of a connector road that could be improved with turn lanes in lieu of a third lane throughout;
- Layhill has a complicated intersection with Route 1 where VDOT could require substantial improvements with very high costs that were not considered;
- White Oak Road, Garrisonville and Mountain View Road estimates are higher than the Revenue Sharing match maximum that would result in the requirement to use other leveraged funds such as Smart Scale;
- The next Smart Scale round is for funding in 2026, which causes the large projects to be pushed to the out years where they will compete with each other for those funds; and
- Butler Road improvements have some significant concerns that would be addressed separately.

Mr. Smith provided an overview about the three options:

Option 1 – Consists of all ten roads plus the Road Widening Safety Projects with the exception of Layhill Road, Morton Road, and White Oak Road. Staff researched additional information about the Butler Road Project and reviewed the Smart Scale application submitted by Stafford, and endorsed by FAMPO, as a part of the second round of Smart Scale funding 2016 and the estimated cost at the time of the application was $25.6M. During the VDOT Rt. 17/Rt. 1 intersection project, VDOT found several unmarked graves in the Union Cemetery which are within existing feet of the roadway. Staff recommends working with FAMPO to have a STAR Study done on this section of the roadway to see if other improvements could be done to make this area safer. Staff does not recommend Option 1.

Mr. Dudenhefer commented that this area has been studied many times and none of the plans were cost effective or viable for the historical nature of the area. Mr. Dudenhefer stated a comprehensive study of alternative ways to improve the traffic on this roadway should be completed.

Option 2 - The Project List does not include Layhill Road or Morton Road. It substitutes White Oak Road for Butler Road. Mr. Snellings stated that the Route 1/Enon Rd to Stafford Indians Lane has the district listed as Falmouth and Hartwood and none of that improvement is in the Hartwood District. Mr. Smith responded he would correct the list to reflect the improvement only in the Falmouth District. Mr. Smith highlighted a list of possible future CIP additions.

Mr. Dudenhefer asked if Option 2 is the $60M Plan. Mr. Smith responded Option 1 is the $50M Plan, Option 2 is for the $60M Plan, and Option 3 is for the $70M Plan.

Option 3 – The Project List includes all ten roads in the study with the exception of Butler Road. It gives the most flexibility to use money on all of the roads and allows the roads to be put into the Project List.

Mr. Smith displayed an example of a Bond Referendum Question that would go on the ballot. The question would ask for the issuance for general obligation bonds in the maximum amount

of dollars decided by the Board. A list of large road construction projects, road widening and safety improvement projects would be listed. It does not include the section of the road on the ballot, but would be provided in the public information.

Mr. Dudenhefer asked how long the bond money would be available for use. Mr. Smith responded it would be for eight years and could be extended for an extra two years. Mr. Dudenhefer inquired if for some unforeseen circumstance, all of the projects could not be completed, would the County be in violation for not completing the entire list of projects. Mr. Smith responded we would not be in violation. A bond would not be taken out for the full amount, but would be taken out project by project or a few projects at a time so that the debt service would not be incurred until the funds are needed. Mr. Dudenhefer asked if we are limited by the list of what projects we could spend the money on. Mr. Smith responded it would be limited to the roads on the list.

Mr. Coen asked if it is alright to put all of the road widening projects on the list. Mr. Smith responded that all of the projects must be listed that the bond funding would be used on. Mr. Coen stated that in theory, the Board could take a large amount of the funding and use it on the road widening projects or take the funding from road widening projects and use it on one of the other road projects. Mr. Smith responded that Mr. Coen's statement was correct and that it gives the Board flexibility if the Board would like to advance the road widening safety improvement projects with bond money. Mr. Coen commented that he would have liked to seen an Option 1A, in case Option 1 was problematic. Mr. Smith responded the Board could take any of the Options and make adjustments to any of them or could propose any option, but Staff would need a project list and bond amount.

Mr. Foley commented that time is of the essence and is the reason Staff provided the options so the Board would have an opportunity to make a decision to move this forward. Mr. Snellings asked if a decision would need to be made today. Mr. Smith responded Staff would need to bring a Resolution back to the July 2 Board meeting for the Board to consider it go to Circuit Court.

Mr. Cavalier asked if the $50M is the minimum amount that could be selected. Mr. Smith responded it could be whatever amount the Board would like to choose. At the June 4 Transportation Work Session, the Board asked Staff to come back with a $50M, $60M, and $70M option.

Ms. Bohmke asked Board members if they would be opened to having a work session at the July 2nd Board meeting and then pass the Resolution at the evening session.

Discussion ensued about different scenarios and reasons for selecting road projects.

Mr. Cavalier asked if Butler Road was removed and Layhill Road and Morton were added back to Option 1, what would be the cost. Mr. Smith responded Layhill Road and Morton Road would be about $10M in bonds and for Butler Road it was about $9.5M in bonds so it would still equate to about a $50M bond.

Ms. Shelton asked for clarification about which roads would be excluded on Option 2 and Option 3 if the Board selected the option Mr. Cavalier described. Mr. Smith responded Option 1 would remove Butler Road and White Oak Road; Option 2 would remove White Oak Road, Layhill Road, Morton Road, and Butler Road; and Option 3 would remove only Butler Road.

Mr. Dudenhefer made a motion to adopt Option 3. The motion was not seconded and failed.

Mr. Cavalier made a motion to accept a new term of Option 1A, which would include Option 1 with the elimination of Butler Road and with the addition of Layhill Road and Morton Road. The motion was seconded by Ms. Bohmke.

