

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

MINUTES

Regular Meeting  
November 20, 2007

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Vice Chairman, at 1:03 P. M., Tuesday, November 20, 2007, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Mark Dudenhefer, Vice Chairman; Peter J. Fields; Robert C. Gibbons; Paul V. Milde; George H. Schwartz and M. S. "Joe" Brito. Jack Cavalier, Chairman, arrived at 4:36 P. M.

Also in attendance were: Anthony Romanello, Deputy County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

Legislative; Welcome to Senator Elect Richard Stuart. The Chairman introduced Senator Elect Richard Stuart of the 28<sup>th</sup> Election District.

Legislative; Presentation of a Proclamations.

- Major General Stephen V. Reeves Recognized the Regional Airport Authority, Economic Development Authority, Sheriff and Fire and Rescue for their Efforts on the Force Protection Equipment Demonstration Held in August, 2007.
- Recognized and commend Sugako Moore for Her Outstanding Volunteer Efforts. Mr. Eldon James on behalf of the Disability Resource Center presented a proclamation.

Presentations by the Public. The following persons spoke on topics as identified:

- Manuel J. Matthews, Sr - Recognition of Bill Carpenter.
- Cecelia Kirkman - Comprehensive plan amendment authorizing initiation of the reclassification of parcels in the Courthouse Redevelopment Area.

Legislative; Presentations and Committee Reports by Board Members. Board members spoke on topics as identified:

- Mr. Milde - No comments.
- Mr. Schwartz
  - Attended Fredericksburg Regional Alliance Meeting.
  - Attended 20<sup>th</sup> Anniversary of Rappahannock Regional Solid Waste Management Board (R-Board).
  - Attended Immigration Task Force Meeting.
  - Attended Virginia Railway Express Operations Board and Audit Committee Meeting.

- Opening of Primmer House Road near Leeland Station.
- Requested that the Board by acclamation honor Mr. Cavalier, Mr. Fields and Mr. Gibbons by proclamation to be presented at the BACC Holiday Open House.

Mr. Brito

- Town Hall Meeting.
- Attended Parks and Recreation Meeting.
- Attended funeral of Deputy Jason Mooney.
- Attended Commonwealth Transportation Board Meeting.
- Attended Rappahannock River Basin Summit.
- Attended ribbon cutting of Nestle Toll House Café.
- Attended ribbon cutting of Cannon Ridge Clubhouse.

Mr. Dudenhefer

- Attended George Washington Regional Commission and Fredericksburg Area Metropolitan Planning Organization Meetings.
- Attended Kal Ripken Foundation Meeting.
- Woodlands Pool allocations.
- Attended Museum Committee Meeting.
- Use of school facilities for political purposes.
- Attended Civilian-Military Community Relations Council luncheon.
- Attended Illegal Task Force meeting.
- Attended Growth Management Committee Meeting.
- Attended Base Realignment and Closure conference.

Mr. Fields

- Remove Items 9 and 13 from Consent Agenda.
- Attended 20<sup>th</sup> Anniversary of Rappahannock Regional Solid Waste Management Board (R-Board).
- Attended National Annual Association of Counties Meeting.
- Attended funeral of Deputy Jason Money.

Mr. Gibbons

- Requested Item 13 be removed from Deferred Business and placed on next Board meeting agenda.
- Senator Webb to help with funds for locomotives for the Virginia Railway Express.
- Potomac and Rappahannock Transportation Commission Audit was completed.
- Regional Elected Officials Meeting held in Caroline County.
- Speaker of the House William Howell attended Potomac and Rappahannock Area Transportation Commission
- Requested HB3202 be placed on the next Board meeting; leadership role by the County.
- Requested an item be added to the agenda for selection of a Board member to serve on the Virginia Association of Counties HB3202 Committee.
- Presented two Girl Scout Gold Awards.
- Requested proclamations for Mrs. Truslow as Teacher of the Year and deceased Deputy Jason Mooney.

Mr. Milde

continued

- Removed Item 8 from the Consent Agenda.

Legislative; Report of the County Attorney. Mr. Joe Howard, County Attorney, had no report.

Legislative; Report of the County Administrator. Mr. Anthony Romanello, Deputy County Administrator, commented on the following:

- Congratulated United Way contributions by County employees.
- State Fair to be held in Caroline County next year.
- Additions/Deletions/Handouts:  
31. Legislative; Proposed Emergency Ordinance EO07-01 to Discontinue Board Action on Land Use Matters until January 2, 2008; and appoint a Board committee to review HB3202.

Legislative; Regular Agenda Additions. Mr. Fields motioned to add 31. Legislative; Proposed Emergency Ordinance EO07-01 to Discontinue Board Action on Land Use Matters until January 2, 2008; and to appoint a Board committee to review HB3202.

Discussion ensued.

Mr. Field withdrew the motion.

Mr. Gibbons motioned, seconded by Mr. Milde, to add to the Regular Agenda a discussion regarding forming a committee to review HB3202.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Brito, Dudenhefer, Fields, Gibbons  
Nay: (0)  
Absent: (1) Cavalier

Mr. Fields motioned, seconded by Mr. Schwartz, to add proposed Emergency Ordinance EO07-01 to the agenda.

The Voting Board tally was:

Yea: (3) Schwartz, Brito, Fields  
Nay: (3) Dudenhefer, Gibbons, Milde  
Absent: (1) Cavalier

This item will then added to the next Board meeting.

Legislative; Consent Agenda. Mr. Milde motioned, seconded by Mr. Schwartz, to adopt the Consent Agenda consisting of Items 1 thru 14 omitting Items 8, 9, and 13.

The Voting Board tally was:

Yea: (6) Brito, Dudenhefer, Fields, Gibbons, Milde, Schwartz  
Nay: (0)  
Absent (1) Cavalier

Item 1. Legislative; Approve Minutes of Board Meeting. Regular Meeting of October 2, 2007.

Item 2. Finance; Approve Expenditure Listing

Resolution R07-443 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED OCTOBER 16, 2007 THROUGH NOVEMBER 19, 2007

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November 2007, that the above-mentioned EL be and it hereby is approved.

Item 3. Public Information; Recognize and Commend:

Proclamation P07-28 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND LIEUTENANT  
GENERAL G. R. (RON) CHRISTMAS FOR HIS EFFORTS ON BEHALF  
OF THE NATIONAL MUSEUM OF THE MARINE CORPS AND HERITAGE  
CENTER

WHEREAS, Lieutenant General G. R. (Ron) Christmas earned his Marine Corps commission through the NROTC program at the University of Pennsylvania in 1962, received the Navy Cross for action in Vietnam, and continued to serve his Country with honor in assignments including Commanding Officer of the 1<sup>st</sup> Recruit Training Battalion, Marine Corps Recruit Depot Parris Island; Commanding Officer of the 3<sup>rd</sup> Marines; Commanding General of the I Marine Expeditionary Force; and finally as Deputy Chief of Staff, Manpower and Reserve Affairs until his retirement in 1996; and

WHEREAS, Lieutenant General Christmas, as President of the Marine Corps Heritage Foundation, began working in 1999 with Marine Corps leadership, historians,

educators, museum professionals, architects and exhibit designers to create a museum showcasing the Corps' legendary story through the eyes of Marines; and

WHEREAS, Lieutenant General Christmas spearheaded an unprecedented campaign that reached out to individuals, corporations, foundations, service members and citizens to raise more than \$62 million to complete the first phase of the National Museum of the Marine Corps and Heritage Center; and

WHEREAS, the museum is a gift in perpetuity to the Nation to pay tribute to all Marines, given by the Foundation and countless patriotic supporters to reflect the qualities of honor, integrity, self-discipline, courage and sacrifice that are the central values for which the Marine Corps has stood for more than 232 years; and

WHEREAS, since its grand opening in November 2006, the National Museum of the Marine Corps has attracted more than half a million visitors from all over the world who have enjoyed this unique facility displaying rare artifacts including the world's finest small arms collection, a stunning assortment of combat art, aircraft, authentic combat film footage and archival documents of Marine Corps history; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the commitment and dedication with which Lieutenant General Christmas has worked to ensure that the legacy of all the outstanding men and women of the United States Marine Corps is forever memorialized;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 4th day of December, 2007, that Lieutenant General G. R. (Ron) Christmas be and he hereby is recognized and commended for his efforts on behalf of the National Museum of the Marine Corps and Heritage Center.

Proclamation P07-29 reads as follows:



A PROCLAMATION TO RECOGNIZE AND COMMEND  
DR. GEORGE B. QUICK AND THE SHILOH COMMUNITY  
SERVICES CORPORATION FOR SPONSORING A CELEBRATION  
TO COMMEMORATE DR. MARTIN LUTHER KING, JR.

WHEREAS, each year the Nation's citizens observe the third Monday in January as a day to celebrate the life and legacy of Dr. Martin Luther King, Jr.; and

WHEREAS, Dr. Martin Luther King, Jr. inspired Americans to live up to the principles of freedom and equality for all, and to recognize the achievements of African American scientists, educators, political leaders and artists who have contributed to the outstanding quality of life in the United States; and

WHEREAS, Dr. George B. Quick is President of the Shiloh Community Services Corporation, an organization that for the past 18 years has served the spiritual, social and economic needs of Stafford residents from infants to the elderly in need of shelter, food and clothing and loving guidance to help them live more meaningful lives; and

WHEREAS, Dr. Quick and Shiloh Community Services Corporation are sponsoring a series of events including recognition of local individuals who exemplify the values in which Dr. King so strongly believed, a career day, a children's essay and art contest, publication of a book about notable Stafford citizens and events, and an awards banquet; and

WHEREAS, Dr. Quick and Shiloh Community Services Corporation hope that these events will highlight the harmonious racial and rich cultural diversity that defines present-day Stafford, and honor Dr. Martin Luther King, Jr. as a man who urged all Americans to live lives of thoughtful tolerance for all men; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the efforts of Dr. Quick and Shiloh Community Services Corporation and to urge residents to participate in the events scheduled during January 2008 to honor a special American;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that Dr. George B. Quick and Shiloh Community Services Corporation be and they hereby are commended as they help the community celebrate the life of Dr. Martin Luther King, Jr.

Proclamation P07-30 reads as follows:

A PROCLAMATION TO COMMEMORATE POSTHUMOUSLY  
DEPUTY SHERIFF JASON EDWARD MOONEY

WHEREAS, Deputy Sheriff Jason Edward Mooney was born in Binghamton, New York, on August 5, 1983; and

WHEREAS, Deputy Mooney graduated from Colonial Forge High School in 2002, where he played in the band and was an energetic member of both the football and baseball teams; and

WHEREAS, Deputy Mooney enlisted in the U. S. Marine Corps and served with the 4<sup>th</sup> Marine Division in Al-asad, Iraq where he was awarded the National Defense Operation Iraq Freedom Award, Armed Forces Reserve Medal with the “M” device and the Sea Service Deployment Ribbon; and

WHEREAS, Deputy Mooney joined the Stafford Sheriff’s Office in March 2006 as a Deputy Sheriff I – Field Operations; and

WHEREAS, Deputy Mooney was also a dedicated volunteer firefighter with the Stafford Volunteer Fire Department and the Coles District Volunteer Fire Department in Prince William County; and

WHEREAS, a poem written about Deputy Mooney by a fellow law enforcement officer eloquently evoked this fine young man as a fallen warrior and hero who lived his life for service to all, in every way, a man who accomplished his mission 24 hours a day with passion and pride; and

WHEREAS, his fellow Deputies and volunteer firefighters appreciated Deputy Mooney's quick wit and sense of humor, and respected his ability to work hard, live life to the fullest and keep his priorities in order; and

WHEREAS, Deputy Mooney tragically lost his life in an automobile accident on October 19, 2007 while responding to an incident on Interstate 95; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the ultimate sacrifice made by Deputy Mooney in service to his fellow citizens, and to honor those who survive him, including his beloved parents, Ed and Mary Mooney, and his siblings, Kimberly, Joshua and Molly, and to also remember his fiancée, Katherine Harris, a firefighter/EMT with the Stafford Fire and Rescue Department;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 20th day of November, 20, 2007, that Deputy Jason Edward Mooney be and he hereby is commemorated posthumously.

