

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting
March 6, 2007

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 1:02 P. M., Tuesday, March 6, 2007, in the Board Chambers, Stafford County Administration Center.

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

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

Student Government Day. The Chairman welcomed students from Brooke Point, Colonial Forge, Mountain View, North Stafford, and Stafford High Schools.

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

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| Kyle Schmidt | - | Traffic congestion on Garrisonville Road. |
| | - | Traffic signal on Joyce Street. |

- Brandon Russ
- Lunch served today.
 - Off-site graduation exercises.
- Patrick Lautenschlager
- Traffic on Shelton Shop and Garrisonville Road.
 - Classes sizes.
- Bryant Payne
- Drama class teacher.
- Alyssa Parker
- Motion sensors in classrooms.
 - Loss of 19 teachers.
- Joanne Lucas
- Heritage Club.
- Ryan Curry
- School parking permit fees.
- Katie Robeson
- Business taxes.
 - FRED Bus service.
- Zach Whittle
- Road congestion.
 - Stripping of lanes.
- Sara Stovick
- Aquia Harbour turning lanes..
- Lou Silver
- Public presentations.
 - Stafford Regional Airport.
 - Conflict of interest.
- Cecelia Kirkman
- Student Government Day; lessons learned.
 - Board of Zoning Appeals.
- Victoria Serven
- Woodlands Pool.

Legislative; Report of the Superintendent of Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current school issues and responded to Board members questions.

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

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|-------------|--|
| Mr. Fields | - Public presentations by student speakers. |
| Mr. Gibbons | - Requested the addition of an item for discussion regarding snow removal from sidewalks for the next Board meeting.
- Requested a memorial plaque for military men and women in Iraq.
- Commented on student's issue of NAACP.
- Dominion Virginia Power transmission lines.
- Virginia Railway Express.
- Meeting at 2:30 P. M. today regarding a proposal for the HOT lanes.
- Proposed relocation of a Rock Hill voting precinct.
- Signal light at Joyce Street. |
| Mr. Milde | - Alzheimer Care Facility.
- Potomac and Rappahannock Transportation Commission.
- Aquia Town Center.
- Germanna Community College.
- Presentation of Silver award.
- Fredericksburg Festival of the Arts.
- Comprehensive Plan Steering Committee. |

- Delegate Make Cole.
- Attended ribbon cutting for University of Mary Washington University at Stafford Campus.
- Aquia Harbour Lady Lions Club.
- Frank Turnage retirement dinner.
- Presentation for an Eagle Scout.
- Attended ribbon cutting for Young Chefs Academy.
- Museum.
- Removed item 12 from Consent Agenda.
- Brooke Post Office.

Mr. Schwartz

- Service on the Board.

Mr. Brito

- Welcomed students.
- Town Hall Meeting.
- Attended ribbon cutting for University of Mary Washington University at Stafford Campus.
- Comprehensive Plan Steering Committee.

Mr. Schwartz (Cont'd)

- Removed items 3a, 9 and 11 from Consent Agenda.

Mr. Dudenhefer

- Attended Quantico growth management committee meeting.
- Base Realignment and Closure transportation issues.
- Attended Utilities award ceremony for Robert E. Bos, Public Utilities Administrator.
- Advocates parents' involvement in community.

Mr. Cavalier

- Thanked students for attending.

- Recognized sport awards and requested proclamations.

Recess. At 2:00 P.M., the Chairman declared a recess.

Call to Order. At 2:10 P.M., the Chairman called the meeting back to order.

Report of the County Attorney. Mr. Joseph L. Howard, County Attorney, commented on the following:

- Closed Meeting additions.

Legislative; Additions to Closed Meeting: Mr. Gibbons motioned, seconded by Mr. Fields, to add the following items to Closed Meeting.

1. Legal Advice Discussion of Impact Fee Legislation and the status of County Impact Fee Districts
Joseph L. Howard, Jr.
2. Legal Advice Contract issues related to the Stafford Visitor Center
Joseph L. Howard, Jr.
3. Legal Advice Crow's Nest Condemnation Litigation
Joseph L. Howard, Jr.

