

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

May 1, 2012

Call to Order The regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 7:00 P. M., on Tuesday, May 1, 2012, in the Board Chambers, at the George L. Gordon, Jr. Government Center.

Roll Call The following members were present: Susan B. Stimpson, Chairman; Cord A. Sterling, Vice Chairman; Jack R. Cavalier; Paul V. Milde III; Ty A. Schieber; Gary F. Snellings; and Robert “Bob” Thomas, Jr.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

Invocation Ms. Stimpson gave the Invocation.

Pledge of Allegiance Troop 1425 led the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Interstate 95 Tolls Mike Estes of VDOT gave a presentation on possible toll roads to be installed on I-95 south of Mile Marker 126, and the outreach and coordination in progress. In response to Mr. Schieber’s question about implementation, Mr. Estes said that VDOT hopes to have an agreement in place by the end of the year, but that actual implementation in the next calendar year is a very aggressive timeline.

Presentations by the Public The public spoke on topics as identified:

- Keith Angle - Cutting Taxes
- Sondra Cox - Civil War Park @ the Landfill
- Larry Rinker - Shooting Ranges on Private Property
- Karen Clemente - Taxes/Simplify the Schools' Budget
- Matt Lafley - Stafford Baseball League
- Robert Dreisdadt - Stafford Baseball League/County Budgets
- Russ Moulton - Tax Rates/Budget
- Hugh Williamson - Cutting Taxes and County Spending
- Dean Fetterolf - VDOT/Budget
- Heather Stefl - Lowering the Tax Rate
- Barbara Kirby - Civil War Park @ the Landfill

Presentations by Members of the Board Board members spoke on the topics as identified:

- Mr. Sterling - Budget
- Mr. Thomas - SBL Opening Day Ceremony, Civil War Park @ the Landfill, Budget
- Mr. Cavalier - Deferred
- Mr. Milde - PRTC, George Washington Toll Road Authority
VRE stats, Aquia area Boy Scout Awards
- Mr. Schieber - FAB, Eagle Scout Ceremony
- Mr. Snellings - Requested Shooting Range on Private Property on the Public Safety Committee Agenda, 350th Committee and Town Hall Meetings on May 9th at 7:00 pm and May 12th at 10:00 a.m. in the Board Chambers
- Ms. Stimpson - VRE Leeland Station, Falmouth Intersection Town Hall Meeting

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Romanello reported that there were no additions or deletions to the agenda and deferred the remainder of his report to Mike Smith,

Director of Public Works, who updated the Board on Transportation projects; and Chris Hoppe, Director of Parks, Recreation and Community Facilities, who updated the Board on Chichester and Smith Lake Parks.

Finance and Budget; 3rd Quarter Review Ms. Nancy Collins, Budget Division Director, gave a presentation and answered Board members questions.

Finance and Budget; Adoption of the FY2013 County Budgets; CY2012 Tax Rates; and the FY2013 – FY2022 Capital Improvements Program

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-88.

Mr. Schieber made a friendly amendment, seconded by Mr. Snellings, to transfer all recordation funds to the Transportation Fund.

The Voting Board tally was:

Yea: (7) Schieber, Snellings, Sterling, Thomas, Cavalier, Milde, Stimpson

Nay: (0)

Mr. Snellings made a friendly amendment, seconded by Mr. Thomas, to reduce the Warrenton Road Service District tax to \$.0.

Mr. Milde felt that the Service District tax should be kept at a \$0.5 rate, a reduction from the \$.096 rate. Mr. Snellings disagreed, stating that with state and federal monies contributed, there is no current need for a local tax. Mr. Sterling asked if anyone believed that there were going to be no further upgrades needed to Warrenton Road, and if state and federal monies would sufficiently cover all improvements now and in the future. He added that a specified tax should be kept in place. Mr. Schieber asked what the annual collection is for the County. Mr. Dayton replied that it has been approximately \$680,000 a year. With a \$0.05 rate in place, it would be approximately \$349,000 a year.

Mr. Snellings replied that he did not wish to continue a tax on businesses on Warrenton Road at this time, but if the need arises in the future, this issue could be revisited. Mr. Cavalier agreed, stating that the tax is only being put on “hiatus” and could be revisited next year or whenever the Board desires.

The Voting Board tally on accepting the amendment was:

Yea: (6) Snellings, Thomas, Schieber, Cavalier, Sterling, Stimpson
Nay: (1) Milde

Mr. Schieber motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-88 with both amendments. Mr. Cavalier stated that he was not comfortable with voting on tax rates since, in his opinion, there were not been an adequate number of work sessions or discussions held. Ms. Stimpson disagreed, saying that she was ready to support the proposed resolution.

The Voting Board tally was:

Yea: (6) Schieber, Snellings, Milde, Sterling, Stimpson, Thomas
Nay: (1) Cavalier

Resolution R12-88 reads as follows:

A RESOLUTION TO ESTABLISH TAX YEAR 2012 TAX RATES

WHEREAS, the Virginia Code requires that the governing body establish an annual levy of certain taxes for the calendar year; and

WHEREAS, a public hearing on the proposed calendar year 2012 tax rates was held on Wednesday, April 4, 2012, at 7:00 P.M. in the Board Chambers at the Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, 22554; and

WHEREAS, the Commissioner of the Revenue requires the timely establishment of tax levies to allow time for tax bills to be processed and received by the citizens;

NOW, THEREFORE, BE IT RESOLVED that all state recordation revenues be used for Transportation projects; and

BE IT FURTHER RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the following rates be and they hereby are established