The Voting Board tally was:

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

Item 15. 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 stated the Applicant was also available to address questions from the Board. Mr. Holden provided an overview about the following four items that were discussed at the June 4th Board meeting: Demo/vs Screening, Securities, Taxes included in ITR, and Transferability.

Mrs. Maurer stated that it would be helpful if Ms. Shelton and Mr. Cavalier could provide their opinion about each of the four items.

For the Demo/vs Screening language, Ms. Shelton and Mr. Cavalier stated they were OK with the language presented by Mosaic. Mr. Cavalier stated he preferred to see 90 days for screening in the Mosaic language.

Ms. Bohmke asked the County Attorney if she was acceptable to the language that states "bond reasonably acceptable to the County." County Attorney, Rysheda McClendon responded this item is not a legal issue in that staff preference is to have the letter of credit or cash equivalent. Having a bond is a different mechanism for financing. It is not a legal issue, however, she noted Mosaic's additional language with regard to maintaining the actual securities via letter of credit or cash equivalent was in response to staff's concern to clean up the site. It is another option for bonding or financing the improvements.

Ms. Shelton asked what the risks are that are associated with the bond and the letter of credit. The Applicant responded because there is an existing site plan on the site, any developer could put up cash or a letter of credit for the erosion and sediment issues. Then the rest of it could be posted as a bond to secure the site plan. It is an extra $400,000 and Mosaic tried to address staff's concern about having enough cash or an easy to pull letter of credit to be able to put it in good condition in compliance with the law. The site plan that Mosaic currently has is outdated.

Mr. Foley commented that it would be a good idea for the Board to hear both sides of the issue because there are things that go beyond just the guarantee. They have to do with whether the site is eventually abandoned and whether we are able to collect on the other issues going on at

the site. Mr. Foley asked Mr. Smith to provide information, from a developer's perspective, in terms of our regulations about these issues with regards to a letter of credit and bond under those circumstances. Mr. Smith stated that State Code allows a letter of credit, cash, or a bond. It's why all of our developers are allowed to use a bond. In this instance with the agreement, a letter of credit would give us more accessibility. Since the site plan is old and not going to build in that way, it would be difficult to get a bond pulled. $600,000 of the bond is for stormwater. Much of the stormwater pipe and stormwater ponds are not in the condition that if they were abandoned they would be suitable. The County could end up being responsible through our responsibilities to Department of Environmental Quality (DEQ) and Total Maximum Daily Load (TMDL) to repair those items. Staff felt it would be in the best protection of the County to have something that could be pulled easily in case the site was abandoned. Mr. Foley stated the issue is not only the vehicle for it, but if in three years the agreement is not achieved and the site is abandoned; the County would have obligations to spend significant amounts of money to ensure stormwater requirements are met.

Ms. Bohmke asked if the $600,000 funds would be sufficient or would the County have additional liabilities in excess of the $600,000. Mr. Smith responded one of the requirements was to get an updated estimate and it has been added to the agreement.

The Applicant commented their "notwithstanding language" in the agreement addresses that the site be put back into the condition to comply with any requirements of the site plan.

Mrs. Maurer asked for clarification about the "notwithstanding language." Ms. McClendon responded that because the language defaults back to the County, State law, or ordinance regulation, she would rely on staff for recommendation on it. From a legal standpoint, there is validation to that part, but the question is what the standard would be and is it (inaudible) for staff.

Mr. Cavalier asked the County Attorney which of the two languages she would be most comfortable with recommending. Ms. McClendon responded she could make either of them work based upon the Board's direction. From a legal perspective either of them could work.

For the Securities language, Ms. Shelton stated she prefers Staff language for this item. Ms. Bohmke stated she agreed with Ms. Shelton's recommendation because if the "bond reasonably acceptable to the County" is selected, it leaves us without the flexibility we might need. If a bond has to be collected on, there is an intermediary in the middle of that bond and could be very difficult to access the money.

The Applicant responded there is always a letter of credit or cash to be able to put the site in the order to comply with law. The bond is the extra part for the site plan, which is optional. It is the same standard as any other developer in the County. Mosaic is taking it a step forward by saying they will leave cash and letter of credit to put the site back in compliance with law. It's above and beyond what anyone has done.

For the Taxes Included in ITR item, the Board agreed to select the Staff's language on this item.

For the Transferability item, Ms. Shelton asked what impact would the language "solely because" has on the transferability item. Mr. David Honadle, Deputy County Attorney responded that it limits the Board's ability to withhold consent. By adding that language, it closes down the options. The Staff language gives the Board more options with respect to the good faith ability to deny it. The Applicant responded their language was to reflect when a decision was made it would be done in good faith and only look at the merits of what is being asked at the time and not make a decision based upon any other reasons.

The Board agreed to select the Staff's language for the Transferability item.

The Applicant commented the Occupancy Tax is in the County's interest. It creates a disincentive for Mosaic to not put a hotel there in favor of a much less lucrative use. Occupancy Tax revenue is very favorable revenue to the County. Mr. Cavalier responded hotel occupancy tax is a boon to the County, but the earlier vision of Aquia Towne Center did not include a hotel. It does not help the residents who live in the area who are looking for more commercial opportunities to go out to eat, shop, etc. A hotel would benefit the County, but it does not benefit the residents in the area.

Ms. Shelton stated she agreed with Mr. Cavalier's comments. Since other businesses were not incentivizing, it seems unfair to request that now. It is not an appropriate addition to the contract.