Item 4. Economic Development; Appropriate Grant Funds from the Department of Defense, Office of Economic Adjustment's Growth Management Planning Assistance Grant

Resolution R07-413 reads as follows:

A RESOLUTION TO APPROPRIATE GRANT FUNDS FROM THE  
DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT'S  
GROWTH MANAGEMENT PLANNING ASSISTANCE GRANT TO THE  
DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, the County was awarded \$163,545 in grant funds from the Department of Defense, Office of Economic Adjustment for Growth Management Planning Assistance; and

WHEREAS, \$37,651 of those funds were designated for expenses in FY07, and the remaining \$125,894 of those funds are designated for expenses in FY08; and

WHEREAS, these funds are to be used in combination with a 10 percent match of existing budgeted funds from the Department of Economic Development to fund the BRAC Coordinator position; and

WHEREAS, this BRAC Coordinator facilitates communications between Quantico Growth Management Committee, Stafford County, Quantico MCB, the Department of Defense, and other state and federal agencies on BRAC 2005 movements effecting Stafford County and Prince William County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November 2007, that the County Administrator be and he hereby is authorized to budget and appropriate funds awarded to Stafford County by the federal Office of Economic Adjustment in the amount of One Hundred Twenty-five Thousand Eight Hundred Ninety-four Dollars (\$125,894) to the General Fund, Economic Development category.

Item 5. Transportation; Authorize a Public Hearing for Abandonment of Public Right-of-Way in Locklear's Landing

Resolution R07-421 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO VACATE AND ABANDON  
A PUBLIC RIGHT-OF-WAY AS A FUTURE CONNECTION IN  
LOCKLEAR’S LANDING SUBDIVISION

WHEREAS, Section 15.2-2272 of the Code of Virginia (1950), as amended, requires a public hearing for the vacation and abandonment of a public right-of-way; and

WHEREAS, the dedicated right-of-way between Lot No. 9 and Lot No. 10, situated in Locklear’s Landing Subdivision, is no longer needed as a road connection to the proposed adjoining King’s Crossing Subdivision, nor for other public interests; and

WHEREAS, an application has been filed to vacate and abandon the right-of-way whereby equal portions of the right-of-way would convey to the owners of the adjoining lots, Assessor’s Parcels 28C-2-9 and 28C-2-10;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing to be held on the 18<sup>th</sup> day of December, 2007, to vacate and abandon the future road connection public right-of-way in Locklear’s Landing Subdivision.

Item 6. Transportation; Grant Use of an Unimproved Public Right-of-Way to Construct a Driveway on Lansberry Park Drive

Resolution R07-371 reads as follows:

A RESOLUTION GRANTING USE OF AN UNIMPROVED PUBLIC RIGHT-OF-WAY TO CONSTRUCT AN ACCESS DRIVEWAY ON LANSBERRY PARK DRIVE

WHEREAS, the unimproved right-of-way between Assessor's Parcels 54PP-13 and 54PP-14 in Lansberry Park Subdivision has been dedicated to public use; and

WHEREAS, the owners of Assessor's Parcel 54C-1-23 request access of the 50-foot wide right-of-way between the aforementioned parcel to construct an unpaved driveway; and

WHEREAS, the Board believes that it is appropriate to provide access to properties in the County that may become inaccessible for emergency services; and

WHEREAS, the owners shall execute an agreement relieving the County of all liability and maintenance associated with the granted access on the right-of-way;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the owners of Assessor's Parcel 54C-1-23 be and they hereby are given permission to construct and maintain a driveway on an unimproved public street right-of-way between Assessor's Parcels 54PP-13 and 54PP-14 in Lansberry Park Subdivision.

Item 7. Transportation; Petition VDOT to Include Easter Drive, Blessed Court and Power Way, within Berkshire Subdivision, Section I; Havenswood Way with Chapel View Subdivision; and Trellis Drive, Oleander Drive and Pergola Drive, within Manors at Greenridge Subdivision, into the Secondary System of State Highways

Resolution R07-426 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT  
OF TRANSPORTATION TO INCLUDE EASTER DRIVE, BLESSED COURT  
AND POWER WAY, WITHIN BERKSHIRE SUBDIVISION, SECTION ONE,  
INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Easter Drive, Blessed Court and Power Way, within Berkshire Subdivision, Section One, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November 2007, that the Virginia Department of Transportation be and it hereby is petitioned to include the following streets, Berkshire Subdivision, Section One, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Easter Drive (SR-1945)	Fr: Inter. Walpole Street (SR-709) To: Inter. Power Way/Blessed Ct. (SR-1946)	0.07 Mile 52' ROW
Easter Drive (SR-1945)	Fr: Inter. Power Way/Blessed Ct. (SR-1946) To: Inter. Mt. Ararat Lane (future) (SR-1947)	0.19 Mile 52' ROW
Blessed Court (SR-1946)	Fr: Inter. Easter Drive (SR-1945) To: 0.08 Mi. South Inter. Easter Drive (SR-1945)	0.08 Mile 50' ROW
Easter Drive (SR-1945)	Fr: Inter. Easter Drive (SR-1945) To: 0.05 Mi. North Inter. Easter Drive (SR-1945)	0.05 Mile 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Berkshire Subdivision, Section One, LR 040048153, recorded December 12, 2004; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R07-439 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE HAVENWOODS WAY, WITHIN CHAPEL VIEW SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Havenwoods Way, within Chapel View Subdivision, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November 2007, that the Virginia Department of Transportation be and it hereby is petitioned to include the following street, within Chapel View Subdivision, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Havenwoods Way (SR-1717)	Fr: Inter. Truslow Road (SR-652) To: 0.16 Mi. South Inter. Truslow Road (SR-652)	0.16 Mile 55' ROW



An unrestricted right-of-way (ROW), as indicated above, for this street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Chapel View, LR 040040642, recorded October 20, 2004; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Resolution R07-440 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE TRELIS DRIVE, OLEANDER DRIVE AND PERGOLA DRIVE, WITHIN MANORS AT GREENRIDGE SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Trellis Drive, Oleander Drive and Pergola Drive, within Manors at Greenridge Subdivision, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November 2007, that the Virginia Department of Transportation be and it hereby is petitioned to include the following streets, within Manors at Greenridge Subdivision, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Trellis Drive (SR-2047)	Fr: Inter. Olde Concord Road (SR-721) To: Inter. Oleander Drive (SR-2048)	0.09 Mile 50' ROW

Oleander Drive (SR-2048)	Fr: 0.10 Mi. East Inter. Trellis Drive (SR-2047) To: Inter. Trellis Drive (SR-2047)	0.10 Mile 52' ROW
Oleander Drive (SR-2048)	Fr: Inter. Trellis Drive (SR-2047) To: Inter. Pergola Drive (SR-2049)	0.09 Mile 50' ROW
Pergola Drive (SR-2049)	Fr: 0.08 Mi. S. Inter. Oleander Drive (SR-2048) To: Oleander Drive (SR-2048)	0.08 Mile 50' ROW
Pergola Drive (SR-2049)	Fr: Inter. Oleander Drive (SR-2048) To: 0.13 Mi. N. Inter. Oleander Drive (SR-2048)	0.13 Mile 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Manors at Greenridge, LR 020037434, recorded December 11, 2002; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the developer and the Residency Administrator of VDOT.

Item 10. Budget; Adopt the FY2009 Budget Calendar

Resolution R07-422 reads as follows:

A RESOLUTION TO ESTABLISH THE FISCAL YEAR 2009  
BUDGET CALENDAR

WHEREAS, Section 15.2-2503 of the Code of Virginia (1950), as amended, states that the governing body shall receive the budget for the upcoming Fiscal Year by April 1<sup>st</sup> of each year; and

WHEREAS, Section 22.1-93 of the Code of Virginia (1950), as amended, requires that the governing body prepare and approve the annual budget for the upcoming Fiscal Year for educational purposes by May 1<sup>st</sup> of each year;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the Fiscal Year 2009 Budget Calendar be and it hereby is established as follows:

**November**

- 20 Board of Supervisors Meeting  
Preliminary Discussion of FY2009 Budget

**January**

- 15 Board of Supervisors Meeting  
FY2008 Mid Year Budget Review Presented
  
- 21 Superintendent Presents Recommended Budget to School Board

**March**

- 4 Board of Supervisors Meeting  
County Administrator to Present FY2009 Budget at Board Meeting  
  
Authorization to Advertise FY2009 Budgets and CY2008 Tax Rate  
if assessments result in an increase of 1% or more
  
- 11 School Board Consideration and Adoption of School Budget
  
- 18 Board of Supervisors Meeting

Superintendent Presents Recommended Budget to Board of  
Supervisors  
Budget Work Session

19 Joint Work Session with School Board

**April**

1 Board of Supervisors Meeting  
Budget Work Session

Authorization to Advertise FY2009 Budgets and CY2008 Tax Rate  
if assessments do not result in an increase of 1% or more

15 Board of Supervisors Meeting  
Public Hearing – CY2008 Tax Rate and FY2009 County Budgets

22 Budget Work Session  
Adopt CY2008 Tax Rates  
Adopt & Appropriate FY2009 County Budgets

**June**

Distribute FY2009 Approved Budget Documents;

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is requested to prepare the Fiscal Year 2009 Budget in accordance with the Principles of High Performance Financial Management as adopted by the Board on June 21, 2005.

**Item 11. Administration; Support the Assign-A-Highway Program**

**Resolution R07-467 reads as follows:**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT TO ESTABLISH THE ASSIGN-A-HIGHWAY  
PROGRAM

WHEREAS, the County sponsors or assists with various litter cleanup groups and programs, such as the Rappahannock Area Office on Youth, the Rappahannock Regional Jail, Spring and Fall Community Pride Weeks, and the Rappahannock River and Make A Difference Day cleanups; and

WHEREAS, the County of Stafford, the George Washington Regional Commission, and the Rappahannock Regional Jail are in agreement to make it a priority to clean up County streets and roads; and

WHEREAS, the George Washington Region First Impressions Program adopted by the George Washington Regional Commission shall implement an Assign-A-Highway Program to improve tourism, the natural beauty of our region, and protect the health, safety and welfare of the citizens of the County; and

WHEREAS, Rappahannock Regional Jail Community Based Probation Officers assign probationers to community service work, whether through court order or as a sanction from the probation officer, and such community service work placement may be to pick up litter along County streets and roads as part of the conditions of probation; and

WHEREAS, the Board believes that the Regional Litter Control Program Coordinator working in conjunction with Stafford County Litter Control workers and Rappahannock Regional Jail Community-Based Probation can develop a program to abate litter on County streets and roads;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the Board be and it hereby does

agree to participate in the Assign-A-Highway Program in conjunction with the George Washington Regional Commission and the Virginia Department of Transportation for the health, safety and welfare of its citizens.

Item 12. Parks and Recreation; Budget and Appropriate Funds for Patawomeck Park and the C. Ray Grizzle Center

Resolution R07-452 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS FOR  
PATAWOMECK PARK AND THE C. RAY GRIZZLE COMMUNITY  
CENTER

WHEREAS, funds in the amount of \$30,000 were received as part of a legal settlement for construction of Smith Lake Park; and

WHEREAS, construction repairs for Smith Lake Park were paid from Parks and Recreation funds; and

WHEREAS, funds are needed for completion of Phase I development at Patawomeck Park and for a structural survey of the C. Ray Grizzle Community Center;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that Thirty Thousand Dollars (\$30,000) be and it hereby is budgeted and appropriated for Patawomeck Park - Phase I and the C. Ray Grizzle Community Center.