Section 2.2-3711 A7
Code of Virginia

The Voting Board tally was:

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

Nay: (0)

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

- Introduced Mr. Tim Baroody, Director of Economic Development and Legislative Affairs for a presentation on Federal and State Legislative Initiatives.
- Introduced David Gayle, Assistant Director of Legislative Affairs, for a presentation on the issues in the current General Assembly.

Budget; Presentation of Proposed FY2008 Budget. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation and responded to Board members questions.

Legislative; Regular Agenda Additions and Deletions. Mr. Dudenhefer motioned, seconded by Mr. Brito, to add the following item to the Regular Agenda: Discuss Brooke Post Office.

The Voting Board tally was:

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

Legislative; Consent Agenda. Mr. Dudenhefer motioned, seconded by Mr. Fields, to adopt the Consent Agenda consisting of Items 1 thru 12, omitting item 3a, 9 and 11 and deleting item 12.

The Voting Board tally was:

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

Absent: (1) Gibbons

Item 1. Legislative; Approve Minutes of Board Meeting. Regular meeting of February 6, 2007.

Item 2. Finance; Approve Expenditure Listings

Resolution R07-116 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED FEBRUARY 21, 2007 MARCH 5, 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 6th day of March 2007, that the above-mentioned EL be and it hereby is approved.

Item 3b. Legislative; Authorize a Public Hearing to Amend Section 9-34 of the County Code to Relocate the Ruby Precinct in the Rock Hill Election District from Rock Hill Fire Station to Rock Hill Baptist Church.

Resolution R07-127 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING REGARDING
RELOCATING THE RUBY PRECINCT IN THE ROCK HILL ELECTION

DISTRICT FROM ROCK HILL VOLUNTEER FIRE DEPARTMENT TO
ROCK HILL BAPTIST CHURCH BY AMENDING SECTION 9-34 OF THE
COUNTY CODE

WHEREAS, the Board amended the election districts, precincts and polling places at a meeting on March 15, 2005; and

WHEREAS, concern has been raised that the polling place for the Ruby area of the Rock Hill Election District is not accessible; and

WHEREAS, the Board has received a recommendation regarding an accessible location and desires to schedule a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that it be and hereby does authorize the County Administrator to advertise a public hearing for March 20, 2007, to amend Section 9-34 of the County Code to change the polling place for the Ruby precinct in the Rock Hill Election District from Rock Hill Volunteer Fire Department to Rock Hill Baptist Church.

Item 4. Public Services; Petition the Virginia Department of Transportation to Include the Cornwallis Drive cul-de-sac and Valley Forge Court, within Blythedale Subdivision, Sections 6 and 7 into the Secondary System of State Highways

Resolution R07-111 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA
DEPARTMENT OF TRANSPORTATION TO INCLUDE
THE CORNWALLIS DRIVE CUL-DE-SAC AND
VALLEY FORGE COURT, WITHIN BLYTHEDALE
SUBDIVISION, SECTIONS SIX AND SEVEN, 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 the Cornwallis Drive cul-de-sac and Valley Forge Court within Blythedale Subdivision into the Secondary System of State Highways; and

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

WHEREAS, the Board will guarantee for one-year the street performance, VDOT will accept this guarantee and waiver the street performance surety bond;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March 2007, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following cul-de-sac and street within Blythedale Subdivision into the State Secondary System of Highways:

Street	Station	Length
Cornwallis Drive Cul-de-sac	Fr: Inter. Lord Fairfax Drive	0.04 Miles
	To: 0.04 Mi. E. Inter. Lord Fairfax Drive	50' ROW
Valley Forge Court	Fr: Inter. Lord Fairfax Drive	0.03 Miles
	To: 0.03 Mi. E. Inter. Lord Fairfax Drive	50' ROW

An unrestricted right-of-way (ROW), as indicated above, for this cul-de-sac and street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Plat of Subdivision, Section Six, recorded December 9, 1992; and Plat of Subdivision, Section Seven, recorded December 9, 1992; and

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

Item 5. Utilities; Authorize Contract for Chemicals for Use at Aquia and Little Falls Run Wastewater Treatment Facilities and Abel Lake Water Treatment Facility.

