

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting
January 23, 2007

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 5:05 P. M., Tuesday, January 23, 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 III; George H. Schwartz; M. S. "Joe" Brito; and Jack R. Cavalier, Chairman.

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

Invocation. Mr. Milde gave the Invocation.

Pledge of Allegiance. Mr. Gibbons gave the Pledge of Allegiance to the Flag of the United States of America.

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

- Kay Dudenhefer - Anniversary of death of her daughter.
- Road safety.

- Lou Silver
- Advertisement regarding change of Board meeting dates.
 - Public Hearing on Brentsmill Subdivision.
 - Expressed wishes for a good year.
- Buddy Secor
- Dominion Virginia Power transmission lines.

Presentation by Board Member. Mr. Dudenhefer commented on the anniversary of the death of his daughter and road safety.

Legislative; Closed Meeting. At 5:20 P.M., Mr. Gibbons motioned, seconded by Mr.Fields, to adopt proposed Resolution CM07-02.

The Voting Board tally was:

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

Resolution CM07-02 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice in regard to the Dominion Power line case and two personnel matters, one to discuss performance of a specific County employee, and one to interview and consider a prospective candidate for employment/appointment regarding the Comprehensive Plan, Zoning & Subdivision Ordinance update; and

WHEREAS, pursuant to Section 2.2-3711 A7 and A1 VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 23rd day of January, 2007 does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 6:24 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-02a.

The Voting Board tally was:

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

Resolution CM07-02a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 23, 2007

WHEREAS, the Board has, on this the 23rd day of January, 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 23rd day of January 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.

Legislative; Work Session on Department of Social Services Update. Mr. Michael Muse, Director of Social Services, gave a presentation and responded to Board members questions.

Legislative; Work Session on Virginia Department of Transportation Study on Secondary Road Maintenance. Mr. Michael Estes, Director, Local Assistance Division, VDOT, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, this item was tabled until later in the meeting.

Recess. At 6:55 P.M. the Chairman declared a recess.

Call to Order. At 7:05 P.M., the Chairman called the meeting back to order.

County Attorney; Create a Service District for Hartlake Estates. Mr. Joseph Howard, County Attorney, commented.

The Chairman opened a public hearing.

The following person spoke:

Richard Moxley

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Gibbons, to adopt proposed Ordinance O07-03.

Discussion ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Fields, to request that the Transportation Commission review this item and report back to the Board.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Cavalier, Dudenhefer, Fields
Nay: (4) Schwartz, Brito, Gibbons, Milde

The Voting Board tally on the original motion was:

Yea: (5) Milde, Schwartz, Brito, Fields, Gibbons
Nay: (2) Cavalier, Dudenhefer

Hearing no objections from the Board, the Transportation Commission was requested to further review this issue and provide a policy.

Ordinance O07-03 reads as follows:

AN ORDINANCE TO CREATE A SERVICE DISTRICT FOR THE
HARTLAKE ESTATES SUBDIVISION OF STAFFORD COUNTY

WHEREAS, pursuant to Section 15.2-2400, et. seq., Virginia Code Annotated, the Board desires to create a Service District for the Hartlake Estates Subdivision to provide road construction, maintenance and general upkeep of the streets and roads within the Hartlake Estates Subdivision that are not under the operation and jurisdiction of the Virginia Department of Transportation; and other services, events, or activities which will enhance the use and enjoyment of and the public safety, public convenience and public well-being within the Hartlake Estates Subdivision Service District; and

WHEREAS, the Board has received petitions signed by more than 50 percent of property owners, who own more than 50 percent of the property to be served in the Hartlake Estates Subdivision Service District requesting the Board to create a service district for the purposes set forth herein; and

WHEREAS, the Board has determined that it is in the public interest to secure additional funds for the road construction, road maintenance and other services required in the Hartlake Estates Subdivision on an enhanced and more complete or timely basis than are desired in the County as a whole; and

WHEREAS, the Board has conducted a public hearing after appropriate advertisement in a newspaper of general circulation in accordance with Section 15.2-2400, et. seq. Virginia Code Annotated; and