Item 14. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees

Resolution R07-444 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE RAPPAHANNOCK  
JUVENILE DETENTION COMMISSION

WHEREAS, pursuant to Section 16.1-315 through Section 16.1-322 of the Code of Virginia (1950), as amended, the Board of Supervisors appoints members to serve on the Rappahannock Juvenile Detention Commission; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Steve Crosby (County Administrator)	Virtue of Office
Cheryl Beagle (Alternate for County Administrator)	December 31, 2008
Richard Clore (Alternate Member)	December 31, 2004
William C. Tignor (Member-at-Large)	December 31, 2009

WHEREAS, Cheryl Beagle, Budget Director, has submitted her resignation; and

WHEREAS, Nancy Collins has been appointed Acting Budget Director; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the term of appointment is four years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Nancy Collins (Alternate for County Administrator)	December 31, 2008

be and he hereby is appointed to the Rappahannock Juvenile Detention Commission.

Resolution R07-445 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE COMMUNITY  
POLICY AND MANAGEMENT TEAM FOR AT-RISK YOUTH AND  
FAMILIES

WHEREAS, Resolution R92-551, adopted by the Board on December 15, 1992, established a Community Policy and Management Team for At-Risk Youth and Families; and

WHEREAS, the Comprehensive Services Act requires that, at a minimum, the team consist of a representative of the Rappahannock Area Community Services Board, the Juvenile Court Services Unit, the Department of Health, the Department of Social Services, the local school division, a parent from the community, a private provider organization and at least one elected official or appointed official or his designee from the Governing Body; and

WHEREAS, the terms of agency heads are permanent, as long as the appointee serves as an agency head and the terms of private provider and parent representative are for three years; and



WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Ronald W. Branscome (Community Services Board)	Virtue of Office
Michael Mastopalo (Juvenile Court Services Unit)	Virtue of Office
Thomas Frank (Director of Health Department)	Virtue of Office
Michael Muse (Department of Social Services)	Virtue of Office
Dr. Jean Murray (Local School Division) (Or Designee)	Virtue of Office
Daniella Servan (Parent Representative)	December 31, 2008
Lynn McFaden (Private Provider Representative)	December 31, 2008
Peter J. Fields (Elected Official)	Term of Office

WHEREAS, Dr. Jean Murray is no longer the Superintendent of the Local School Division; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Dr. David Sawyer (Local School Division or Designee)	Virtue of Office

be and he hereby is appointed as a member of the Community Policy and Management Team for At-Risk Youth and Families.

Utilities; Award Contract for Utility Billing Services. Mr. Milde commented.

Mr. Robert E. Bos, Public Utilities Administrator, commented further.

Mr. Milde motioned, seconded by Mr. Schwartz, to adopt proposed Resolution R07-224.

The Voting Board tally was:

Yea:	(6)	Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito
Nay:	(0)	
Absent:	(1)	Cavalier

Resolution R07-224 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO AWARD A CONTRACT TO DATAPROSE FOR ELECTRONIC UTILITY  
BILL SERVICES

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the Department of Utilities needs to provide electronic printing and mailing services for bills for Stafford citizens; and

WHEREAS, sufficient funds are appropriated in the current fiscal year budget for the services; and

WHEREAS, based upon the content of the proposals, the selection committee determined that DataProse was the most qualified firm to provide print and mail services and receive the largest postage discounts for which the County may qualify; and

WHEREAS, DataProse has proposed to provide print and mail service and postage of its utility bills for an estimated yearly fee of \$204,602;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the County Administrator be and he hereby is authorized to execute a contract with DataProse in an amount not to exceed Two Hundred Four Thousand Six Hundred Two Dollars (\$204,602) for electronic printing and mailing services.

Utilities; Award Contract for Construction of Phase I of the Nutrient Removal Upgrades at the Aquia Wastewater Treatment Facility. Mr. Fields commented.

Mr. Robert E. Bos, Public Utilities Administrator, commented further.

Mr. Fields motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-457.

Discussion ensued.

The Voting Board tally was:

Yea:	(6)	Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito
Nay:	(0)	
Absent:	(1)	Cavalier

Planning and Zoning; Refer a Comprehensive Plan Amendment to the Planning Commission and Authorize the Initiation of the Reclassification of Parcels in the Courthouse Redevelopment Area. Mr. Fields commented.

Mr. Fields motioned, seconded by Mr. Schwartz, to defer proposed Resolution R07-423 indefinitely.

Discussion ensued.

Mr. Gibbons made a substitute motion, seconded by Mr. Milde, to request that the Planning Commission further review the issue.

Discussion further ensued.

The County Attorney commented on the motion to defer indefinitely and stated that the motion needed to be voted on; the substitute motion was not in order.

The Voting Board tally on the original motion was:

Yea:	(1)	Fields
Nay:	(5)	Gibbons, Milde, Schwartz, Brito, Dudenhefer

Absent (1) Cavalier

Mr. Gibbons motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-423 with a change.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Brito, Dudenhefer, Fields, Gibbons

Nay: ( )

Absent: (1) Cavalier

Resolution R07-423 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE APPLICATION PROCESS TO RECLASSIFY ASSESSOR'S PARCELS 29-92A, 92B, 93A, 93C, AND 93D; 29A-1-9A; 30-56; 38-77, 80, 80A, 81, 81A, 82, ~~83~~, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 84, ~~84A~~, 85, 85A, 86A, 86B, 86C, 92, 92A, ~~93~~, 95, AND 96; AND 39-1 (PORTION), 4, 4A, 16, 16H, 16L, AND 56D; FROM M-1, LIGHT INDUSTRIAL, AND M-2, HEAVY INDUSTRIAL, TO B-2, URBAN COMMERCIAL, ZONING DISTRICT AND ASSESSORS PARCELS 30-50 AND 53; FROM R-1, SUBURBAN RESIDENTIAL, TO B-2, URBAN COMMERCIAL; FOR THE COURTHOUSE REDEVELOPMENT AREA AND CONSTRUCTION OF THE FUTURE COUNTY COURTHOUSE PROJECTS

WHEREAS, the Board has endorsed the strategic plan for redevelopment of the Courthouse area in the vicinity of Jefferson Davis Highway and Courthouse Road; and

WHEREAS, the current R-1 zoning of parcels is not compatible with the construction of the future County Courthouse projects; and

WHEREAS, the current M-1 zoning and M-2 zonings of the properties are not compatible with the mission of and plans for development of the Courthouse Redevelopment Area; and

WHEREAS, seeking a change to the zoning of the property will allow the area to be developed in conformance with the strategic plan; and,

WHEREAS, the Board desires to initiate the rezoning of the subject parcels; and

WHEREAS, Section 15.2-2286, VA Code Ann., authorizes the Board to initiate an amendment to zoning classification of property; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practices require the proposed rezoning;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Board hereby initiates a zoning reclassification on Assessor's Parcels 29-92A, 92B, 93A, 93C, and 93D; 29A-1-9A; 30-56; 38-77, 80, 80A, 81, 81A, 82, ~~83~~, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 84, ~~84A~~, 85, 85A, 86A, 86B, 86C, 92, 92A, ~~93~~, 95, and 96; and 39-1 (portion), 4, 4A, 16, 16H, 16L, and 56D; from M-1, Light Industrial, and M-2, Heavy Industrial, to B-2, Urban Commercial, Zoning District, and Assessors Parcels 30-50 and 53; from R-1, Suburban Residential, to B-2, Urban Commercial; and requests the Planning Commission to conduct a public hearing and include a recommendation to the Board concerning the proposed rezoning.

Mr. Gibbons motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-424.

The Voting Board tally was:

Yea: (5) Schwartz, Brito, Dudenhefer, Gibbons, Milde

Nay: (1) Fields

Absent: (1) Cavalier

Resolution R07-424 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE APPLICATION PROCESS TO RECLASSIFY ASSESSOR'S PARCELS 29-92A, 92B, 93A, 93C, AND 93D; 29A-1-9A; 30-56; 38-77, 80, 80A, 81, 81A, 82, ~~83~~, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 84, ~~84A~~, 85, 85A, 86A, 86B, 86C, 92, 92A, ~~93~~, 95, AND 96; AND 39-1 (PORTION), 4, 4A, 16, 16H, 16L, AND 56D; FROM M-1, LIGHT INDUSTRIAL, AND M-2, HEAVY INDUSTRIAL, TO B-2, URBAN COMMERCIAL, ZONING DISTRICT AND ASSESSORS PARCELS 30-50 AND 53; FROM R-1, SUBURBAN RESIDENTIAL, TO B-2, URBAN COMMERCIAL; FOR THE COURTHOUSE REDEVELOPMENT AREA AND CONSTRUCTION OF THE FUTURE COUNTY COURTHOUSE PROJECTS

WHEREAS, the Board has endorsed the strategic plan for redevelopment of the Courthouse area in the vicinity of Jefferson Davis Highway and Courthouse Road; and

WHEREAS, the current R-1 zoning of parcels is not compatible with the construction of the future County Courthouse projects; and

WHEREAS, the current M-1 zoning and M-2 zonings of the properties are not compatible with the mission of and plans for development of the Courthouse Redevelopment Area; and

WHEREAS, seeking a change to the zoning of the property will allow the area to be developed in conformance with the strategic plan; and,

WHEREAS, the Board desires to initiate the rezoning of the subject parcels; and

WHEREAS, Section 15.2-2286, VA Code Ann., authorizes the Board to initiate an amendment to zoning classification of property; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practices require the proposed rezoning;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Board hereby initiates a zoning reclassification on Assessor's Parcels 29-92A, 92B, 93A, 93C, and 93D; 29A-1-9A; 30-56; 38-77, 80, 80A, 81, 81A, 82, ~~83~~, 83A, 83B, 83C, 83D, 83E, 83F, 83G, 83H, 83J, 83K, 83L, 84, ~~84A~~, 85, 85A, 86A, 86B, 86C, 92, 92A, ~~93~~, 95, and 96; and 39-1 (portion), 4, 4A, 16, 16H, 16L, and 56D; from M-1, Light Industrial, and M-2, Heavy Industrial, to B-2, Urban Commercial, Zoning District, and Assessors Parcels 30-50 and 53; from R-1, Suburban Residential, to B-2, Urban Commercial; and requests the Planning Commission to conduct a public hearing and include a recommendation to the Board concerning the proposed rezoning.

Budget; Adopt the Fiscal Year 2008-2012 Capital Improvements Program and Indicate Intent to Reimburse Certain Capital Improvement Expenditures. Mr. Anthony Romanello, Deputy County Administrator, and Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and responded to Board members questions.

Mr. Fields motioned, seconded by Mr. Gibbons, to adopt proposed Resolution R07-427 with Version3.

Discussion ensued.

Mr. Fields amended the motion to include Version 2 not Version 3. Mr. Gibbons accepted the amended motion.



Mr. Milde made s substitute motion to adopt proposed Resolution R07-427 with Version 2 and changes.

The motion died for lack of a second to the motion.

Mr. Gibbons made a substitute motion, seconded by Mr. Schwartz, to defer the item until the next Board meeting.

Discussion ensued.

Mr. Gibbons withdrew the motion. Mr. Schwartz withdrew the second to the motion.

Mr. Fields motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-427 with Version2 and changes.

The Voting Board tally was:

Yea:	(5)	Fields, Gibbons, Schwartz, Cavalier, Dudenhefer
Nay:	(1)	Brito
Absent:	(1)	Milde

Resolution R07-427 reads as follows:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2008-2012  
CAPITAL IMPROVEMENTS PROGRAM AND INDICATE INTENT TO  
REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, the five-year Capital Improvements Program (CIP) is a significant part of the Comprehensive Plan; and

WHEREAS, it is necessary to identify needed capital improvements; and

WHEREAS, financial constraints restrict the ability of the County to fully fund the CIP; and

WHEREAS, the Board has considered the recommendation of the County Administrator and the testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the FY2008-2012 CIP as directed by the Board of Supervisors be and it hereby is adopted as part of the Comprehensive Plan; and

BE IT FURTHER RESOLVED that Intent to Reimburse Certain Capital Improvement Expenditures for projects indicated in the FY2008-2012 CIP be and it hereby is adopted as follows:

NOTICE OF INTENT TO REIMBURSE  
CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

Section 1: Statement of Intent. The County presently intends, at one time or from time to time, to finance projects in the FY2008-2012 Capital Improvements Program with tax-exempt or taxable bonds or other obligations (the "Bonds") and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Projects before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects to pay the capital expenditures related to the Projects and incurred before the issuance of the Bonds with an interfund loan or loans from the General Fund or from temporary appropriations or loans from the General Capital Projects Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the projects to be financed in the FY2008-2012 Capital Improvements

Program. The maximum amount of Bonds expected to be issued for the Projects is \$288,504,552.