Resolution R07-98 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR LIQUID ALUMINUM SULFATE

WHEREAS, the Board has appropriated funds to be expended in FY2007 for the purchase of Liquid Aluminum Sulfate for use at the Aquia and Little Falls Run wastewater treatment facilities and at the Abel Lake Water Treatment Facility; and

WHEREAS, the current contract with General Chemical Performance Products, LLC contains provisions for up to four (4) annual contract renewals; and

WHEREAS, staff has reviewed the per ton unit cost for the contract renewal period and has found it to be reasonable and consistent with the provisions for price increases in the original bid solicitation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to execute a contract with General Chemical Performance Products, LLC for the purchase of Liquid Aluminum Sulfate at a cost of Two Hundred Eleven and 30/100 Dollars (\$211.30) per dry ton with an estimated annual expenditure, contingent upon appropriation of additional funds for FY2008, in an amount not to exceed Two Hundred Fifty-five Thousand Nine Hundred Dollars (\$255,900).

Item 6. Utilities; Award Contract for Filter Equipment for the Rocky Pen Run Water Treatment Facility

Resolution R07-121 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR FILTER EQUIPMENT FOR THE ROCKY
PEN RUN WATER TREATMENT FACILITY

WHEREAS, the Board desires to construct a water treatment facility at Rocky Pen Run to meet the current and future water needs of Stafford County; and

WHEREAS, the design of the membrane filter equipment was completed and price proposals solicited from qualified manufacturers; and

WHEREAS, two proposals were received offering equipment with a treatment capacity of 5 million gallons per day (MGD) and 10 MGD to be selected by the Board; and

WHEREAS, staff is recommending purchasing equipment having a capacity of 5 MGD to defer initial treatment facility costs, maximize the equipment warranty, and still provide a cost effective long term option; and

WHEREAS, staff further recommends purchasing the equipment having a capacity of 5 MGD offered by Pall Corporation in the amount of \$2,510,100;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to execute a contract with Pall Corporation in an amount not to exceed Two Million Five Hundred Ten Thousand One Hundred Dollars (\$2,510,100) for filter membrane equipment having a capacity of 5 MGD for the Rocky Pen Run Water Treatment Facility.

Item 7. Administration; Ratify the Amendments to the Charter of the George Washington Regional Commission.

Resolution R07-113 reads as follows:

A RESOLUTION TO RATIFY THE AMENDMENTS TO THE
CHARTER OF THE GEORGE WASHINGTON REGIONAL
COMMISSION (GWRC)

WHEREAS, the County is one of five member jurisdictions of the George Washington Regional Commission; and

WHEREAS, the GWRC has recommended amendments to Section 100.4 of the Commission's Charter, allowing for the appointment of alternate members from each jurisdiction to the Commission; and

WHEREAS, it has been requested by the Commission, and is required by the Charter, that each member jurisdiction ratify the recommended Charter amendments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the Board be it and hereby does ratify the amendment to the "Amended and Restated Charter Agreement" of the George Washington Regional Commission to allow for alternate Commission members.

Item 8. Parks and Recreation; Accept 23 Acres for a Future County Park Adjacent to Vulcan Lands, Inc

Resolution R07-114 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ACCEPT CONVEYANCE AND EXECUTE THE DEED FOR 23 ACRES
FOR A COUNTY PARK SUBJECT TO OBTAINING CLEAR TITLE TO THE
PROPERTY, FREE OF ANY CONDITIONS, RESTRICTIONS, OR
ENCUMBRANCES

WHEREAS, on February 19, 1991, the Board adopted Ordinance O91-09 which amended the Zoning Ordinance by amending the Zoning District Map to reclassify property on Assessor's Parcel 20-4A; and

WHEREAS, the applicant proffered 23 acres in fee simple to the County for use as a public park; and

WHEREAS, this 23 acre parcel shall be used a public park to service the surrounding community; and

WHEREAS, staff and the Parks and Recreation Advisory Commission recognize the benefit of a public park in the Rock Hill Election District;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to accept conveyance and execute the deed for 23 acres for a County park subject to obtaining clear title to the property, free of any conditions, restrictions, or encumbrances.

