

**Board of Supervisors**

Robert "Bob" Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy Maurer
Paul V. Milde, III
Gary F. Snellings

Anthony J. Romanello, ICMA-CM
County Administrator

**Infrastructure Committee
AGENDA**

July 6, 2016 @ 1:30 p.m.
ABC Conference Room, Second Floor

Committee Members: Paul Milde, III, Chairman; Laura Sellers; Jack Cavalier

Agenda Item	
	Introduction ❖ Welcome
1.	Central Stafford Utility Projects
2.	Select Projects for 2016 Smart Scale (HB2) Funding Application
3.	Lake Arrowhead Roads
4.	Embrey Mill Phase 3 Contracts
5.	Brooke Road; Poplar & Mountain View Road Intersection Property Acquisitions
6.	Gateway Cleanup Strategy
7.	JRSSC Punch List Status
8.	Data Center in Widewater
9.	Next Meeting – September 6, 2016
	Adjourn

BOARD OF SUPERVISORS Agenda Item


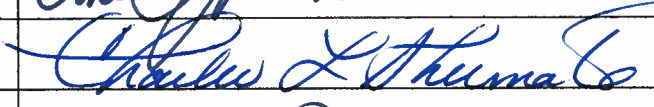

Meeting Date:	July 6, 2016
Title:	Authorize the County Administrator to Execute a Contract for Engineering and Design Services for the Lower Accokeek Wastewater Pumping Station, Force Main, and Gravity Sewer
Department:	Utilities
Staff Contact:	Michael T. Smith, Director
Board Committee/ Other BACC:	N/A
Staff Recommendation:	Approval
Fiscal Impact:	\$599,540 available in the FY2017 Utilities' budget
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report	3.	Exhibit
2.	Proposed Resolution R16-216		

X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

X	County Administrator	
X	County Attorney	
X	Finance and Budget	

DISTRICT:	Aquia
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BACKGROUND REPORT

The Water and Sewer Master Plan recommends construction of a new pump station along Accokeek Creek, as well as the associated gravity sewers and a force main to serve the southeast quadrant of the Courthouse Development Area. The service to this development area has been broken into multiple phases due to land development schedules. The initial phase will consist of five Capital Improvement Program (CIP) projects including the Lower Accokeek Wastewater Pumping Station, the Lower Accokeek force main connected to the existing sewer, the 18" Gravity line to the Accokeek Creek Pump Station, the 10" gravity line from the Rowser Building, and an 8" extension of the existing gravity from Stafford Hospital Center to the Lower Accokeek Pump Station.

Proposals were received in response to a request for proposal for the above-referenced projects. The Engineering Groupe, Inc. was selected as most qualified to provide full engineering and design services for \$599,540. Staff reviewed the proposed engineering costs and determined that they are reasonable for the scope of services required.

Staff recommends approval of proposed Resolution R16-216, which authorizes the County Administrator to execute a contract with The Engineering Groupe, Inc. to provide engineering and design services for the design of the Lower Accokeek Wastewater Pumping Station, gravity sewers, and force main in the amount of \$599,540.

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr. Government Center, Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE ENGINEERING GROUPE, INC. FOR ENGINEERING AND DESIGN SERVICES FOR THE LOWER ACCOKEEK WASTEWATER PUMPING STATION, ASSOCIATED GRAVITY LINES, AND FORCE MAIN

WHEREAS, the Department of Utilities Master Plan recommends the construction of the Lower Accokeek Wastewater Pumping Station (Station), associated gravity lines, and force main, to serve the southeast quadrant of the Courthouse Development Area; and

WHEREAS, the Station, associated gravity lines, and force main are in the approved Capital Improvement Program (CIP) for FY2017, and funds are available in the Utilities’ budget to complete the project; and

WHEREAS, the County issued a request for proposals and The Engineering Groupe, Inc. submitted a proposal in the amount of \$599,540; and

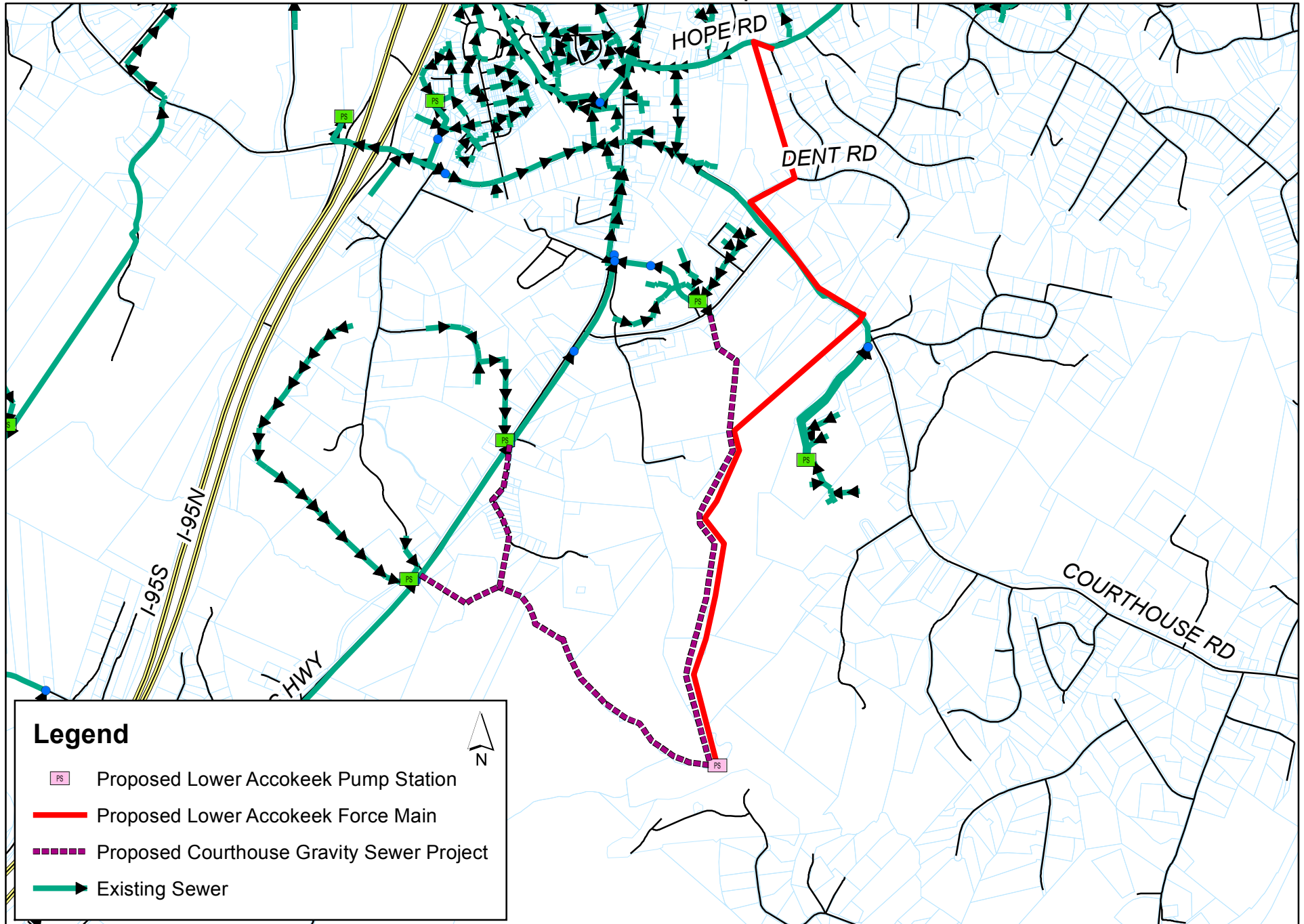
WHEREAS, staff has reviewed the proposal and has determined that it is reasonable for the services requested and that The Engineering Groupe, Inc. is the most qualified firm to perform these services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2016, that the County Administrator be and he hereby is authorized to execute a contract with The Engineering Groupe, Inc., for engineering and design services for the Lower Accokeek Wastewater Pumping Station, associated gravity lines, and force main in an amount not to exceed Five Hundred Ninety-nine Thousand Five Hundred Forty Dollars (\$599,540), unless amended by a duly-executed contract amendment.

AJR:MTS:cdg

Courthouse Area Sewer Collection, Pump Station & Force Main Improvements

Attachment 3



BOARD OF SUPERVISORS Agenda Item

Meeting Date:	July 6, 2016
Title:	Designate Projects for 2016 Smart Scale (Formerly HB2) Application
Department:	Public Works
Staff Contact:	Christopher K. Rapp, P.E., Director
Board Committee/ Other BACC:	Infrastructure Committee
Staff Recommendation:	Approval
Fiscal Impact:	N/A - All Statewide Money
Time Sensitivity:	July 18, 2016 - Concurrence needed from FAMPO Policy Committee on High-Priority Projects; August 15, 2016 - Pre-Application Deadline to guarantee application technical assistance from VDOT

ATTACHMENTS:

1.	Background Report	2.	Proposed Resolution R16-217
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Consent Agenda	Other Business	Unfinished Business
Discussion	Presentation	Work Session
X New Business	Public Hearing	Add-On

REVIEW:

X	County Administrator	<i>Chris Rapp</i>
X	County Attorney	<i>Rhonda M. Millendon for C&S</i>

DISTRICT:	N/A
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BACKGROUND REPORT

The recently adopted Smart Scale program (formerly known as House Bill Two [HB2]) directed the Commonwealth Transportation Board (CTB) to develop and implement a statewide process to identify, score, and select projects for funding starting July 1, 2016. Smart Scale identifies six weighted factors that help evaluate proposed transportation projects. The CTB must use quantifiable and objective measures for the following weighted factors - safety, congestion mitigation, accessibility, environmental quality, economic development, and land use. It was determined by the Commonwealth that the Fredericksburg Region would fall under Category A. Therefore, each proposed transportation project from the region will be screened through the VTrans2040 Plan (VTMP) and if it meets a need, then these weighted factors will be used to score and rank that project under the Smart Scale process.