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 Stafford County's normal business hours.

Legislative; Discuss Business, Professional and Occupational License (BPOL). Mr. Milde motioned, seconded by Mr. Fields, to defer this item indefinitely.

The Voting Board tally was:

Yea:	(6)	Gibbons, Milde, Schwartz, Brito, Dudenhefer, Fields
Nay:	(0)	
Absent:	(1)	Cavalier

Recess. At 2:47 P. M., the Chairman declared a recess.

Call to Order. At 2:58 P. M., the Chairman called the meeting back to order.

Finance; Presentation on Budgets for 2007 (Closeout); 2008 (Update); and 2009 (Preview). Ms. Maria Perrotte, Chief Financial Officer; Ms. Nancy Collins, Acting Budget Director, and Mr. Scott Mayausky, Commissioner of the Revenue, gave a presentation and responded to Board members questions.

Discussion ensued.

Finance; Reappropriate Funds from FY2007 to FY2008 for Operating Purchase Orders and Incomplete Commitments. Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and responded to Board members questions.

Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-464.

The Voting Board tally was:

Yea:	(6)	Milde, Schwartz, Brito, Dudenhefer, Fields, Gibbons
Nay:	(0)	
Absent:	(1)	Cavalier

Resolution R07-464 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY 2007  
TO FY 2008 FOR OPERATING PURCHASE ORDERS AND  
INCOMPLETE COMMITMENTS

WHEREAS, Section 15.2-2506 of the Code of Virginia (1950), as amended, stipulates that appropriations be approved for a maximum period of one (1) fiscal year and that appropriations lapse at fiscal year end; and

WHEREAS, the County has executed orders or contracts for the purchase of goods and services that were not received by June 30, 2007, and for which funding was provided in prior years; and

WHEREAS, various projects approved and funded in prior years were not complete by June 30, 2007;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the amounts for outstanding encumbrances and incomplete projects as of June 30, 2007, be and they hereby are appropriated to Fiscal Year 2008 as follows:

BE IT FURTHER RESOLVED that the Board hereby transfers \$1,730,873 from the General Fund to the General Capital Projects Fund for communication system project expenditures.

GENERAL FUND

Operating Encumbrances	\$ 1,713,619
Incomplete Commitments	<u>2,009,369</u>
	\$ 3,722,988

TRANSPORTATION FUND

Operating Encumbrances	\$ <u>103,701</u>
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GENERAL CAPITAL PROJECTS FUND

Operating Encumbrances	\$ 19,549,359
Incomplete Commitments	<u>2,495,622</u>
	\$ 22,044,981

UTILITIES FUND

Operating Encumbrances	\$ 573,424
Incomplete Commitments	<u>70,000</u>
	\$ 643,424

SCHOOLS

Operating Fund	\$ 5,797,868
Fleet Services Fund	136,083
School Nutrition Services Fund	110,166
School Construction Fund	<u>18,667,695</u>
	\$ 24,711,812

BE IT FURTHER RESOLVED that the Board hereby transfers \$1,730,873 from the General Fund to the General Capital Projects Fund for communication system project expenditures.

Legislative; Discuss North Stafford Campus for Germanna Community College. Mr. Gibbons commented.

Mr. Gibbons requested this item be placed on the agenda for the next Board meeting for a briefing by Germanna President Dr. David A. Sam.

Legislative; Discuss Discovery Days. Mr. Gibbons commented.

Mr. Gibbons motioned, seconded by Mr. Schwartz, to fully support staff on Discovery Day efforts to date.

Discussion ensued.

The Voting Board tally was:

Yea:	(5)	Schwartz, Brito, Dudenhefer, Fields, Gibbons
Nay:	(1)	Milde
Absent:	(1)	Cavalier

Legislative; Discuss Education Statistics. Mr. Milde commented.

Discussion ensued.

Legislative; Discuss Appointments of PRTC Executive Committee Members and Virginia Railway Express (VRE) Operations Board Members/Alternate. Mr. Milde commented.

Discussion ensued.

Mr. Gibbons motioned, seconded by Mr. Schwartz, to suspend the Bylaws of the Board regarding the appointment of members to Boards, Authorities, Commissions, and Committees, regarding appointment to the PRTC/VRE prior to January 1<sup>st</sup>.

The Voting Board tally was:

Yea: (5) Brito, Cavalier, Dudenhefer, Gibbons, Milde, Schwartz

Nay: (1)

Absent: (1) Cavalier

Mr. Gibbons motioned, seconded by Mr. Schwartz, to nominate Mr. Milde and Mr. Schwartz be appointed to the PRTC and the VRE Board, with Mr. Milde on the Executive Committee.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Dudenhefer, Gibbons, Milde, Schwartz

Nay: (1) Brito

Absent: (1) Cavalier

Legislative; Discuss Counting House in Falmouth. Mr. Milde commented.

The County Administrator commented further.

Legislative; Discuss Proffer Guidelines. Mr. Milde commented.

The County Attorney commented further.

Mr. Milde motioned, seconded by Mr. Gibbons, that a zoning text amendment regarding proffers be referred to the Planning Commission.

The Voting Board tally was:

Yea: (6) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito  
Nay: (0)  
Absent: (1) Cavalier

Legislative; Discuss Litter Cleanup Near Landfill. This item was removed by Mr. Milde.

Legislative; Discuss Swim Lane Allocations. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, that the reallocation of lane hours according to an established chart be followed and that a written policy be developed for future use.

The Voting Board tally was:

Yea: (5) Gibbons, Milde, Schwartz, Brito, Dudenhefer  
Nay: (0)  
Abstain: (1) Fields  
Absent: (1) Cavalier

Legislative; Discuss House Bill 3202. Mr. Gibbons commented.

Hearing No objections from the Board, Mr. Gibbons and Mr. Schwartz were appointed to further review HB3202 and report back at the next Board meeting.

Legislative; Closed Meeting. At 4:35 P.M., Mr. Fields motioned, seconded by Mr. Gibbons, to adopt proposed Resolution CM07-33.

The Voting Board tally was:

Yea: (6) Gibbons, Milde, Schwartz, Brito, Dudenhefer, Fields



Nay: (0)  
Absent: (1) Cavalier

Call to Order: At 4:50 P.M., the Chairman called the meeting back to order.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-33a.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons  
Nay: (0)

Resolution CM07-33a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD  
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON  
NOVEMBER 20, 2007

WHEREAS, the Board has, on this the 20<sup>th</sup> day of November, 2007, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 20<sup>th</sup> day of November, 2007, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such

public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-475.

The Voting Board tally was:

Yea:	(6)	Schwartz, Cavalier, Dudenhefer, Fields, Gibbons, Milde
Nay:	(0)	
Abstain	(1)	Brito

Resolution R07-475 reads as follows:

A RESOLUTION APPROVING THE PURCHASE OF A PORTION OF  
PARCEL 43-26 FOR ROCKY PEN RUN RESERVOIR

WHEREAS, the Board previously authorized the quick take condemnation of a 7.82 acre portion of Parcel 43-26, owned by Darryll E.M.D. Brooks and Zsara E. Brooks Hamlin (Heirs At Law Of Margaret P. Brooks); and Mariellen T. Brooks and Chesiree A. Brooks (Heirs At Law Of Clarence E. Brooks, III, Heir Of Margaret P. Brooks), for the appraised value of \$122,328 which funds were deposited with the Stafford County Circuit Court; and

WHEREAS, the Brooks' family withdrew the deposited funds, as allowed by law;  
and

WHEREAS, the Brooks' family initially demanded \$315,200 for the property;  
and

WHEREAS, based upon further analysis of the property, the County increased its offer for the acquisition of the involved acreage to \$162,328, which is an increase of \$40,000 over the amount previously deposited with the Court; and

WHEREAS, the County's increased offer of \$162,328 to purchase the 7.82 acre portion of Parcel 43-26 was accepted by the property owner; and

WHEREAS, Staff recommends approval of the increased compensation to acquire the 7.82 acre portion of the Brooks' parcel; and

WHEREAS, the Board needs to approve the additional compensation to purchase this property and settle the pending quick take condemnation litigation;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby approve the additional compensation for the 7.82 acre portion of the Brooks' property in the amount of Forty Thousand Dollars (\$40,000) for a total purchase price of One Hundred Sixty-two Thousand Three Hundred Twenty-eight Dollars (\$162,328) and does further authorize the County Administrator to sign all documents necessary to complete the acquisition of the involved portion of Parcel 43-26.

Recess. At 4:52 P.M., the Chairman declared a recess.

Call to Order. At 7:00 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Fields gave the Invocation.

Pledge of Allegiance. Boy Scout Pack 578 Troop 1940 lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Legislative; Presentations by the Public. Persons spoke on topics as identified:

- Robert Hopkins - County employees.
- Business, Professional and Occupational Tax.
- Thomas Crop - Thanked Board members for years of service.
- Patricia Kurpiel - Bonds.

Public Information; Execute a Cable Television Franchise Agreement with Cavalier IP TV, LLC. Ms. Cathy Riddle, Public Information Manager, introduced Mr. Brian Grogin, Attorney, who gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following person spoke:

Robert Hopkins

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Schwartz, to adopt proposed Resolution R07-430.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Resolution R07-430 reads as follows:

**A RESOLUTION TO EXECUTE A CABLE TELEVISION FRANCHISE  
AGREEMENT WITH CAVALIER IP TV, LLC**

WHEREAS, Cavalier IP TV, LLC currently provides telephone and high-speed Internet services to Stafford customers through leased copper and fiber owned by Verizon; and

WHEREAS, Cavalier proposes to use its existing fiber distribution network to provide digital television programming services to a small geographic area in the

southern portion of the County within 12,000 line feet of Verizon's head end facility located in the City of Fredericksburg; and

WHEREAS, the County and Cavalier have negotiated in good faith for terms and conditions that provide the highest quality cable television services possible; and

WHEREAS, the County and Cavalier have agreed to terms that are incorporated in a cable system Franchise Agreement, including pertinent exhibits that are incorporated by reference;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the County Administrator be and he hereby is authorized to execute a Franchise with Cavalier IP TV, LLC.

Utilities; Mandatory Water and Sewer Connections. Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following person spoke:

Mr. Charles Payne

Sean Flynn

Craig Johnson

Robert Berner

The Chairman closed the public hearing.

Mr. Gibbons motioned, seconded by Mr. Milde, to adopt proposed Ordinance O07-44.

Discussion ensued.

Mr. Brito made a substitute motion, seconded by Mr. Fields, to adopt proposed Ordinance O07-44 with a change to be effective January 1, 2008.

The Voting Board tally was:

Yea: (2) Fields, Brito

Nay: (5) Dudenhefer, Gibbons, Milde, Schwartz, Cavalier

The Voting Board tally on the original motion was:

Yea: (5) Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (2) Schwartz, Brito

Ordinance O07-44 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 25  
SECTION 71 OF THE STAFFORD COUNTY CODE

WHEREAS, the Board, on December 13, 2005, adopted Ordinance O05-50 which amended Section 25-71(b) of the County Code to require that all projects inside the Urban Service Area utilize the public water and sewer systems; and

WHEREAS, County staff has identified eight projects inside the Urban Service Area that were under design when Ordinance O05-50 was adopted and which are adversely impacted by the ordinance; and

WHEREAS, on February 20, 2007, the Board adopted R07-110 which referred the issue to the Utilities Commission for review; and

WHEREAS, the Utilities Commission reviewed the issue and has recommended the adoption of Ordinance O07-44 as a means of resolving this issue; and

WHEREAS, a subcommittee of the Board has recommended further revisions to Ordinance O07-44;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007 that Chapter 25, Section 71, entitled “General Provisions”, be and it hereby is amended and reordained by revising Section 25-71 to read as follows:

***Sec. 25-71. General Provisions***

(a) ~~The developer of any new subdivision intended for industrial, residential or commercial use, or any combination thereof, or an industrial site or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan~~ shall construct, when required, sanitary sewers and domestic fresh water distribution lines within the subdivision or development at the developer's expense. Immediately upon completion and final acceptance of the construction work, the sanitary sewer and water facilities, with necessary easement, shall become the property of the County.