Item 10. Legislative; Ratify the Purchase of Parcel 30-50

Resolution R07-125 reads as follows:

A RESOLUTION TO RATIFY THE PURCHASE OF PROPERTY

WHEREAS, the Board desired to purchase 2.08 acres located on Tax Map 30, Parcel 50 at 62 Greenhow Lane which is critical to the long-term courts complex development plans for the County; and

WHEREAS, a delinquent tax sales auction was held and the County was successful in purchasing said property for the price of \$220,000 plus \$22,000 for the buyer's premium for a total of \$242,000;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March 2007, that the purchase of 2.08 acres on Tax Map 30, Parcel 50 at 62 Greenhow Lane for the price of Two Hundred Forty-Two Thousand Dollars (\$242,000) be and it hereby is ratified and the County Administrator is authorized to sign all documents necessary to complete the purchase; and

BE IT FURTHER RESOLVED that funds in the amount of \$242,000 be and they hereby are budgeted and appropriated from General Fund Balance to the Capital Projects category; and

BE IT STILL FURTHER RESOLVED that the Board reasonably expects to reimburse advances made or to be made by the County to pay the costs of development, acquisition, construction, and equipping the Courthouse Judicial Center from the proceeds of its debt or other financings. The maximum amount of debt or other financing expected to be issued in one or more series for the Courthouse Judicial Center is \$242,000.

Public Services; Authorize a Public Hearing to Consider the Virginia Department of Transportation FY2008-FY2013 Six-Year Secondary Road Improvement Program. Mr. Schwartz commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-94.

Discussion ensued.

The Voting Board tally was:

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

Resolution R07-94 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO ADOPT THE VIRGINIA DEPARTMENT OF TRANSPORTATION FY2008-FY2013 SIX-YEAR SECONDARY ROAD IMPROVEMENT PROGRAM

WHEREAS, the Virginia Department of Transportation is responsible for the construction and maintenance of the Secondary Road System in the County; and

WHEREAS, the Board sets priorities for the Secondary Road Improvement Program; and

WHEREAS, the County has received a proposed Six-Year Secondary Road Improvement Program for FY2008-FY2013;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to advertise a public hearing for April 3, 2007, to approve the Six-Year Secondary Road Improvement Program for FY2008-FY2013.

Public Services; Authorize the County Administrator to Execute an Addendum to the County/State Agreement Regarding the Airport Access Road (Centreport Parkway).

Mr. Schwartz commented.

Mr. Dudenhefer motioned, seconded by Mr. Schwartz, to defer proposed Resolution R07-115.

Ms. Jorg Huckabee-Mayfield, Residency Administrator Virginia Department of Transportation, commented further.

Discussion ensued.

The Voting Board tally was:

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

Economic Development and Legislative Affairs; Consider a Request to Endorse Legislative Initiatives Proposed by Social Action Linking Together (SALT) for 2007.

Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Fields, to deny proposed Resolution R07-126.

Discussion ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Milde, to defer proposed Resolution R07-126.

The Voting Board tally on the substitute motion was:

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

This item was deferred to the next Board meeting.

Legislative; Appoint Members to Boards, Authorities, Commissions and Committees; ADA Grievance Committee. Mr. Milde commented.

Mr. Milde motioned, seconded by Mr. Schwartz, to defer proposed Resolution R07-123.

Discussion ensued.

The Voting Board tally was:

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

Utilities; Amend the Pump and Haul Agreement with the Virginia Department of Health to Add Mount Hope Baptist Church. Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation and responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-117.

The Voting Board tally was:

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

Resolution R07-117 reads as follows:

A RESOLUTION TO APPROVE A PUMP AND HAUL AGREEMENT
WITH THE VIRGINIA DEPARTMENT OF HEALTH FOR MOUNT HOPE
BAPTIST CHURCH AT 1653 BROOKE ROAD

WHEREAS, the County has an Agreement and General Permit with the State Health Department for Pump and Haul services; and

WHEREAS, Pump and Haul services are required for Mount Hope Baptist Church, 1653 Brooke Road until the church relocates; and

WHEREAS, it is necessary for the County to add new locations to the General Permit Agreement with the Virginia Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to add 1653 Brooke Road to the agreement with the Virginia Department of Health; and

BE IT FURTHER RESOLVED that these services will be discontinued and removed from the agreement with the Virginia Department of Health when they relocate or if public sewer becomes available; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial obligation and the anticipated occupant will bear all costs associated with Pump and Haul services.