Under Smart Scale's first round of transportation project submissions, the County was successfully awarded \$4.6M for Route 1 - Courthouse Area Corridor Road Improvements; \$1.3M for Route 1 at Potomac Creek Drive Left-Turn Lane Improvement; and \$7.5M for Safety Improvements on Route 1 at Woodstock Lane and Telegraph Road. Additional projects of more regional significance within the County were also successfully awarded money from this program. These projects included \$9.7M for the expansion of the commuter parking lot associated with the Interstate 95/Route 630 (Courthouse Road) Interchange Relocation project and \$116M for the southbound Rappahannock River Crossing.

Smart Scale is now in its second round where qualifying projects can again be submitted under either of two programs, the High-Priority Projects Program (compete Statewide for funding - approximately \$297M FY2022; no estimate provided yet for FY2018-FY2021 or FY2023) or the District Grant Program (compete within the Fredericksburg District for funding - no funding amount provided to date). Transportation projects can be submitted by the locality, other public entities, including, for example, Fredericksburg Metropolitan Planning Organization (FAMPO), George Washington Regional Commission (GWRC), Virginia Railway Express (VRE), and Potomac and Rappahannock Transportation Commission (PRTC), depending on the nature of the project and which agency would provide stronger advocacy.

As part of the screening process for Smart Scale, only projects that meet a need identified in the VTMP qualify for potential funding. Projects must fall within one of the following areas - Corridors of Statewide Significance, Regional Networks, or Improvements to Promote Urban Development Areas (UDAs) or UDA-like areas. Projects that do not meet the screening criteria will not be scored or prioritized under Smart Scale.

When identifying potential projects for funding, County staff again reviewed transportation projects from a variety of sources, including the Virginia Department of Transportation (VDOT) Six-Year Improvement Program (SYIP), Capital Improvement Program (CIP), as well as VDOT and VRE project listings. Based on this preliminary work by County staff, and after receiving feedback from the Board's Infrastructure Committee, staff is recommending the Board take the following actions:

- Provide a resolution to FAMPO recommending that it submit Smart Scale High-Priority Program (Statewide) funding applications to fund the projects below in the priority order listed.
 1. I-95 Northbound Rappahannock River Crossing with 4th General Purpose Lane addition to Exit 136 (Centreport Parkway); and
 2. I-95 Reversible Express Lane Extension from Exit 140 to Exit 133 including the Northbound Connection from Route 610 to the Express Lanes; and
 3. I-95 Reversible Express Lane Extension from Exit 130 to Exit 126.

- Provide a resolution to GWRC recommending that it submit Smart Scale High-Priority Program (Statewide) funding applications to fund the projects below in the priority order listed:
 1. VRE Station Improvements for Brooke and Leeland Road Stations;
 2. New Leeland Station VRE parking lot expansion; and
 3. New Park and Ride Commuter Lot off of Kings Highway (SR-3 East).
- Direct staff to submit Smart Scale High Priority Projects Program and District Grant funding applications to fund the projects below in the priority order listed:
 1. Route 1/Enon Road Intersection and Roadway Improvements;
 2. Route 1/Eskimo Hill Road/American Legion Road Intersection Improvement;
 3. Butler Road Widening; and
 4. Decatur Road Reconstruction.
- Staff also suggests the Board request that FAMPO and GWRC each pass a resolution in support of the Stafford County project selections made by Stafford and the other regional planning agency.

Proposed Resolution R16-217 authorizes County staff to submit the aforementioned funding applications to VDOT, while also requesting FAMPO and GWRC submit applications and provide endorsements for the respective aforementioned Smart Scale candidate projects. All eligible municipalities/agencies must submit their Smart Scale applications to the VDOT Central Office between August 1, 2016 and September 30, 2016. Staff recommends approval of proposed Resolution R16-217.

R16-217

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING STAFF TO SUBMIT SMART SCALE FUNDING APPLICATIONS AND TO REQUEST THE FREDERICKSBURG AREA METROPOLITAN PLANNING ORGANIZATION (FAMPO) AND GEORGE WASHINGTON REGIONAL COMMISSION (GWRC) ENDORSE AND SUBMIT SMART SCALE FUNDING APPLICATIONS FOR THE FY2018-FY2023 PERIOD

WHEREAS, the recently adopted Smart Scale program directs the Commonwealth Transportation Board (CTB) to develop and implement a statewide process to identify, score and select projects for funding by July 1, 2016, and to allocate funds in the FY2018-FY2023 Six-Year Improvement Program (SYIP); and

WHEREAS, all submitted Smart Scale applications will be screened by the Virginia Department of Transportation (VDOT) to determine if a need identified in the VTrans2040 Needs Assessment Plan (VTMP) is met; and

WHEREAS, in order to meet a need of the VTMP, a project must either be located within a Corridor of Statewide Significance or within a Regional Network, or promote improvements within an Urban Development Area (or UDA-like), or address an identified safety need; and

WHEREAS, only those Smart Scale applications meeting a need identified in the VTMP qualify to be scored and selected under the High-Priority Projects Program and/or the District Grant Program; and

WHEREAS, the High-Priority Projects Program will compete for Statewide funds and the District Grant Program will compete for Fredericksburg District Grant funds; and

WHEREAS, the Board endorses and requests FAMPO to submit the following Smart Scale applications in the following priority under the High-Priority Projects Program:

1. I-95 Northbound Rappahannock River Crossing with 4th General Purpose Lane addition to Exit 136 (Centreport Parkway); and
2. I-95 Reversible Express Lane Extension from Exit 140 to Exit 133 including the Northbound Connection from Route 610 to the Express Lanes; and
3. I-95 Reversible Express Lane Extension from Exit 130 to Exit 126.

WHEREAS, the Board endorses and requests GWRC to submit the following Smart Scale applications in the following priority under the High-Priority Projects Program:

1. VRE Station Improvements for Brooke and Leeland Road Stations;
2. New Leeland Station VRE parking lot expansion; and
3. New Park and Ride Commuter Lot off of Kings Highway (SR-3 East).

WHEREAS, the Board endorses and requests County staff to submit the following Smart Scale applications in the following priority under both the High-Priority Projects Program and under the District Grant Program:

1. Route 1/Enon Road Intersection and Roadway Improvements;
2. Route 1/Eskimo Hill Road/American Legion Road Intersection Improvement;
3. Butler Road Widening; and
4. Decatur Road Roadway Improvement.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2016, that it be and hereby does indicate its desire to have the aforementioned Smart Scale applications submitted to VDOT in the listed priorities and to be endorsed through resolution by both FAMPO and GWRC in order to be considered by the State for potential selection and funding for the Smart Scale Funding Program and the FY2018-FY2023 SYIP; and

BE IT STILL FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the FAMPO Transportation Director (Administrator) and the GWRC Executive Director.

BOARD OF SUPERVISORS

Agenda Item




Meeting Date:	July 6, 2016
Title:	Authorize the County Administrator to Execute a Contract for Upgrades to Roads in the Lake Arrowhead Subdivision; and to Budget and Appropriate Funds
Department:	Public Works
Staff Contact:	Christopher K. Rapp, P.E., Director
Board Committee/ Other BACC:	Finance, Audit and Budget Committee; Infrastructure Committee
Staff Recommendation:	Approval
Fiscal Impact:	\$270,000 in Funds from the Lake Arrowhead Sanitary District (Administered by the Board)
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report	2.	Proposed Resolution R16-194
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X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

X	County Administrator	
X	County Attorney	
X	Finance and Budget	

DISTRICT:	Rock Hill
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BACKGROUND REPORT

On December 7, 1987, the Stafford County Circuit Court established the Lake Arrowhead Sanitary District (LASD) as a means to fund improvements of the streets within the Lake Arrowhead community for acceptance into the Virginia Department of Transportation (VDOT) Secondary System of State Highways (System). Funding for this work came from special tax contributions from property owners within the boundaries of the LASD.

The implementation of the LASD was successful and many of the streets were accepted and are now maintained by VDOT. At the time the initial work was completed in the 1990's, four streets within the boundaries of the LASD, Seymour Court, Sparky Court, Blizzard Court, and Abrahms Court did not have the required number of occupied structures to be eligible for acceptance into the System. These four streets are now eligible for acceptance into the System, but must be improved to VDOT standards prior to acceptance.

The Board previously authorized the use of \$35,000 from the approximately \$470,000 remaining in the LASD fund for engineering improvements to these roads.

Engineering work has been completed and staff has solicited public bids from interested contractors for the roadway improvements necessary to have the streets accepted into the Secondary System of State Highways. Three bids were received in response to this solicitation and are shown below.

<u>COMPANY</u>	<u>BID</u>
1. Finley Asphalt & Sealing, Inc.	\$232,752
2. Jeffrey Stack, Inc.	\$246,791
3. Espina Paving, Inc.	\$333,862

Staff has reviewed these bids and determined that Finley Asphalt & Sealing, Inc. is the lowest responsive and responsible bidder.

Staff recommends approval of proposed Resolution R16-194, which authorizes the award of a contract in an amount not to exceed \$232,752 to Finley Asphalt & Sealing, Inc. for the construction of right-of-way improvements to Seymour Court, Sparky Court, Blizzard Court, and Abrahms Court within the Lake Arrowhead Subdivision in order to meet required VDOT standards for acceptance into the State System. Proposed Resolution R16-194 also authorizes the County Administrator to budget and appropriate \$270,000 from the Lake Arrowhead Sanitary District for funding the construction contract, VDOT street acceptance fees, and other related costs toward this purpose.

R16-194

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert "Bob" Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of to , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE CONSTRUCTION OF STREET IMPROVEMENTS WITHIN THE DISTRICT; AND TO BUDGET AND APPROPRIATE \$270,000 FROM THE LAKE ARROWHEAD SANITARY DISTRICT TO FUND

WHEREAS, on December 7, 1987, the Stafford County Circuit Court established the Lake Arrowhead Sanitary District (District) as a means to fund the improvements of the streets within the community for acceptance into the Secondary System of State Highways; and

WHEREAS, the District is administrated by the Board; and

WHEREAS, four streets within the District meet the service requirements for acceptance into the Secondary System of State Highways but require construction improvements to meet the current Virginia Department of Transportation (VDOT) standards; and

WHEREAS, the District has funds for these four streets to be improved to VDOT standards; and

WHEREAS, the County solicited public bids to complete this work; and

WHEREAS, three bids were received from interested firms and staff has determined that Finley Asphalt & Sealing, Inc. is the lowest responsive and responsible bidder with a bid amount of \$232,752;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2016, that the County Administrator be and he hereby is authorized to execute a construction contract with Finley Asphalt & Sealing, Inc. in an amount not to exceed Two Hundred Thirty-two Thousand Seven Hundred Fifty-two Dollars (\$232,752) for completion and acceptance of Seymour Court, Sparky Court, Blizzard Court, and Abrahms Court into the Secondary System of State Highways by the Virginia Department of Transportation; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to budget and appropriate Two Hundred Seventy Thousand Dollars (\$270,000) from the Lake Arrowhead Sanitary District to fund construction and other related costs, as well as VDOT street acceptance fees, for the roads referenced above.