Mr. Foley informed the Board that he is concerned about the Securities item. He wanted to make sure the Board had a clear understanding on that item. He expressed concern that the Board could be putting the County at risk if the project does not succeed. It has been three years and it has not succeeded thus far. It could still happen in the future, but he would not feel comfortable with coming back to the Board and reporting that it was not articulated well. He stated he wanted to make sure the Board made a well-informed decision. The complications of the development process are what made it more difficult to understand. Mr. Foley suggested Mr. Smith and Mr. Honadle spend more time with the Board to clarify the issue before the Board makes a final decision. Mr. Foley recommended the Board postpone making its final decision until the end of tonight's meeting.

The Board agreed to wait and continue discussion of the matter after tonight's public hearings.

CLOSED MEETING

At 5:51 p.m., Mr. Dudenhefer motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM19-09.

The Voting Board tally was:

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

Resolution CM19-09 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of the acquisition of real property for the Route 1 and Courthouse Road Intersection Improvement Project, which is a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; (2) consultation with legal counsel regarding proffer legislation implementation, which is a specific legal matters requiring the provision of legal advice by counsel; (3) discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its facilities in the County; and (4) discussion and consideration of the disposition of public property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(5), and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors that on this the 18th day of June, 2019, that it be and hereby does authorize discussion of the above matter in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 6:35 p.m., Mr. Dudenhefer motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM 19-09(c). Mr. Dudenhefer read Resolution CM19-09(c).

The Voting Board tally was:

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

Resolution CM19-09(c) reads as follows:

WHEREAS, the Board has, on this the 18th day of June, 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 provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 18th day of June, 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, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

NEW BUSINESS

Item 16. Discuss Proffer Legislation. – Kathy Baker, Assistant Director of Planning and Zoning presented information about this item and addressed the Board's questions. Ms. Baker stated a vote was not needed tonight. The item would be brought back for recommendations at the July 2nd Board meeting. Ms. Baker reported the General Assembly enacted new legislation which is effective July 1, 2019 regarding the use of proffers to mitigate impacts of development. The State Code provides our authority for rezoning, which may include proffers offered by a developer as part of the zoning reclassification or proffer condition amendment request. The Code generally provides broad authority to negotiate reasonable contributions to offset and mitigate the impacts of development. As of July 1, 2016, new legislation was adopted to specify unreasonable proffers that cannot be accepted or requested by applicants. The legislation limited the "public facilities" proffers to public safety, public transportation, schools and parks. It also limited the consideration of impacts to the time of rezoning and not the time of development. It also limited mitigation to only impacts directly attributable to the development in its proportionate share. Under the new 2019 Proffer Legislation, an applicant can deem proffers reasonable and appropriate based on a signed proffer statement. The legislation will now allow for the mitigation of additional impacts outside the limit "public facility" definition. It also allows developments to fully mitigate impacts by proffering complete facilities, as opposed to a portion. The new legislation prohibits verbal discussions from being used as a basis for an unreasonable proffer being required and also requires notice to be provided by an applicant if they feel a proposed condition is unreasonable. Rezoning and proffer amendments could be reviewed under the different requirements depending on when filed: prior to July 1, 2016, on or after July 1, 2016 and before July 1, 2019, or on or after July 1, 2019. The County could permit pending rezoning application to be amended if the applicant desires to file on or after July 1, 2019. Applications forms are being modified to reflect the new code allowances and requirements. Staff would need to establish a policy for processing applications, pursuant to proposed Resolution R19-88. It would address the declaration of applicable legislative review, would require signed proffers earlier in the process, if necessary, the applicants would pay for re-advertisements, and set time limits for processing applications. Future actions would include developing a policy to address evaluating impact mitigation measures. Staff plans to notify current applications of these changes. There are about 13 applications that are in process. No action is required today, but Staff requests the Board considers proposed Resolution R19-88 at its July 2 meeting.

Ms. Shelton asked if this item would have an impact on the ordinances that are currently going through our process with regards to changing time limits. Mr. Jeff Harvey, Planning Director responded the ordinance amendments would be harmonized with this proposal. It recommends that an application be acted on with 18 months of filing. The applicant could request an extension by the Board if they needed additional time. It's an effort to make sure applications move through the review process quickly and are not staying dormant.

Mr. Snellings asked when the notifications would go out to the 13 applicants about the changes. Ms. Baker responded the notifications would go out after the Board voted on the matter.

Item 17. Discuss Landfill Fees. - This item was deferred until the July 2, 2019 Board meeting.

At 6:43 p.m., Chairman Snellings recessed the afternoon session of the June 18, 2019 meeting.

At 7:00 p.m., the Chairman called the evening session to order. Mrs. Maurer 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 various topics.

PUBLIC HEARINGS

Mr. Snellings informed everyone that Item #18 and Item #19 would be combined into one public hearing. Item #19 would be voted on first.

Item 18. Planning and Zoning; Consider a Request for a Conditional Use Permit (CUP) to Allow Commercial Tree Stump Grinding and Mulch Sales in the A-1, Agricultural Zoning District on a Portion of Tax Map Parcel No. 59-72B. Ms. Kathy Baker, Assistant Planning Director presented background information about this item and addressed the Board's questions.

Mrs. Maurer inquired about the difference in time listed in the rezoning and the proffer. Ms. Baker responded it is for the stump grinding and mulch sales operations. The front portion of the property is where the office is used and has different operating hours.

Item 19. Planning and Zoning; Amend and Reordain the Stafford County Zoning Ordinance by Amending the Zoning District Map to Reclassify from the A-1 Agricultural Zoning District to the M-2, Heavy Industrial Zoning District, a Portion of Tax Map Parcel No. 59-72B. Ms. Baker, Assistant presented background information about this item.