WHEREAS, the Board has received and considered public comments on the establishment of the Hartlake Estates Subdivision Service District; and

WHEREAS, the Board has determined that the creation of the Hartlake Subdivision Service District is in the best interest of the County as well as the residents and property owners in Hartlake Estates Subdivision;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 23rd day of January, 2007, that the Hartlake Estates Subdivision Service District be and it hereby is created as follows:

1. Boundaries of the Hartlake Estates Subdivision Service District

The boundaries of the Hartlake Estates Subdivision Service District consist of the entire residential subdivision known as Hartlake Estates, as said subdivision is recorded in Deed Book 272 at Page 276 and Deed Book 332 at Page 181, with Sections 1 through

3 recorded in Plat Book 6, Pages 125, 135 through 138, including all property shown on Exhibit A entitled “Hartlake Estates Service District.”

2. Purpose of Hartlake Estates Subdivision Service District

The purpose of the Hartlake Estates Subdivision Service District is to provide for construction, maintenance and general upkeep of the private streets and roads within the Hartlake Estates Subdivision that are not under the operation and jurisdiction of the Virginia Department of Transportation; and such other services, events or activities which will enhance the use and enjoyment of and the public safety, public convenience and public well-being within the Hartlake Subdivision Service District.

3. Plan for improvements within the Hartlake Estates Subdivision Service District

Construction, maintenance and general upkeep of the private streets and roads; as well as other services, events or activities which will enhance the use and enjoyment of and the public safety, public convenience and public well-being within the Hartlake Subdivision Service District will be provided through the special tax assessment imposed pursuant to this Ordinance. Additional funding for improvements within the Service District may be provided by private contributions and other sources as approved by the Board of Supervisors.

4. Benefits from providing enhanced services within the Hartlake Estates Subdivision Service District

The construction, maintenance and general upkeep of streets and roads in the Hartlake Estates Subdivision that are not under the operation and jurisdiction of the Virginia Department of Transportation will improve general vehicular traffic flow and transportation safety and provide an enhanced ability to maintain the quality of life for residents of the Hartlake Estates Subdivision Service District. The other services, events or activities provided will maintain the community assets and will enhance the use and

enjoyment of and the public safety, public convenience and public well-being of the residents and property owners within the Hartlake Estates Subdivision Service District.

5. Special tax assessment for Hartlake Estates Subdivision Service District

All real property located within the Service District shall be subject to taxation, at a rate to be set annually by the Board of Supervisors. The special tax shall be levied and collected with the Service District at the same time as the County's general real property tax is levied and collected. All rules and regulations of the County regarding the levy and collection of taxes shall apply to such special tax for the Hartlake Estates Subdivision Service District. The Treasurer of Stafford County is requested to segregate the proceeds of the special tax collected in the Service District on the books and records of the County through appropriate accounting, so as to ensure that the proceeds collected within the Service District are expended solely within the Service District for the purposes authorized by this Ordinance.

6. Powers of Hartlake Estates Subdivision Service District

The Hartlake Estates Subdivision Service District shall be governed by the Board of Supervisors and shall have those powers authorized by Section 15.2-2403, Virginia Code Annotated, as such powers pertain to the purposes authorized by this Ordinance for the Service District.

Legislative; Work Session on Virginia Department of Transportation Study on Secondary Road Maintenance (Cont'd). Mr. Craig Secrest, VDOT Transportation Technical Management, gave a presentation and responded to Board members questions.

Estes, Director, Local Assistance Division, VDOT, commented further.

Mr. Dudenhefer motioned, seconded by Mr. Gibbons, to forward this study to the Transportation Commission for a recommendation and analysis.

The Voting Board tally was:

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

Nay: (0)

Legislative; Work Session on Mid-Year FY2007 Budget Review. Ms. Cheryl Beagle, Budget Director, gave a presentation and responded to Board members questions.

Legislative; Consent Agenda. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt the Consent Agenda consisting of Items 6 thru 12E omitting item 12c.