AJR:ckr:toc:tbm

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS Agenda Item

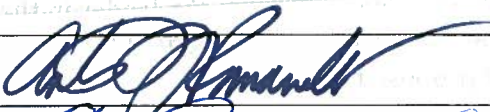


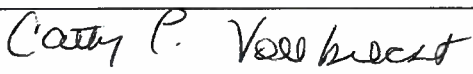
Meeting Date:	July 6, 2016
Title:	Authorize the County Administrator to Execute Contracts for the Next Phase of Construction of the Athletic Fields at Embrey Mill Park, and to Budget and Appropriate Funds for the Contracts
Department:	County Administration
Staff Contact:	Keith Dayton, Deputy County Administrator
Board Committee/ Other BACC:	Infrastructure Committee
Staff Recommendation:	Approval
Fiscal Impact:	See Background Report
Time Sensitivity:	See Background Report

ATTACHMENTS:

1.	Background Report	2.	Proposed Resolution R16-207
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X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

X	County Administrator	
X	County Attorney	
X	Finance and Budget	
X	Parks, Recreation, and Community Facilities	

DISTRICT:	Garrisonville
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BACKGROUND REPORT

Embrey Mill Park (the Park) will include an access road, paved parking, the Jeff Rouse Swim and Sport Center, 11 (lighted) rectangular athletic fields of varying sizes, a concession building, restroom buildings, a fenced maintenance yard with a covered equipment storage structure, a maintenance shop building (pre-engineered, metal-clad), and a playground when fully built out. The field complex is planned to be capable of hosting major regional tournaments in a variety of sports. The Jeff Rouse Swim and Sport Center, four synthetic turf fields, two grass fields, and the playground have been constructed.

At its meeting on April 5, 2016, the Board approved designing two additional synthetic turf fields at the Park.

With the previous athletic fields construction project, the County realized savings by bidding the site work separately from the field and light construction, which encouraged participation from specialty site work and building contractors who would not have to construct components with which they might have little experience. Furthermore, the smaller scope of work enabled participation from smaller regional contractors with limited bonding capacity. The County also took advantage of the Keystone Purchasing Network (KPN) national contracts to construct the synthetic turf fields and athletic field lights. This same philosophy has been utilized for the two additional athletic field's construction project.

In June, 2016, site work, which included final grading, storm water pipe installation, 78 parking spaces, restroom facilities, site lighting, and irrigation, was offered for public bids. Two bids were received:

DLR Contracting, Inc.	\$ 957,943
Jeffrey Stack, Inc.	\$ 1,554,014

DLR Contracting, Inc. (DLR) is headquartered in Spotsylvania, VA and has completed numerous projects in the local area, including projects in Stafford County. DLR performed satisfactorily and provided good quality work. Staff determined that DLR is the lowest responsive and responsible bidder for this project, and that this bid is reasonable for the scope of work proposed.

The County has received a quote in the amount of \$1,257,442 from FieldTurf USA, Inc. under the KPN contract, to install two synthetic turf fields. This is the same company that installed the four other turf fields at the Park. The County received a quote in the amount of \$404,419 from Musco Sports Lighting, LLC, (Musco) under the KPN contract, to install the lights for the two athletic fields. Musco is the leader in the industry in controlling light spill from field lighting, and is the company that installed the field lights on other fields at the Park. Both of these quotes are reasonable for the scope of work proposed.

Below are the funding sources and expenses for this project.

<u>Sources</u>		<u>Uses</u>	
2015 Bond Proceeds	\$2,605,000	Site Work	\$957,943
Proffers	\$261,690	Artificial Turf	\$1,257,442
Cap Projects Reserve	<u>\$202,114</u>	Lights	\$404,419
Total	\$3,068,804	Engineering/Misc Costs/Contingency	<u>\$449,000</u>
		Total	\$3,068,804

In 2015, the Board authorized the issuance of General Obligation (GO) bonds (as approved by voters in November, 2009) in the amount of \$2,720,000. At its meeting on January 19, 2016, the Board appropriated \$115,000 in bond funds to be used toward the ongoing construction and development of the Park, primarily to construct the playground and initiate the design of Phase 3. \$2,605,000 remains available to be appropriated.

On February 16, 2016, the Board approved in-kind services and cash proffers in the amount of \$250,000 to be used toward the development of Embrey Mill Park. The in-kind services are being implemented at this time and will be completed before these contracts begin. The cash proffers will come to the County as certificates of occupancy are issued for the final 90 units over the next year or so. Additional parks proffers are available and can be used for this project, as follows:

Augustine No. Section 5A	\$1,006
Westgate	<u>\$10,684</u>
	\$11,690

The Capital Improvement Program (CIP) shows an additional \$2,963,000 of bond funded improvements in FY 2018 for the final improvements/build-out of the Park. The scope of this project will be considered with the FY2018-FY2027 CIP.

Staff recommends approval of the proposed Resolution R16-207, which budgets and appropriates \$2,605,000 in bond proceeds; \$261,690 in proffers; and \$202,114 in Capital Projects Reserve for the Embrey Mill Park project, and authorizes the County Administrator to execute contracts for construction services related to Embrey Mill Park. To provide maximum flexibility, proposed Resolution R16-207 contains reimbursement language, which would allow replacement of reserve funds with bond proceeds from future bonds sales.

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon Jr., Government Center Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH DLR CONTRACTING, INC.; FIELDTURF USA, INC.; AND MUSCO SPORTS LIGHTING, LLC FOR CONSTRUCTION SERVICES ASSOCIATED WITH EMBREY MILL PARK; AND TO BUDGET AND APPROPRIATE FUNDS FOR EMBREY MILL PARK

WHEREAS, the construction of the Embrey Mill Park athletic fields was approved by the Board; and

WHEREAS, the design for site work ancillary to two synthetic turf fields at Embrey Mill Park athletic fields was completed and the construction contract was offered for public bid; and

WHEREAS, staff determined that the bid in the amount of \$957,943, received from DLR Contracting, Inc., was the lowest responsive and responsible bid, and is reasonable for the scope of work proposed; and

WHEREAS, the construction of two lighted, synthetic turf fields at Embrey Mill Park was approved by the Board; and

WHEREAS, Stafford County may participate in the Keystone Purchasing Network agreement; and

WHEREAS, FieldTurf USA, Inc. is part of the Keystone Purchasing Network; and

WHEREAS, FieldTurf USA, Inc. submitted a quote for \$1,257,442 to construct two synthetic turn athletic fields; and

WHEREAS, Musco Sports Lighting, LLC is part of the Keystone Purchasing Network; and

WHEREAS, Musco Sports Lighting, LLC submitted a quote for \$404,419 to construct the lights for two athletic fields; and

WHEREAS, staff determined that both of these quotes are reasonable for the scope of work proposed; and

WHEREAS, in 2015, General Obligation bonds in the amount of \$2,720,000 were issued for this work at Embrey Mill Park, with \$2,605,000 remaining to be appropriated; and

WHEREAS, Stafford Associates Limited Partnership No. 2 have proffered \$250,000 for improvements to Embrey Mill Park; and

WHEREAS, other park proffers are available in the amount of \$11,690 which can be used for this project; and

WHEREAS, funds are available in the Capital Projects Reserve to be used for cash flow purposes, if needed, until the park bonds are sold in 2017 and proffers are received from Stafford Associates Limited Partnership No. 2;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 7th day of July, 2016, that the County Administrator be and he hereby is authorized to budget and appropriate bond proceeds in the amount of \$2,605,000; funds from proffers in the amount of \$261,690; and funds from Capital Projects Reserve in the amount of \$202,114; for a total of \$3,068,804 to the Capital Projects Fund; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to:

1. Execute a contract with DLR Contracting, Inc., for the construction of the site work ancillary to two synthetic turf fields at Embrey Mill Park, in an amount not to exceed of Nine Hundred Fifty-seven Thousand Nine Hundred Forty-three Dollars (\$957,943), unless modified by a duly-executed change order;

2. Execute a contract with FieldTurf USA, Inc. for the construction of two synthetic turf athletic fields at Embrey Mill Park, in an amount not to exceed One Million Two Hundred Fifty-seven Thousand Four Hundred Forty-two Dollars (\$1,257,442), unless modified by a duly-executed change order; and

3. Execute a contract with Musco Sports Lighting, LLC, for the construction of athletic field lights for two fields at Embrey Mill Park, in an amount not to exceed of Four Hundred Four Thousand Four Hundred Nineteen Dollars (\$404,419), unless modified by a duly-executed change order.

; and

BE IT STILL FURTHER RESOLVED that the intent to reimburse for the construction of athletic turf fields at Embrey Mill Park made out of the Capital Projects Reserve Funds for FY2017 be and it hereby is adopted as follows:

NOTICE OF INTENT TO REIMBURSE
CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

Section 1: Statement of Intent. Stafford County presently intends to finance the construction of athletic turf fields at Embrey Mill Park (Embrey Mill Park project) with tax-exempt or taxable bonds or other obligations (the "Bonds") and to reimburse capital expenditures paid by the County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Embrey Mill Park project 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 Embrey Mill Park project incurred before the issuance of the Bonds with an inter-fund loan or loans from the General Fund or from temporary appropriations or loans from the Capital Projects Reserve. The County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the Embrey Mill Park project.

Section 3: Effective Date; Public Inspection. This Resolution is adopted for the purposes of complying with Treasury Regulation Section, 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 the County's normal business hours.