Utilities; Amend the Pump and Haul Agreement with the Virginia Department of Health to Add 213 Toluca Road. Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation and responded to Board members questions.

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

Information Technology; Consider Audio/Visual System Upgrade to Board Chambers. Mr. David Noel, Director of Information Technology, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-122.

Discussion ensued.

The Voting Board tally was:

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

Nay: (1) Brito

Resolution R07-122 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO PROCEED WITH RECOMMENDED UPGRADES OF THE BOARD
ROOM AUDIO/VISUAL SYSTEM

WHEREAS, the proposed Audio/Video System upgrades in the Board Room are needed to improve the capabilities of the current system and fix problems with the reliability and operations of the current equipment; and

WHEREAS, all services and equipment for the upgrades to the Audio/Visual System are offered through The Whitlock Group state contract VA-05912-WHIT;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to proceed with upgrades to the Board Room Audio/Visual System in an amount not to exceed Ninety-seven Thousand Eight Hundred Twenty Dollars (\$97,820).

Utilities; Amend the Pump and Haul Agreement with the Virginia Department of Health to Add 213 Toluca Road. Mr. Gibbons commented.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to defer this item.

The Voting Board tally was:

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

Nay: (0)

Public Services; Authorize Design for Library. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Gibbons, to adopt proposed Resolution R07-100.

The Voting Board tally was:

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

Nay: (0)

Resolution R07-100 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR THE DESIGN OF A NEW LIBRARY;
AUTHORIZE A PUBLIC HEARING; AND DECLARE INTENT TO
REIMBURSE ITSELF

WHEREAS, the Board authorized the staff to seek bids for the design of the County's second library to be located at the intersection of Lyons Boulevard and Plantation Drive in South Stafford; and

WHEREAS, County and Central Rappahannock Regional Library staff interviewed prospective architects and are recommending Lukmire Partnership;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the County Administrator be and he hereby is authorized to execute a contract with Lukmire Partnership in an amount not to exceed \$825,000; and

BE IT FURTHER RESOLVED that funding will be from proffer donations in the amount of \$139,509 and the balance funded from Prior Year Fund Balance; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to advertise a public hearing to budget and appropriate funds in the amount of \$825,000; and

BE IT STILL FURTHER RESOLVED that the Board has determined that it may be necessary or desirable to advance money to pay the costs of developing, acquiring, constructing and equipping the library thus:

- The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
- The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of development, acquisition, construction and equipping the new library from the proceeds of its debt or other financings. The maximum amount of debt or other financing expected to be issued in one or more series for the new library is \$825,000.

Planning; Discuss Amending the Zoning Ordinance to Regulate Signs with Changeable Copy. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Milde, to refer this item to the Planning Commission for further review.

The Voting Board tally was:

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

Nay: (0)

Legislative; Closed Meeting. At 4:05 P.M., Mr. Fields motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-08.

The Voting Board tally was:

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

Nay: (0)

Resolution CM07-08 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 four matters: the Dominion Power Line Case, a discussion of Impact Fee legislation and the status of County Impact Fee Districts, the Crow's Nest Condemnation Litigation and contract issues related to the Stafford Visitor Center; and a personnel matter in regard to the performance of outside counsel for Comp Plan Issues; 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 6th day of March, 2007 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 5:15 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 CM07-08a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM07-08a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
MARCH 6, 2007

WHEREAS, the Board has, on this the 6th day of March, 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 6th day of March 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.

Recess. At 5:16 P.M. the Chairman declared a recess until 7:00 P.M.

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

Invocation. Mr. Milde gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Mr. Fields lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Legislative; Presentation of a Proclamation.

- Recognize and Commend Andrew E. Loft as Stafford County’s Teacher of the Year.
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Legislative; Presentations by the Public-II. The following persons spoke:

- | | | |
|--------------------|---|---|
| Dr. Dean Fetterolf | - | School Budget. |
| Rebecca Reed | - | Comprehensive Plan; tools for growth. |
| Buddy Secor | - | Towering Concerns; Dominion Transmission lines. |
| Heather Stefl | - | Peddlers and solicitors. |

Planning; Consider a Conditional Use Permit at 58 Stanstead Road. Mr. Jeff Harvey, Director, Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following person spoke:

Frank Pohanka, Applicant

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-84.