The Voting Board tally was:

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

Nay: (0)

Item 6. Legislative; Approve Minutes of Board Meeting. Regular Meeting of December 19, 2006.

Item 7. Finance; Approve Expenditure Listings.

Resolution R07-15 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)

DATED JANUARY 9, 2007 THROUGH JANUARY 22, 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 23rd day of January 2007, that the above-mentioned EL be and it hereby is approved.

Item 8a. Budget; Budget and Appropriate Additional Funds in Accordance with the Mid-Year Review.

Resolution R07-36 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO BUDGET
AND APPROPRIATE ADDITIONAL FUNDS IN ACCORDANCE WITH
THE FY2007 MIDYEAR REVIEW

WHEREAS, an analysis of the revenues and expenditures at midyear for FY2007 indicates that various expenditures require appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing on Proposed Resolution R07-37 which budgets and appropriates funds in accordance with the FY2007 Midyear Review as follows:

GENERAL FUND:

Transfer to Other Funds	511,414
Fire and Rescue	186,331
Social Services	40,000
Comprehensive Services Act	600,000
Non-Departmental Contingency (Legal Fee Costs)	152,875
County Attorney	486,555

General Fund Total	1,977,175
CAPITAL PROJECTS FUND	491,000
TRANSPORTATION FUND	417,687
PARKS & RECREATION FUND	93,727
TOURISM FUND	31,202

Item 8b. Utilities; Vacate a Sanitary Sewer Easement and Public Property Lines at 4022 Jefferson Davis Highway.

Resolution R07-19 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO VACATE SANITARY SEWER
EASEMENTS AND TO DISPOSE OF PUBLIC PROPERTY AT 4022
JEFFERSON DAVIS HIGHWAY

WHEREAS, the County has replaced the existing sanitary sewage pump station located at 4022 Jefferson Davis Highway and abandoned the existing pumping station along with certain sanitary sewer lines; and

WHEREAS, the former site and some of the sanitary sewer easements for the former sewage pump station site are no longer needed for County use; and

WHEREAS, in accordance with the Code of Virginia, a public hearing is required;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing regarding the vacation of sanitary sewer easements and the vacation of the public purpose and disposition of public property at 4022 Jefferson Davis Highway.

Item 8c. Planning; Amend the County Code Regarding Application Fees for Certificate of Appropriateness.

Resolution R07-64 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND READOPT THE APPLICATION FEE FOR A CERTIFICATE OF APPROPRIATENESS, WHICH APPLIES TO PROPOSED EXTERIOR ALTERATIONS, RESTORATIONS, DEMOLITION, OR NEW CONSTRUCTION WITHIN COUNTY-DESIGNATED HISTORIC RESOURCE OVERLAY DISTRICTS

WHEREAS, the County has created twenty-three (23) local, historic resource overlay districts that should be preserved and maintained for the use, observation, education, pleasure and welfare of the people; and

WHEREAS, the Board is authorized to set reasonable fees and charges for the review services provided by the Department of Planning and Community Development; and

WHEREAS, the Board desires to set a lower Certificate of Appropriateness (COA) fee that is more commensurate with COA fees set within other Certified Local Governments within Virginia; and

WHEREAS, the Board acknowledges that by providing a lower COA fee more property owners may comply with Zoning Ordinance regulations to help preserve the historic fabric of cultural resources located within historic resource overlay districts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing on March 6, 2007, to amend and readopt the Certificate of Appropriateness fee for the Planning and Community Development Department.

Item 9. Utilities; Award Contracts to Purchase Process Chemicals for Water and Wastewater Treatment Facilities.