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 5th day of April, 2016:

<u>MEMBERS:</u>	<u>VOTE:</u>
Robert "Bob" Thomas, Jr, Chairman	Yes
Laura A. Sellers, Vice Chairman	Yes
Meg Bohmke	Yes
Jack R. Cavalier	Yes
Wendy Maurer	Yes
Paul V. Milde, III	No
Gary F. Snellings	Yes

On motion of Ms. Sellers, seconded by Mr. Cavalier, which carried by a vote of 6 to 1, the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO INITIATE THE DESIGN OF TWO RECTANGULAR ARTIFICIAL
TURF FIELDS INCUDED IN PHASE 2 OF EMBREY MILL PARK IN
THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the County completed Phase 1 of the rectangular field complex at Embrey Mill Park (Park), which includes four artificial turf fields and two grass fields; and

WHEREAS, construction of the next two fields at the Park is scheduled to begin in spring 2016, and are currently planned to be grass fields with an estimated cost of \$2.75 million; and

WHEREAS, these fields could be completed as artificial turf fields for an additional \$1.2 million; and


WHEREAS, the Board approved proffers that include just over \$1.2 million in in-kind work and cash payments that could be applied to completing the artificial turf fields; and

WHEREAS, the additional two artificial turf fields will bring the total number of artificial turf fields to six, greatly enhancing the ability to attract larger tournaments to the Park, along with the visitors who will come to the County for these events; and

WHEREAS, these tournaments will result in direct and indirect monetary benefits to the County as well as the hotels, restaurants, and other commercial enterprises who serve participants, the families of the participants, and spectators of these tournaments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of April, 2016, that it be and hereby does authorize the County Administrator to proceed with the planning and design for two artificial turf fields as part of Phase 2 at Embrey Mill Park.

A Copy, teste:



Anthony J. Romanello, ICMA-CM
County Administrator

AJR:KCD:kd

BOARD OF SUPERVISORS

Agenda Item


Meeting Date:	July 6, 2016
Title:	Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Brooke Road Improvement Project, for Right-of-Way and Easements on Tax Map Parcel Nos. 47-27 and 47-34A
Department:	Public Works
Staff Contact:	Christopher K. Rapp, P.E. Director
Board Committee/ Other BACC:	N/A
Staff Recommendation:	Approval
Fiscal Impact:	N/A
Time Sensitivity:	Maintain Construction Schedule

ATTACHMENTS:

1. Background Report	4. Proposed Resolution R16-202
2. Proposed Resolution R16-200	5. Condemnation Map
3. Proposed Resolution R16-201	

X	Consent Agenda	Other Business	Unfinished Business
	Discussion	Presentation	Work Session
	New Business	Public Hearing	Add-On

REVIEW:

X	County Administrator	
X	County Attorney	Rysheda M. McIlendon for CLS

DISTRICT:	Aquia
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BACKGROUND REPORT

The Board identified the completion of road improvements on Brooke Road (SR-608) south of Eskimo Hill Road (SR-628), as a critical part of the County's road improvement plan. These improvements were approved by the Board in 2011 as the Brooke Road Improvement Project (Project) to address the safety concerns raised by the Youth Driver Task Force.

The County has acquired almost all of the land and easements necessary for the construction of the Project. Negotiations have reached an impasse with the two remaining property owners. The County must acquire the right-of-way and temporary and permanent easements on these properties to proceed with the Project. Attachment 5 is a map of Brooke Road showing the two affected properties.

Listed below are the two properties that are currently being considered for condemnation and exercise of the County's quick-take powers. The properties were valued by a certified professional using 2014 and 2016 assessed values. Specific information on the properties and the status of negotiations is provided below.

Tax Map Parcel No. 47-27 owned by David J. Goska

Existing Property Size	11.22 acres (488,721 square feet)
Post-Acquisition Property Size	11.20 acres (487,768 square feet)
Fee Simple Right-of-Way	953 square feet
Permanent Slope Easement	98 square feet
Temporary Construction Easement	613 square feet

On September 16, 2014 an initial offer of \$500 was presented to Mr. Goska (Property Owner) via certified mail. The negotiator was initially unable to reach the Property Owner to attempt negotiations. On November 21, 2014, the negotiator sent another certified letter to the Property Owner about the necessary acquisition. Between November 2014 and early January 2015, the negotiator made several more unsuccessful attempts to contact the Property Owner. On January 8, 2015, the negotiator received a package from the Property Owner containing an executed and notarized purchase agreement dated December 18, 2014. Since receipt of the purchase agreement, the County and title company have made multiple attempts to reach the Property Owner to execute the Deed and close on the Property, but have been unsuccessful despite numerous letters and phone calls. Due to the delay and the need to complete the right-of-way acquisition, staff recommends moving forward with the consideration of condemnation. The County will continue to try to work with the Property Owner to complete the acquisition. Proposed Resolution R16-201 pertaining to this property is included as Attachment 3.

Tax Map Parcel No. 47-34A owned by The Secretary of Housing and Urban Development (HUD)

Existing Property Size	0.866 acres (37,731 square feet)
Post-Acquisition Property Size	0.823 acres (35,867 square feet)
Fee Simple Right-of-Way	1,864 square feet
Permanent Slope Easement	1,409 square feet
Temporary Construction Easement	1,512 square feet
Permanent Verizon South Utility Easement	157 square feet

On September 22, 2014, an initial offer of \$5,300 was presented to Mr. Honaker (the Property Owner at the time), for the acquisition of right-of-way, permanent slope easement, and temporary easement. After negotiations, the County was able to reach a settlement with the Property Owner for \$6,300. The County and the Property Owner executed a purchase agreement on January 15, 2015. After the execution of the purchase agreement, it was determined that Verizon South would require a utility easement across the Property due to a utility redesign. Another assessment was conducted and the utility easement was assigned a value of \$54. However, before the County could close on the property, the Property Owner defaulted on his mortgage and the property went into foreclosure. After considerable research, it was determined that Wells Fargo Bank, N.A. purchased the foreclosed property. Numerous attempts were made to contact Wells Fargo Bank, by both the County and the title company but were unsuccessful. On May 19, 2016, property ownership transferred to the United States Secretary of Housing and Urban Development (HUD). Staff has reached out to HUD to make a bona fide offer, but have not received a response. Due to the delay, and the need to complete the right-of-way acquisition process, staff recommends moving forward with consideration of condemnation. The County will continue to try to work with HUD to complete the acquisition. Proposed Resolution R16-202 pertaining to this property is included as Attachment 4.

Sufficient funds for the right-of-way and easement acquisitions for both properties are available in the Project's budget.

Staff recommends approval of proposed Resolution R16-200, which authorizes the County Administrator to advertise a public hearing to consider the condemnation and use of quick-take powers to acquire the necessary land and easements associated with the Brooke Road Improvement Project.

R16-200

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, FOR RIGHT-OF-WAY AND EASEMENTS ON TAX MAP PARCEL NOS. 47-27 AND 47-34A, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road (SR-608) south of Eskimo Hill Road (Project), as a critical part of Stafford County’s Road Improvement Plan; and

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

WHEREAS, Tax Map Parcel No. 47-27 consists of approximately 11.22 acres of land owned by David J. Goska; and

WHEREAS, due to the design of the Project, the Board must acquire 953 square feet of fee simple right-of-way, 98 square feet of permanent slope easement, and 613 square feet of temporary construction easement on Tax Map Parcel No. 47-27; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 47-27, together with damages, if any, to the remainder of the Parcel is Five Hundred Dollars (\$500), based upon 2016 assessed values; and

WHEREAS, Tax Map Parcel No. 47-34A consists of approximately 0.866 acres of land owned by the United States Secretary of Housing and Urban Development (HUD); and

WHEREAS, due to the design of the Project, the Board must acquire 1,864 square feet of fee simple right-of-way, 1,409 square feet of permanent slope easement, 1,512 square feet of temporary construction easement, and 157 square feet of permanent utility easement to be conveyed to Verizon South on Tax Map Parcel No. 47-34A; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 47-34A, together with damages, if any, to the remainder of the Parcel is Five Thousand Three Hundred and Fifty-four Dollars (\$5,354), based upon 2016 assessed values; and

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

WHEREAS, the County is unable to finalize the purchase of right-of-way and easements on Tax Map Parcel No. 47-27, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property Owner of Tax Map Parcel No. 47-34A, but will continue to work with both Property Owners in an attempt to reach final settlement; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2016, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, permanent slope easements, temporary construction easements, and permanent utility easements to be conveyed to Verizon South on the properties of David J. Goska, Tax Map Parcel No. 47-27, and the United States Secretary of Housing and Urban Development, Tax Map Parcel No. 47-34A; all in connection with the Brooke Road Improvement Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

R16-201

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the ____ day of _____, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of _____, seconded by _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A PERMANENT SLOPE EASEMENT, AND A TEMPORARY CONSTRUCTION EASEMENT, ON TAX MAP PARCEL NO. 47-27, FOR THE BROOKE ROAD IMPROVEMENT PROJECT WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road (SR-608) south of Eskimo Hill Road (SR-628) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

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

WHEREAS, Tax Map Parcel No. 47-27 (Property) consists of approximately 11.22 acres of land owned by David J. Goska (Property Owner); and

WHEREAS, the Project requires 953 square feet of fee simple right-of-way, 98 square feet of permanent slope easement, and 613 square feet of temporary construction easement for the Project on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is \$500, based upon 2016 assessed values; and

WHEREAS, the Board, through its 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 County is unable to finalize the purchase of the necessary right-of-way and easements, but will continue to work with the Property Owner in an 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 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 slope easement, and temporary construction easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the ____ day of ____, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent slope easement, and a temporary construction easement on Tax Map Parcel No. 47-27 (Property) for the Brooke Road Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Five Hundred Dollars (\$500) as just compensation for the fee simple right-of-way, permanent slope easement, and temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and David J. Goska (Property Owner) cannot finalize the purchase of right-of-way and easements; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 953 square feet of fee simple right-of-way, 98 square feet of permanent slope easement, and 613 square feet of temporary construction easement, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take 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 Five Hundred Dollars (\$500) 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, permanent slope easement, and 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.