<u>Classification</u>	<u>Rate Per One Hundred Dollars of Assessed Valuation</u>	<u>Effective Rate Per One Hundred Dollars of Assessed Valuation</u>
Real Estate (Virginia Code § 58.1-3200.)	1.07	1.07
Tangible Personal Property (Virginia Code § 58.1-3500.) Includes all other classifications of personal property not specifically enumerated.)	6.89	2.76
Boats or watercraft. (Virginia Code §§ 58.1-3506 (1.a), (1.b), (12), (28), and (29).)	5.49	2.20
Motor Vehicles Specially Equipped for the Disabled (Virginia Code § 58.1-3506 (14).)	.10	0.04
Personal Property Volunteer Fire & Rescue (Virginia Code §§ 58.1-3506 (15) and (16).)	.0001	0.00
Camping trailers and recreational vehicles (Virginia Code §§ 58.1-3506 (18) and (30).)	5.49	2.20
One motor vehicle owned and regularly used by a veteran who has either lost, or lost the use of, one or both legs, or an arm or a hand, or who is blind or who is permanently and totally disabled as certified by the Department of Veterans Services. In order to qualify, the veteran shall provide a written statement to the commissioner of revenue or other assessing officer from the Department of Veterans Services that the veteran has been so designated or classified by the Department of Veterans Services as to meet the requirements of this section, and that his disability is service-connected. For purposes of this section, a person is blind if he meets the provisions of Virginia Code § 46.2-100. (Virginia Code § 58.1-3506 (19).)	.0001	0.00
Motor Carrier Transportation (Virginia Code § 58.1-3506 (25).)	.75	.30

for the tax year beginning January 1, 2012:

<u>Classification</u>	<u>Rate Per One Hundred Dollars of Assessed Valuation</u>	<u>Effective Rate Per One Hundred Dollars of Assessed Valuation</u>
All tangible personal property employed in a trade or business other than that described in Virginia Code §§ 58.1-3503 A.1. through A.18., except for subsection A.17. (Virginia Code § 58.1-3506 (26).)	5.49	1.92
Programmable computer equipment and peripherals employed in a trade or business (Virginia Code § 58.1-3506 (27).)	5.49	1.92
Machinery and Tools (Virginia Code § 58.1-3507.)	.75	0.30
Merchant's Capital (Virginia Code § 58.1-3509.)	.50	0.50
Mobile Homes (Virginia Code § 58.1-3506.)	1.07	1.07
Aircraft (Virginia Code §§ 58.1-3506(2) and (3).)	.0001	0.00
Garrisonville Road Special Service District (Virginia Code §§ 15.2-2400 through 15.2-2403.)	.088	.088
Warrenton Road Special Service District (Virginia Code §§ 15.2-2400 through 15.2-2403.)	.00	.00
Hidden Lake Special Service District (Virginia Code §§ 15.2-2400 through 15.2-2403.)	.451	.451
Hartlake Special Service District (Virginia Code §§ 15.2-2400 through 15.2-2403.)	.00	.00
Countywide Fire and Emergency Medical Services Tax District (Virginia Code § 27-23.1.)	.00	.00

In 2004, the General Assembly capped the amount of relief the State provided for Personal Property Tax Relief (PPTRA) at \$950 million per year. The PPTRA cap took effect on January 1, 2006. Stafford County's share of the state allotment is \$12.5 million in CY2012. This allotment is to be distributed among all the qualifying vehicles. For tax year 2012, vehicles qualifying will be granted 41% relief.

Mr. Thomas motioned, seconded by Mr. Snellings to adopt proposed Resolution R12-87.

Mr. Sterling stated that he was not comfortable with the risks he felt that the Board was taking by adopting the proposed budget. Mr. Milde said that he agreed, especially in looking at the “out” years. Mr. Schieber said that he shared some concerns, but felt that the budget offered a doable approach and he would support it. Ms. Thomas noted that the proposed budget presented a shift to non-categorical funding for the Schools. Mr. Milde said that he would not support a budget with non-categorical funding. Ms. Stimpson stated that she felt the relationship between the Board and School Board would continue to improve, adding that she supported Mr. Thomas’ efforts working on the proposed budget. Ms. Stimpson asked Ms. Maria Perrotte, Chief Financial Officer, for her opinions on the budget and to address some concerns expressed by members of the Board. Ms. Perrotte said she felt it was a budget that the County could live with and that could be adjusted as needed. Ms. Perrotte added that the County was being conservative and that it was a structurally sound budget.

In discussing the Capital Improvements Plan, Mr. Milde said that he believed that the Animal Shelter was too many years out and talked about sustainable debt service. Ms. Stimpson asked Ms. Perrotte if she thought that the debt service was sustainable. Ms. Perrotte cited the use of the Affordability Model and said that she believed it was sustainable. Mr. Milde said that he did not want to have to depend on population growth to fund employee raises. Mr. Sterling repeated his objections to the proposed budget. Mr. Cavalier agreed with Mr. Sterling saying that he had brought up the idea of cutting the tax rate by \$.05 but that it was never discussed or explored further.

Ms. Stimpson said that Schools were a top priority and thanked representatives from the School Division for attending the meeting. She mentioned that the vast majority of excess revenue was being dedicated to the Schools, and a portion of the revenue was also going back into the taxpayer’s pockets. Ms. Stimpson also thanked staff for presenting a conservative, workable budget.