Resolution R07-34 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE CONTRACTS FOR THE PURCHASE OF PROCESS
CHEMICALS

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 purchase process chemicals for use at its water and wastewater treatment facilities; and

WHEREAS, funds are available in the FY2007 Operating Budgets for the purchase of these chemicals; and

WHEREAS, the County has participated in a cooperative bid process with Fairfax County Water Authority and other jurisdictions for the purchase of water and wastewater treatment process chemicals;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January 2007, that the County Administrator be and he hereby is authorized to execute contracts with Univar USA with an estimated 12-month expenditure of \$241,385; Allegiance Chemicals with an estimated 12-month expenditure of \$251,056; Kuehne Chemical with an estimated 12-month expenditure of \$236,575; and Kemira Water Solutions with an estimated 12-month expenditure of \$299,712 for the purchase of process chemicals for the water and wastewater treatment facilities, subject to appropriation of funds in FY2008 for this purpose; and

BE IT FURTHER RESOLVED that these contracts are authorized for renewal for up to two (2) additional 12-month periods subject to appropriation of funds by the Board for this purpose in subsequent years.

Item 10a. Legislative: Recognize Darren and Christina Cruzan and Tina Palmer for their Assistance During Flooding in the Gables Subdivision.

Proclamation P07-01 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND DARREN AND
CHRISTINA CRUZAN AND TINA PALMER FOR THEIR ASSISTANCE
DURING FLOODING IN THE GABLES SUBDIVISION

WHEREAS, Stafford County and the region experienced significant amounts of rainfall on several occasions in December 2006; and

WHEREAS, during one particularly severe rainstorm, Darren and Christina Cruzan were returning to their home in The Gables Subdivision along Mt. View Road when they noticed that a neighbor's back yard was flooded; and

WHEREAS, when the Cruzan's knocked on the front door of the home to check on its occupants, a distraught Michelle Lee, whose husband was at work at the time, told them that the basement was inundated with almost four feet of water; and

WHEREAS, after Mr. Cruzan went outside and determined that a major drainage culvert was blocked, he quickly found a rake and began removing the debris that was preventing the water from draining; and

WHEREAS, another neighbor, Tina Palmer, observed Mr. Cruzan's efforts and immediately grabbed some tools and joined his efforts to remove the leaves, sticks and trash clogging the metal grate covering the drain; and

WHEREAS, thanks to their timely efforts, the rubbish was eventually cleared, and the small lake of water that was also threatening several nearby homes completely drained away within 40 minutes; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the timely and selfless actions of the Cruzan's and Tina Palmer which helped prevent potentially devastating flooding in several homes in their neighborhood;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that Darren and Christina Cruzan and Tina Palmer be and they hereby are commended for their assistance during flooding in The Gables Subdivision.

Item 10b. Legislative: Celebrate the 275th Anniversary of George Washington's Birthday.

Proclamation P07-02 reads as follows:

A PROCLAMATION TO CELEBRATE THE 275TH ANNIVERSARY

OF GEORGE WASHINGTON’S BIRTHDAY

WHEREAS, George Washington called Ferry Farm in Stafford County home beginning at the age of six, studying mathematics, accounting and surveying until 1748 when he joined Lord Fairfax’s expedition to map and explore the wilderness of western Virginia; and

WHEREAS, in 1775, the Second Continental Congress chose George Washington as Commander-in-Chief of the American Army to lead the Nation in its triumphant struggle for independence from England; and

WHEREAS, due to his military experience, enormous personal charisma and strong political base in Virginia, George Washington was called upon and accepted the profound responsibility to govern our fledgling Nation as its first President; and

WHEREAS, in honor of Washington’s personal sacrifice and noble service, George Washington’s Fredericksburg Foundation invites the residents of Stafford and throughout the region to celebrate the anniversary of George Washington’s 275th Birthday; and

WHEREAS, Ferry Farm will host a special celebration to mark the occasion on Monday, February 19th, with events including blacksmithing, fencing, historic reenactments, games, arts and crafts, militia drills, gun salutes and a stone toss across the Rappahannock River; and

WHEREAS, the Board encourages all citizens to participate in this special commemoration marking the birth of one of our Nation’s most respected citizens;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that February 19th be and it hereby is

recognized as a special day to commemorate and celebrate the 275th anniversary of George Washington’s birthday.

Item 11. Budget; Reappropriate Funds from FY2006 to FY2007 for School Operating Fund One-Time Expenditures.