Mr. Sherman Patrick, with Compton and Duling LC stated he represented Sisson Excavating (Applicant) and informed the Board the Applicant has been operating in Stafford County for 40 years and are looking to relocate into this new facility on Kings Highway. Staff did a thorough job of covering the information. The only item he did not see in the presentation was the alignment of the alternative means of access to the residential use.

The Chairman opened the public hearing. The following person indicated a desire to speak:
- Paul Waldoski, 8 Picket Lane.

The Chairman closed the public hearing.

Mr. Coen commented he was very pleased with the Applicant's concept and that they were working to preserve a lot of open space. On the site is an osprey nest that the Applicant made sure would not be disturbed. Mr. Coen motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O19-33.

Mr. Snellings commented that Sisson Excavating has had the operation in his district for a number of years. It is located in a high-traffic area, but he has received no complaints about their company.

The Voting Board tally was:

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

Ordinance O19-33 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL ZONING DISTRICT TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT, ON A PORTION OF TAX MAP PARCEL NO. 59-72B, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Shamrock Investment Properties, LLC submitted application RC18152585, requesting a reclassification from the A-1, Agricultural Zoning District to the M-2, Heavy Industrial Zoning District, on a portion of Tax Map Parcel No. 59-72B, located within the George Washington Election District; and

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the A-1, Agricultural Zoning District to the M-2, Heavy Industrial Density Zoning District, a 10.74-acre portion of Tax Map Parcel No. 59-72B, in the location identified on the plat entitled "Exhibit Plat For Rezoning" prepared by Fairbanks & Franklin, dated October 18, 2018, as last revised April 11, 2019, with proffers entitled "Proffers," dated May 15, 2019.

Mr. Coen motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R19-154.

The Voting Board tally was:

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

Resolution R19-154 reads as follows:

A RESOLUTION TO APPROVE A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW COMMERCIAL TREE STUMP GRINDING AND MULCH SALES IN THE A-1, AGRICULTURAL ZONING DISTRICT ON A PORTION OF TAX MAP PARCEL NO. 59-72B, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Shamrock Investment Properties, LLC, applicant, submitted Application CUP19152618, requesting a conditional use permit to allow commercial tree stump grinding and mulch sales in the A-1, Agricultural Zoning District on Tax Map Parcel No. 59-72B (portion), within the George Washington Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use in the A-1, Agricultural Zoning District after a CUP is issued by 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 public hearing; and

WHEREAS, the Board has considered the criteria in Stafford County Code Sec. 28-185 and finds that the request does meet the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that a CUP pursuant to application CUP19152618 be and it hereby is approved with the following conditions:

1. This conditional use permit (CUP) is to allow commercial tree stump grinding and mulch sales on a 26.13 acre portion of Tax Map Parcel No. 59-72B (Property).

2. The uses will be limited to the areas as shown on the Generalized Development Plan (GDP), entitled Albion, Sisson Environmental, prepared by Fairbanks & Franklin, dated 10/18/18, last revised 4/11/19.

3. No more than one (1) grinding machine shall be permitted to operate on site at the same time. The hours of operation for the grinding of material shall be limited to 8:00 AM to 4:30 PM, Monday through Friday.

4. The hours of operation for the mulch sales shall be limited to 8:00 AM to 4:30 PM, Monday through Saturday.

5. Fencing shall be installed, as shown on the GDP, to delineate the areas of grinding operations, finished product storage area, and storage areas associated with operations.

6. Noise levels from the grinding machines shall be maintained in accordance with permissible decibel levels specified in the County Code, under the residential zoning district classification.

7. No grinding machine shall be located closer than 200 feet from any occupied residential dwelling.

8. Trucks entering and exiting the site shall be limited to the primary entrance from Kings Highway, located at the existing median break.

9. Access to the residential use on Parcel 59-75A shall be relocated outside the area of the CUP within six (6) months of the date of issuance of the final permits for operation of the CUP, in a location that is agreeable to the property owner of Parcel 59-75A. The relocation shall include legal access to the Greenlaw family cemetery, in accordance with Section 28-39(o)(2) of the County Code.

10. A four-foot tall fence shall be installed around the cemetery, at least 35 feet from the edge of the graves, in accordance with Section 28-39(o)(2) of the County Code.

11. A mix of evergreen and deciduous trees shall be planted generally along the northern property line of Parcel 59-75A to provide screening between the proposed use and the existing single family detached home. A minimum of 40% of the landscape screening shall be evergreen, specifically Thula Green Giant Arborvitae.

12. This CUP may be revoked for violations of these conditions or any applicable federal, state, or County code, law, ordinance, or regulation.

Mr. Snellings clarified the reason item #19 was voted on before item #18 was because he requested staff to make the change. He did not want staff to be blamed for the change.

Item 20. Planning and Zoning; Amend and Reordain Stafford County Code Sec. 28-59, "Highway Corridor Overlay District (HC)" to Eliminate Screening Requirements for Service Bays. Ms. Kathy Baker presented background information about this item and addressed the Board's questions.

The Chairman opened the public hearing. The following person indicated a desire to speak:
- Paul Waldoski, 8 Pickett Lane.

The Chairman closed the public hearing.

Ms. Shelton motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O19-24.