The Voting Board tally was:

Yea: (4) Thomas, Snellings, Schieber, Stimpson

Nay: (3) Cavalier, Milde, Sterling

Resolution R12-87 reads as follows:

A RESOLUTION TO APPROVE THE FISCAL YEAR 2013 COUNTY BUDGETS

WHEREAS, a public hearing on the proposed Fiscal Year 2013 Budgets was held on Wednesday, April 4, 2012, at 7:00 P.M. in the Board Chambers of the Stafford County Administration Center, 1300 Courthouse Road, Stafford, VA; and

WHEREAS, the Board has held budget work sessions at which Board members have analyzed, deliberated, and reviewed citizen input; and

WHEREAS, the Board has considered the recommendations of staff, citizen input at the budget work sessions, and the public testimony at the public hearing; and

WHEREAS, the Board desires to support special education students in the County as identified by Stafford County Public Schools by providing educational services in the least restrictive, most cost effective environment, and within the community through expansion of the Public Day School; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st date of May, 2012, that the Fiscal Year 2013 Budgets for the various General Government Funds be and they hereby are adopted as follows:

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I. <u>GENERAL GOVERNMENT FUNDS:</u>	
<u>General Fund:</u>	247,291,942
Operating Budget Transfer to Schools	106,518,774
Public Day School Transfer to Schools	332,000
School Debt Service	26,203,740
Board of Supervisors	607,066
Capital Projects	2,865,782
Central Rappahannock Regional Library	4,967,212
Commissioner of the Revenue	2,576,931
Commonwealth's Attorney	2,864,733
Cooperative Extension	169,064
Corrections	7,819,046
County Administration	1,026,593
County Attorney	1,039,238
Clerk of the Circuit Court	1,456,220
Circuit Court	262,959
General District Court	102,556
Juvenile and Domestic Relations Court	68,223
Magistrate	9,328
15th District Court Services Unit	415,087
Debt Service County	9,979,518
Economic Development	696,070
Finance and Budget	1,490,772
Fire and Rescue	14,957,895
Human Resources	378,983
Human Services, Office of	4,298,505
Information Technology	2,122,646
Non-Departmental	3,612,446
Parks, Recreation and Community Facilities	10,147,178
Partner Agencies	1,866,077
Planning and Zoning	2,562,841
Public Works	4,026,646
Registrar & Electoral Board	422,574
Sheriff	22,858,653
Social Services	6,655,498
Treasurer	1,911,088

GENERAL GOVERNMENT FUNDS

Asset Forfeiture Fund	300,000
Fleet Services Fund	4,105,023
General Capital Improvements Fund	530,390
Hidden Lake Special Revenue Fund	105,449
Garrisonville Road Service District Fund	1,870,000
Warrenton Road Service District Fund	776,000
Tourism Fund	1,379,759
Transportation Fund	9,348,256
Utilities Funds	86,867,441

BE IT FURTHER RESOLVED that the Fiscal Year 2013 School Budget be and it hereby is approved in the following amounts:

II. SCHOOL FUNDS

Construction Fund	245,618
Grants Fund	11,157,482
Health Services Fund	24,668,261
Nutrition Services Fund	11,776,004
School Operating Fund	247,447,022
Workers' Compensation Fund	676,071

BE IT FURTHER RESOLVED that the Board of Supervisors is budgeting sufficient funds for and encourages the School Board to implement a 2.5% salary increase for all School employees; and

BE IT FURTHER RESOLVED that \$332,000 be included in the local transfer to the Schools, contingent on execution of a mutual agreement of understanding between the Superintendent and the County Administrator to provide the necessary supports to expand public day school services; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to recruit and maintain full-time positions up to the authorized full-time strength stated below:

General Fund	
Non-Public Safety	328
Public Safety	341
Utilities Fund	139
Capital Projects Fund	3
Tourism Fund	0
Grants Fund	<u>7</u>
Total	818

BE IT FURTHER RESOLVED that the Contribution Strategy for Employee Health Care, adopted in Resolution R09-165, be amended as follows:

	Key Care 15		Key Care 30	
	Employee Only	Dependent Coverage	Employee Only	Dependent Coverage
FY2012	5%	10%	2.50%	5%
FY2013	10%	15%	2.50%	5%

; and

BE IT FURTHER RESOLVED that FY2012 health insurance savings be used to grant a health insurance premium holiday for County employees from July, 2012, through March, 2013; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to continue the Employee Pay for Performance Program, effective January 1, 2013, with an average salary increase of 2.5%; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to implement the Virginia Retirement System (VRS) 5/5 whereby employees pay their share of retirement contribution and receive a salary increase in an equal amount, effective 7/1/12; and

BE IT FURTHER RESOLVED that Rollback Tax Revenues in excess of \$80,000 be dedicated to the County’s Purchase of Development Rights program; and

BE IT FURTHER RESOLVED that the Board intends to purchase the upgrades to the land information software system using funds in the Capital Projects Reserve to be reimbursed by a technology fee levied on land development applications; and

BE IT FURTHER RESOLVED that the County Administrator be and hereby is authorized to approve contracts for the purchase of replacement public safety vehicles, consistent with the budget; and

BE IT STILL FURTHER RESOLVED that the Board approves the FY2013 Potomac and Rappahannock Transportation Commission subsidy of \$82,000 and the Virginia Railway Express subsidy of \$2,347,707, and authorizes the payment of the subsidies during FY2013 from the County's Motor Fuels Tax Revenue account.

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-86.

The Voting Board tally was:

Yea: (5) Thomas, Snellings, Cavalier, Schieber, Stimpson

Nay: (2) Milde, Sterling

Resolution R12-86 reads as follows:

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2013
COUNTY BUDGETS

WHEREAS, the Board held budget work sessions at which members have analyzed, deliberated, and reviewed citizen comments at the public hearing held on April 4, 2012; and

WHEREAS, the Board is committed to maintaining the undesignated fund balance and wishes to retain adequate budgetary control given the challenging economic climate; and

WHEREAS the Schools operating budget includes revenues in the amount of \$2,298,046 identified as prior year carry-forward funds that must be confirmed by the FY2012 audit prior to re-appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the General Fund General Government expenditures (other than debt service) and Local School Transfer (other than debt service) be and they hereby are appropriated at 95% of the Adopted FY2013 Budgets; and

BE IT FURTHER RESOLVED that debt service be and it hereby is appropriated at 100% of the Adopted FY2013 Budgets; and

BE IT FURTHER RESOLVED that the Fiscal Year 2013 Budgets for the various General Government Funds be and they hereby are appropriated as follows:

III. GENERAL GOVERNMENT FUNDS:

<u>General Fund:</u>	236,827,310
Operating Budget Transfer to Schools	101,192,835
Public Day School Transfer to Schools	315,400
School Debt Service	26,203,740
Board of Supervisors	576,713
Capital Projects	2,722,493
Central Rappahannock Regional Library	4,718,851
Commissioner of the Revenue	2,448,084
Commonwealth's Attorney	2,721,496
Cooperative Extension	160,611
Corrections	7,518,896
County Administration	975,263
County Attorney	987,276
Clerk of the Circuit Court	1,383,409
Circuit Court	249,811
General District Court	97,428
Juvenile and Domestic Relations Court	64,812
Magistrate	8,862
15th District Court Services Unit	394,333
Debt Service County	9,979,518
Economic Development	661,267
Finance and Budget	1,416,233
Fire and Rescue	14,210,000
Human Resources	360,034
Human Services, Office of	4,083,580
Information Technology	2,016,514
Non-Departmental	3,431,824
Parks, Recreation and Community Facilities	9,639,819
Partner Agencies	1,772,773
Planning and Zoning	2,434,699
Public Works	3,825,314
Registrar & Electoral Board	401,445
Sheriff	21,715,720
Social Services	6,322,723
Treasurer	1,815,534

GENERAL GOVERNMENT FUNDS

Asset Forfeiture Fund	300,000
Fleet Services Fund	4,105,023
General Capital Improvements Fund	530,390
Hidden Lake Special Revenue Fund	105,449
Garrisonville Road Service District Fund	1,870,000
Warrenton Road Service District Fund	776,000
Tourism Fund	1,379,759
Transportation Fund	9,348,256
Utilities Funds	86,867,441

BE IT FURTHER RESOLVED that the Fiscal Year 2013 School Budget be and it hereby is appropriated in the following amounts:

IV. SCHOOL FUNDS

Construction Fund	245,618
Grants Fund	11,157,482
Health Services Fund	0
Nutrition Services Fund	11,776,004
School Operating Fund	239,806,437
Workers' Compensation Fund	676,071

BE IT FURTHER RESOLVED that the Board will consider the appropriation of the Health Services Fund following the receipt of detailed budget information from the Schools; and

BE IT FURTHER RESOLVED that the Board will consider the appropriation of the 5% balance of the General Fund, General Government budget (less debt service), and the Local School Transfer, following the mid-year review and the FY2012 audit completion, in consideration of current financial conditions; and

BE IT FURTHER RESOLVED that, after the midyear review, up to \$200,000 of any positive results of operations will be used for Parks Capital projects; and

BE IT FURTHER RESOLVED that at the close of the fiscal year, all appropriations shall lapse for budget items other than capital projects, encumbrances and commitments and grants. The County Administrator is authorized to maintain the following appropriations as noted or until the Board, by resolution or ordinance, changes or eliminates the designated appropriations:

- (i) Capital projects, until the completion of the project;
- (ii) Encumbrances and commitments;
- (iii) Grant funds for the duration of the grant; and

BE IT FURTHER RESOLVED that in accordance with the Board's Principles of High Performance Financial Management, the Board will consider any requests for re-appropriation of Fiscal Year 2012 carryover funds for County and Schools following the completion of the FY2012 audit and in consideration of the current financial conditions; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to increase budgets and appropriations for the following items of non-budgeted restricted revenue that may occur during the fiscal year:

1. Insurance recoveries received for damages to County properties for which County funds have been expended to make repairs;
2. Defaulted developer and builder securities to be used for uncompleted projects;
3. Donations for a specific purpose; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to approve insurance settlements less than \$100,000, in concurrence with the County's insurance carrier; and

BE IT FURTHER RESOLVED that to comply with Governmental Accounting Standards Board Statement No. 54 (GASB 54) and Generally Accepted Accounting Practices, some projects or sets of accounts may need to be moved between funds, and the County Administrator be and he hereby is authorized to make such transfers; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to extend the FY2012 financial accrual period until August 25, 2012, commensurate with the extended tax payment deadline; and

BE IT STILL FURTHER RESOLVED that to ensure the taxpayers of Stafford County are paying the lowest tax rates possible, all outside funding sources such as State Funds, Federal Funds, Proffers, and User Fees will be designated to be spent first, with any local matches that are required. After all these funds are spent, local tax dollars will be spent.

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-92.

Mr. Milde made a friendly amendment, seconded by Mr. Sterling, to shift the Stafford High School replacement one-year to the right in the CIP. Mr. Cavalier said that rather than a rebuild, \$35M paid for a lot of renovations and asked if it were feasible to maintain classes at Stafford High School while renovation was underway. Mr. Scott Horan, Assistant Superintendent for Facilities, addressed Mr. Cavalier's concerns saying that while it was possible, it was not ideal and would create a lot of disruption for students over the course of the 3 – 4 years it would take to complete a full renovation. Mr. Horan also stated that total cost for rebuilding Stafford High School was raised to \$66.1M at the request of the Board of Supervisors, due to increased student capacity, and that renovation costs were conservatively estimated at between \$30.9M to \$42M.

Ms. Schieber asked Mr. Horan, if Mr. Milde's friendly amendment passed, to explain the effect a one-year delay would have on existing contracts. Mr. Horan said that if it was only a one-year delay, they would continue so long as they had a commitment from the Board that the delay was just for one year. He cautioned that every delay meant additional possible increases, citing a 3% inflation rate. Mr. Milde said that he was on the original committee who debated renovation vs. rebuilding and that the \$66.1M cost did not include road improvements which would be cost prohibitive. Mr. Sterling said that he supported the rebuild of Stafford High School, although he did not like it, and expressed his concerns about viable financing of the project. Subsequent to discussion with the County Attorney, Mr. Milde's friendly amendment was changed to a substitute motion.