Resolution R07-16 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY2006
TO FY2007 FOR SCHOOL OPERATING FUND ONE-TIME EXPENDITURES

WHEREAS, the School Board has requested that the unexpended local funding of \$2,741,961, in FY2006 be carried forward to FY2007 for School Operating Budget;

WHEREAS, the School Board is compiling a list of one-time expenditure priorities, e.g., buses, technology replacement, etc.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that the County Administrator be and he hereby is authorized to budget and appropriate unexpended funds from FY2006 to FY2007 as follows:

GENERAL FUND

Transfer to the School Operating Fund \$2,721,152

SCHOOL OPERATING FUND

\$2,721,152

Item 12. Planning; Initiate Rezoning of Airport Property Owned Airport Authority and Economic Development Authority.

Resolution R07-62 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO INITIATE THE APPLICATION PROCESS TO RECLASSIFY
ASSESSOR’S PARCELS 37-71 AND 37-66 FOR THE STAFFORD
REGIONAL AIRPORT AUTHORITY AND STAFFORD ECONOMIC
DEVELOPMENT AUTHORITY

WHEREAS, the Stafford Regional Airport Authority owns Assessor’s Parcel 37-71 which is zoned A-1, Agricultural, and M-1, Light Industrial; and

WHEREAS, the Stafford Economic Development Authority owns Assessor’s parcel 37-66 which is zoned A-1, Agricultural, and is located at the northwest end of the airport runway; and

WHEREAS, the current A-1 zoning of the properties is not compatible with the mission of and plans for development of the Stafford Regional Airport; and

WHEREAS, seeking a change to the zoning of the property will allow the site to be developed in conformance with current zoning regulations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that the Board hereby authorizes the County Administrator to initiate a zoning reclassification request on Assessor’s Parcels 37-71 and 37-66 from A-1, Agricultural, to M-1, Light Industrial; and

BE IT FURTHER RESOLVED that staff be and it is hereby requested to work with the Stafford Regional Airport Authority to develop a new zoning district for the Regional Airport and surrounding properties.

Item 12A. Legislative; Appoint a Member to the Transportation Commission.

Resolution R07-66 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE TRANSPORTATION
COMMISSION

WHEREAS, the Board, by approval of Resolution R04-458 on December 7, 2004, created the Transportation Commission; and

WHEREAS, the Transportation Commission shall be composed of eight members, seven resident freeholders and one member of the Stafford County Planning Commission, who shall be appointed as follows: each Board member shall appoint one resident freeholder from his or her election district to serve initially for the duration of the appointing Board member's term in office. Subsequent terms for each of these seven Transportation Commission members shall be for four years. Each Board member shall appoint one resident freeholder from his or her election district to serve such a four-year term. The Chairman of the Planning Commission shall appoint one member of the Planning Commission to serve on the Transportation Commission and such member shall serve a four-year term to coincide with his or her current term on the Planning Commission. All Transportation Commission members may be reappointed for succeeding four-year terms in office; and

WHEREAS, one member to represent the Superintendent of Schools, one member to represent the Sheriff's Office, and one member to represent the Department of Fire, Rescue, and Emergency Services shall be assigned to be in attendance at all meetings in an advisory capacity to the Commission; and

WHEREAS, the Board may, as it deems necessary, appoint five members of the Transportation Commission's membership, pursuant to Section 33.1-230 of the Code of Virginia (1950), as amended, to function as viewers for public roads or bridges;

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Steven Apicella (Aquia)	December 31, 2009
Bruce Iosco (Falmouth)	December 31, 2009
Michael Kidby (Garrisonville)	December 31, 2009
Robert Dingess (Hartwood)	December 31, 2009
Byron K. Hinton (George Washington)	December 31, 2007
Walter Kreutzer (Griffis-Widewater)	December 31, 2007
Roland T. Stanford (Rock Hill)	December 31, 2007
Michael Rhodes (Planning Commission)	December 31, 2007

WHEREAS, Michael Rhodes has submitted his resignation; and

WHEREAS, the term of membership is four years; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 23rd day of January, 2007, that:

<u>NAME</u>	<u>EXPIRATION</u>
William Cook (Planning Commission)	December 31, 2007

be and he hereby is appointed to the Transportation Commission.