(b) ~~The developer of any new subdivision or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan for property located inside the urban service area as defined in the County's Comprehensive Plan intended for industrial, residential or commercial use, or any combination thereof, or an industrial site shall utilize the public water system; and Likewise, the developer of a project inside the Urban Service Area as defined in the County's Comprehensive Plan shall be required to utilize the public sewer system.~~

(c) The developer or owner of any property who is required to submit a preliminary subdivision plan, a subdivision construction plan, a minor subdivision plan, or a major site plan located outside of the urban service area as defined in the County's Comprehensive Plan shall utilize the public water system if the developer's construction costs for the off-site water line, as determined by the Director of Utilities, does not exceed two thousand dollars per household equivalent unit, or one thousand one hundred fifty dollars (\$1,150) per acre when the number of household equivalents cannot be readily determined and if the use of the public water system is in accordance with good

engineering practice, as determined by the Director of Utilities. The above dollar limits are based on an ENR Construction Cost Index of 7938.

(d) Notwithstanding subsections (a) and (b), above, a developer or owner submitting a new subdivision or site plan for property located inside the urban service area, as defined in the County's Comprehensive Plan, who has submitted to the County a complete application for plan approval on or before May 3, 2007, and whose plan meets all other zoning and subdivision requirements in order to be served by onsite well and/or septic, may request a waiver from the requirements of this section if it is sufficiently demonstrated to the Board of Supervisors that:

- i) water and/or sewer is not presently available to the property; and
- ii) the cost to the developer to connect the proposed subdivision or site to existing county water and/or sewer, based on physical and geographical constraints, is unreasonably prohibitive when such cost is compared with the overall scope and size of the development project ; and
- iii) the County has no identified plans to extend public water and/or sewer service to within a reasonable distance of the property within the next three (3) years from the date the waiver is requested; and
- iv) the developer or owner clearly demonstrates that each proposed subdivision lot contains sufficient area to support both primary and reserve areas for on-site wastewater disposal and water supply.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify from A-1, Agricultural and M-1, Light Industrial, to B-2, Urban Commercial, 3.5 Acres at 2010 Jefferson Davis Highway; Consider a Conditional Use Permit at 2010 Jefferson Davis Highway to Exceed Maximum Height of Directional Signs and Consider a Conditional Use Permit at 2010 Jefferson Davis Highway to Allow a Hospital and Medical Clinic. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on all three issues.

The Chairman opened a public hearing on the three issues.



The following persons spoke:

Mr. John McGranahan, Jr., on behalf of the Applicant

Robert Hopkins

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O07-73.

The Voting Board tally was:

Yea: (7) Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Ordinance O07-73 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING  
ORDINANCE FOR STAFFORD COUNTY BY AMENDING  
THE ZONING DISTRICT MAP TO RECLASSIFY, FROM A-1,  
AGRICULTURAL AND M-1, LIGHT INDUSTRIAL, TO B-2, URBAN  
COMMERCIAL, ASSESSOR'S PARCEL 39-62 (PORTION), AQUIA  
ELECTION DISTRICT

WHEREAS, Medicorp Properties, Inc. has submitted application RC2700335 requesting reclassification, of Assessor's Parcel 39-62 (portion) from A-1, Agricultural, and M-1, Light Industrial, to B-2, Urban Commercial, consisting of 3.5 acres, located on the east side of Jefferson Davis Highway south of Courthouse Road, within the Aquia Election District; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing; and

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify from A-1 Agricultural, and M-1, Light Industrial, to B-2, Urban Commercial, Assessor's Parcel 39-62 (portion), with the following proffers:

1. Concept Plan - Development of the Property shall be in conformance with the Consolidation and Rezoning Plat (the "Concept Plan") dated September 18, 2007 and prepared by Bagby, Caldwell and Associates, P.C., insofar as location of structures, travel ways and entrances, and as further modified by these proffered conditions.
2. Transportation Improvements (East Campus Only) - With construction of the first building on the East Campus as shown on the Concept Plan, the Applicant shall construct the following transportation improvements:
  - A. Route 630 Right-of-Way Dedication: If not already dedicated, the Applicant shall dedicate and convey in fee simple to the Board thirty-five (35) feet of right-of-way ("ROW") from the existing centerline along the Route 630 (Courthouse Road) frontage of the Property, subject to review and approval by VDOT and Stafford County.
  - B. Route 630 Site Entrance: If not already constructed or bonded for construction, the Applicant shall dedicate right-of-way, if and as necessary, and construct the eastern Property entrance onto Route 630, as illustrated on the Concept Plan and in accordance with VDOT standards, to include an eastbound right turn lane and a westbound left turn lane from Route 630 into the Property.

- C. Stafford Hospital Boulevard: The Applicant shall construct in accordance with applicable VDOT standards, a four (4) lane divided public street from the westernmost entrance into the East Campus as shown on the Concept Plan to the proposed entrance to the Property from Route 630 (Courthouse Road).
- D. Route 630 Traffic Signal: The Applicant shall prepare a signal warrant analysis for the installation of a traffic signal at the eastern Property entrance onto Route 630. Pursuant to such signal warrant analysis, and if warranted by VDOT, the Applicant shall design and install such traffic signal. In the event a signal has not been warranted by VDOT when the Applicant desires to proceed with development of the East Campus, the Applicant shall make a cash contribution to the County for the cost of the design and installation of such traffic signal. Such cash contribution shall be made prior to issuance of the first occupancy permit for a use in the East Campus. The amount of the cash contribution shall be based on an estimate provided to the County by a certified engineer; however, in no case shall the contribution exceed One Hundred Sixty Thousand and 00/100 Dollars (\$160,000.00). This maximum limit on this contribution shall escalate annually, from the time of proffer until tender of payment, by a percentage equal to the annual rate of inflation, as calculated by referring to the Marshall and Swift Building Cost Index.
- E. FRED Bus Stop: The Applicant shall coordinate with the Fredericksburg Bus Transit Service ("FRED") or other public transit provider, to locate at least one bus stop in the East Campus and shall provide a standard bus shelter or canopy area adjacent to a building, and include a bench, at such bus stop location.
3. Stafford Hospital Boulevard (West Campus) - In the event (i) the proposed hospital is constructed on the West Campus as shown on the Concept Plan, and (ii) the portion of Stafford Hospital Boulevard located on the East Campus as

- shown on the Concept Plan has not been constructed in accordance with paragraph 2.C. above, then the Applicant shall construct in accordance with applicable VDOT standards, two (2) of the four (4) lanes of Stafford Hospital Boulevard from Route 1 to Route 630, as shown on the Concept Plan, prior to issuance of an occupancy permit for the hospital.
4. Interparcel Access - The Applicant shall provide right-of-way to accommodate a future point of interparcel access to T.M. 39, Parcel 62A, but shall be under no obligation to construct such connection. Such right-of-way shall be in a location and of a width consistent with applicable VDOT and County requirements and standards.
  5. Lighting - All lighting, including of signage, shall be provided in accordance with the applicable requirements of the Stafford County Zoning Ordinance. The Applicant shall install lighting within the parking areas that is directed away from residential properties and Courthouse Road (Route 630). Full cut-off lighting shall be used wherever possible, as determined by the Applicant.
  6. Fire Protection - The Applicant shall install fire protection sprinkler systems in all buildings constructed on the Property.
  7. Architecture - Building façade materials utilized for the buildings on the East Campus may include, but not be limited to, brick, split-faced block, fluted block, tile, concrete tile, stone, real or simulated wood, glass and/or metal. Standard concrete masonry block shall not be used for the façade of the buildings. Building façades shall be "broken-up" through the use of fenestration and continuous, homogeneous surfaces shall be minimized. Roof-lines shall be articulated with roof-top mechanical equipment screened from view to the maximum extent practicable.
  8. Loading Areas and Dumpsters - Service and delivery loading areas will be oriented to reduce their visibility from public road frontages. If such facilities are not substantially blocked from view from the public roadways, they will be

- treated with architectural elements and/or decorative fencing and/or landscaping to minimize their visibility from the public roadways. All freestanding dumpsters on site shall be enclosed. Dumpster enclosures shall be constructed of building materials compatible with or similar to the adjacent building(s) on site.
9. Wetlands/Nature Preserve - No land development activities shall be located and/or maintained within the portion of the Property identified on the Concept Plan as Wetlands/Nature Preserve, except for construction of (i) stormwater management/BMP facilities, (ii) utilities, (iii) telecommunications, fiber optic cable and similar facilities, (iv) roadways, and (v) trails. Disturbances permitted within the Wetlands/Nature Preserve shall (i) comply with all applicable laws and regulations, (ii) be designed to minimize the area of disturbance and retain existing vegetation to the extent possible, and (iii) be designed and constructed in a manner to protect water quality.
  10. Water and Sanitary Sewer - The Property shall be developed using public central water and sewer facilities, which shall be provided to the Property at no cost to the County. Water and sewer lines, pumping stations and related utility equipment shall be extended to the Property in accordance with applicable Stafford County standards and in general conformance with the County's Master Plan. A temporary sanitary sewer pump station may be constructed as part of this project. The temporary pump station may be located within the Resource Protection Area of the site. Notwithstanding that trees can be removed from the Wetlands/Nature Preserve area for installation of necessary utilities, the Applicant shall submit to the Planning Department a vegetation restoration plan consistent with Chesapeake Bay Act revegetation guidelines, and shall replant in accordance with such plan, to the extent permitted by the County, those portions of the Resource Protection Area which were disturbed due to the construction of the temporary pump station. This restoration plan will be implemented upon the removal of the temporary pump station from the Wetlands/Nature Preserve area. All utility facilities located in the Wetlands/Nature Preserve area shall be set back as far as possible from the existing streambed. Trails located within the

- Wetlands/Nature Preserve area will utilize the utility easements to the extent practicable to avoid unnecessary clearing and disturbance, but may be placed elsewhere in the Wetlands/Nature Preserve area in accordance with paragraph 8 above.
11. Water Quality Monitoring - Access for surface water quality monitoring will be permitted by the Applicant within the vicinity of the stream located on the Property. This access will allow County designated persons to enter the site in order to monitor the quality of water within the stream bisecting the site.
  12. Existing Gravesites - The gravesites located on the Property shall remain undisturbed until development of a use on the Property occurs, at which time they shall be relocated, if necessary, in accordance with applicable State and County laws. If any graves are not relocated, the Applicant shall work with the Stafford County Cemetery Committee ("SCCC") to provide a fifty (50) foot buffer around such gravesites with appropriate fencing and signage and a long-term cemetery maintenance plan. Prior to relocating any graves, the Applicant will complete and submit to the SCCC a Stafford County cemetery survey, which includes a description of the planned relocation.
  13. Phase II Archeological Surveys - The Applicant shall conduct a Phase II archeological survey of the archeological sites 44ST817 and 44ST819 identified in the Phase I archeological survey submitted to the County with this application. The Applicant shall follow the recommendations of such Phase II survey and coordinate with the County Cultural Resources Department concerning these sites.
  14. Existing Structures - Prior to demolition of the existing structures on the Property, the Applicant shall grant permission to SCCC to conduct pedestrian surveys of these buildings, which surveys will consist of taking photographs of the structures and writing architectural descriptions. Such information and photographs will be retained by Stafford County, or an entity designated by Stafford County, for future reference and study of the Stafford County built environment.