The Voting Board tally was:

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

Ordinance O19-24 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-59, "HIGHWAY CORRIDOR OVERLAY DISTRICT (HC)" TO ELIMINATE SCREENING REQUIREMENTS FOR SERVICE BAYS

WHEREAS, one of the purposes of the HC overlay district is to prevent distracting visual clutter which may result in traffic safety issues on public and private streets; and

WHEREAS, the Comprehensive Plan encourages the development of accessible, convenient and attractive commercial and industrial locations within the Urban Services Area; and

WHEREAS, the HC overlay district requires service bays to be screened from public view along corridor highways; and

WHEREAS, screening of service bays in many cases is impractical for properties that front along corridor highways; and

WHEREAS, automobile service and repair businesses are often located along major roadways for the convenience of customers; and

WHEREAS, automobile service and repair businesses require conditional use permits where conditions can ensure that such businesses look appealing to the citizenry; 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 18th day of June, 2019, that Stafford County Code Sec. 28- 59, "Highway corridor overlay district (HC)" be and it hereby is amended and reordained as follows with all other portions remaining unchanged; and

Sec. 28-59. - Highway Corridor Overlay District (HC).

(f) *Development standards.* All nonresidential uses shall be subject to the use limitations and development standards set forth in the underlying land use district(s) and, in addition, shall be subject to the following HC limitations:

(7) ~~Loading areas, service entrances, and service bays shall be oriented and/or screened so as to not be visible from the corridor highway~~. Loading areas and service entrances shall be oriented and/or screened so as to not be visible from the corridor highway. Service bays shall be oriented so as to not face the corridor highway.

Item 21. Public Works (Transportation); Consider Amending and Reordaining County Code Sec. 15.4.1 (C), Entitled "Maximum Speed Limits in Certain Residence Districts; Penalty" to Add Autumn Drive (SR-1272) Within the Country Wood Estates Subdivision. Mr. Alex Oswiak, Transportation Program Manager presented this item and addressed Board members questions.

The Chairman opened the public hearing. The following person indicated a desire to speak:
- Paul Waldoski, 8 Pickett Lane.

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O19-35.

Mrs. Maurer thanked the residents of the Country Wood Estates neighborhood for all of their hard work and commented she was pleased to support this item.

The Voting Board tally was:

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

Ordinance O19-35 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 15-4.1(C) ENTITLED "MAXIMUM SPEED LIMITS IN CERTAIN RESIDENCE DISTRICTS; PENALTY"

WHEREAS, Virginia Code § 46.2-878.2 authorizes a $200 fine for persons exceeding the maximum speed limit in designated residence districts; and

WHEREAS, on September 9, 1997, the Board adopted Ordinance O97-29(R), which established criteria for the establishment of residence districts where an additional fine could be levied; and

WHEREAS, the County received a petition from residents of the County Wood Estates subdivision (Subdivision) to establish a residence district within their Subdivision; and

WHEREAS, Autumn Drive (SR-1272) from Mountain View Road (SR-627) to its intersection with Barnswallow Lane (SR-1295) within the Subdivision (Autumn Drive) meets the definition of a residential local road; and

WHEREAS, Autumn Drive has a posted speed limit of 25 miles per hour (MPH); and

WHEREAS, the Department of Public Works observed the site and documented a vehicular traffic volume on multiple days being greater than or equal to 600 vehicles per day on Autumn Drive; and

WHEREAS, the Department of Public Works observed the site and documented speeding problems with an 85th percentile speed of 10 MPH or more over the posted speed limit and the average speed of traffic being at least 5 MPH over the posted speed limit on Autumn Drive; and

WHEREAS, the County received a petition signed by 53% of the residents from the Subdivision supporting the establishment of a Residence District within their Subdivision; and

WHEREAS, Autumn Drive meets the established criteria based on the current Residential Traffic Management Plan, Residence District-Additional $200 Fine Sign Program; and

WHEREAS, pursuant to Virginia Code § 15.2-1427, the Board conducted a public hearing and considered the recommendation of staff, and the public testimony if any, at the public hearing; and

WHEREAS, the Board finds that the adoption of this Ordinance secures and promotes public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles in designated residence districts;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that Stafford County Code Sec. 15-4.1 "Maximum speed limits in certain residence districts; penalty," be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 15-4.1. - Maximum speed limits in certain residence districts; penalty.

(c) The following areas are hereby designated as residence districts:

(53) Autumn Drive (SR-1272) from Mountain View Road (SR-627) to its intersection with Barnswallow Lane (SR-1295).

; and

BE IT FURTHER ORDAINED that the Virginia Department of Transportation (VDOT) be and it hereby is requested to designate Autumn Drive (SR-1272) from Mountain View Road (SR-627) to the intersection with Barnswallow Lane (SR-1295) as a residence district for maximum speed limit fines; and

BE IT FURTHER ORDAINED that VDOT is requested to install the appropriate signs displaying the maximum speed limit and the penalty for violations on Autumn Drive (SR-1272); and

BE IT FURTHER ORDAINED that the County Administrator, or his designee, shall provide a certified copy of this ordinance to the VDOT District Administrator; and

BE IT STILL FURTHER ORDAINED that this Ordinance becomes effective upon adoption.

Item 22. Public Works (Transportation); Consider Amending and Reordaining Stafford County County Dode Sec. 15-56, "Designation of Restricted Parking Areas" Within the Greens at Amyclae Subdivision. Mr. Owsiak addressed this item and answered Board members questions.

Mrs. Maurer asked Mr. Owsiak to explain what "restricted parking areas" mean because she has two different parking issues in this neighborhood. Mr. Owsiak responded restricted parking areas are mainly for large commercial vehicles that are not allowed to park on the public right-of-way.

The Chairman opened the public hearing. The following persons indicated a desire to speak:
- Mike Ghazzaoui – 71 Kinross Drive.
- Kristen Barnes – 11 Temple Drive.
- Paul Waldowski – 8 Pickett Lane.