AJR:ckr:aeo:tbn

R16-202

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the ____ day of _____, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of _____, seconded by _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A PERMANENT SLOPE EASEMENT, A TEMPORARY CONSTRUCTION EASEMENT, AND A PERMANENT UTILITY EASEMENT TO BE CONVEYED TO VERIZON SOUTH, ON TAX MAP PARCEL NO. 47-34A, FOR THE BROOKE ROAD IMPROVEMENT PROJECT WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road (SR-608) south of Eskimo Hill Road (SR-628) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 47-34A (Property) consists of approximately 0.866 acres of land owned by The Secretary of Housing and Urban Development (HUD) (Property Owner); and

WHEREAS, the Project requires 1,864 square feet of fee simple right-of-way, 1,409 square feet of permanent slope easement, 1,512 square feet of temporary construction easement, and 157 square feet of permanent utility easement to be conveyed to Verizon South for the Project; 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 \$5,354, based upon 2016 assessed values; and

WHEREAS, the Board, through its 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 in an 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 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 slope easement, temporary construction easement, and permanent utility easement to be conveyed to Verizon South on the Property;

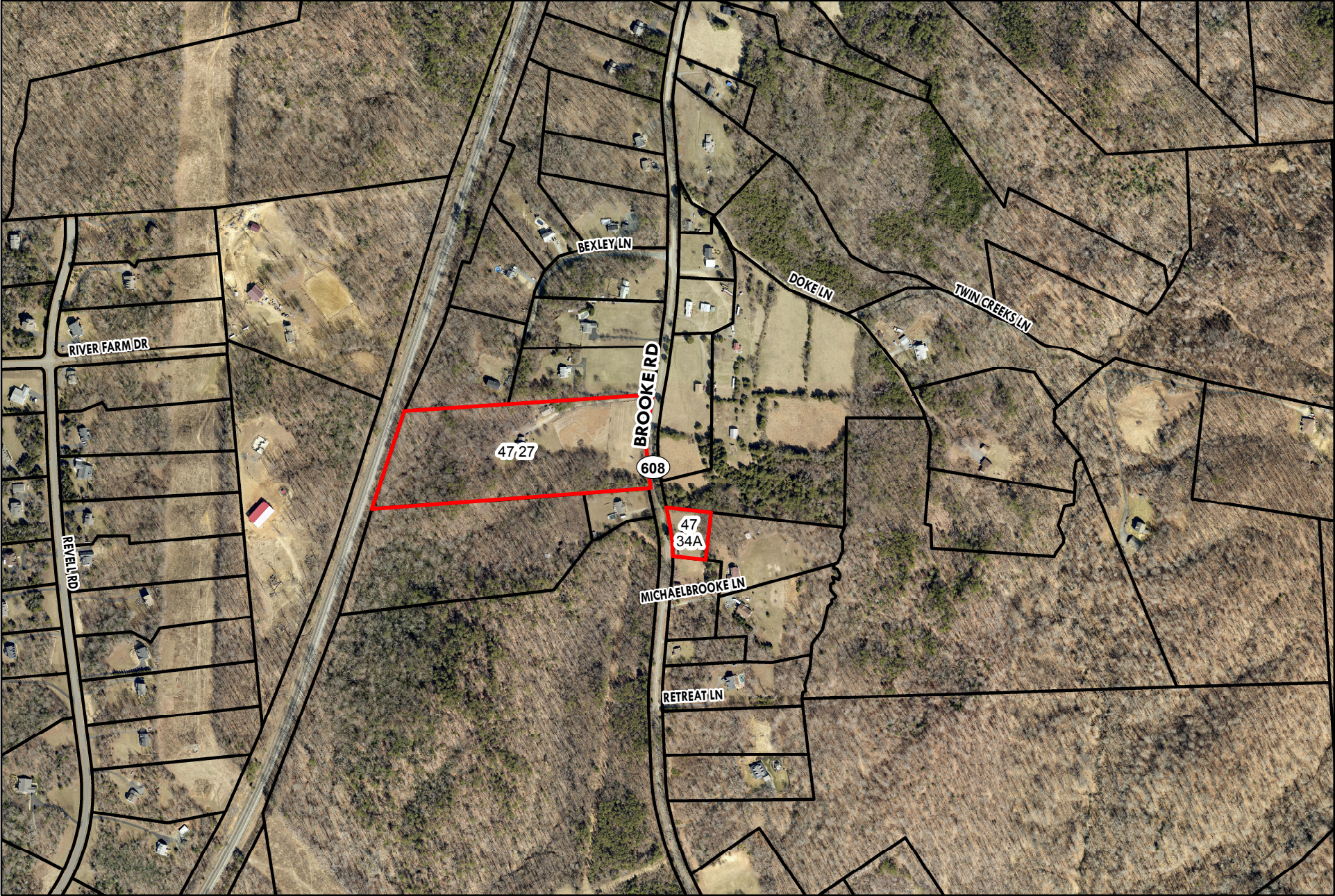
NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the _____ day of _____, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent slope easement, temporary construction easement, and a permanent utility easement to be conveyed to Verizon South on Tax Map Parcel No. 47-34A (Property) for the Brooke Road Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Five Thousand Three Hundred and Fifty-four Dollars (\$5,354) as just compensation for the fee simple right-of-way, permanent slope easement, temporary construction easement, and permanent utility easement to be conveyed to Verizon South including damages, if any, to the remainder of the Property, that the Board and The Secretary of Housing and Urban Development (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 1,864 square feet of fee simple right-of-way, 1,409 square feet of permanent slope easement, 1,512 square feet of temporary construction easement, and 157 square feet of permanent utility easement to be conveyed to Verizon South, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take 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 Five Thousand Three Hundred and Fifty-four Dollars (\$5,354) 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, permanent slope easement, temporary construction easement, and permanent utility easement to be conveyed to Verizon South in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

AJR:ckr:aeo:tbm



Coordinate System: NAD 1983 HARN StatePlane Virginia North FIPS 4501 Feet

Produced: 6/9/2016

Data layers are compiled from various sources and are not to be construed or used as a "legal description." Data layers are believed to be accurate, but accuracy is not guaranteed.



BOARD OF SUPERVISORS

Agenda Item

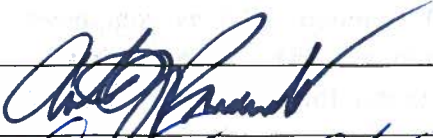
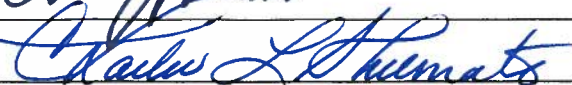
Meeting Date:	July 6, 2016
Title:	Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of the County's Quick-Take Powers in Connection with the Poplar Road Phase 3 Improvement Project, for Right-Of-Way Acquisitions and Temporary and Permanent Easements on Tax Map Parcel Nos. 17-20, 17-52D, and 17-52
Department:	Public Works
Staff Contact:	Christopher K. Rapp, P.E., Director
Board Committee/ Other BACC:	N/A
Staff Recommendation:	Approval
Fiscal Impact:	N/A
Time Sensitivity:	Condemnation & Quick Take necessary to maintain construction schedule

ATTACHMENTS:

1.	Background Report	3.	Proposed Resolution R16-224
2.	Proposed Resolution R16-223	4.	Proposed Resolution R16-225
		5.	Proposed Resolution R16-226
		6.	Condemnation Map

<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Other Business	<input type="checkbox"/>	Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

<input checked="" type="checkbox"/>	County Administrator	
<input checked="" type="checkbox"/>	County Attorney	

DISTRICT:	Hartwood
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BACKGROUND REPORT

The Board identified the completion of road improvements on Poplar Road (SR-616) between Cedar Hill Lane and Mountain View Road (SR-627) (Project), as a critical part of Stafford County's Road Improvement Plan.

The County is currently in the process of acquiring the land and easements necessary for the construction of the Project. The County has been able to come to an agreement with many of the property owners; however, negotiations have reached an impasse with two property owners. In addition, the lender for another property would not grant a release of this lien, so the County could not purchase of the right-of-way. The County must acquire the right-of-way, and temporary and permanent easements, on these properties in order to proceed with the Project. Attachment 6 is a map showing the three affected properties.

The County must proceed with property acquisition if it is to be in a position to advertise and construct the Project once the design is complete. Following property acquisition, utility relocation will need to occur prior to procurement of a contractor.

Listed below are the three properties that are currently being considered for condemnation and exercise of the County's quick-take powers. The properties were valued by a certified professional using 2014 assessed values. The 2016 assessed land values for the parcels either remained unchanged or decreased. Specific information on the properties and the status of negotiations is provided below.

Tax Map Parcel No. 17-20 owned by Charles P. and Sandy R. Brown (Property Owners)

Existing Property Size	1.2810 acres
Post-Acquisition Property Size	1.1367 acres
Fee Simple Right-of-Way	0.0748 acres
Fee Simple Right-of-Way	0.0695 acres
Temporary Construction Easement	0.1189 acres

A purchase agreement has been signed by the Property Owners but the lenders have not granted a release. The following is a summary for this property:

On June 19, 2015, an initial offer of \$7,250 was presented to the Property Owners. The Property Owners expressed concern about their mailbox and trees being removed. The County's Project Manager agreed to have the Property Owners submit a cost estimate to replace the trees that would be impacted by the project.

On August 28, 2015, the negotiator received an email from the Property Owners along with the tree replacement estimate of \$5,700.

The County's initial offer amount of \$7,250 included \$750 as compensation for the trees, and \$6,500 in compensation for the land acquisition. The County agreed to the cost estimate provided by the Property Owners to replace the trees at a cost of \$5,700 and added that to the original compensation for the land acquisition for a total offer amount of \$12,200.

On September 22, 2015, the negotiator met with the Property Owners who signed the purchase agreement. The County signed and executed the purchase agreement on October 1, 2015 for \$12,200.

Since October 2015, the County and the title company have been working to close this transaction. Unfortunately, despite numerous attempts, the mortgage lender for the Property Owners has been unwilling to grant a lenders release so that the County can take possession of the right-of-way. The lender has insisted on conducting an independent appraisal and having the County pay for it. The County has repeatedly asked for a cost estimate for the independent appraisal, but has not been provided with any additional information. In order to take possession of the right-of-way and easements required for the Project, the County has no other choice but to proceed with condemnation. Proposed Resolution R16-224 pertaining to this property is included as Attachment 3.

The remaining parcels have some common ownership and representation as noted below.