Item 12B. Legislative; Appoint a Member to the Agricultural Commission.

Resolution R07-68 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE AGRICULTURAL
COMMISSION

WHEREAS, the Board established a comprehensive approach to the preservation of agricultural and rural lands; and

WHEREAS, the Agricultural Commission will assist the Board in addressing the problems of sustainable growth, preservation of rural lands, and promotion and facilitation of agriculture, environmental integrity, land values and taxation; and

WHEREAS, the Agricultural Commission consists of seven members appointed from the election districts; and

WHEREAS, the Agricultural Commission recommends policies to accomplish the following:

1. Identification of areas of the County that are appropriate for the continuation of agriculture and the preservation of rural lands.
2. Identification of the level of residential development that should be permitted within agricultural and rural areas.
3. Review of the land use assessment program to determine its effect on farmland and its potential use on land speculation.
4. Development of a purchase of development rights program.
5. Development of a program with the Department of Economic Development and other County departments that will facilitate the expansion of markets for farm products; and

WHEREAS, the Agricultural Commission is permitted to form ad hoc committees comprised of the various stakeholders that it deems necessary to carry out the Commission's mission; and

WHEREAS, the Board has previously appointed the following;

<u>NAME</u>	<u>EXPIRATION</u>
Thomas Coen (Garrisonville District)	December 31, 2009
Pam Thibodeaux (Hartwood District)	December 31, 2009
Edward G. Silver	December 31, 2007

(George Washington District)

Lewis Cooney
(Rock Hill District) December 31, 2007

Nan Rollison
(Griffis-Widewater District) December 31, 2007

Benjamin Rudasill
(Aquia) December 31, 2009

Bruce Callander
(Falmouth District) December 31, 2009

WHEREAS, Lewis Cooney has submitted his resignation; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the Board desires that expirations coincide with Board Members terms of office;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that:

<u>NAME</u>	<u>EXPIRATION</u>
Gail R. Clark (Rock Hill District)	December 31, 2007

be and she hereby is appointed to the Agricultural Commission.

Item 12D. Legislative: Appoint a Member to the Cable Television Advisory Committee.

Resolution R07-71 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE CABLE TELEVISION
ADVISORY COMMITTEE

WHEREAS, the Board, on December 2, 1986, approved Resolution R86-612(R) which established the Cable Television Advisory Committee; and

WHEREAS, Resolution R86-612(R) provides for the appointment of seven citizens, each residing in a different election district, to serve on the Cable Television Advisory Committee; and

WHEREAS, the Board, on April 4, 1989, approved Resolution R89-124(R) to include a voting representative from the County Administrator's Office, and a voting representative from the School Superintendent's Office; and

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Jacqueline Hontz (George Washington District)	December 31, 2007
Danielle J. Davis (Aquia)	December 31, 2007
Marilee Knight (Griffis-Widewater District)	December 31, 2007

Thomas Gregory
(Rock Hill District) December 31, 2007

James Crowe
(Garrisonville District) December 31, 2007

Terry Lottes
(Hartwood) December 31, 2007

VACANT
(Falmouth District) December 31, 2006

County Administrator
or Designee Virtue of Office

School Superintendent
or Designee December 31, 2007

WHEREAS, a vacancy exists in the Falmouth District; and

WHEREAS, the term of appointment is one year;

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 23rd day of January, 2007, that

NAME

EXPIRATION

Thomas W. Kimbrell
(Falmouth District)

December 31, 2007

be and he hereby is appointed to the Cable Television Advisory Committee.

Item 12E. Legislative; Appoint a Member to the Community Policy and Management Team for At-Risk Youth & Families.

Resolution R07-72 reads as follows:

A RESOLUTION TO APPOINT MEMBERS 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:

NAME

EXPIRATION

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Thomas Frank (Director of Health Department)	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.