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O19-36.

Mrs. Maurer thanked the members of the Amyclae Homeowners Association for getting involved with their community and for being supportive in assisting her with dealing with the other parking issues. She thanked Mr. Foley for responding to the particular issue that State Code won't allow the Board to address.

The Voting Board tally was:

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

Ordinance O19-36 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SEC. 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO INCLUDE ALL STATE-MAINTAINED STREETS WITHIN THE GREENS AT AMYCLAE SUBDIVISION, LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

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

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

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

WHEREAS, the Greens at AmyClae Homeowner's Association (Association) has approved a letter with a policy resolution requesting the establishment of a
restricted parking area within the Austin's Landing subdivision (Subdivision) and the letter and resolution satisfies the requirements of Stafford County Code Sec. 15-56; and

WHEREAS, Bruce Street, Cobham Court, Kinross Drive, Nugent Drive, Palladio Drive, Stanhope Court, Temple Drive, and Vanburgh Court within the Subdivision meet the established criteria to be designated as a restricted parking area; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 18th day of June 2019, that Stafford County Code Sec. 15-56, entitled "Designation of restricted parking areas," be and it hereby is amended and reordained as follows, all other portions remain unchanged:

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

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

(24) The Greens at AmyClae Subdivision on the following named streets:

(A) Bruce Street;
(B) Cobham Court;
(C) Kinross Drive;
(D) Nugent Drive;
(E) Palladio Drive;
(F) Stanhope Court;
(G) Temple Drive;
(H) Vanburgh Court.

Item 23. Public Works (Transportation)); Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Route 1 and Courthouse Road Intersection Improvement.
Mr. Alex Owsiak addressed this item and answered Board members questions.

The Chairman opened the public hearing. The following person indicated a desire to speak.
- Paul Waldowski – 8 Pickett Lane.

The Chairman closed the public hearing and stated each of the proposed Resolutions would need to be voted on separately.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-145.

The Voting Board tally was:

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

Resolution R19-145 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, PERMANENT INGRESS-EGRESS EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 30-31A, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 30-31A (Property) consists of approximately 1.5780 acres of land owned by Peoples Bank of Danville (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 5,815 square feet of fee simple right-of-way, 295 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), 3,058 square feet of permanent ingress-egress easement, and 14,298 square feet of temporary construction 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 One Hundred Seventy-Three Thousand Six Hundred Ninety-Nine Dollars ($173,699), based upon the 2018 appraisal dated June 8, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), a permanent ingress-egress easement and a temporary construction easement on Tax Map Parcel No. 30-31A (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of One Hundred Seventy-Three Thousand Six Hundred Ninety- Nine Dollars ($173,699) as just compensation for the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, a permanent ingress-egress easement and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Peoples Bank of Danville (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 5,815 square feet of fee simple right of way, 295 square feet of permanent utility easement to be conveyed to Dominion, 3,058 square feet of permanent ingress-egress easement, and 14,298 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit One Hundred Seventy-Three Thousand Six Hundred Ninety-Nine Dollars ($173,699) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, a permanent ingress-egress easement and a temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-146.

The Voting Board tally was:

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

Resolution R19-146 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT INGRESS- EGRESS EASEMENT, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, PERMANENT WATER EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 30A-1-1, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 30A-1-1 (Property) consists of approximately 0.3231 acres of land owned by J.D. Moore and Jo D. Knight-Moore, Trustees, under Declaration of Trust dated 07/15/2008, known as the JOMO Family Trust (Share H) and J.D. Moore and Jo D. Knight-Moore, Trustees, under Declaration of Trust dated 07/15/2008, known as the JOMO Family Trust (Share W) (Property Owners); and

WHEREAS, due to the design of the Project, the Board must acquire 2,031 square feet of fee simple right-of-way, 167 square feet of permanent ingress-egress easement, 1,686 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), 250 square feet of permanent water easement, and 1,035 square feet of temporary construction 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 Fifty-Seven Thousand Three Hundred Fifty Dollars ($57,350), based upon the 2018 appraisal dated May 8, 2018, prepared by a certified appraiser; and

WHEREAS, the Board, through its acquisition consultant, made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said fair market value on behalf of the County to the Property 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, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced fee simple right-of-way, permanent ingress-egress easement, permanent utility easement to be conveyed to Dominion, permanent water easement, and temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent ingress-egress easement, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), a permanent water easement and a temporary construction easement on Tax Map Parcel No. 30A-1-1 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Fifty-Seven Thousand Three Hundred Fifty Dollars ($57,350) as just compensation for the fee simple right-of-way, a permanent ingress- egress easement, a permanent utility easement to be conveyed to Dominion, a permanent water easement and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and J.D. Moore and Jo D. Knight-Moore, Trustees, under Declaration of Trust dated 07/15/2008, known as the JOMO Family Trust (Share H) and J.D. Moore and Jo D. Knight-Moore, Trustees, under Declaration of Trust dated 07/15/2008, known as the JOMO Family Trust (Share W) of the JOMO Family Trust (Property Owners) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 2,031 square feet of fee simple right-of-way, 167 square feet of permanent ingress-egress easement, 1,686 square feet of permanent utility easement to be conveyed to Dominion, 250 square feet of permanent water easement, and 1,035 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Fifty-Seven Thousand Three Hundred Fifty Dollars ($57,350) with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the fee simple right-of-way, a permanent ingress-egress easement, a permanent utility easement to be conveyed to Dominion, a permanent water easement and a temporary construction easement, in connection with the quick-take

condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-147.