Tax Map Parcel No. 17-52D owned by William B. and Kathy J. Sterne (Property Owners)

Existing Property Size	3.0131 acres (131,250 square feet)
Post-Acquisition Property Size	3.0131 acres (131,250 square feet)
Permanent Verizon Utility Easement	786 square feet

Tax Map Parcel No. 17-52 owned by William Boyd Sterne (aka William B.)

Existing Property Size	52.96 acres (2,306,938 square feet)
Post-Acquisition Property Size	52.89 acres (2,303,850 square feet)
Fee Simple Right-of-Way	0.0709 acres
Temporary Construction Easement	0.1041 acres
Permanent Verizon Utility Easement	0.0757 acres

On November 17, 2015, the initial offer amount of \$1,400 was presented to the Property Owners to acquire land from Tax Map Parcel Nos. 17-52D and 17-52.

From November 19, 2015 to March 14, 2016, the negotiator contacted the Property Owner 15 times to resolve the terms of the offer package including his issue with a ditch line extension and slope, and a Verizon easement.

On March 17, 2016, County staff, the negotiator, and Mr. Sterne met and went over all of his questions and concerns and provided him with all of the revised Verizon easement documents. Mr. Sterne advised that he would need to finish his final review and would be in contact next week.

On March 23, 2016, the negotiator called Mr. Sterne to inquire if he was ready to sign the offer package. Mr. Sterne said he wanted to go to the County and discuss the plans, cross sections, and ditch slope with County personnel as he did not think the County needs to have that land in fee simple right-of-way, and instead would like it to be an easement. On March 25, 2016, County staff met with Mr. Sterne and listened to his concerns about the ditch line being in right-of-way as opposed to an easement. County staff explained that ditches are usually within a right-of-way so that VDOT has ownership of them and has access to perform necessary maintenance. Mr. Sterne advised that he had spoken to a former VDOT employee and was told that it was VDOT policy not to place drainage items in right-of-way.

On March 29, 2016, the negotiator called Mr. Sterne who told the negotiator that he had met with County staff last week and reviewed the plans. Mr. Sterne said he had spoken with John Honnick who told him that if the ditch slope was 3:1, then VDOT does not need to acquire the ditch in the right-of-way.

County staff reached out to VDOT to inquire about VDOT policy on acquiring ditches in right-of-way versus permanent easement, and if the slope was 3:1 or steeper had any bearing on the decision. VDOT's Northern Region Right-of-Way & Utilities Manager and their State Acquisitions Manager in VDOT's Central Office both responded that no such policy existed regarding 3:1 slopes and ditches in permanent easement. After reviewing the plans and plats, both felt that the proposed right-of-way line was accurate and necessary. On April 7, 2016, County staff contacted Mr. Sterne and relayed this information to him regarding the ditch line and proposed right-of-way taking. Mr. Sterne still felt that this taking was more than necessary and he was unwilling to sign the purchase agreement.

On June 27, 2016, County staff reached out to Mr. Sterne in a final attempt to reach a settlement. Mr. Sterne indicated that he was unwilling to sign the purchase agreement as he felt the County was overstepping its reach and illegally taking land that was not necessary for the project. Staff tried to explain to Mr. Sterne that VDOT required the right-of-way for the ditch line and that other VDOT staff, not associated with the project, reviewed the issue and found the taking to be correct and necessary. Mr. Sterne said he had reached out to a "friend at VDOT" who had emailed him saying when he designed road projects, if there was a 3:1 slope behind the ditch, he tried to place that in permanent easement rather than right-of-way. County staff asked Mr. Sterne to forward this email so that County staff could follow up, but Mr. Sterne didn't think that would be appropriate.

At this point, negotiations on these two parcels have stalled. Due to the delays already incurred on the project, and the need to complete the right-of-way acquisition process prior to utility relocation and road construction, staff recommends moving forward with consideration of condemnation. Proposed Resolution R16-225 (Tax Map Parcel No. 17-52D) and proposed Resolution R16-226 (Tax Map Parcel No. 17-52) pertaining to these properties are included as Attachments 4 and 5, respectively.

Sufficient funds for the right-of-way and easement acquisitions are available in the Project's budget. Staff and the negotiator will continue to negotiate and try to come to settlement with all remaining property owners as the Project moves forward.

Staff recommends approval of proposed Resolution R16-223, which authorizes the County Administrator to advertise a public hearing to consider the condemnation and use of the County's quick-take powers to acquire the necessary land and easements associated with the Poplar Road Phase 3 Improvement Project.

R16-223

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 6th day of July, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF THE COUNTY’S QUICK-TAKE POWERS IN CONNECTION WITH THE POPLAR ROAD PHASE 3 IMPROVEMENT PROJECT, FOR RIGHT-OF-WAY ACQUISITIONS AND TEMPORARY AND PERMANENT EASEMENTS ON TAX MAP PARCEL NOS. 7-20, 17-52D, AND 17-52, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road (SR-616) between Cedar Hill Lane and Mountain View Road (SR-627) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 17-20 consists of approximately 1.281 acres of land owned by Charles P. and Sandy R. Brown; and

WHEREAS, due to the design of the Project, the Board must acquire 0.1443 acres of fee simple right-of-way, and 0.1189 acres of temporary construction easement on Tax Map Parcel No. 17-20; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 17-20, together with damages, if any, to the remainder of the Parcel is Twelve Thousand Two Hundred Dollars (\$12,200), based upon 2014 assessed values; and

WHEREAS, Tax Map Parcel No. 17-52D consists of approximately 3.013 acres of land owned by William B. and Kathy J. Sterne; and

WHEREAS, due to the design of the Project, the Board must acquire 786 square feet of permanent utility easement to be conveyed to Verizon on Tax Map Parcel No. 17-52D; 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 Dollars (\$200), based upon 2014 assessed values; and

WHEREAS, Tax Map Parcel No. 17-52 consists of approximately 52.96 acres of land owned by William Boyd Sterne (aka William B.); and

WHEREAS, due to the design of the Project, the Board must acquire 0.0709 acres of fee simple right-of-way, 0.1041 acres of temporary construction easement and 0.0757 acres of permanent utility easement to be conveyed to Verizon on Tax Map Parcel No. 17-52; 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 Thousand Four Hundred Dollars (\$1,400), based upon 2014 assessed values; and

WHEREAS, the Board, through its negotiator, made a bona fide effort to purchase the affected areas of the listed Parcels by offering said fair market value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase were agreed upon, and the County's consulting negotiator was successful in negotiating a final settlement for right-of-way and easement with the Property Owners of Tax Map Parcel No. 17-20, but was unsuccessful in obtaining a lender release from the mortgage company; and

WHEREAS, the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property Owners of Tax Map Parcel No. 17-52D and with the Property Owner of Tax Map Parcel No. 17-52, but will continue to work with the Property Owners to attempt to reach final settlement; and

WHEREAS, to acquire the land and easements for the construction of the Poplar Road Phase 3 Improvement Project by condemnation and exercise of its quick-take powers, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2016, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, prescriptive right-of-way, temporary construction easements, and permanent utility easements to be conveyed to Verizon, on the properties of Charles P. and Sandy R. Brown, Tax Map Parcel No. 17-20, William B. and Kathy J. Sterne, Tax Map Parcel No. 17-52D, and William Boyd Sterne, Tax Map Parcel No. 17-52D; all in connection with the Poplar Road Phase 3 Improvement Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

AJR:ckr:aeo:tbn

R16-224

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the ____ day of _____, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of _____, seconded by _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY’S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, AND A TEMPORARY CONSTRUCTION EASEMENT, ON TAX MAP PARCEL NO. 17-20, FOR THE POPLAR ROAD PHASE 3 IMPROVEMENT PROJECT IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road (SR-616) between Cedar Hill Lane and Mountain View Road (SR-627) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 17-20 consists of approximately 1.281 acres of land owned by Charles P. and Sandy R. Brown; and

WHEREAS, the Board must acquire fee simple right-of-way, prescriptive right-of-way, and a temporary construction easement because the design of the Project requires 0.1443 acres of fee simple right-of-way, and 0.1189 acres of temporary construction easement for the Project on Tax Map Parcel No. 17-20; 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 Twelve Thousand Two Hundred Dollars (\$12,200), based upon 2014 assessed values; and

WHEREAS, the Board, through its consultant, made a bona fide effort to purchase the affected areas of the listed Parcels by offering said fair market value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase were agreed upon, and the County's consulting negotiator was successful in negotiating a final settlement with the Property Owner, but was unsuccessful in obtaining a lender release from the mortgage company; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on August 16, 2016, to determine the necessity for condemnation and exercise of the County's quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the ____ day of ____, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, prescriptive right-of-way and a temporary construction easement on Tax Map Parcel No. 17-20 (Property) for the Poplar Road Phase 3 Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Twelve Thousand Two Hundred Dollars (\$12,200) as just compensation for the fee simple right-of-way, and a temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Charles P. and Sandy R. Brown (Property Owners) agree on the terms of purchase and settlement, but have been unsuccessful in obtaining a lender release from the mortgage company; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 0.1443 acres of fee simple right-of-way, and 0.1189 acres of temporary construction easement, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take 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 Twelve Thousand Two Hundred Dollars (\$12,200) 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, 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.