The Voting Board tally on accepting the substitute motion was:

Yea: (2) Milde, Sterling

Nay: (5) Cavalier, Schieber, Snellings, Stimpson, Thomas

The Voting Board tally on the original motion was:

Yea: (5) Cavalier, Schieber, Snellings, Stimpson, Thomas

Nay: (2) Milde, Sterling

Resolution R12-92 reads as follows:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2013-2022 CAPITAL IMPROVEMENTS PROGRAM WITH INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, a public hearing on the proposed Fiscal Year 2013-2022 Capital Improvement Program was held on Wednesday, April 4, 2012, at 7:00 P.M. in the Board Chambers of the Stafford County Administration Center, 1300 Courthouse Road, Stafford, VA; and

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

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

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

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the FY2013-2022 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 FY2013-2022 CIP be and it hereby is adopted as follows:

Fire Station #14	Route 1, Jefferson Davis Highway
Fire & Rescue Training Center	Route 608, Brooke Rd, South Of Eskimo Hill
Replacement Apparatus	Route 608, Brooke Road, East Of Raven Road
Fire & Rescue Station – Centerport	Route 616, Poplar Rd, North Of Kellogg Mill Rd
F&R Self-Contained Breathing Apparatus	Route 616, Poplar Rd, South Of Mt View Rd
Telegraph Road West	Route 627, Mountain View Road North Of Centreport Parkway
Boswell’s Corner Improvements	Route 627, Mt View Rd From Joshua Rd To Rose Hill Farm Rd
Upton Lane	Route 627, Mt View Rd, & Route 651, Kellogg Mill Rd, Intersection
Falmouth Safety & Parking Improvements	Route 644, Rock Hill Church Road
Butler Road	Route 17, Warrenton Road
IT Infrastructure	Route 610, Garrisonville Road
Land Acquisition	
Improvements to Existing Parks	
Chichester Park	
Curtis Park Pool	

McDuff Green Park Phase 2	Courthouse Rd & Route 1 Intersection
Musselman Park	Improvements
Rectangular Fields with Land	Route 606, Ferry Road
Bond Trails	Route 630: Cedar Lane To Winding Creek Rd
Future Park Bond Projects	Route 630: Winding Creek Rd To Shelton
Park Infrastructure	Shop Rd
Animal Shelter	Route 637, Telegraph Road
Courthouse Addition	Route 651, Kellogg Mill Road Relocation
Library	Route 652, Truslow Road, East Of I-95
Bike Trails	Route 652, Truslow Road, West Of I-95
Stormwater	Pedestrian Improvements
Route 627 Mt. View Rd Ext. To High School	Poplar Road Phase 1
Staffordboro Parking Lot	Sebring Circle
Transportation Future Projects	Courthouse Streetscape, Phase 1
	Courthouse Streetscape, Phase 2

Schools

Stafford High School	Moncure Elementary Replacement
Career & Technical Center	Pavement Upgrades
Fleet Services Addition	School Site Improvements
Grafton Elementary Renovation	Environmental Equipment Upgrades
Ferry Farm Elementary Replacement	Roof Repair or Replacement
Brooke Point High School Addition	Elementary School #18 with Head Start
Colonial Forge High School Addition	Mountain View High School Addition
Stafford Elementary Renovation	Fiber Optic

Utilities

Regional Water Interconnection	Small Water Projects
Rocky Pen Run WTF - Membranes	VDOT/Falmouth Interchange Water Project
342 Water Zone System Improvements	Water Distribution System Rehab Program
Moncure Water Booster Pump Station	480 Water Zone System Improvements
Courthouse Area Water Tank	Potomac Creek PS & FM Replacement
Courthouse Water System Improvements	Wastewater PS Rehabilitation
Celebrate Virginia Water Tank	Austin Run Pump Station Replacement
Rocky Pen Run Water Treatment Facility	Claiborne Run Gravity Sewer Replacement
Able Lake WTF Upgrade	Claiborne Run Pump Station & Force Main Replacement
Rocky Pen Run Mitigation Projects	County Ridge Pump Station Replacement
310 Zone water System Improvements	Ebenezer Church Pump Station Replacement

Rocky Pen Run Dam and Reservoir	Equipment Replacement – Aquia WWTF
Replacement of 650 ft. of Claiborne Run Sewer Interceptor	Equipment Replacement – Little Falls Run WWTF Falls Run Pump Station & Force Main Replacement
Route 1 North Sewer	Falls Run Sewer Interceptor Replacement – Phase 1
Small Sewer Projects	Falls Run Sewer Interceptor Replacement – Phase 2
Sweetbriar Woods Pump Station & Force Main Replacement	Gravity Sewer Along Austin Run
Wastewater Collection System	Little Falls Run WWTF – 3 rd Treatment Train
Rehabilitation Projects	N Stafford Industrial Park Pump Station Replacement
Wastewater Pump Station Replacements	Oaks of Stafford Pump Station Replacement
Wayside Sewer Interceptor	Old Route 3 Pump Station Replacement
	Vehicles & Equipment Replacements
	Stafford County Complex

**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 FY2013-2022 Capital Improvements Program (“Projects”) 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 funds from temporary appropriations or loans from the General Capital Projects Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the projects to be financed in the FY2013-2022 Capital Improvements Program. The maximum amount of Bonds expected to be issued for the Projects is \$393,994,000.

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.

County Attorney; Consider an Emergency Ordinance to Amend Due Date for Taxes Mr. Charles Shumate, County Attorney, presented this item.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Emergency Ordinance O12-01.