The Voting Board tally was:

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

Resolution R19-147 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 30A-1-8, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 30A-1-8 (Property) consists of approximately 1.2107 acres of land owned by Virkob, LLC (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 6,438 square feet of fee simple right-of-way, 4,059 square feet of permanent utility easement to be conveyed to Dominion Virginia Energy (Dominion), and 1,086 square feet of temporary construction 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 Six Hundred Fourteen Thousand Seven Hundred Sixty Dollars ($614,760), based upon the 2018 appraisal dated May 8, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and a temporary construction easement on Tax Map Parcel No. 30A-1-8 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Six Hundred Fourteen Thousand Seven Hundred Sixty Dollars ($614,760) as just compensation for the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Virkob, LLC (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 6,438 square feet of fee simple right-of-way, 4,059 square feet of permanent utility easement to be conveyed to Dominion, and 1,086 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Six Hundred Fourteen Thousand Seven Hundred Sixty Dollars ($614,760) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-148.

The Voting Board tally was:

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

Resolution R19-148 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NOS. 30-64 AND 30U-1-104, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel Nos. 30-64 and 30U-1-104 (Property) consist of approximately 1.2630 acres of land owned by Courthouse Square, L.L.C. (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 8,330 square feet of fee simple right-of-way, 5,696 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and 7,616 square feet of temporary construction 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 Two Hundred Sixteen Thousand One Hundred Eighty Dollars ($216,180), based upon the 2018 appraisal dated May 8, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and a temporary construction easement on Tax Map Parcel Nos. 30-64 and 30U-1-104 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Two Hundred Sixteen Thousand One Hundred Eighty Dollars ($216,180) as just compensation for the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Courthouse Square, L.L.C. (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 8,330 square feet of fee simple right-of-way, 5,696 square feet of permanent utility easement to be conveyed to Dominion, and 7,616 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Two Hundred Sixteen Thousand One Hundred Eighty Dollars ($216,180) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.
Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-149.

The Voting Board tally was:

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

Resolution R19-149 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, RESIDUAL LAND IN FEE SIMPLE, AND PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA ON TAX MAP PARCEL NO. 30-32, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 30-32 (Property) consists of approximately 0.3368 acres of land owned by SEJ Asset Management & Investment Company (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 4,051 square feet of fee simple right-of-way, 10,618 square feet of residual land in fee simple, and 1,859 square feet of permanent utility easement to be conveyed to Dominion Virginia Energy (Dominion) 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 Six Hundred Thirty-Five Thousand Dollars ($635,000), based upon the 2018 appraisal dated September 27, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced fee simple right-of-way, residual land in fee simple, and permanent utility easement to be conveyed to Dominion on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, residual land in fee simple, and a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion) on Tax Map Parcel No. 30-32 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Six Hundred Thirty-Five Thousand Dollars ($635,000) as just compensation for the fee simple right-of-way, residual land in fee simple, and a permanent utility easement to be conveyed to Dominion, including damages, if any, to the remainder of the Property, that the Board and SEJ Asset Management &Investment Company (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 4,051 square feet of fee simple right-of-way, 10,618 square feet of residual land in fee simple, and 1,859 square feet of permanent utility easement to be conveyed to Dominion, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Six Hundred Thirty-Five Thousand Dollars ($635,000) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, residual land in fee simple, and a permanent utility easement to be conveyed to Dominion in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-150.

The Voting Board tally was:

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

Resolution R19-150 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, PERMANENT INGRESS-EGRESS EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NOS. 30-59 AND 30-59B, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel Nos. 30-59 and 30-59B (Property) consist of approximately 2.6458 acres of land owned by Thurston Properties, LLC (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 5,777 square feet of fee simple right-of-way, 5,217 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), 938 square feet of permanent ingress-egress easement, and 13,540 square feet of temporary construction 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 Three Hundred Seventy-Six Thousand Four Hundred Seventy Dollars ($376,470), based upon the 2018 appraisal dated May 8, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), a permanent ingress-egress easement, and a temporary construction easement on Tax Map Parcel Nos. 30-59 and 30-59B (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Three Hundred Seventy-Six Thousand Four Hundred Seventy Dollars ($376,470) as just compensation for the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, a permanent ingress-egress easement, and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Thurston Properties, LLC (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 5,777 square feet of fee simple right-of-way, 5,217 square feet of permanent utility easement to be conveyed to Dominion, 938 square feet of permanent ingress-egress easement, and 13,540 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Three Hundred Seventy-Six Thousand Four Hundred Seventy Dollars ($376,470) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent utility easement to be conveyed to Dominion, a permanent ingress-egress easement and a temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R19-151.

The Voting Board tally was:

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

Resolution R19-151 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT SANITARY SEWER EASEMENT, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 30-57, 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 acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 30-57 (Property) consists of approximately 12.5501 acres of land owned by Medicorp Properties, Inc. (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 1,705 square feet of fee simple right-of-way, 2,434 square feet of permanent sanitary sewer easement, 2,743 square feet of permanent utility easement to be conveyed to Dominion Virginia Energy, and 2,581 square feet of temporary construction 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 Forty-Three Thousand Eight Hundred Thirty-Eight Dollars ($43,838), based upon the 2018 appraisal dated June 25, 2018, prepared by a certified appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on June 18, 2019, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of June, 2019, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent sanitary sewer easement, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and a temporary construction easement on Tax Map Parcel No. 30-57 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Forty-Three Thousand Eight Hundred Thirty-Eight Dollars ($43,838) as just compensation for the fee simple right-of-way, a permanent sanitary sewer easement, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Medicorp Properties, Inc. (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 1,705 square feet of fee simple right-of-way, 2,434 square feet of permanent sanitary sewer easement, 2,743 square feet of permanent utility easement to be conveyed to Dominion Virginia Energy, and 2,581 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Forty-Three Thousand Eight Hundred Thirty-Eight Dollars ($43,838) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent sanitary sewer easement, a permanent utility easement to be conveyed to Dominion, and a temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