AJR:ckr:aeo:tbm

R16-225

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the ____ day of _____, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of _____, seconded by _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY’S QUICK-TAKE POWERS TO ACQUIRE A PERMANENT UTILITY EASEMENT, ON TAX MAP PARCEL NO. 17-52D, FOR THE POPLAR ROAD PHASE 3 IMPROVEMENT PROJECT IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road (SR-616) between Cedar Hill Lane and Mountain View Road (SR-627) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 17-52D consists of approximately 3.013 acres of land owned by William B. and Kathy J. Sterne; and

WHEREAS, the Board must acquire a permanent utility easement to be conveyed to Verizon because the design of the Project requires 786 square feet of permanent utility easement to be conveyed to Verizon for the Project on Tax Map Parcel No. 17-52D; 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 Dollars (\$200), based upon 2014 assessed values; and

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

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the respective Parcel owners, but will continue to work with the Parcel 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 August 16, 2016, to determine the necessity for condemnation and exercise of the County's quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced permanent utility easement to be conveyed to Verizon on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the ____ day of _____, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of permanent utility easement to be conveyed to Verizon on Tax Map Parcel No. 17-52D (Property) for the Poplar Road Phase 3 Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Two Hundred Dollars (\$200) as just compensation for the permanent utility easement to be conveyed to Verizon, including damages, if any, to the remainder of the Property, that the Board and William B. and Kathy J. Sterne (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 the County's quick-take powers to enter upon and immediately acquire 786 square feet of permanent utility easement to be conveyed to Verizon, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take 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 Dollars (\$200) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the permanent utility easement to be conveyed to Verizon, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

AJR:ckr:aeo:tbn

R16-225

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the ____ day of _____, 2016:

MEMBERS:

Robert “Bob” Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

VOTE:

On motion of _____, seconded by _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF THE COUNTY’S QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, TEMPORARY CONSTRUCTION EASEMENT, AND A PERMANENT UTILITY EASEMENT, ON TAX MAP PARCEL NO. 17-52, FOR THE POPLAR ROAD PHASE 3 IMPROVEMENT PROJECT IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road (SR-616) between Cedar Hill Lane and Mountain View Road (SR-627) (Project), as a critical part of Stafford County’s Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 17-52 consists of approximately 52.96 acres of land owned by William Boyd Sterne; and

WHEREAS, the Board must acquire fee simple right-of-way, temporary construction easement, and a permanent utility easement to be conveyed to Verizon because the design of the Project requires 0.0709 acres of fee simple right-of-way, 0.1041 acres of temporary construction easement, and 0.0757 acres of permanent utility easement to be conveyed to Verizon for the Project on Tax Map Parcel No. 17-52; 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 Thousand Two Hundred Dollars (\$1,200), based upon 2014 assessed values; and

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

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the respective 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 August 16, 2016, to determine the necessity for condemnation and exercise of the County's quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

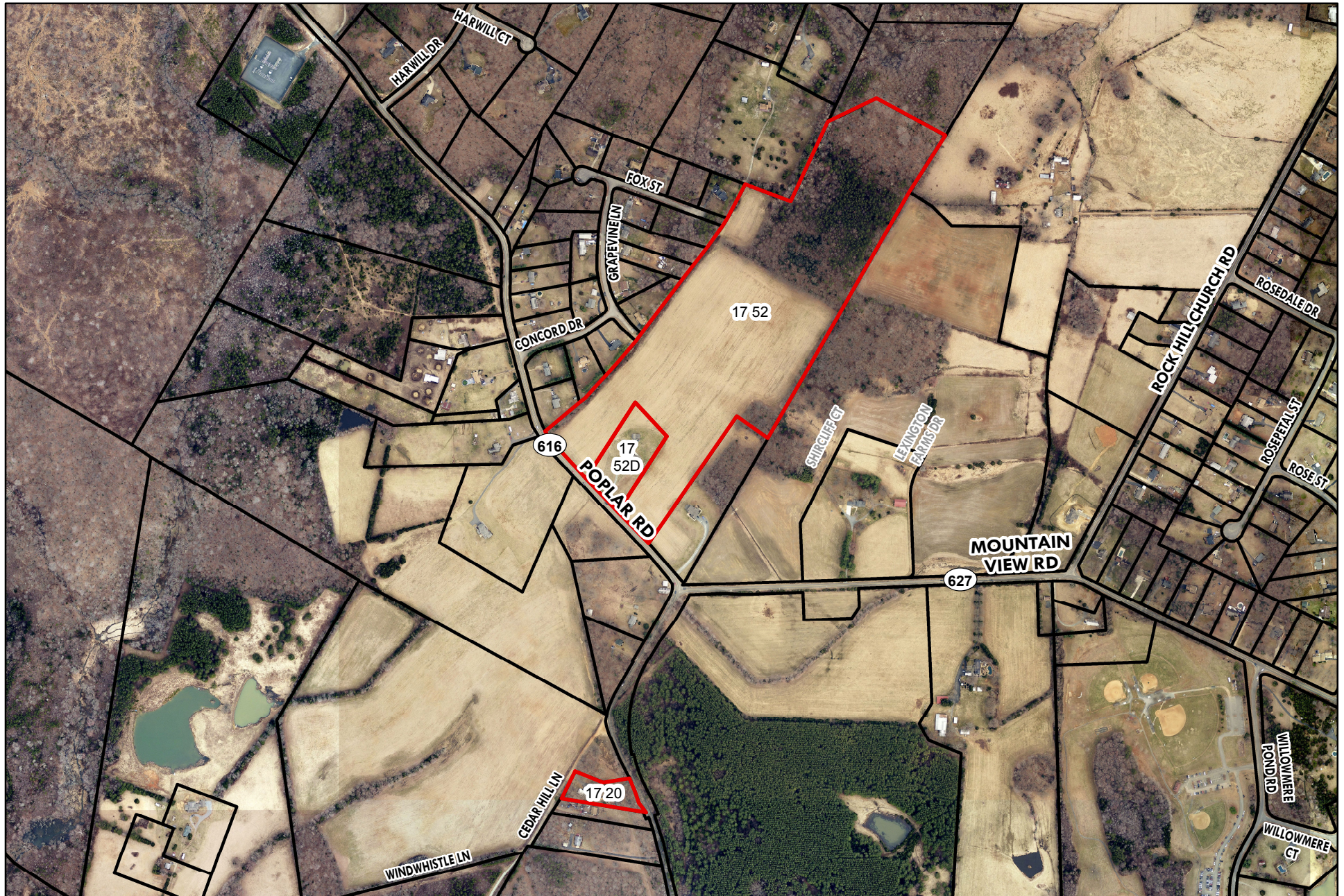
NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the ____ day of ____, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, temporary construction easement, and permanent utility easement to be conveyed to Verizon on Tax Map Parcel No. 17-52 (Property) for the Poplar Road Phase 3 Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of One Thousand Two Hundred Dollars (\$1,200) as just compensation for the fee simple right-of-way, temporary construction easement, and a permanent utility easement to be conveyed to Verizon, including damages, if any, to the remainder of the Property, that the Board and William Boyd Sterne (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 0.0709 acres of fee simple right-of-way, 0.1041 acres of temporary construction easement, and 0.0757 acres of permanent utility easement to be conveyed to Verizon, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take 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 Thousand Two Hundred Dollars (\$1,200) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, temporary construction easement and permanent utility easement to be conveyed to Verizon, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

AJR:ckr:aeo:tbm



Coordinate System: NAD 1983 HARN StatePlane Virginia North FIPS 4501 Feet

Produced: 6/27/2016

Data layers are compiled from various sources and are not to be construed or used as a "legal description." Data layers are believed to be accurate, but accuracy is not guaranteed.

0 625 1,250 2,500 Feet



Board of Supervisors

Robert "Bob" Thomas, Jr., Chairman
Laura A. Sellers, Vice Chairman
Meg Bohmke
Jack R. Cavalier
Wendy E. Maurer
Paul V. Milde, III
Gary F. Snellings

Anthony J. Romanello, ICMA-CM
County Administrator

To: Infrastructure Committee

From: Cathy Vollbrecht
Interim Director of Parks, Recreation and Community Facilities

Date: July 6, 2016

Re: Route 17 Maintenance

At the June 7, 2016 Infrastructure Committee meeting, staff presented information on the County's Gateway cleanup program, which supplements efforts of the Virginia Department of Transportation (VDOT) and the R-Board litter crew in enhancing the first impression of visitors to Stafford County. Committee members had questions about the location of our Gateway areas and the maintenance staff performs at the sites.

Our Gateway areas include every main highway entering Stafford County, along with the I-95 exits to the Courthouse area (Exit 140). Gateway signs were installed in 2012 as Phase 1 of the County's Wayfinding System. Stafford's Wayfinding sign system welcomes motorists to our community and also encourages visitation to significant points of interest throughout the County including parks, tourism sites, wineries, marinas and golf courses.

There are 10 Gateways areas at various sites at the entrances to the County from other localities (see attached map):

- Route 1 Northbound at Falmouth
- Route 1 Southbound at Boswell's Corner
- Route 3 East Westbound at King George County Line
- Route 3 Eastbound at Chatham Bridge
- Route 3 at Blue Gray Parkway
- Route 17 Eastbound at Fauquier County Line
- Falmouth Historic District (Falmouth Intersection)
- White Oak/King George County Line at Route 218
- I-95 Exit 143 Southbound to entrance of Stafford Marketplace
- Courthouse area from I-95 to Stafford Ave., and Clark Hill Road to Hope Road



Each of these areas are maintained by Stafford's Department of Parks, Recreation and Community Facilities (PRCF), which uses staff, contractors and/or prisoners from the Rappahannock Regional Jail. Our maintenance efforts include trash cleanup, mowing, street sweeping, replacement and maintenance of flowers, shrubs and trees.

With the expected completion of the Route 17 widening project in August 2016 and the role of Route 17 as a major gateway to Stafford County, staff suggested that consideration should be given to how the road's landscaping will be maintained once the Virginia Department of Transportation's work is done. At the June 7, 2016 meeting, Infrastructure Committee members directed staff to provide an estimate of what it would cost to maintain Route 17. Three options are presented for the committee's consideration:

Option 1 covers the entire improved area from Village Parkway to Sanford Drive, approximately three miles of landscape (see Attachment 1). At \$17 a linear foot, this option is estimated to cost \$270,000 per year with a one-time startup cost of \$90,000 for vehicles, trailers, mowers, small equipment such as weed eaters, and signage. This approach relies on 1 additional full-time employee and 3 additional part-time employees from the Parks, Recreation and Community Facilities Department (PRCF) and prisoners from the Rappahannock Regional Jail to maintain the grass, shrubs and mulch. This option would involve cleanup and maintenance every 7 to 12 days.