Legislative; Appoint a Member to the Clean Community Task Force. Mr. Cavalier motioned, seconded by Mr. Gibbons, to adopt proposed Resolution R07-69 with a change.

The Voting Board tally was:

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

Resolution R07-69 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE CLEAN
COMMUNITY TASK FORCE

WHEREAS, the purpose of the task force is to bring recommendations to the Board on actions to preserve Stafford's environment and quality of life; and

WHEREAS, the task force shall consider issues including, but not limited to, property maintenance and Chapter 21, Articles IV (Accumulations of litter on private property) and V (Litter control) of the County Code; and

WHEREAS, the task force shall develop methods to control and manage the: 1.) removal of trash, garbage, etc. from properties, including roadways, 2.) littering, 3.) dropping contents from vehicles, 4.) litter receptacles 5.) penalties for violations; and

WHEREAS, suggestions to the Board can include, but not be limited to, acquisition of equipment to clean roadways, new ways to provide workers for regular maintenance, cooperative maintenance procedures with VDOT; and

WHEREAS, the task force shall have seven appointed members, one from each of the County's election districts and staff support from the County Attorney's Office, Department of Code Administration, Office of Litter Prevention and Recycling, or other departments as needed; and

WHEREAS, the task force shall present its recommendations to the Board within six months of appointment of members at which time the task force shall be dissolved, unless it is deemed necessary by the Board that it be continued;

WHEREAS, the Board has previously appointed the following:

NAME

Curtis M. Dickinson
(Falmouth District)

Wendy Meyer
(Garrisonville District)

Barry Hastings
(Hartwood District)

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that:

NAME

Anne Kline
(Rock Hill District)

Jane Gill
(Griffis-Widewater District)

be and they hereby are appointed to the Clean Community Task Force.

Planning: Grant Exemption to Section 22-5 of the Subdivision Ordinance for a Family Subdivision of Assessor's Parcel 18V-4B and 4C. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-31 with a change.

Discussion ensued.

Hearing no objections from the Board, the following persons were permitted to speak:

Mr. Kline
Kim Hoy

Discussion further ensued.

The Voting Board tally was:

Yea: (4) Gibbons, Brito, Cavalier, Dudenhefer
Nay: (3) Fields, Milde, Schwartz

Resolution R07-31 reads as follows:

A RESOLUTION GRANTING AN EXEMPTION OF SECTION
22-5 OF THE SUBDIVISION ORDINANCE ENTITLED FAMILY
AND MINOR SUBDIVISIONS

WHEREAS, Annette and Ronald Peters, owners of Assessor's Parcel 18V-4C received the land under the provisions applicable to family subdivision on July 26, 2005; and

WHEREAS, Section 22-5(3) of the Subdivision Ordinance requires that a family subdivision lot cannot be voluntarily transferred to a non-immediate family member for at least five (5) years; and

WHEREAS, Section 22-5(13) stipulates that if the Board finds a hardship is being caused by the time restriction, it shall reduce the time period to alleviate the hardship; and

WHEREAS, the Board has found that a hardship does exist with imposition of the time limitation in this case;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007 that the exemption to the five (5) year family subdivision property transfer restrictions for Assessor's Parcel 18V-4C Annette and Ronald Peters be and it hereby is granted; and

BE IT FURTHER RESOLVED that this hardship provision shall be noted on a subsequent plat or deed in accordance with Section 22-5(13) of the Subdivision Ordinance.

Legislative; Discuss Holding a Transportation Forum Following the Legislative Session.

Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Gibbons, to hold a transportation forum with legislators following the legislative session.

The Voting Board tally was:

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

Nay: (0)

Legislative; Discuss Extending Proffers for Berea Parkway. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Gibbons, to extend these proffers for further review.

Discussion ensued.

Mr. Jeff Harvey, Director of Planning and Community Development, commented further.

Hearing no objections from the Board, it was requested this item be brought back at the next Board meeting.

Legislative; Discuss Requesting Transportation Commission to Recommend PPTA Guidelines for Future Road Projects. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to request the Transportation Commission develop PPTA guidelines for future road projects.