CONTINUATION OF UNFINISHED BUSINESS

Item #15 Economic Development; Consider Rescinding or Amending a Memorandum of Understanding with Aquia Capital LLC, Associated With Aquia Town Center. Mr. Smith reported that after the discussion this afternoon he worked with Deputy County Attorney, David Honadle to prepare language to reach a compromise with Mosaic. Mosaic agreed with the compromise. Mr. Smith briefed the Board on the amendments. For the Demo/Screening issue, the Board decided to allow the screening in lieu of the demolition. For the Securities issue, Mosaic would have their civil engineer work with the County's environmental team to do an evaluation of the existing structures and come up with a cost. That cost would be used to have the letter of credit. If any of the stormwater equipment needed to be replaced, the County would have that amount covered within 30 days.

Mr. Cavalier asked if the language for the Demo/Screening issue was changed to the recommended 90 days. Mr. Smith responded that the language was changed to reflect the recommended 90 days.

For the Taxes with ITR issue and the Transferability language, it was agreed to use Staff's language.

For the Securities language, Staff recommends moving forward with the language suggested by Mosaic, however, with the addition that Mosaic would provide the equivalent cost that would be determined by County staff in coordination with Mosaic's civil engineer within 30 days of execution of Board Resolution R19-186, as amended. It would allow 30 days for the County to approve the amount that would be on the letter of credit. It would be up to the County to determine that amount working with Mosaic's civil engineer.

Ms. Shelton commented she thought the bond language would be eliminated. Mr. Smith responded the reason the bond language is being eliminated is because we are not sure of what the stormwater system could handle. The County would work with Mosaic's civil engineer to ensure the system is in good condition. Staff would then get estimates for items that would need to be improved. Ms. Shelton inquired that the addition of the language would mitigate the Board's biggest concern for bonds. Mr. Smith responded Mosaic would be able to use bonds like they currently do for their site plan, but for anything the County feels is a damaged stormwater amenity now would require a letter of credit.

Ms. Bohmke asked if the language "to be determined by County staff in coordination with Mosaic civil engineer" is strong enough language. County Attorney staff affirmed that the language was strong enough. Mr. Smith responded it gives the power to the County staff and it gives Mosaic's civil engineer the ability to give staff information.

Ms. Shelton asked if the site plan is removed, what happens if we don't have a bond in place. Mr. Smith responded we would still want a bond for the current site plan and for them to give us updated estimates for it. If Mosaic would try to pull the plan, we could maintain the bond and cash securities because we have a Performance Agreement with them.

Mrs. Maurer commented one of the biggest issues with Aquia Town Center and why this bubbled up is that they tried to pull their bond. They have a current bond and can't pull that current bond without approval by staff. Even if they pull their site, they can't pull their bond.
Mr. Smith reported the Board could amend the language as suggested and move forward with proposed Resolution R19-186, which authorizes the County Administrator to execute the MOU after staff has approved an appropriated amount or the Board could rescind the MOU. If the Board gives the County Administrator the ability to execute, it would not be done until the language is amended within 30 days.

Ms. Shelton made a motion to approve resolution R19-186 to authorize the MOU with the adjusted amendments that were discussed primarily removing the ITR, the Transferability language and assuring that the work to clean up the property site would be done within 90 days, and Stafford County has enough assurance that if anything defaults, we would be protected. The motion was seconded by Mr. Cavalier.

Mr. Foley commented the removal of the ITR related to the Transient Occupancy Tax that was proposed as well as the other ITR's would remain in place.

Mr. Cavalier asked how long Mosaic would be given to sign the agreement. Mr. Smith responded as soon as staff could get an understanding to the civil engineer and to our staff about the amount and Mosaic posts the letter of credit, then the agreement could be signed.

Ms. Bohmke asked what would happen if there is a delay with Mosaic's civil engineer. Mr. Smith responded it would come back to the Board for the agreement to be extended or rescinded.

Mr. Cavalier expressed he did not understand why working with Mosaic's civil engineer was factored in the aspect of the agreement. Mr. Cavalier commented a caveat needs to be put in

place that states the agreement needs to be signed in a couple of days, but still give them 30 days to work with Staff and with their civil engineer. The timeline should start on everything else because he wants the clean-up to occur. If we could get them to sign as soon as possible, this could be done in parallel with the agreement.

Ms. McClendon commented the language Mosaic agreed to has 30 days in it and changing that could change their approval. The proposed resolution has in it that if Mosaic does not agree to sign it, the agreement would be rescinded. If the Board would like to add a deadline to the agreement, a timeframe could be added, but the resolution does already include the direction to rescind the agreement if Mosaic does not execute the MOU.

Discussion ensued about setting a deadline and/or a time frame of executing the agreement.

Ms. Shelton amended her motion approve proposed Resolution R19-186 to add the suggested changes that have been identified by staff and to ensure the agreement is signed by the July 2nd Board meeting. The motion was seconded by Mr. Cavalier.

The Voting Board tally was:

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

Adjournment At 8:22 p.m., the Chairman thanked the Board and staff and adjourned the June 18, 2019 meeting of the Stafford County Board of Supervisors.

Thomas C. Foley
County Administrator

Gary F. Snellings
Chairman