The Voting Board tally was:

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

Nay: (0)

Resolution R07-84 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2600902 TO ALLOW MOTOR VEHICLE SALES AND RENTALS, AND AUTOMOBILE REPAIR IN A B-2, URBAN COMMERCIAL, ZONING DISTRICT, ON ASSESSOR'S PARCEL 45-38A, FALMOUTH ELECTION DISTRICT

WHEREAS, Frank Pohanka, applicant, has submitted application CUP2600902 requesting a conditional use permit to allow motor vehicle sales and rentals, and automobile repair in a B-2, Urban Commercial, Zoning District, on the above-described property; and

WHEREAS, the application has been submitted pursuant to 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 has carefully considered the recommendation of the Planning Commission, staff and 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 6th day of March, 2007, that a Conditional Use Permit pursuant to application CUP2600902 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for motor vehicle sales and rentals, and automobile repair on TM 45-38A consisting of 9.87 acres.

2. The primary use shall be new vehicle sales.
3. The building design and materials shall be in general conformance with the renderings entitled “Proposed Elevations”, dated January 23, 2007.
4. Parking lot lighting shall be directed downward and inward on the site to prevent glare onto adjacent streets and Interstate 95.
5. Sidewalk shall be constructed along the site access drive from the south dealership entrance to the intersection with Stanstead Drive.
6. An access drive shall be constructed at least 30 feet in width along the northwest property boundary in the location shown on the Generalized Development Plan entitled “Pohanka Honda”, dated November 8, 2006.
7. There shall be no vehicle parked or unloaded within any public right-of-way.
8. Customer parking areas will be clearly marked and not used for display purposes.
9. Roof top parking areas shall be screened with a parapet wall at least 4 feet in height measured from the parking surface.
10. Rooftop mechanical equipment shall be screened from view from any public right of way.
11. Only passenger vehicles shall be rented at the proposed location.
12. All automobile service and repair shall be performed inside the buildings. No service bay doors shall be located along the east facing side of any building facing Interstate 95.

13. Storage areas for inoperable vehicles shall be screened with a 6-foot board on board fence.
14. Existing canopy trees shall be preserved within the first 30 feet closest to the interstate in the area identified as “Existing Mixed Pines and Hardwoods” on the Generalized Development Plan. However, an area may be cleared for the placement of a monument sign. Tree protection measures shall be consistent with methods established in the Stafford County Design and Construction Standards for Landscaping, Buffering, and Screening.
15. There shall be no outdoor display or storage of automobile parts.
16. No display vehicles outside of the buildings shall be elevated on platforms or ramps greater than four feet in height with space for vehicles underneath.
17. No vehicles shall be displayed within the Interstate buffer.
18. No off-road test tracks shall be permitted on the site.
19. There shall be no carnival style flags, lights, balloons, or windsocks used on site.
20. Buildings shall be equipped with sprinkler systems for fire suppression.
21. This conditional use permit will expire within 5 years of approval if a building permit has not been issued for construction of the first building for vehicle sales.
22. 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.

A-1 to B-2 at 1221 Warrenton Road. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

Steve Klebanoff, Applicant

Glenda Kopchinsky

Doug Lacey

Scott Horan

Greg Motta

Mr. Brito motioned, seconded by Mr. Fields, to continue the public hearing and defer proposed Ordinance O07-13 to the next Board meeting.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Planning; Amend the County Code Regarding Application Fees for Certificate of Appropriateness. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Milde, to adopt proposed Ordinance O07-14.

The Voting Board tally was:

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

Ordinance O07-14 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN 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 Board 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 ORDAINED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the fee for a Certificate of Appropriateness application, which is required for all exterior alterations, restorations,

reconstruction, or demolition of historic buildings or new construction within historic resource overlay districts is and is hereby amended and reordained as follows:

<u>Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
Certificate of Appropriateness	\$400	\$25

Treasurer; Amend and Reordain the County Code Entitled “Service Charge for Bad Checks Tendered County”. Mr. Bill Colvin, Treasurer, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O07-21.