15. Parking Structure - The parking structure shall be designed to incorporate architectural treatments to visually break up the horizontal expanse of the structure and shall include materials compatible with the associated buildings. The Applicant shall provide landscaping, to the extent reasonably practicable, around the parking structure to visually break up the appearance of the façade of the parking garage as viewed from the public right-of-way through such means as planting of fast growing evergreen trees at 25-30 foot intervals. Lighting within the parking structure shall be of a low intensity design to minimize glare from projecting beyond the parking structure, consistent with providing adequate security lighting.
16. Existing Vegetation - The Applicant shall attempt to preserve, to the extent practicable, the existing vegetation along the southern boundary of the Property and along the Route 630 frontage of the Property, removing only the vegetation necessary to construct the improvements as shown on the Concept Plan. Where the existing vegetation along the southern boundary of the Property and/or along the Route 630 frontage of the Property, after construction of the improvements, does not provide the equivalent plantings of the buffer required by the DCSL, the Applicant shall plant supplemental, fast growing evergreen trees within and adjacent to such portions of the southern boundary and/or the Route 630 frontage. These supplemental evergreen trees shall be interspersed among the existing deciduous trees to replicate a natural landscape pattern and are not intended to create a continuous screen or hedge appearance.
17. Water Tank Lot Reservation - The Applicant shall reserve the approximately 1.615 acre site (the "Water Tower Site") in the northeast corner of the Property and identified on the Concept Plan as a "Water Tower." If (i) a design is approved for constructing a water storage tank on the Water Tower Site, and (ii) funding is available for construction of such Water Tower, then the Applicant shall dedicate to the County, without compensation, such Water Tower Site. If any of the following events occurs, this reservation shall expire and the Water Tower Site shall no longer be subject to this paragraph: (i) the County decides to

- construct the planned water tower at a location other than the Water Tower Site, or (ii) a Water Tower in this general location is removed as a planned facility from the County's comprehensive planning documents.
18. Intensity Credit - All intensity of use attributable to land areas dedicated and/or conveyed to the Board or any other public entity at Applicant's expense pursuant to these proffers (including, without limitation, the dedications referenced above) is hereby reserved to the residue of the Property, if and as permitted by applicable provisions of the Zoning Ordinance.
19. Successors and Assigns - Each reference to "Applicant" in this proffer statement shall include within its meaning, and shall be binding upon, Applicant's successor(s) in interest and/or developer(s) of the site or any portion of the site.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-411.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields  
Nay: (0)

Resolution R07-411 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT  
PURSUANT TO APPLICATION CUP2700337 FOR EXCEPTION  
TO THE HEIGHT REQUIREMENTS FOR DIRECTIONAL SIGNAGE  
ON ASSESSOR'S PARCEL 39-62, AQUIA ELECTION DISTRICT

WHEREAS, MediCorp Properties, Inc, applicant, has submitted application CUP2700337 requesting a Conditional Use Permit for directional signage to exceed the height requirements on Assessor's Parcel 39-62; and



WHEREAS, the application has been submitted pursuant to Stafford County Code Section 28-38 (d) of the Zoning Ordinance which permits a Conditional Use Permit to modify height requirement of specific structures; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff, and the testimony at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that a Conditional Use Permit pursuant to application CUP2700337 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is to allow an exception to the maximum allowable height for directional signs on Assessor's Parcel 39-62.
2. Type and height of signs is restricted to that shown on page 3 of the General Development Plan (GDP) entitled "Stafford Hospital Center C.U.P. – Signage Plan", dated September 17, 2007, prepared by Bagby, Caldwell & Associates.
3. Signs shall be of a consistent pattern and scheme throughout subject area, as depicted on the GDP, with the exception of any signage provided subject to development condition 8 below.
4. Illumination of monument signage shall not exceed the intensity of 0.3 footcandles at property lines.
5. Illumination for monument signs shall be limited to lettering, graphics, and hospital symbols.

6. Light-emitting diode (LED) lighting is prohibited on all monument signs.
7. If the initial sign permits are not obtained within 3 years from the date of approval, this Conditional Use Permit shall expire.
8. Other signage not depicted on the GDP shall be permitted on the property provided that it meets the requirements of the Zoning Ordinance.
9. Sign A, as depicted on Sheet 3 of the GDP, includes the stone wall and, together with the stone wall, shall not exceed a total height of 20 feet.
10. This Conditional Use Permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, federal, or state codes.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-416.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (0)

Resolution R07-416 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT,  
PURSUANT TO APPLICATION CUP2700336, TO ALLOW A HOSPITAL IN  
AN HC, HIGHWAY CORRIDOR OVERLAY DISTRICT AND TO ALLOW A  
HOSPITAL AND MEDICAL CLINICS IN A B-2, URBAN COMMERCIAL  
ZONING DISTRICT, ON ASSESSOR'S PARCEL 39-62  
(PORTION), AQUIA ELECTION DISTRICT

WHEREAS, MediCorp Properties, Inc., applicant, has submitted application CUP2700336 requesting a Conditional Use Permit to allow a hospital in an HC, Highway Corridor overlay district, and a hospital and medical clinics in a B-2, Urban Commercial Zoning District on the above-described property; and

WHEREAS, the application has been submitted pursuant to Stafford County Code Section 28-35, Table 3.1 of the Zoning Ordinance which permits this use in a B-2, Urban Commercial Zoning District; and pursuant to Stafford County Code Section 28-59(e), of the Zoning Ordinance which permits this use in a Highway Corridor Overlay District (HCOD); and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff, and the testimony at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that a Conditional Use Permit, pursuant to application CUP2700336, be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for a hospital and medical/dental clinics to be located Assessor's Parcel 39-62 (portion), comprised of 3.5 acres in a B-2, Urban Commercial Zoning District and a Highway Corridor Overlay District (HCOD).
2. The property shall be developed in general conformance with the General Development Plan (GDP), prepared by Michael M. Bagby, P. E., dated May 15, 2007, last revised September 17, 2007, entitled Stafford Hospital Center Rezoning and Conditional Use Permit Plan.

3. No more than 270,000 square feet shall be devoted to clinic activities.
4. The applicant shall dedicate sixty (60) feet of right-of-way from the existing centerline along the Jefferson Davis Highway frontage of the property, and reserve an additional twenty (20) feet of right-of-way if needed for the future widening of Jefferson Davis Highway to a six-lane facility.
5. The applicant shall dedicate thirty-five (35) feet of right-of-way from the existing centerline along the Courthouse Road frontage of the property.
6. The applicant shall construct the following transportation improvements as indicated in the Traffic Analysis prepared by Kimley-Horn and Associates, Inc. dated January 19, 2006:
  - a. A four-lane public road to serve the site, constructed to Virginia Department of Transportation (VDOT) standards, providing connection from Jefferson Davis Highway to Courthouse Road. At least two lanes from Jefferson Davis Highway to Courthouse Road shall be completed prior to the issuance of an occupancy permit for the hospital. The ultimate four-lane road shall be completed prior to the issuance of an occupancy permit for the medical facilities on the “east campus”, as shown on the GDP.
  - b. Southbound left-turn lane at the entrance on Jefferson Davis Highway.
  - c. A northbound right-turn lane at the entrance on Jefferson Davis Highway.
  - d. Two ingress and two egress lanes from the proposed internal road onto Jefferson Davis Highway, with provisions for a third egress lane if warranted by VDOT.
  - e. A westbound left-turn lane at the Courthouse Road entrance.
  - f. An eastbound right-turn lane at the Courthouse Road entrance.
  - g. Two ingress and two egress lanes from the proposed internal road onto Courthouse Road

- h. A traffic signal at the entrance on Courthouse Road, if warrants are met, upon review by VDOT of a warrant study.
  - i. A traffic signal at the entrance on Jefferson Davis Highway, if warrants are met, upon review by VDOT of a warrant study.
- 7. The applicant shall realign the northernmost section of Old Potomac Church Road generally as shown on the GDP, subject to consent from the owners of the impacted parcel(s). The westernmost entrance into the “west campus” from the proposed internal road shall be designed to accomplish the realignment of Old Potomac Church Road as shown on the GDP, while providing the maximum distance between such entrance and Jefferson Davis Highway as practical.
- 8. The applicant shall coordinate with the Fredericksburg Bus Transit Service (FRED) or other public transit provider to locate at least one bus stop on site and shall provide a standard bus shelter or canopy area adjacent to the hospital building, and include a bench.
- 9. If no additional turn lanes have been constructed by others at the Jefferson Davis Highway/Courthouse Road intersection, then prior to issuance of the first occupancy permit for the West Campus, the applicant shall design and install an emergency traffic interruption device at the existing traffic signal at the current intersection to provide for expedited response by Sheriff and emergency response vehicles.
- 10. The applicant shall work with Stafford County to encourage hospital-related vehicle traffic to utilize alternative means of access, such as the Interstate 95 interchange at Exit 136, to minimize impacts to and disruptions from the Jefferson Davis Highway/Courthouse Road intersection. For office buildings located within the property, Transportation Demand Management (TDM) strategies shall be utilized to attempt to reduce single occupant vehicular (SOV) traffic during

peak periods. Lessees/purchasers shall be advised of this TDM strategy.

Strategies implemented shall include the following:

- a. TDM materials describing available transit information, car/van pooling formation, alternative work schedules, and the FRED system shall be distributed to building occupants.
  - b. Designated parking shall be identified for car pool/van pool use;
  - c. Mass transit usage shall be encouraged and promoted through published transit service information made available in campus buildings; and
  - d. Bicycle racks and shower facilities shall be provided for the use of office employees.
  - e. The applicant shall work with the County to file an emergency evacuation plan for the hospital.
11. Two interparcel access points shall be provided to the abutting properties along the southern property boundary, with no obligation from the applicant to construct such connections. One such point of interparcel access shall be located in the “west campus” and one such point shall be located in the “east campus”. Such right-of-way shall be in a location and of a width consistent with applicable VDOT and County requirements and standards.
12. If a temporary pump station is constructed within the Resource Protection Area, as permitted, the applicant shall submit to the Planning Department a vegetation restoration plan consistent with Chesapeake Bay Act revegetation guidelines, and shall replant in accordance with such plan, to the extent permitted by the County, those portions of the RPA which were disturbed due to the construction of the temporary pump station. This restoration plan will be implemented upon the

- removal of the temporary pump station. All utility facilities located in the RPA area shall be set back as far as possible from the existing streambed. Any trails located within the RPA area will utilize the utility easements to the extent practical to avoid unnecessary clearing and disturbance.
13. Fire protection sprinkler systems shall be installed in all buildings.
  14. The facade of the hospital building shall be generally consistent with the level of quality, style and visual interest represented on the architectural illustratives prepared by Ellerbe Becket, dated March 17, 2006, referenced as Exhibit A. Building façade materials utilized for the hospital building may include, but not be limited to, brick, split-faced block, fluted block, tile, concrete tile, stone, real or simulated wood, glass and/or metal. Standard concrete masonry block shall not be used for the façade of the hospital building. Building façades shall be "broken-up" through the use of fenestration and continuous, homogeneous surfaces shall be minimized. Roof-lines shall be articulated with roof-top mechanical equipment screened from view. Exterior building materials used in construction of the other buildings located on the property shall be compatible with the exterior building materials used in construction of the hospital building.
  15. Parking structures shall be designed to incorporate architectural treatments to visually break up the horizontal expanse of the structures and shall include materials compatible with the associated buildings. The applicant shall provide landscaping, to the extent reasonably practical, around the parking structures to visually break up the appearance of the façade of the parking garages as viewed from the public right-of-way through such means as planting of fast growing evergreen trees at 25-30 foot intervals. Lighting within the parking structures shall be of a low intensity design to minimize glare from projecting beyond the parking structure, consistent with providing adequate security lighting. Crime Prevention Through Environmental Design standards shall be utilized.