The Voting Board tally was:

Yea: (7) Sterling, Thomas, Cavalier, Milde, Schieber, Snellings, Stimpson

Nay: (0)

Emergency Ordinance O12-01 reads as follows:

AN EMERGENCY ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTIONS 23-2, 23-2.3, 23-3, 23-3.1, 23-7, AND 23-8 TO AMEND THE DUE DATE FOR TAXES

WHEREAS, there was a delay at the General Assembly regarding the adoption of the state budget; and

WHEREAS, the delay in the adoption of the state budget resulted in the Board being unsure of the amount of state funding available to the County for its FY2013 budget; and

WHEREAS, the Board has not yet set the tax rate for FY2013; and

WHEREAS, due to these delays, the tax bills will be delivered to the County residents later than usual; and

WHEREAS, the Board desires to extend the due date for all mid-year taxes due to June 19, 2012;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that Stafford County Code, Sections 23-2, 23-2.3, 23-3, 23-3.1, 23-7, and 23-8, be and they hereby are amended as follows:

Sec. 23-2. Due dates for real estate taxes.

County real estate taxes shall be payable in two (2) equal installments. One installment shall be due on the ~~fifth day of June~~ nineteenth day of June and one installment shall be due on the fifth day of December.

Sec. 23-2.3. Due dates for tangible personal property taxes.

County taxes on tangible personal property shall be payable in two (2) equal installments. One installment shall be due on the ~~fifth day of June~~ nineteenth day of June and one installment shall be due on the fifth day of December.

Sec. 23-3. Penalty on delinquent real estate taxes.

Any taxpayer failing to pay any real estate tax on or before the ~~fifth day of June~~ nineteenth day of June or the fifth day of December, as applicable, shall incur a penalty thereon of ten (10) percent of the tax past due on such property or ten dollars (\$10.00), whichever is greater, which penalty shall be added to the amount of taxes due from such taxpayer and which, when collected by the treasurer, shall be accounted for in his settlements.

Sec. 23-3.1. Penalty on delinquent tangible personal property taxes.

Any taxpayer failing to pay any personal property tax on or before the ~~fifth day of June~~ nineteenth day of June or the fifth day of December, as applicable, shall incur a penalty thereon of ten (10) percent of the tax past due on such property, which penalty shall be added to the amount of taxes due from such taxpayer and which, when collected by the treasurer, shall be accounted for in his settlements.

~~No such penalty shall be posed, however, on any persons in the United States military services on active duty in the Persian Gulf area (Operation Desert Storm) while they are on such active duty and for ninety (90) days thereafter as evidenced by an affidavit filed with the commissioner of revenue by such persons or by others on their behalf.~~

Sec. 23-7. Taxes on property of public service corporations -- Due dates; method of assessment.

All taxes assessed against property of public service corporations shall be due and payable in installments. The first such installment shall be due on the ~~fifth day of June~~ nineteenth day of June and the second such installment shall be due and payable on the fifth day of December. The method of assessment of such property shall be governed by the provisions of Virginia Code section 58.1-3917 ~~of the Code of Virginia.~~

Sec. 23-8. Same -- Penalty on delinquencies.

Any taxpayer assessed with taxes on public service corporation property who fails to pay the same on or before the ~~fifth day of June~~ nineteenth day of June or the fifth day of December, as applicable, shall incur a penalty thereon of ten (10) percent of the tax

past due on such property or the sum of ten dollars (\$10.00), whichever is greater. Such penalty, when so assessed, shall become a part of the tax due.

BE IT FURTHER ORDAINED that any payments referred to in any ordinance or resolution with a due date of the 5th day of June shall be due and payable on or before the 19th day of June;

BE IT STILL FURTHER ORDAINED that this emergency ordinance shall expire on June 29, 2012.

Recess At 9:54 p.m., the Chairman declared a recess.

Call to Order At 10:08 the Chairman called the meeting back to order.

Planning and Zoning; Reclassify 6.77 acres from A-1, Agricultural to M-1, Light Industrial Zoning District Located at 135 Powell Lane Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Clark Leming, for the applicant, also gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Ordinance O12-06.

The Voting Board tally was:

Yea: (7) Snellings, Milde, Cavalier, Schieber, Sterling, Stimpson, Thomas

Nay: (0)

Ordinance O12-06 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM A-1, AGRICULTURAL ZONING DISTRICT, TO M-1, LIGHT INDUSTRIAL ZONING

DISTRICT, ON ASSESSOR’S PARCELS 44-93B AND 44-94,
WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Chandergupt Bajwa, applicant, submitted application RC1100314, requesting a reclassification from A-1, Agricultural Zoning District, to M-1, Light Industrial Zoning District, on Assessor’s Parcels 44-93B and 44-94; and

WHEREAS, the Board carefully considered the recommendations 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, and good zoning practice require adoption of an ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from A-1, Agricultural Zoning District, to M-1, Light Industrial Zoning District, on Assessor’s Parcels 44-93B and 44-94 with proffers entitled, “Proffers – Electrifiers,” dated August 22, 2011, last revised on March 7, 2012.

Utilities; Consider Condemnation and Exercise of Quick-Take Powers to Acquire an Easement Located at Tax Map Parcel 43-3-1 in Connection with the Rappahannock River Intake Project Mr. Harry Critzer, Director of Utilities gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R12-104.