The Voting Board tally was:

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

Nay: (0)

Ordinance O07-21 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2,
SECTION 2-2, ENTITLED “SERVICE CHARGE FOR BAD CHECKS
TENDERED COUNTY”, OF THE STAFFORD COUNTY CODE

WHEREAS, different agencies in Stafford County charge different amounts for insufficient check charges; and

WHEREAS, the County would like the insufficient check charges to be uniform to avoid public confusion; and

WHEREAS, the current ordinance limited the fee to insufficient checks; and

WHEREAS, the County now accepts other forms of electronic payment and would like the fee to extend to any means of payment returned to the County unpaid;

WHEREAS, it is the desire of the Board of Supervisors to permit the Treasurer to review and modify the amount charged for payments drawn on insufficient funds in accordance with Va. State Code § 2.2-614.1 (1950, as amended).

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of March, 2007, that the Stafford County Code be and it hereby is amended and reordained by amending Chapter 2, Section 2-2, as follows, all other portions remaining unchanged:

Sec. 2-2. Service charges ~~for bad checks tendered county.~~

~~(a) If any bank upon which a check tendered to the county or any of its agents in their official capacity shall refuse payment upon such check and return the same to the county or its agents unpaid due to insufficient funds in the account of the drawer, no account in the name of the drawer or the account of the drawer being closed, there shall be an additional fee of twenty dollars (\$20.00) imposed upon the party presenting such check to the county or its agents. Such fee shall apply to checks tendered for any fee or tax required or authorized to be collected by the county or its agents and shall be in addition to any other penalties imposed by the county.~~

(a) If any check or other means of payment tendered to a public body of the County in the course of its duties is not paid by the financial institution on which it is drawn,

because of insufficient funds in the account of the drawer, no account in the name of the drawer, or the account of the drawer is closed, and the check or other means of payment is returned to the public body unpaid, the amount thereof shall be charged to the person on whose account it was received, and his liability and that of his sureties, shall be as if he had never offered any such payment. A penalty in an amount to be established by the Stafford County Treasurer shall be added to such amount. This penalty shall be in addition to any other penalty or administrative costs allowed by law.

(b) Fees received by the county under this section shall be treated as miscellaneous contributions to the General Fund and may be used to defray the expenses incurred by the County in the collection of such ~~checks~~ funds.

Legislative; Discuss the Donation of Board Van. Mr. Milde commented.

Discussion ensued.

Hearing no objections from the Board, staff is requested to further review the issue and report back.

Legislative; Discuss Painting of Water Tanks. Mr. Milde commented.

Discussion ensued.

Legislative; Discuss Update on Rocky Pen Run Reservoir. Mr. Robert E. Bos, Public Utilities Administrator, and Mr. Keith Dayton, Assistant Director of Utilities-Construction/Maintenance, gave a presentation and responded to Board members questions.

Discussion ensued.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to request that the Planning Commission review the proposed Ordinance that was passed out by Mr. Gibbons, report back to the Board within 30 days; and the Board further rescinded its previous motion to send a special exception request to the Board of Zoning Appeals regarding the Rocky Pen Run Reservoir project.

Hearing no objections from the Board, this item was tabled until later in the meeting to allow the County Attorney to further review.

Legislative; Discuss Brooke Post Office. Mr. Milde commented.

Hearing no objections from the Board, Mr. Milde will further pursue the issue with staff support.

Legislative; Discuss Proposed County Museum. Mr. Dudenhefer commented.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Fields, to request the expenditure of funds to conduct a feasibility study on the proposed location of the Museum/Visitors Center.

The Voting Board tally was:

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

Nay: (0)

Legislative; Discuss Update on Rocky Pen Run Reservoir. The County Attorney commented.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to request that the Planning Commission review the proposed Ordinance that was passed out by Mr. Gibbons, report back to the Board within 30 days; and the Board further rescinded its previous motion to

send a special exception request to the Board of Zoning Appeals regarding the Rocky Pen Run Reservoir project.

The Voting Board tally was:

Yes: (4) Gibbons, Milde, Cavalier, Dudenhefer

Nay: (3) Schwartz, Brito, Fields

Adjournment. At 10:15 P. M., the Chairman declared the meeting adjourned.

Steve Crosby

County Administrator

Jack R. Cavalier

Chairman