The Voting Board tally was:

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

Nay: (1) Brito

Legislative; Discuss Smoking Ban. Mr. Gibbons requested the County Attorney further research the issue and report back at the next Board meeting.

Legislative; Discuss Joint Committee with Board of Supervisors and the School Board.

Mr. Dudenhefer commented.

Hearing no objections from the Board, a committee of Mr. Gibbons, Mr. Schwartz and Mr. Carruthers was formed for further review of the tools and accounting software.

Legislative; Appoint a Member to the Architectural Review Board. Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-53 with a change.

The Voting Board tally was:

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

Nay: (0)

Resolution R07-53 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE ARCHITECTURAL REVIEW BOARD

WHEREAS, Section 28-58 (b) (1) of the County Code authorizes the Board to appoint members who shall have a demonstrated knowledge, interest, or competence in historic preservation to serve on the Architectural Review Board; and

WHEREAS, Section 28-58 (b) (2) of the County Code states that the Architectural Review Board shall be composed of five members, with the following

representation: at least one member shall be a registered architect, or an architectural historian, with a demonstrated interest in historic preservation; at least one member shall be a member of the planning commission, at least one member shall be a resident of a designated historic district in Stafford County; and

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Norman Schools (Historic District)	December 31, 2006
Mark King (Architect)	December 31, 2007
Barbara Kirby (Planning Commission)	December 31, 2008
VACANT (Architect/Architectural Historian/ Historic District)	December 31, 2007
VACANT (Architect/Architectural Historian/ Historic District)	December 31, 2009

WHEREAS, the term of membership is three years; and

WHEREAS, the Board desires to fill a vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Tanya Gossett (Architectural Historian)	December 31, 2009

be and she hereby is appointed to the Architectural Review Board.

Legislative; Appoint a Member to the Fredericksburg-Stafford Park Authority. Mr. Fields commented.

Discussion ensued.

Hearing no objections from the Board, this item was deferred.

Legislative; Appoint a Member to the Rappahannock EMS Council. Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-67.

The Voting Board tally was:

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

Resolution R07-67 reads as follows:

A RESOLUTION TO RECOMMEND AN APPOINTMENT TO THE
RAPPAHANNOCK EMS COUNCIL BOARD OF DIRECTORS

WHEREAS, the County has been allocated two Board seats on the Rappahannock EMS Council Board of Directors; and

WHEREAS, in addition, three at-large positions will become vacant in June, 2006; and

WHEREAS, the Board has nominated and the Rappahannock EMS Council Board of Directors has previously appointed the following:

<u>MEMBER</u>	<u>EXPIRATION</u>
Charles Robertson	April, 2007
Willie G. Shelton, Jr.	April, 2009

WHEREAS, Charles Robertson has submitted his resignation; and

WHEREAS, the appointment shall be for a term of three years;

WHEREAS, the Board desires to fill this unexpired term;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 23rd day of January, 2007 that

<u>MEMBER</u>	<u>EXPIRATION</u>
James Hill	April, 2007

be and he hereby is nominated for an appointment to the Rappahannock EMS Council Board of Directors.

Legislative; Closed Meeting. At 9:05 P.M., Mr. Fields motioned, seconded by Mr. Milde, to adopt proposed Resolution CM07-03.

The Voting Board tally was:

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

Nay: (0)

Resolution CM07-03 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting two personnel matters, one to discuss the performance of a specific County employee, and one to interview and consider a prospective candidate for employment/appointment regarding the Comprehensive Plan, Zoning & Subdivision Ordinance update; and

WHEREAS, pursuant to Section 2.2-3711 A1 VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 23rd day of January, 2007 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 9:54 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Resolution CM07-03a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM07-03a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
JANUARY 23, 2007

WHEREAS, the Board has, on this the 23rd day of January, 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 23rd day of January 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.

Adjournment. At 9:55 P. M., the Chairman declared the meeting adjourned.

Steve Crosby
County Administrator

Jack R. Cavalier
Chairman