16. Lighting on the Property shall be designed and constructed to minimize light trespass and the view of lighting from off-site, specifically:
  - a. Spillover light onto adjacent properties shall be minimized.
  - b. All exterior light fixtures shall be "full cut-off outdoor lighting fixtures" as defined by the Illuminating Engineering Society of North America (IESNA). Light will be directed inward and downward toward the interior of the property, away from the public streets and the adjacent properties.
17. The helistop shall be used to transport patients to the hospital and from the hospital to other specialized medical facilities. There will be no refueling or permanently based flight operations at this helistop. The flight path for the helistop will be determined in conjunction with the Virginia Department of Aviation and the Federal Aviation Administration per Advisory Circular 150/5390 for the design of "Heliports." The approach and take off pathway will be designed to avoid the hospital buildings and adjacent residences and will generally follow the adjacent Stafford Hospital Boulevard. The heliport shall have a concrete landing pad, painted graphics, ground lighting, and an illuminated windsock. The design will incorporate a clear zone of a minimum of 120 feet in diameter. The ground lighting shall be extinguished when not in use.
18. Storage of all medications within the medical clinics shall be in secured containers, cabinets or rooms.
19. Storage and disposal of infectious or medical wastes or hazardous materials shall be conducted in accordance with federal, state and local guidelines.
20. Minor surgery may be permitted within the medical clinics; however, there shall be no use of blood products associated with performing any surgical procedure except as necessary in extreme circumstances.



21. There shall be no deliveries on-site to any buildings other than the hospital before 7:00 A.M. or after 9:00 P.M.
22. The day care center shall be designed to primarily serve employees of the hospital and other uses located on the property.
23. No commercial apartments shall be permitted on site.
24. Within five (5) years of a final, non-appealable approval of a Certificate of Public Need for the hospital, the Conditional Use Permit shall expire unless a site plan has been submitted to the County.
25. This Conditional Use Permit may be revoked or conditions modified for violations of the conditions or any applicable federal, state or local code.
26. The applicant shall organize a Citizens Advisory Committee consisting of the immediate neighbors including those identified at the public hearing to meet regularly and continue the dialogue regarding the issues they raised regarding the impacts to their property and their quality of life due to construction of Phase 1 and Phase 2.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify from A-1, Agricultural, to B-2, Urban Commercial, 52.2 Acres on Assessor's Parcel 37-25 for G&G/Centerport Gateway, LLC.and Planning and Zoning; Consider an Amendment to the Land Use Plan Component of the Comprehensive Plan. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on both issues.

The Chairman opened a public hearing on both issues.

The following person spoke:

Clark Leming, on behalf of the Applicant

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Gibbons, to adopt proposed Ordinance O07-63.

The Voting Board tally was:

Yea: (6) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (0)

Abstain: (1) Milde

Ordinance O07-63 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING  
ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE  
ZONING DISTRICT MAP TO RECLASSIFY, FROM A-1,  
AGRICULTURAL, TO B-2, URBAN COMMERCIAL, ASSESSOR'S  
PARCEL 37-25, HARTWOOD ELECTION DISTRICT

WHEREAS, G&G/Centerport Gateway, LLC, has submitted application RC2700199 requesting reclassification, of Assessor's Parcel 37-25 from A-1, Agricultural, to B-2, Urban Commercial, consisting of 51.2 acres, located on the north and south side of Centerport Parkway, west of the Interstate 95 interchange, within the Hartwood Election District; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff, and the testimony at the public hearing; and

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify, from A-1 Agricultural, to B-2, Urban Commercial, Assessor's Parcel 37-25.

1. **Plan of Development for Centreport Gateway**

The Property and locations of buildings shall be developed in accordance with the illustrative land use plan depicted by the Generalized Development Plan, labeled the Master Plan, prepared by The Cox Company and dated August 7, 2007, except the walking trail across Centreport Parkway shall not be provided. The distribution of land uses shall govern subsequent site plan approvals, such that at full development of the Property, the following mix of uses and use intensity shall be achieved:

- a. Minimum intensity of use for office/hotel/non-retail employment buildings shall not be less than 80% of combined retail, freestanding restaurant, and office/hotel/non-retail employment gross floor area.
- b. Maximum intensity of use for retail commercial and free-standing restaurant buildings shall not exceed 20% of combined retail, restaurant, and office/hotel/non-retail employment gross floor area, provided that the total intensity of all combined retail commercial and free-standing restaurant uses shall not exceed 50,000 square feet of gross floor area (SFGFA).
- c. Maximum of two (2) free-standing restaurants shall be located within the project, provided that no more than one (1) free-standing restaurant may be developed before the development of the first office/hotel/non-retail employment building.
- d. Maximum of two (2) hotels shall be located within the project.

## 2. **Maximum Development Density, Coverage and Uses**

- a. **Maximum Density:** The density of development for office, business, retail, restaurant, lodging, and other permitted uses shall not exceed a floor area ratio of 0.30 FAR in relation to the gross area of the site. Parking structures are excluded from the calculation of floor area ratio. Total development within the Property shall not exceed the total density incorporated into the Traffic Impact Analysis (dated March 19, 2007) developed for the project. This total density was calculated as 379,200 square feet of gross floor area (SFGFA) for non-residential uses, exclusive of hotel and conference space.
- b. **Maximum Building Coverage:** The maximum building coverage by all buildings and parking structures within the Property shall not exceed 50% of the gross area of the site.
- c. **Uses Prohibited:** The Applicant proffers that the following land uses that are currently permitted by-right and by Conditional Use Permit in the B-2 District shall be specifically prohibited from development within the Property:

### Uses permitted by right:

Building material sale and storage yard and mulch sale.

Car wash.

Dry cleaner/laundry.

Funeral home.

Indoor flea market.

Lumber/building/electrical/plumbing supply.

Machinery sale and service.

Plant and tree nursery/greenhouse.

Theater with fewer than 3,500 seats.

### Conditional Use Permit:

Automobile repair.

Auto service.

Boat sales.  
Fleet parking.  
Marina.  
Motor vehicle rental.  
Motor vehicle sales.  
Outdoor flea market  
Theater with 3,500 or more seats.

Other uses not permitted by right or by conditional use, but also prohibited:

Adult entertainment, including adult bookstores, adult video sales and rental, and similar uses.  
Convenience store with gasoline sales as a secondary activity.  
Economy motel.  
Fast food restaurant.  
Limited service motel.

3. **Design and Architectural Treatment**

- a. **Coordinated Design Theme:** The Applicant agrees to utilize a coordinated architectural theme and general layout of buildings that features a neo-traditional design. The elevations entitled “Centreport Gateway Elevations”, dated 11/15/07 are illustrative only, yet reflect the use of various building materials and the general character of design and design coordination for the buildings to be erected on the Property.
- b. **Streetscapes:** The Applicant shall provide for enhanced pedestrian circulation and locate structures as close to established walkways as practicable. Street landscaping shall feature predominately shade trees. Off street parking shall be located primarily to the side of the structures, in order to permit the front of buildings to be located as close as practicable to the

travelway. Other features shall include public gathering areas, such as courtyards, fountains, or gazebos. Signage shall be coordinated with building materials and colors, and lighting shall utilize a consistent theme or style throughout the development, and be shielded downward and directed away from adjacent residential properties.

- c. **Architectural:** Buildings in the development should be of “traditional” architectural themes, such as Federal, Charleston, and Georgian interpretative styling and vernacular designs, and shall include varied ornamentation, such as recesses, balconies, stoops, and breezeways. Building materials and design shall vary from building to building, but shall be predominantly brick, complemented by a mixture of glass, painted surfaces, and stucco. Parking garages shall incorporate the same types of material and design as the adjacent buildings. Windows and exterior design, including roofs, shall be distinct for given buildings and consistent with the architectural theme for the development. Standing seam roofs shall not be utilized. Heights of buildings will be established as low-to-mid rise, with building heights not to exceed four stories.
- d. **Renderings:** To ensure conformity with these proffers, at the time of submission of building permit applications, renderings of proposed structures included in each application shall be simultaneously submitted to the Department of Planning and Zoning for review and approval within ten (10) days.

#### **4. Regional Transportation Improvements**

- a. **Planning and Design of Mine Road Extension:** The Applicant proffers to undertake the planning and engineering design for the full section of the proposed Mine Road Extension from the existing “elbow” of the Centreport Parkway to its proposed terminus at Enon Road within TMP 45-121 (as depicted by Segments A and B on the “Proposed Access” exhibit). This

proffer is subject to the acquisition of the necessary right-of-way for the proposed road improvement at the Applicant's sole cost and expense.

- b. **Construction of Segment A of the Mine Road Extension (Access to the Southern sector of the Property):** The Applicant proffers to undertake the planning, engineering design, and construction, at its sole expense, of certain transportation improvements to the proposed Mine Road Extension as depicted on the "Proposed Access" exhibit and as further described herein below:
  - i. **Half-Section Construction of Segment A:** The Applicant will plan, engineer, and construct a two-lane "half-section" of the proposed ultimate four-lane parkway envisioned for the Mine Road Extension for the extent of Segment A, as depicted on the Proposed Access exhibit. This half-section to be constructed will include a two-lane, 24-foot pavement section and will meet design standards and requirements to be determined by VDOT, the County, and the Applicant. Ultimately, this section will be integrated into the full four-lane parkway planned by VDOT to connect the Mine Road Extension between Centreport Parkway and Enon Road (including both Segments A and B as depicted in the "Proposed Access" exhibit). Segment B and the other half-section of Segment A will be constructed by VDOT and/or the County. This proffer is subject to the acquisition of the necessary right-of-way for the proposed road improvement at the Applicant's sole cost and expense.
  - ii. **Signalization and Turn Lanes:** Signalization of the Centreport Gateway Access Road/Mine Road Extension intersection and related turn lanes (i.e. a dedicated southbound left hand turn lane and a dedicated northbound right hand turn lane on Mine Road Extension and dedicated westbound left and right turn lanes on the proposed access road) shall be constructed in accordance with the future recommendations of the regional transportation study (see Proffer 15) to be completed in concert by the Applicant, the County, and the Virginia Department of Transportation. These improvements shall be constructed by the Applicant upon

justification of traffic warrants and said turning lanes, and otherwise in accord with the requirements for signalization and lane improvements of the proposed intersection of the Virginia Department of Transportation. This proffer is subject to the acquisition of the necessary right-of-way for the proposed road improvement at the Applicant's sole cost and expense.

iii. **Other Related Improvements:** Traffic signage, guard rails, grading, and lane striping, provided that such improvements shall be in accord with the applicable design standards and engineering requirements of the Virginia Department of Transportation and shall be consistent with the improvements described in Paragraphs 3.a. and 3.b. herein above.

c. **Access to Property:** The primary access to the north sector of the Property shall be via a public road connection to the existing Mountain View Road at the location as generally depicted on the Master Plan. The primary access to the south sector of the Property shall be via a public road connection to the proposed Mine Road Extension at the location as generally depicted on the Master Plan. Access to the Mine Road Extension is subject to VDOT approval.

## 5. **Interparcel Connectivity**

In addition to the primary entrance connection to be located via Assessor's Parcel 37-30A, the Applicant shall dedicate an additional interparcel road connection to Assessor's Parcel 45-121 at a location to be determined during site plan review. The Applicant will provide dedication of sufficient on-site right-of-way and temporary easements, as well as appropriate site grading improvements to allow for the future construction of the interconnections and necessary drainage. Upon adoption by the County of an Official Map for transportation and other public improvements that would be necessary and sufficient to implement the economic development goals for the Centreport Parkway corridor, the Applicant shall dedicate the interconnection location. The Applicant shall construct the interconnection as close to the property line as possible without requiring off-site



grading and drainage easements. This interconnection shall be constructed in concert with other on-site infrastructure improvements, and shall be designed and constructed to meet VDOT state standards.

**6. Pedestrian Improvements within Property**

The Applicant shall provide a system of pedestrian trails and sidewalks within the Property as part of the site plan or plans for this Property which shall include pedestrian connections to adjoining properties.

Sidewalks shall be a minimum of five (5) feet wide and shall be constructed of asphalt, concrete, or other permanent paving material. Pedestrian trails shall be a minimum of four (4) feet wide and shall be constructed of permeable/porous paving materials, provided that such materials may consist of concrete, asphalt or rubber pavement derivatives and may be used upon approval of the Director of Planning. The Applicant shall also construct a pedestrian bridge crossing of the existing stream at such time as the construction commences for the building labeled as the Conference Center on the Master Plan. In addition, the applicable design and construction standards of the County shall apply.