The Voting Board tally was:

Yea: (7) Snellings, Milde, Cavalier, Schieber, Sterling, Stimpson, Thomas

Nay: (0)

Resolution R12-104 reads as follows:

A RESOLUTION TO AUTHORIZE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A 0.07 ACRE (3,000 SQUARE FOOT) EASEMENT ON A PORTION OF THE PROPERTY OWNED BY DAVID HIGGINS AND PHERBY HIGGINS, TAX MAP PARCEL 43-31, IN CONNECTION WITH THE RAPPAHANNOCK RIVER INTAKE PROJECT

WHEREAS, the Board approved the Rappahannock River Intake project, which is under construction; and

WHEREAS, Tax Map Parcel 43-31 consists of approximately 5.037 acres of land and is owned by David Higgins and Pherby Higgins (the “Property Owners”); and

WHEREAS, because the design for the project requires installation of a 3-phase electrical service for the Rappahannock River Intake facility, the Board must acquire a 0.07 acre (3,000 square foot) easement on Tax Map Parcel 43-31; and

WHEREAS, the fair market value for the easement area of Tax Map Parcel 43-31, together with damages, if any, to the remainder of the property is Four Hundred Fifty Dollars (\$450), based on the 2011 tax assessed value; and

WHEREAS, the Board through County staff, has made bona fide but ineffectual efforts to purchase the easement area of Tax Map Parcel 43-31 by offering said determination of value on behalf of the County to the Property Owners; and

WHEREAS, the terms of purchase cannot be agreed upon, and County staff has been unsuccessful in negotiating a final settlement, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, the Board has conducted a public hearing in accordance with Virginia Code Sections 15.2-1903(B) and 15.2-1905(C), to determine the necessity for condemnation and the exercise of the County’s quick-take powers and has carefully considered the recommendations of staff and the testimony, if any, at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 1st day of May, 2012, that the Board be and it hereby does find that public necessity exists for the Board’s easement ownership of the Property to complete construction of the Rappahannock River Intake project; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board’s bona fide offer of Four Hundred Fifty Dollars (\$450) as just compensation for the

Property, including damages, if any, to the remainder of the Property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire the Property for construction of the Rappahannock River Intake project, under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Director of Finance and Budget, or their designees, to sign the Certificate and to deposit Four Hundred Fifty Dollars (\$450), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the Property in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with Virginia law.

Legislative; Additions and Deletions to the Agenda There were no additions or deletions to the agenda.

Legislative; Consent Agenda Mr. Schieber motioned, seconded by Mr. Snellings, to accept the Consent Agenda consisting of Items 9 through 18.

The Voting Board tally was:

Yea: (7) Schieber, Snellings, Cavalier, Milde, Sterling, Stimpson, Thomas

Nay: (0)

Item 9. Approve Minutes of April 17, 2012 Board Meeting

Item 10. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R12-117 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING
(EL) DATED APRIL 17, 2012 THROUGH APRIL 30, 2012

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 1st day of May 2012 that the above-mentioned EL be and it hereby is approved.

Item 11. Human Services; Approve the Virginia Juvenile Community Crime Control Act Plan for 2013-2014

Resolution R12-78 reads as follows:

A RESOLUTION TO APPROVE THE VIRGINIA JUVENILE
COMMUNITY CRIME CONTROL ACT PLAN FOR 2013-2014

WHEREAS, Stafford County was provided funding pursuant to the Virginia Juvenile Community Crime Control Act to create additional delinquency prevention programs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the Virginia Juvenile Community Control Act Plan for 2013-2014 (the Plan), as prepared by the Fifteenth Judicial District Court Service Unit for the use of these funds from the Department of Juvenile Justice, be and it hereby is approved; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute approval of the Plan.

Item 12. Utilities; Award a Contract for Replacement of the North Stafford Industrial Park Pump Station

Resolution R12-122 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO AWARD A CONTRACT FOR CONSTRUCTION OF THE NORTH
STAFFORD INDUSTRIAL PARK SEWAGE PUMP STATION

WHEREAS, the Board has appropriated funds in the Utilities Department's FY2012 Capital Improvements Projects budget for the replacement of the North Stafford Industrial Park Sewage Pump Station; and

WHEREAS, construction of this pump station was offered for public bid; and

WHEREAS, five bids were received, with the bid of \$710,911 received from J. L. Kent & Sons determined to be the lowest responsive bid;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the County Administrator be and he hereby is authorized to execute a contract with J. L. Kent & Sons in an amount not to exceed Seven Hundred Ten Thousand Nine Hundred Eleven Dollars (\$710,911), unless increased by one or more duly approved change orders, for the construction of the North Stafford Industrial Park Sewage Pump Station.

Item 13. County Administration; Authorize a Public Hearing to Convey an Easement to Virginia Outdoors Foundation

Resolution R12-123 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONVEYANCE OF AN OPEN-SPACE EASEMENT ON 8.47 ACRES OF ASSESSOR'S PARCEL 43-22B TO THE VIRGINIA OUTDOORS FOUNDATION

WHEREAS, the Hartwood Volunteer Fire Department serves an important role in protecting the community; and

WHEREAS, the Hartwood Volunteer Fire Department is located on Assessor's Parcel 35-34A with no land available for replacement of the existing, inadequate onsite sewage system; and

WHEREAS, the only land available for a new onsite sewage system is on Assessor's Parcel 35-33, which is owned by the Estate of Helen Stewart Jones and is encumbered with an open-space easement held by the Virginia Outdoors Foundation; and

WHEREAS, staff identified a 8.47 acre portion of County-owned Assessor's Parcel 43-22B as an area suitable to establish an open-space easement as replacement for the existing Virginia Outdoors Foundation easement; and

WHEREAS, Assessor's Parcel 43-22B totals 40.16 acres and includes the Rocky Pen Run water pumping station on the Rappahannock River; and

WHEREAS, staff has determined that there will be no impacts to the operation of this facility by the granting of this easement; and

WHEREAS, the Virginia Outdoors Foundation Board of Trustees has determined that the proposed replacement location, on Assessor's Parcel 43-22B, meets the requirements of Virginia Code Section 10.1-1704; and

WHEREAS, the Virginia Outdoors Foundation Board of Trustees has agreed to accept the easement as a substitute for the diverted land; and

WHEREAS, Virginia Code § 15.2-1800 requires a public hearing for the conveyance of an easement on County owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the County Administrator be and he hereby is authorized to advertise a public hearing to allow for presentation and public comment for the purpose of considering the proposed conveyance of an open-space easement on 8.47 acres of Assessor's Parcel 43-22B to the Virginia Outdoors Foundation.