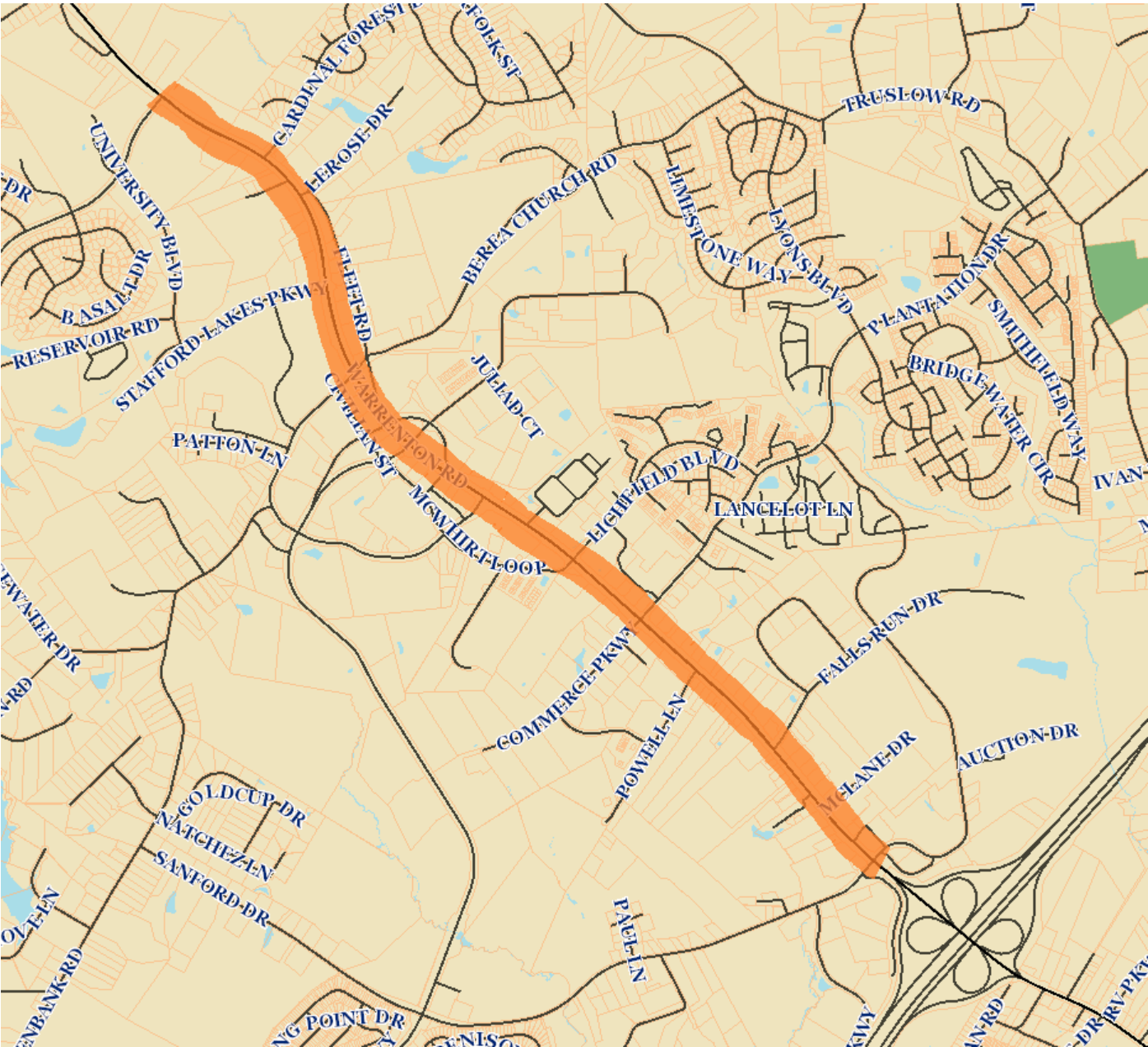
Option 2 is a smaller-scale approach that stretches from Lichfield Boulevard to Sanford Drive, approximately 1.12 miles (see Attachment 2). This approach relies on 1 additional full-time employee and 3 additional part-time employees from PRCF staff only to maintain the grass, shrubs, and mulch. At \$17 a linear foot, this option is estimated to cost \$98,000 a year with a one-time startup cost of \$80,000 that would be used for vehicles, trailers, mowers, small equipment such as weed eaters, and signage. This option would involve cleanup and maintenance every 7 to 12 days.

Option 3 would be to competitively bid this project and have a contractor manage the maintenance.

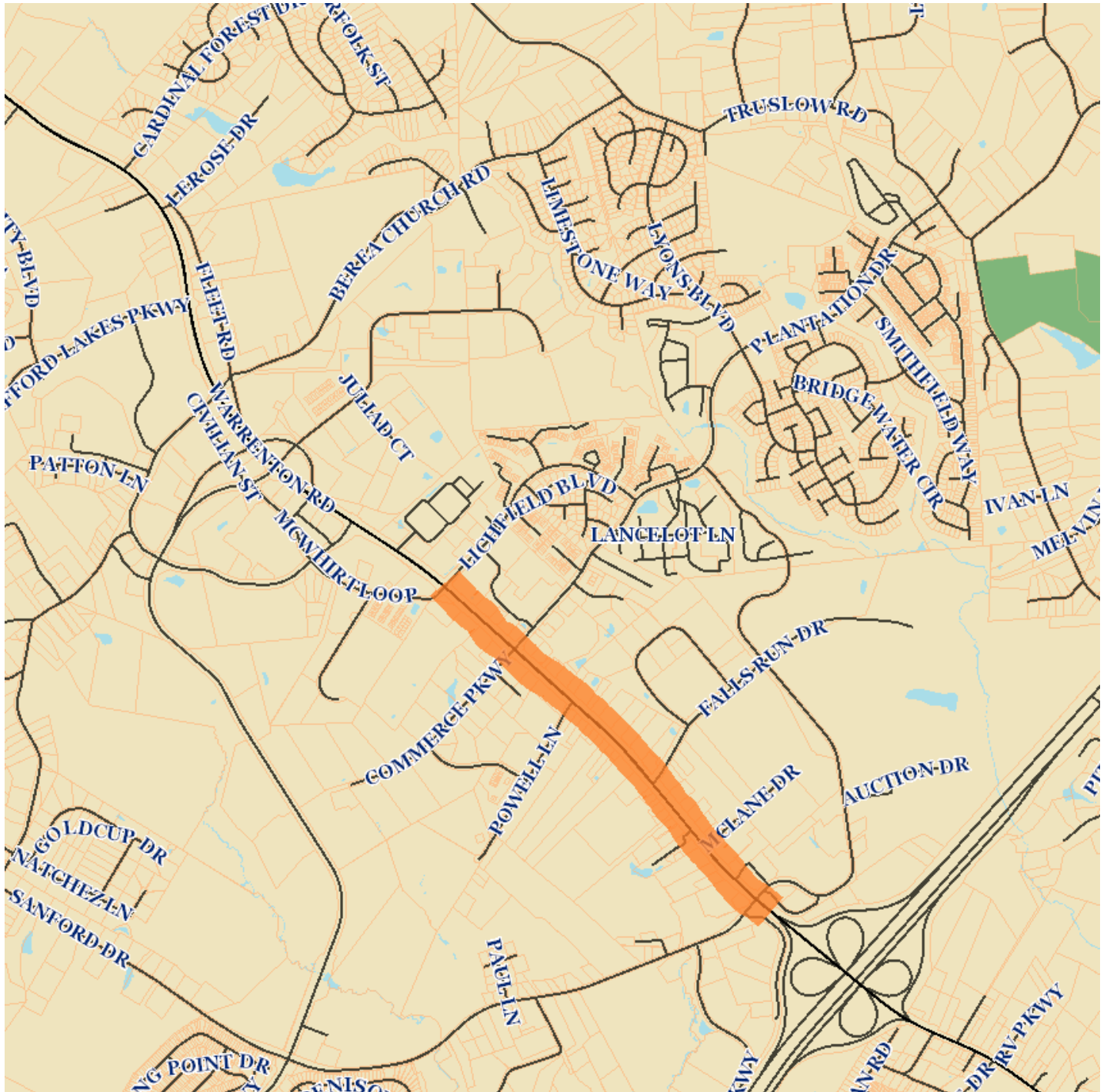
Please let me know if you have any questions.

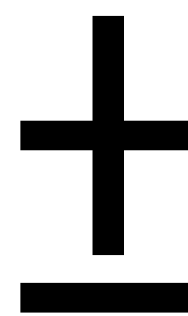


Option 1
Village Parkway to Sanford Drive
Approximately 3.00 miles



Option 2
Lichfield to Sanford Drive
Approximately 1.12 miles





INFRASTRUCTURE COMMITTEE

Jeff Rouse Swim and Sport Center Punch List Status

General Building Matters

- Locker Room Benches – Staff has prepared drawings for the removal of lockers and replacement with benches. We have solicited pricing from three contractors and are awaiting their response. The work is being scheduled for August at the request of Eastern Sports Management (ESM).
- Ceiling Fans in Aerobic Room – The fans have been removed.
- Lighting in the Exercise Room – After consideration of several alternatives to reduce glare, staff has ordered shields for the lights to reduce the output. Installation of these devices can be done in a short period of time without disrupting operations.
- Glass Inserts in Doors – The glass inserts have been installed on the four requested doors.
- Water Fountain in the Aerobics Room – ESM has placed a mat under the fountain in the Aerobics Room and has requested that fountain remain. An additional fountain will be placed in the hall outside the Aerobics Room closer to the Cycling Room. The plan for this change has been coordinated with ESM, and a contractor is preparing a price for the work.
- Steps in the Family Pool – There are two steps between the zero-entry child area and the deeper part of the warm-up/warm-down pool. Staff will develop a sign to alert swimmers of these steps, and investigate installation of a rope in that area.

ADA Issues

- Front door handicapped push-button operators – Staff has coordinated the plan to add push button operators to the doors into the main lobby. We are preparing information necessary to obtain pricing from contractors for the work.
- ADA issues in pools – Contractor is providing a second lift for the main pool and a portable lift for the warm-up pool. The addition of these two lifts will bring both pools into compliance with accessibility requirements.
- Front counter too high – there is a lowered counter area located on the right side. ESM will install a sign directing those needing the lower counter to that location.
- Lack of bench in family changing room – Staff is purchasing a wider bench to allow an individual to lay down while changing.
- Lack of Designated ADA Accessible Seating in the Spectator Area – The spectator stands were constructed without a designated accessible area. It was envisioned that the pool deck would be used for this purpose, but no area was marked. Staff will designate an area for accessible seating by painting the deck, and provide portable companion seating for spectators when needed.