**7. Utility Improvements and Easements**

The Applicant proffers to design and construct on-site (water, sewer and drainage) improvements adequate and sufficient to provide urban services to the subject Property at its sole expense and shall dedicate such utilities to the County upon request by the County's Utilities Department.

The Applicant agrees to upgrade and oversize the capacity and construct on-site utilities and off-site utilities (water and sewer) as may be necessary and sufficient to serve both the subject Property and other properties in the immediate service area as may be identified by the County, provided that the County shall facilitate and

approve a pro-rata share cost reimbursement plan in accord with Virginia enabling statutes whereby the Applicant understands that it will be reimbursed on a pro-rata basis by other property owners at such time as future development or redevelopment plans and building permits are approved by the County pursuant to County policy.

**8. Site Perimeter Buffers and Clearing Limits**

The Applicant shall prepare a landscape master plan with the first final site plan for the entire development. The Applicant shall introduce a mix of coniferous (evergreen) and deciduous trees for screening purposes. The number of trees, specific specimens, tree size and tree placement shall be subject to County approval with the final site plan.

**9. Retaining Walls**

Any planned retaining walls shall be constructed at least twenty (20) feet outside the limits of the CRPA zone, provided that the County staff may waive this requirement where it can be demonstrated by the Applicant to the satisfaction of the County that the retaining walls will not contribute to future adverse impacts on the existing environmental conditions of the Property.

**10. Acidic Soils**

If acidic soils are encountered on the Property, the Applicant shall retain a qualified geotechnical engineer and soils consultant to determine the extent of such soils and to recommend a plan and establish practices to neutralize any potential adverse environmental effect that may be caused by acidic soils. Such plan and practices shall consider the feasibility of adding topsoil or other forms of soil treatment.

The recommended program for soil treatment shall be submitted to and approved by the County. The recommendations of this program shall be supported by a geotechnical engineering study that shall be submitted with the first plan of development for any land disturbing activity on the Property.

#### **11. Groundwater Pollution Mitigation Measures**

The Applicant shall retain a qualified geotechnical engineer and environmental consultant to perform a technical study, at its sole expense, to assess, test, and determine the extent of groundwater pollutant impacts that may be associated with the development of the subject project. Such plan and practices shall consider the feasibility of any recommended forms of treatment. The program for groundwater pollution mitigation shall be accompanied by a geotechnical study and shall be submitted to and approved by the County with the application for the first final site plan for the Property.

This proffer does not preclude the requirement for the Applicant to fulfill all necessary permitting requirements of the Virginia Department of Environmental Quality and the Corps of Engineers.

#### **12. Fire Equipment Access and Sprinklers**

All final site plans shall ensure that adequate access is provided for fire equipment, with the governing criteria that access shall be within one hundred fifty (150) feet of all sides of all buildings, provided that such requirement may be waived in individual cases at the discretion of County building and fire officials in concert with the integration of other fire protection measures.

Fire protection sprinklers shall be provided in all buildings in accord with NFPA 13 standards. Defibrillators shall be provided in all buildings.

13. **CPTED Standards**

The site shall be designed to incorporate CPTED standards, to the extent feasible, including but not limited to parking garages, trails, and commercial sites such as banks.

14. **Clearing Limits**

The clearing limits of the site shall be depicted on the final site plan and shall be physically delineated on the site with orange safety fencing prior to grading plan approval and as otherwise required by the County.

15. **Centreport Parkway Sector Plan, Corridor Design Guidelines, Transportation Plan and Official Map**

The Applicant proffers to provide a maximum of \$100,000 to fund and assist the County in any efforts to prepare a comprehensive sector plan for the geographical area that bounds the Centreport Parkway. The purpose of this plan would be to establish recommendations for a comprehensive plan amendment to address a future land use plan, a regional transportation plan, corridor design guidelines, zoning regulations and an Official Map for transportation and other public improvements that would be necessary and sufficient to implement the goal for the economic development corridor serving the Stafford County Airport.

The regional transportation plan for the study area and Official Map for infrastructure improvements shall evaluate and designate appropriate locations for inter-parcel public street access within the study area and shall include one or more locations for public road access to tracts adjoining the Property. The study shall also include an investigation of the feasibility of the extension of the Berea Parkway and Mine Road.

Mr. Brito motioned, seconded by Mr. Schwartz, to adopt proposed Resolution R07-314.

The Voting Board tally was:

Yea:	(6)	Brito, Cavalier, Dudenhefer, Fields, Gibbons, Schwartz
Nay:	(0)	
Abstain:	(1)	Milde

Resolution R07-314 reads as follows:

A RESOLUTION WHICH ADOPTS AN AMENDMENT TO THE LAND USE  
PLAN COMPONENT OF THE COMPREHENSIVE PLAN

WHEREAS, amending the Land Use Plan on Assessor's Parcel 37-25 from Light Industrial, Suburban Residential, and Resource Protection to Urban Commercial and Resource Protection would better reflect the desired future land use of the area located along Centerport Parkway, west of Interstate 95; and

WHEREAS, the completion of the interchange and Centerport Parkway providing access to the regional airport has significantly changed the future land use potential in this area; and

WHEREAS, Light Industrial land use is a less desirable use for such a highly visible area within close proximity to Interstate 95; and

WHEREAS, the Planning Commission has held a public hearing and recommended that the Land Use Plan be amended to change the land use classification for this area; and

WHEREAS, the Board has carefully considered the recommendation of the Planning Commission, staff, and testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of November, 2007, that the Land Use Plan component of the Comprehensive Plan be and it hereby is amended for Assessor's Parcel 37-25 from Light Industrial, Suburban Residential and Resource Protection to Urban Commercial and Resource Protection.

Planning and Zoning; Consider a Conditional Use Permit at 350 White Oak Road. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Gibbons, to adopt proposed Resolution R07-414.

The Voting Board tally was:

Yea:	(6)	Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz
Nay:	(0)	
Absent:	(1)	Brito

Resolution R07-414 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT  
PURSUANT TO APPLICATION CUP2700490 TO ALLOW A  
MEDICAL CLINIC IN A B-2, URBAN COMMERCIAL, ZONING  
DISTRICT, ON ASSESSOR'S PARCEL 54SS-4, GEORGE  
WASHINGTON ELECTION DISTRICT

WHEREAS, Malone Schooler Company, LLC, applicant, has submitted application CUP2700490 requesting a Conditional Use Permit to allow a medical clinic in a B-2, Urban Commercial, Zoning District, on the above described property; and

WHEREAS, the application has been submitted pursuant to Stafford County Code Section 28-35, Table 3.1 of the Zoning Ordinance, which permits this use in a B-2, Urban Commercial, Zoning District after a Conditional Use Permit has been issued by the Board; and

WHEREAS, the Board of Supervisors has carefully considered the recommendation of the Planning Commission, staff and testimony at the public hearing; and

WHEREAS, the Board of Supervisors finds that the request meets the standards for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 20th day of November, 2007 that a Conditional Use Permit pursuant to application CUP2700490 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is to operate a Medical Clinic on Assessor's Parcel 54SS-4 with the hours of operation of Monday through Friday 9:00 a.m. to 10:00 p.m. and Saturday through Sunday 9:00 a.m. to 7:00 p.m.
2. Development of the site shall be in general conformance with the General Development Plan in Exhibit 1 entitled "Town & Country Marketplace Parcel 4", dated June 20, 2007 and as revised on September 3, 2007, and with the architectural elevation in Exhibit 2, dated September 7, 2007.
3. Storage of all medications shall be in secured containers, cabinets, or rooms.

4. Storage and disposal of infectious or medical wastes shall be conducted in accordance with federal, state and local guidelines.
5. Minor surgery may be permitted, however there shall be no use of blood products associated with performing any surgical procedure.
6. Lighting for the facility shall be directed downward and inward on the site to prevent glare.
7. Pavement markings or signage will be utilized to indicate direction of traffic flow.
8. If building permits are not obtained within three (3) years from the date of approval, this conditional use permit shall expire.
9. This Conditional Use Permit may be revoked or conditions amended by the Board of Supervisors for violation of these conditions or any applicable county, federal or state codes.

Planning and Zoning; Amend the Street Addressing Ordinance to Change the Index of Official Road Names. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Planning and Zoning; Amend the Street Addressing Ordinance to Change the Index of Official Road Names. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing on both issues.

The following person spoke:

Tony Marino



The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O07-75.

The Voting Board tally was:

Yea: (7) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito, Cavalier

Nay: (0)

Ordinance O07-75 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ADDRESSING ORDINANCE BY AMENDING THE INDEX OF OFFICIAL ROAD NAMES TO ADD ONE ROAD IN THE FREDERICKSBURG POSTAL AREA

WHEREAS, the Board has established a Countywide system for naming all roads and numbering all principle buildings in the County; and

WHEREAS, the Board is authorized by Section 15.2-2019 of the Code of Virginia (1950), as amended, to name roads; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Addressing Ordinance for Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to add one road in the Fredericksburg Postal Area as follows:

Location

Current Road name

New Road Name

Northeast side of Doke            Unnamed                            Twin Creeks Lane  
Lane approximately  
1000 feet southeast of  
Brooke Road

Mr. Schwartz motioned, seconded by Mr. Brito, to adopt proposed Ordinance O07-70.

Discussion ensued.

The Voting Board tally was:

Yea: (6)    Fields, Gibbons, Milde, Schwartz, Brito, Dudenhefer

Nay: (1)    Cavalier

Ordinance O07-70 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD  
COUNTY ADDRESSING ORDINANCE BY AMENDING THE  
INDEX OF OFFICIAL ROAD NAMES TO RENAME PORTIONS OF  
ONE ROAD IN THE FREDERICKSBURG POSTAL AREA

WHEREAS, the Board has established a Countywide system for naming all roads  
and numbering all principal buildings in the County; and

WHEREAS, the Board is authorized by Section 15.2-2019 of the Code of  
Virginia (1950), as amended, to name roads; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of  
Supervisors on this the 20<sup>th</sup> day of November, 2007, that the Addressing Ordinance for

Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to rename portions of one road in the Fredericksburg Postal Area as follows:

<u>Location</u>	<u>Current Road name</u>	<u>New Road Name</u>
At the intersection with Warrenton Road and From a point 1,000 feet northwest of Warrenton Road to its terminus	Stanstead Road	South Gateway Drive
From a point 10,000 feet Northwest of Warrenton Road to Falls Run Drive	Auction Drive	South Gateway Drive
From Falls Run Drive to the eastern terminus of Tomorrow Street	Unnamed	South Gateway Drive
From the eastern terminus of Tomorrow Street to Plantation Drive	Tomorrow Street	South Gateway Drive

FURTHER, BE IT ORDAINED by the Stafford County Board of Supervisors that the above amendment shall be effective upon completion of the road improvements.

Utilities; Consider the Rental of Two Properties Owned by the County at Rocky Pen Run Reservoir. Mr. Keith Dayton, Assistant Director of Utilities-Construction/Maintenance, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons desired to speak:

Chris Henry

Mrs. Henry

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-462.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Gibbons, Milde, Schwartz, Brito, Fields

Nay: (2) Cavalier, Dudenhefer

Resolution R07-462 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO RENT THE PROPERTIES LOCATED AT 532 ROCKY RUN ROAD  
AND 65 BEREWOODS DRIVE

WHEREAS, the County has acquired the properties located at 532 Rocky Run Road and 65 Berea Woods Drive in conjunction with the Rocky Pen Run Reservoir; and

WHEREAS, these properties are presently vacant; and

WHEREAS, the Board has considered the information provided by staff, and the testimony at the public hearing; and

WHEREAS, the Board has determined that it is in the best interest of the County to continue to rent these properties until such time as they must be vacated in preparation for completion of the Rocky Pen Run Reservoir;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of November, 2007, that the County Administrator be and he hereby is authorized to rent the properties located at 532 Rocky Run Road and 65 Berea Woods Drive; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to sign any documents relative to the rental of these properties.

Adjournment. At 8:52 P. M., the Chairman declared the meeting adjourned.

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Steve Crosby  
County Administrator

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Jack R. Cavalier  
Chairman