Item 14. Planning and Zoning; Refer a Zoning Text Amendment to the Planning Commission Regarding Restricted Access Entrances

Resolution R12-120 reads as follows:

A RESOLUTION TO REFER ZONING AMENDMENTS TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE, SECTION 28-108, ENTITLED "RESTRICTED ACCESS ENTRANCES"

WHEREAS, the zoning ordinance requires that residential developments of 35 or more dwelling units that have access from with private streets shall establish and maintain restricted access entrances from public streets; and

WHEREAS, several neighborhoods have been constructed with restricted access entrances with gate arms at the entrances; and

WHEREAS, staff has noted a number of safety and maintenance concerns with restricted access entrances; and

WHEREAS, some communities have inquired about removing the restricted access entrances requirement; and

WHEREAS, removal of restricted access entrances is not permitted under the existing County Code; and

WHEREAS, the Board desires to make the requirement to have restricted access entrances to be optional rather than mandatory; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the amendments to the zoning ordinance, pursuant to proposed Ordinance O12-21, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed ordinance as it deems necessary.

Item 15. Planning and Zoning; Refer to the Planning Commission an Amendment to the Zoning Ordinance Regarding Chesapeake Bay Phase III Compliance

Resolution R12-118 reads as follows:

A RESOLUTION TO REFER ZONING AMENDMENTS TO THE
PLANNING COMMISSION REGARDING STAFFORD COUNTY
CODE, SECTION 28-62, CHESAPEAKE BAY PRESERVATION
AREA OVERLAY DISTRICT

WHEREAS, the Chesapeake Bay Local Assistance Board has determined that Stafford County's Chesapeake Bay Preservation Act program does not fully comply with Virginia Code §§ 10.1-2109 and -2011 and 9 VAC 10-20-231 and -250 of the Chesapeake Bay Regulations (Regulations); and

WHEREAS, the Chesapeake Bay Local Assistance Board has determined that Stafford County's Chesapeake Bay Preservation Act program does not comply with 9 VAC 10-20-191 A 4 i-iii of the Regulations which requires specific notes on plans; and

WHEREAS, the Board desires to amend Stafford County Code, Section 28-62, Chesapeake Bay Preservation Area Overlay District, to bring the County into compliance with the Virginia Code and Virginia Administrative Code; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the amendments to the zoning ordinance, pursuant to proposed Ordinance O12-20, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the ordinance as it deems necessary.

Item 16. Planning and Zoning; Grant the Planning Commission a Time Extension to Review Proffer Guidelines

Resolution R12-121 reads as follows:

A RESOLUTION TO GRANT THE PLANNING COMMISSION
AN ADDITIONAL NINETY (90) DAYS TO REVIEW AND MAKE
RECOMMENDATIONS ON PROPOSED PROFFER GUIDELINES
FOR ZONING RECLASSIFICATION APPLICATIONS

WHEREAS, the Board referred proposed proffer guidelines for zoning reclassification to the Planning Commission for its review and recommendations; and

WHEREAS, the Board requested that the Planning Commission conduct a public hearing and make recommendations on the proffer guidelines by June 30, 2012; and

WHEREAS, the Planning Commission received a briefing by staff at its April 18, 2012 meeting; and

WHEREAS, the Planning Commission believes that consideration of the new guidelines will involve extensive public involvement; and

WHEREAS, the Planning Commission requested the Board grant an additional ninety (90) days to consider the guidelines; and

WHEREAS, the Board believes that the Planning Commission's request is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that it be and hereby does grant the Planning Commission an additional ninety (90) days to review and make recommendations on proposed proffer guidelines for zoning reclassification applications.

Item 17. Public Works; Budget and Appropriate Proffer Funds to the Mine Road Intersection Improvement Project

Resolution R12-119 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE PROFFER

FUNDS FOR THE GARRISONVILLE ROAD AND MINE ROAD
INTERSECTION PROJECT

WHEREAS, Ordinance O01-08 designates a proffer in the amount of \$100,000 from North Stafford Associates, L.P., to be used for improvements to the intersection of Garrisonville Road (SR-610) and Mine Road (SR-684); and

WHEREAS, the Board received the designated funds on January 5, 2005; and

WHEREAS, the Board desires to have the improvements completed for the public necessity, convenience, and general welfare of the community; and

WHEREAS, the Virginia Department of Transportation (VDOT) currently has a project underway to complete the Garrisonville Road/Mine Road intersection improvements; and

WHEREAS, the Board desires to appropriate and budget the proffer funds for the completion of this project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that proffer funds in an amount not to exceed One Hundred Thousand Dollars (\$100,000) be and it hereby is budgeted and appropriated for the improvements to the intersection of Garrisonville Road and Mine Road; and

BE IT FURTHER RESOLVED the County Administrator be and he hereby is authorized to sign all documents necessary for this action.

Item 18. Fire and Rescue; Approve Appointment of Lawrence Roberts, M.D. to the Rappahannock Emergency Medical Services (REMS) Board of Directors

Item 19. Discuss Paving at the Civil War Park Mr. Milde requested this item to be added to the Consent Agenda on the Board's May 15, 2012, agenda.

Legislative; Closed Meeting. At 10:28 p.m., Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM12-12.

The Voting tally was:

Yea: (7) Sterling, Snellings, Cavalier, Milde, Schieber, Stimpson, Thomas

Nay: (0)

Resolution CM12-12 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to hold a Closed Meeting for consultation, discussion, and legal advice pertaining to the Garrett properties; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(7), such consultations and discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of May, 2012, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order At 10:43 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM12-12(a).

The Voting Board tally was:

Yea: (7) Snellings, Sterling, Cavalier, Milde, Schieber, Stimpson, Thomas

Nay: (0)

Resolution CM12-12(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 1, 2012

WHEREAS, the Board has, on this the 1st day of May, 2012 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 1st day of May, 2012, 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.

Adjournment At 10:43 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman