

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

May 15, 2012

Call to Order The regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:04 P. M., on Tuesday, May 15, 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.

Standing Committee Reports by Board Members Board members spoke on the topics as identified:

Cord Sterling – Finance, Audit, and Budget Committee update including modifications of the County’s Financial Policy and Travel Policy; Utilities budget; enhanced bond rating; and state administered grants.

Paul Milde – Community and Economic Development Committee update including a the Museum Committee; Tech Park update; Subdivision Amenities including tot lots, club houses, pools, etc.; Economic Development Authority Business Appreciation Luncheon scheduled for June 7, 2012 at the Riverside Dinner Theater

Economic Development Website A presentation of the new, improved website was given by consultant, Rick Whittington. Mr. Sterling asked that the public schools link show comparisons of scores from other districts. He inquired about building onto the newly redesigned website. Mr. Whittington said that staff would have the capability to edit the templates and add items in-house. Mr. Sterling said that he uses the website frequently and reiterated the need for school test score comparisons from other districts.

Ms. Stimpson said that as a former military spouse, she can speak for how mothers use the site when relocating and moving into the area. Mr. Whittington demonstrated how the site may be used to search real estate by site, acreage, square footage, building type, etc., as well as being linked into the GIS website, adding that Stafford County is the first in Virginia to have that capability on an Economic Development website.

Mr. Milde thanked Mr. Whittington, saying that the newly redesigned website looks great.

Legislative; Consider a Loan to the Stafford Regional Airport Authority for Construction of an Airport Terminal Building Mr. Hank Scharpenberg with the Stafford Regional Airport Authority and additional representatives from the SRAA, as well as Mr. Ed Wallis, presented the request to members of the Board. He said that the window of opportunity is closing in and they did not wish to lose the opportunity to take advantage of available funds, to supplement the requested loan, to build a new terminal building at the Airport. In response to Board questions in April, Mr. Scharpenberg cited a study done on corporate jets landing at the Airport, saying that 68 of the 77 jets which used the Airport had adequate fuel capacity with the existing runway. Mr. Scharpenberg said that many corporations would use the Airport but do not because of first impressions of the double-wide trailer currently serving as the terminal.

An environmental assessment had been planned, relative to expanding the runway, and runway expansion should be completed in 2016-2017. In spite of an expanded runway, Mr. Scharpenberg said that many corporations would continue to choose to locate at Manassas due to better facilities already in place at that location.

Mr. Sterling talked about reducing the airport tax to \$0, ending subsidies, the airport being poorly located in the County, and added that he does not believe that the current terminal is the driver why corporations are not locating at Stafford Airport. He added that he could not support the loan as he was not convinced that it would be an economic driver. Mr. Scharpenberg said that he respectfully disagreed with Mr. Sterling and cited several examples of past and current issues that may be responsible for deferring corporate usage of the Airport. He reminded the Board that there was a grant in place for 60% of the funding necessary to build a new terminal and that the remaining 40% was the loan being requested from the County.

Mr. Milde talked about reducing the airport tax to \$0, lowering the subsidy by 25%, eventually expanding the runway, property acquisition, tax revenue to the County for hangar leases, and the \$44M already invested in the infrastructure at the Airport. Mr. Scharpenberg said that the \$44M belonged to the citizens of Stafford County. Mr. Milde asked how they could demonstrate increased usage and revenue. Mr. Scharpenberg said that fuel sales were a great income stream as well as attracting additional corporate clients. He added that I-95 northbound was a much better draw than I-66 eastbound into Washington DC and northern Virginia.

Mr. Snellings asked Mr. Randy Burdett, Director of the Department of Aviation for the Commonwealth of Virginia, if the Board turned down the request, would the opportunity be gone or would funding be available next year. Mr. Burdett replied that the grant was awarded on a competitive basis with 90-95% funding coming from the FAA. Mr. Snellings asked if demonstrated local support was a determining factor in the award of the Grant. Mr. Burdett replied that it was taken into account along with investment in existing infrastructure, and other factors. In response to Ms. Stimpson's question, Mr. Burdett said that \$2.2M was the state's share of construction of the new terminal. Ms. Stimpson inquired if there were adequate funds allocated to construct a building that would provide for all the needs of a new terminal building. Mr. Scharpenberg said that they were very comfortable with cost estimates.

Mr. Schieber asked about the length of the pay-back term. Mr. Scharpenberg said that it was 25 years, at \$6,000-\$7,000 per month. Mr. Schieber asked if the Glidescope would be self-sustaining. Mr. Scharpenberg said that it would depend on how quickly corporate clients signed on, the more corporate clients, the quicker the pay-back rate. Regarding the ILS, Mr. Scharpenberg said that they anticipate it will bring two to three corporate clients within the first year, with an additional two to three to follow as pads were developed. He added that on social media, there was a buzz about the new terminal.

Mr. Romanello clarified the action being requested of the Board as lender of the \$1.4M saying that the County would front the money, or it would come out of the Transportation Fund, and that a Memorandum of Agreement would be negotiated to set-up a repayment schedule with the Stafford Regional Airport Authority. Mr. Milde said that 25 years was not necessarily the term of the loan. Mr. Romanello said that an earlier pay-back was hoped for.

Mr. Thomas said he had reservations about the terms of the pay-back and asked about the 2009 Memorandum of Understanding and the \$134k which was expected to be paid back when Airport revenue and finances improve. Mr. Thomas said that he would like to see a 55% ratio, a decent expectation that after building the proposed infrastructure, clients would come and that would assure pay-back to the County. Mr. Romanello said that it could be built into the MOA that the Airport Authority commits 55% of new revenue towards repayment of the loan. Mr. Scharpenberg said that the SRA is comfortable with the 55%, which allows them to preserve some liquid capital on hand, adding that 55% is a base number from which they could go up as hangars are leased.

Mr. Thomas said he would have a much higher comfort level if that language was included in the MOA. He asked Mr. Romanello how, or if, the \$1.4M loan would affect other County projects. Mr. Romanello said that there were no specific impacts identified.

Mr. Sterling asked about the interest rate on the proposed loan. Mr. Scharpenberg said that it was 2.5%. Mr. Sterling noted that it was not free money to the County who would be

repaying it at a rate of 2-2.5% interest, saying that an asset was only an asset if it was turning a profit. It was not an asset if no profits were generated. He added that the SRA was asking the County to become a corporate banker. Mr. Scharpenberg said that banks make investments into a wide variety of infrastructure and that the County would see comparable growth to other airports both locally and nation-wide. Mr. Sterling said that the proposed loan and improvements to the Airport were short on pay-back to the average citizen. He said that no bank would loan money without a signed letter of commitment and proof that there was signed lease space of 60-70%, and asked if the Airport could provide the same. Mr. Scharpenberg said that there were statistical projections and general and private aviation were proven money makers and profitable investments.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-113 with an addition to the Resolution which read “BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to sign a Memorandum of Understanding (MOU) with the Stafford Regional Airport Authority, and that the MOU reflect the SRAA’s commitment to a repayment as soon as possible, with a minimum payment to the County of 55% of revenues from new commercial clients retained after the date of the MOU.”

Prior to the vote, Ms. Stimpson asked Mr. Baroody about the importance of the Airport to Stafford’s economic picture. Mr. Baroody said that having an airport was a very attractive feature and an asset to economic development in the County. Ms. Stimpson talked about the FPED exercises which took place at the Airport. Mr. Baroody said they may not have been held in Stafford County without the features offered by the Airport and that the FPED exercises brought in approximately \$3.5 in revenue, taking into account the ripple effect on hotels, restaurants, retail, etc. Mr. Sterling asked how many businesses specifically asked about the Airport and/or specifically chose Stafford over another location because of the Airport. Mr. Baroody replied that the number was (maybe) half-dozen but that he could research it further if need be. Mr. Sterling asked if FPED ever asked about the terminal at the Airport. Mr. Baroody said that FPED never commented on the terminal to him.

The Voting tally was:

Yea: (5) Milde, Thomas, Snellings, Cavalier, Stimpson
Nay: (2) Schieber, Sterling

Resolution R12-113 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FY2013 TRANSPORTATION FUNDS FOR A LOAN TO THE STAFFORD REGIONAL AIRPORT AUTHORITY FOR CONSTRUCTION OF AN AIRPORT TERMINAL BUILDING AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING

WHEREAS, the Stafford Regional Airport Authority (SRAA) has presented plans for the construction of a terminal building at the Stafford Regional Airport; and

WHEREAS, the estimated cost of the terminal building is \$3.6 million, of which \$2.2 million is funded by the Virginia Department of Aviation; and

WHEREAS, the SRAA is proceeding with terminal design and construction contracts for presentation at the August, 2012 meeting of the Virginia Aviation Board; and

WHEREAS, the Board has been asked to consider granting a loan to the SRAA in the amount of \$1.4 million for the remainder of the construction costs; and

WHEREAS, the County's Transportation Fund could advance the funds as a loan to the SRAA;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does budget and appropriate funds in an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000), unless amended by a duly-executed contract amendment, from the FY2013 Transportation Fund for a loan to the Stafford Regional Airport Authority for the construction of a terminal building; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to sign a Memorandum of Understanding (MOU) with the Stafford Regional Airport Authority and that the MOU reflect the SRAA commitment to a repayment as soon as possible with a minimum payment to the County of 55% of revenues from new commercial clients after the date of the MOU.

Legislative; Report of the Board of Supervisors' Bylaws Committee Mr. Thomas gave a brief presentation, and mentioned that Mr. Snellings was also a member of the Bylaws Committee.

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-63.

The Voting tally was:

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

Nay: (0)

Resolution R12-63 reads as follows:

**A RESOLUTION TO AMEND THE STAFFORD COUNTY BOARD
OF SUPERVISORS' BY-LAWS AND RULES OF PROCEDURE**

WHEREAS, the Board, though made up of seven individuals representing their respective electoral districts, functions as a single legislative and policy-making body vested with the rights and powers conferred by general law; and

WHEREAS, in order for the Board to accomplish its goals and duties as the legislative, policy-making, and governing body of the County, it must operate in an agreed manner of procedure and agreed manner of conduct reflective of the importance and solemnity of the body; and

WHEREAS, the Board, at its January 3, 2012, annual meeting, adopted By-Laws and Rules of Procedure (“By-Laws”) for the conduct of business in 2012; and

WHEREAS, the Board, at its January 17, 2012, meeting, appointed a By-Laws Committee to review the By-Laws and draft amendments to such By-Laws; and

WHEREAS, the Board finds that the proposed amendments to the By-Laws will allow the Board to function more harmoniously and efficiently, and best represent each members’ constituents and the County as a whole;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that the Board be and it hereby does adopt the By-Laws and Rules of Procedure, dated May 15, 2012, attached hereto as Attachment A.

**2012
BY-LAWS AND RULES OF PROCEDURE
BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA
Adopted: May 15, 2012**

**INDEX
2012
BY-LAWS AND RULES OF PROCEDURE**

STAFFORD COUNTY BOARD OF SUPERVISORS

		<u>PAGE</u>
Section 1 – Meetings		
Section 1-1	Annual organizational meetings.....	1
Section 1-2	When regular meetings held.....	1
Section 1-3	Special meetings.....	1
Section 1-4	Quorum and method of voting.....	2
Section 1-5	Electronic/telephonic meetings.....	2
Section 2 - Officers		
Section 2-1	Chairman and Vice Chairman.....	2
Section 2-2	Preservation of order.....	3
Section 2-3	Chairman may administer oaths.....	3
Section 2-4	Parliamentarian.....	3
Section 2-5	Clerk.....	3
Section 3 - Conduct of Business		
Section 3-1	Order of business.....	3
Section 3-2	Consent agenda.....	4
Section 3-3	Motions.....	5
Section 3-4	Appeal to Board.....	6
Section 3-5	Suspending rules.....	6
Section 4 - Public Hearings		
Section 4-1	Chairman to conduct public hearings.....	6
Section 4-2	Hearing presentations.....	6
Section 4-3	Order of public hearings.....	6

Section 4-4	Members’ participation.....	7
Section 4-5	Close of hearing.....	7
Section 4-6	Debate.....	7
Section 5 - Agenda		
Section 5-1	Preparation.....	7
Section 5-2	Board members’ requests for discussion items.....	7
Section 5-3	Appointments.....	8
Section 5-4	Unscheduled items.....	8
Section 5-5	Minutes.....	8
Section 6 - General Operating Policy		
Section 6-1	Actions by individual members of the Board.....	8
Section 6-2	County Administrator and County Attorney.....	9
Section 6-3	Legal action.....	9
Section 6-4	Discussion of zoning and land-use matters.....	9
Section 6-5	Polling procedure.....	9
Section 6-6	Action on certain matters in election years.....	10
Section 7 -- Amendments		
Section 7-1	Amendments to the By-Laws and Rules of Procedure.....	10

**BY-LAWS AND RULES OF PROCEDURE
STAFFORD COUNTY BOARD OF SUPERVISORS**

Section 1 -- Meetings

Section 1-1 Annual organizational meetings

A. The first January meeting of each year shall be known as the annual meeting.

The Clerk shall preside at the annual meeting until the election of the Chairman.

B. The Chairman shall be elected at the annual meeting. The Chairman shall serve until the end of the calendar year in which he/she is elected. The Chairman may succeed him/herself in office.

C. Following the election, the Chairman shall conduct the election of the Vice Chairman.

D. No member shall serve as Chairman or Vice Chairman for more than two consecutive years.

E. Following the election of the Vice Chairman, the Board of Supervisors (“Board”) shall:

1. Establish days, times, and places for its regular meetings;

2. Adopt its By-Laws and Rules of Procedure (“By-Laws”); and

3. Make appointments of individuals to County boards, authorities, commissions, and committees. Appointments shall be made by majority vote. Appointments to the various County boards, authorities, commissions, and committees may be made by a single vote or multiple votes, except as required by the Code of Virginia. Appointments may be made by motion, resolution, or ordinance, except as required by the Code of Virginia.

Section 1-2 When regular meetings held

Whenever the regularly scheduled meeting date falls on a legal holiday, the regular meeting shall be held on the following day in accordance with § 15.2-1416 of the Code of Virginia (1950), as amended. The Chairman may cancel any meeting because of inclement weather or disaster and should reschedule any cancelled meeting at the earliest possible date. No meeting shall last any later than midnight of the day of the meeting, unless a majority of the Board votes to extend the meeting.

Section 1-3 Special Meetings

The Board may hold such special meetings as it deems necessary at such times and places, as it may find convenient; and it may adjourn from time to time. A special meeting of the Board shall be called pursuant to § 15.2-1418 of the Code of Virginia (1950), as amended. Notice to the public of any special meeting shall be given contemporaneously with the notice provided to the members of the Board and the County Attorney.

Section 1-4 Quorum and method of voting

A. A quorum shall consist of a majority of the members of the Board of Supervisors.

B. At meetings of the Board, the Chairman shall announce which members are absent and the reasons for their absence, if known. Such announcement shall be made immediately after the roll call of members; or, if a member leaves after the roll call, as soon

as practicable thereafter. Any absences and the reasons therefore also shall be recorded in the minutes of the meeting.

C. All questions submitted to the Board for decision shall be voted on using the electronic voting board. Any member may request a roll call vote. A green light represents a "Yea" vote and a red light represents a "Nay" vote. The Chairman shall call for the vote and each member shall cast his/her vote via the electronic voting board. The Chairman shall then call for the Clerk to close the vote. Upon closing the vote, the Clerk shall display the vote as directed by the Chairman. Upon the display of the vote, the Chairman shall announce the vote. If a Board member believes that the electronic voting board does not correctly reflect their vote or did not record their vote, the member shall advise the Chairman immediately after the Chairman announces the vote. If the electronic voting board is not available due to technical problems/malfunction, the Board shall vote using a roll call vote.

D. It shall be the duty of every member to vote on issues before the Board. If a member abstains, he/she shall state his/her reason for abstaining for the record. If an abstention occurs, it shall be the responsibility of the Chairman to have the reason for the abstention noted in the official record.

E. A tie vote fails; however, if all members are not present for the vote, the matter shall be passed by until the next regular meeting of the Board, when the matter shall be placed on the agenda as if for the first time, with full discussion and debate allowed by all members and with a new vote taken by all members present.

Section 1-5 Electronic/telephonic meetings

Except as permitted by §§ 2.2-3708 and 2.2-3708.1 of the Code of Virginia (1950), as amended, Board members shall not participate in Board, committee, and subcommittee meetings by telephone or electronic means (i.e., communications of a simultaneous nature).

Section 2 -- Officers

Section 2-1 Chairman and Vice Chairman

The Chairman shall preside at all meetings of the Board. The Vice Chairman serves in the absence of the Chairman. If both the Chairman and the Vice Chairman are absent from any meeting, the senior member of the Board that is present shall preside as Temporary Chairman. The Chairman shall make all appointments to the Board's committees. Substitutes or alternates may participate only if so authorized by the Chairman.

Section 2-2 Preservation of order

At meetings of the Board, the Chairman shall preserve order and decorum.

Section 2-3 Chairman may administer oaths

The Chairman shall have the power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-4 Parliamentarian

Except as modified herein or as provided by law, the most current edition of Robert's Rules of Order shall be the parliamentary authority of the Board using the Rules for small bodies. The County Attorney, or his/her designee, shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules of Order shall be addressed to the County Attorney or his/her designee. If the County Attorney, or his/her designee, is unavailable, the County Administrator shall serve as the Parliamentarian.

The Parliamentarian advises the Chairman on matters of order and parliamentary procedure. The Parliamentarian's role is purely advisory and consultative. The Chairman alone has the power to rule on questions of order and to answer parliamentary inquiries.

Section 2-5 Clerk

The Clerk of the Board shall be the County Administrator as set out in §§ 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended.

Section 3 -- Conduct of Business**Section 3-1 Order of business**

A. The order of business for Board meetings shall be generally as follows:

1. call to order
2. roll call of members
3. announcement of absences
4. presentations by the public-I
5. presentations and committee reports by members of the Board
6. report of the County Attorney
7. report of the County Administrator
8. additions/deletions to the agenda
9. consent agenda
10. unfinished business
11. new business
12. closed meeting (if necessary)
13. recess
14. invocation (7:00 p.m.)
15. Pledge of Allegiance
16. presentations by the public-II
17. public hearings
18. adjournment

B. The above order of business and times may be modified by the County Administrator should there not be an afternoon or evening portion of the meeting, or for presentations by VDOT, the Sheriff, the School Superintendent or his/her designee, etc., and appointments which are occasional in nature.

C. Presentations and committee reports by Board members are limited to five (5) minutes each, unless extended by the Chairman. It shall be the responsibility of the Chairman to enforce this rule.

D. Presentations by the public are governed by the following rules:

1. Comments by the public shall be limited to three (3) minutes for all speakers.
2. Any person who speaks during the day public presentation portion of the meeting shall not be permitted to speak during the evening public presentation period on the same subject matter.
3. Though encouraged to complete a speaker's card in advance for record purposes, any person wishing to speak may do so without completion of a speaker card.
4. Public presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the Clerk, or his/her designee, by noon on the Monday before the Board meeting at which the presentation is to be made.
5. Citizens may not address issues during the presentation by the public period on matters that are scheduled for public hearing during the same meeting.

E. No action shall be taken on any committee report unless it is time-sensitive. Action on any committee report shall be scheduled for the next regular agenda.

F. The County Administrator is authorized to make payment on previously approved expenditures in excess of \$100,000 when Board meetings are more than two weeks apart. The Board shall ratify such payments at its first meeting after such payments are made.

Section 3-2 Consent agenda

A. The consent agenda shall be introduced by a motion "to approve the consent agenda," and shall be considered by the Board as a single item.

B. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda. Board members may ask questions to clarify a consent agenda item. At a Board member's request, an item shall be removed from the consent agenda and addressed as a discussion or action item after the Board disposes of the consent agenda.

C. Specific items that involve the expenditure of funds which have been approved in the annual County budget may be placed on the consent agenda.

D. The appointment of individuals to County boards, authorities, commissions, and committees to at-large positions may be placed on the consent agenda, provided that the nominee has completed a Board Bank Application, and such application has been made available to the Board as a part of its package prior to the meeting at which the appointment is to occur.

E. The acceptance of grants from federal or state agencies and flow-through funds awarded to county entities, departments, and agencies may be placed on the consent agenda.

F. The acceptance of property or the ratification of the purchase of property previously authorized by the Board may be placed on the consent agenda.

Section 3-3 Motions

A. No motion shall be discussed prior to being duly seconded in accordance with these By-Laws. After a motion is properly made and seconded, the Chairman should restate the motion and open the floor to discussion.

B. The Chairman cannot make a motion unless such matter is specific to his/her district. The Chairman may make a motion without relinquishing the chair.

C. No member may speak a second time on a motion until every member desiring to speak has spoken.

D. A Board member may participate in discussion of any issue only after the Chairman recognizes that member. If two Board members desire to be recognized at the same time, the Chairman shall determine which member will be recognized first.

E. Any member of the Board may make a motion to call-the-question. Such motion requires a second and is not debatable. A motion to call-the-question requires a two-thirds vote of those present. The Chairman shall not recognize a motion to call-the-question until every member desiring to speak on the main motion has had an opportunity to speak.

F. After discussion is ended and prior to voting, the Chairman should ensure, if necessary, that the motion is sufficiently clear, at which time the Chairman shall call for the vote.

G. A substitute motion shall be allowed to any motion properly on the floor, and it shall have priority over an existing motion and may be discussed prior to being voted on. If a vote on the substitute motion does not dispose of the former motion, the former motion shall then be voted on. Once a substitute motion is voted on, a second substitute motion may be made.

H. When a vote on any motion has been announced, it may be reconsidered on the motion of any member who voted with the prevailing side, provided that such motion to

reconsider is made at the meeting of the Board at which the vote was taken. Such motion for reconsideration shall be decided by a majority vote of the members present.

- I. Motions to table shall be voted on without discussion or debate.

Section 3-4 Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order or the interpretation of these By-Laws. A majority vote of those present is necessary to overrule the Chairman. The motion requires a second and is debatable.

Section 3-5 Suspending rules

One or more of these By-Laws and Rules of Procedure may be suspended with the concurrence of two-thirds of the members present. The motion requires a second and is not debatable.

Section 4 -- Public Hearings

Section 4-1 Chairman to conduct public hearings

The Chairman shall conduct all public hearings.

Section 4-2 Hearing presentations

Public hearings should begin with a brief presentation from a staff member and/or representative from the board, authority, commission, or committee, by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members' inquiries during the staff's presentation shall be limited to questions about the issue. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing.

Section 4-3 Order of public hearings

The order of public hearings shall be as follows:

- A. The Chairman shall open the public hearing.
- B. The applicant, or the representative of the applicant, shall be the first speaker. There shall be a time limit of ten (10) minutes for the applicant's, or the representative's, presentation, unless extended by the Chairman. Any and all representations made by the applicant, or the representative, to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.
- C. The Chairman shall then solicit comments from the public. Each speaker must clearly state his/her name and address. There shall be a time limit of three (3) minutes for each speaker.
- D. After public comments have been received, the applicant, or the representative of the applicant, at the applicant's discretion, may respond with further information. There

shall be a five (5) minute time limit for rebuttal by the applicant, or the representative of the applicant, unless extended by the Chairman.

E. Upon the conclusion of the applicant's, or the representative's, comments, the Chairman shall close the public hearing.

Section 4-4 Members' participation

Board members shall withhold their comments in public hearings to ensure participation by the public without Board interference.

Section 4-5 Close of hearing

When a public hearing has been closed by the Chairman, no further public comments shall be permitted. Board members, however, may direct questions to the applicant, the representative of the applicant, the representative of the board, authority, commission, or committee, and/or staff member for clarification prior to taking any vote, if a vote is in order.

Section 4-6 Debate

Following the close of the public hearing, the Chairman may entertain a motion and a second to dispose of the issue, and the Board may debate the merits of the issue. During the Board's discussion and/or after a motion is made and seconded, Board members may ask questions of the applicant, the representative of the applicant, the representative of the board, authority, commission, or committee, and/or staff member.

Section 5 -- Agenda

Section 5-1 Preparation

A. The Clerk shall prepare an agenda for each regular and special meeting conforming to the order of business specified in Section 3-1 entitled "Order of Business". The County Administrator shall coordinate the scheduling of items on the agenda with the Chairman. The Chairman shall schedule the topics for the work sessions on the second monthly meeting and special meetings as necessary.

Section 5-2 Board members' requests for discussion items

A. Each Board member may request that no more than two (2) total items be included on any Board meeting agenda for discussion. If the Chairman or County Administrator receives the request prior to the preparation of the proposed agenda as set forth in Section 5-1(A) of these By-Laws, the Chairman shall include the requested item on the agenda. If the request is not received in time to be included on the proposed agenda, the County Administrator shall include a Board member request on the agenda for discussion purposes, so long as no Board member has no more than a total of two (2) discussion items on the agenda and the request is received by the County Administrator by the close of business on Tuesday of the week prior to the scheduled Board meeting (generally seven (7) calendar days prior to the Board meeting). No vote is allowed on a discussion item at the meeting when the item is brought up to the Board, unless the Board suspends the By-Laws. At the Board's direction, and after it has considered the item, the County Administrator shall place the item on the agenda for the first meeting of the month following the request for action.

B. All items requested to be placed on the agenda, which have not been submitted within the prescribed deadline, shall be placed on the next regular agenda for consideration.

C. Board members shall receive sufficient advance notice of agenda items to enable them to study the issue presented, request additional information, and consult constituents.

D. No written material presented to the Board for the first time at a given meeting shall be voted on at such meeting, unless two-thirds of the members present at such meeting consent to such vote. Otherwise, the material or matter shall be carried over to the next Board meeting.

Section 5-3 Appointments

Appointments may be placed on the agenda for consideration at any time, provided that no appointments shall be made prior to the annual meeting of the Board for a term beginning on January 1st of the calendar year. Nominees shall complete a Board Bank Application prior to being appointed. All appointments shall be made after the annual meeting. This restriction does not preclude appointments when vacancies occur or when new boards, authorities, commissions, and committees are created.

Section 5-4 Unscheduled items

Any matter not on the scheduled agenda may be heard provided that such a request is in the form of a motion, duly seconded and voted upon by a majority of the Board. Any such matter must be of an emergency nature, vital to the continued proper and lawful operation of the County.

Section 5-5 Minutes

The Clerk of the Board, or his/her designee, shall prepare and maintain adequate minutes of the proceedings of the Board in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will not include every aspect of the Board's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. Minutes shall be included as part of the agenda package for the subsequent meeting of the Board.

Section 6 -- General Operating Policy

Section 6-1 Actions by individual members of the Board

A. It shall be the policy of the Board that no one member shall exert individual action or direct any County employee, or any board, authority, commission, or committee of the Board, to initiate any action that would require such individual to perform any action contrary to the laws, ordinances, or policies of Stafford County, or which would require the expenditure of public funds in any amount without the approval of the Board. It shall further

be the policy that when any Board member writes a letter or memorandum expressing his/her views, that he/she place on the same document the following, if appropriate:

This letter, memorandum, or document represents only the views of the writer, or writers, and does not necessarily represent the views of any other individual member of the Board of Supervisors, or the Board of Supervisors as the governing body of Stafford County, Virginia.

B. It is anticipated and expected that a member cast a vote, or otherwise take official action, which is consistent with the position taken by the Board, as expressed in an official vote, while acting on any other board, authority, commission, committee, or other legal entity. By accepting the nomination, the nominee agrees to the adherence of these By-Laws.

Section 6-2 County Administrator and County Attorney

A. The County Administrator is responsible for the administration of the County government and executing the policies of the Board. The County Attorney represents the Board in its capacity as the governing body.

B. Any draft resolution(s) prepared by the County Attorney shall be submitted to the Chairman and the County Administrator prior to the Board meeting at which such draft resolution(s) are to be presented.

C. Written communications in response to any Board member regarding any issue that is pending before the Board, or any issue of significance to the Board, shall be made to all Board members. Written communications in response to any Board member regarding a district-specific issue or incident, or a constituent issue, may be made to only the inquiring Board member.

Section 6-3 Legal action

Board members, the County Administrator, the County Attorney, and any other public official are required to advise the Board prior to filing any civil lawsuit that involves the County. The Building Official, the Zoning Administrator, and/or the Fire Marshal, when appropriate, may seek injunctive relief in accordance with the procedures set forth by the County Administrator and the County Attorney.

Section 6-4 Discussion of zoning and land-use matters

Board members shall not engage in discussions or negotiations with applicants on zoning or land-use matters during the time that the application is before the Planning Commission and prior to referral to the Board of Supervisors, unless negotiations are facilitated by staff, prior to the Planning Commission's referral of the matter to the Board.

Section 6-5 Polling procedure

The County Administrator, or his/her designee, may separately contact members of the Board for the purpose of ascertaining a member's position with respect to public business, provided the contact does not constitute a meeting as defined in § 2.2-3701 of the Code of Virginia (1950), as amended.

Section 6-6 Action on certain matters in election years

In any year in which members of the Board are elected in a general election, the Board shall not take any action or vote in November or December regarding any of the following types of matters: (1) rezoning applications; (2) conditional use permit applications; (3) comprehensive plan amendments; (4) zoning text amendments; (5) land acquisitions; (6) borrowing money; (7) appointments to any boards, authorities, commissions, and/or committees; and/or (8) budget amendments, except prior year re-appropriations after the County's financial statements are completed.

Section 7 -- Amendments

Section 7-1 Amendments to the By-Laws and Rules of Procedure

The By-Laws may be amended as necessary by a two-thirds vote of the Board after notice of the proposed amendment(s) is given at the previous Board meeting.

Legislative; Freedom of Information Act Policy Mr. Thomas gave a presentation about the FOIA Policy, saying that the policy was ready for a vote if the Board so chose, adding that it was fairly urgent to get this Policy in place. Mr. Snellings noted that not all localities had a FOIA policy. Mr. Cavalier said that he was prepared to vote on the Policy. Mr. Milde said that some activists use FOIA as harassment tools and that the County had to be very careful how the Policy was administered. Ms. Stimpson talked about the Board's desire to foster an open and transparent government.

Mr. Sterling talked about past FOIA requests as time consuming for Board members and staff without there being any real point to the request aside from attempted political gain by candidates running for office at the time they made their requests. He added that FOIA was a good transparency tool but that it had also become a harassment tool.

Mr. Snellings said that he was prepared to vote, adding that he agreed with Mr. Milde and Mr. Sterling. He agreed to waive the Bylaws so that a vote could be taken, and that any requests resulting in a charge exceeding \$200 would be billed to the requestor, so that it would not be paid out of County (or taxpayer's) funds. County Attorney, Charles Shumate, referred to Board to the bottom of Page 5 of the proposed FOIA Policy which referred to charges incurred in FOIA requestors. Mr. Milde said that some requestors had not paid money which was owed to the County for work already completed. Mr. Shumate said that all

future FOIA requests would be deferred until money owed on previous requests was paid in full.

Mr. Thomas motioned, seconded by Mr. Milde, to suspend the Bylaws to enable the Board to vote on this item.

The Voting tally was:

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

Nay: (0)

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-148.

The Voting tally was:

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

Nay: (0)

Resolution R12-148 reads as follows:

A RESOLUTION TO ADOPT A STAFFORD COUNTY, VIRGINIA,
FREEDOM OF INFORMATION ACT (FOIA) POLICY

WHEREAS, the General Assembly enacted the Virginia Freedom of Information Act (FOIA), Virginia Code § 2.2-3700, et. seq., to ensure the people of the Commonwealth have ready access to public records in the custody of a public body or its officers and employees, and free entry to meetings of public bodies wherein the business of the people is being conducted; and

WHEREAS, the Board embraces the ideal of transparent government and is fully supportive of the statutory requirement to provide public access to all records and materials having to do with the transaction of public business, while contemporaneously protecting the legitimate privacy interests of individuals and taking appropriate account of other laws; and

WHEREAS, the Board recognizes that the County receives a significant number of Freedom of Information Act (FOIA) requests and desires to facilitate public access to the official records of the County and to respond to FOIA requests in a timely fashion; and

WHEREAS, the Board finds it necessary and appropriate to establish guidelines for carrying out the provisions of FOIA, including establishing a centralized processing procedure and a uniform fee methodology; and

WHEREAS, the Board is considering adopting a FOIA Policy through a document entitled “The Rights of Requesters and the Responsibility of Stafford County under the Virginia Freedom of Information Act,” a copy of which is attached hereto as Attachment A; and

WHEREAS, the Board finds that the FOIA Policy will provide the public, Board members, public officials/officers, and County staff with information that will allow for efficient and timely receipt of and response to FOIA requests;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that the Board be and it hereby does adopt a Stafford County, Virginia, Freedom of Information Act (FOIA) Policy through a document entitled “The Rights of Requesters and the Responsibility of Stafford County under the Virginia Freedom of Information Act,” attached hereto as Attachment A.

The Rights of Requesters and the Responsibilities of Stafford County Under the Virginia Freedom of Information Act

The Virginia Freedom of Information Act (FOIA), found in Virginia Code § 2.2-3700 et seq., guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that its provisions be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

Requester’s FOIA Rights

- You have the right to request to inspect and/or receive copies of public records.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in general district or circuit court to compel compliance with FOIA.

Making a Request for Records from Stafford County

- You may request records by mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state

that you are requesting records under FOIA. Nevertheless, the County would prefer requests to be submitted, in writing, on the attached form.

- From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives the County a clear statement of what records you are requesting. However, the County cannot refuse to respond to your FOIA request if you elect to not put it in writing.
- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of records that you are requesting; instead, it requires that you be specific enough so that the County can identify and locate the records that you are seeking.
- You may only request existing records or documents. FOIA gives you a right to inspect or copy records; it does not apply to general questions about the work of the County and its public officers, officials, and employees, nor does it require the County to create a record that does not exist.
- You may choose to receive electronic records in any format used by the County in the regular course of business.
 - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records.
- If the County has questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request.
- Stafford County shall comply with the following procedures for processing a FOIA request.
 - FOIA requests should be directed to the County Administrator's Office, as the centralized receiving center for FOIA requests.
 - By mail: County Administrator's Office
FOIA REQUEST
Administration Center
PO Box 339
Stafford, VA 22555
 - Fax (540) 658-7643
 - Phone (540) 658-4541
 - E-mail wmallow@staffordcountyva.gov

- After receipt of the request, the County Administrator’s Office will direct the request to the appropriate County Departments, the Board, and other public officials (as appropriate).
 - Department heads will implement and follow a process for providing FOIA requests to staff in his/her department for response.
- If FOIA requests are initially received by any County Department, official, or employee, other than the County Administrator’s Office, the request shall immediately be forwarded to the County Administrator’s Office to follow the same centralized process detailed above.
- If you have questions regarding accessing records from the County, please contact the County Administrator’s Office at (540) 658-4541.
- In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at foiacouncil@leg.state.va.us, or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.

Stafford County’s Responsibilities in Responding to Your Request

- The County must respond to your request within five (5) working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from the County is irrelevant, and you do not have to state why you want the records before the County responds to your request. FOIA does, however, allow the County to ask you to provide your name and legal address.
- FOIA requires that the County make one of the following responses to your request within the five-day period:
 - Provide you with the records that you have requested in their entirety.
 - Withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, the County will send you a response in writing. That writing will identify the volume and subject matter of the records being withheld, and state the specific section of the Virginia Code that allows the County to withhold the records.
 - Provide some of the records that you have requested, but withhold other records. The County cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, the County may redact the portion

of the record that may be withheld, and will provide you with the remainder of the record. The County will provide you with a written response stating the specific section of the Virginia Code that allows portions of the requested records to be withheld.

- Inform you in writing that the requested records cannot be found or do not exist (the County does not have the records you want). However, if the County knows that another public body has the requested records, the County will include contact information for the other public body in the County's response to you.
- If it is practically impossible for the County to respond to your request within the five-day period, the County will state this in writing, explaining the conditions that make the response impossible. This will allow the County seven (7) additional working days to respond to your request.
- If you make a request for a very large number of records, and the County feels that it cannot provide the records to you within 12 working days without disrupting its other organizational responsibilities, the County may petition the circuit court for additional time to respond to your request. Prior to petitioning the court, FOIA requires that the County make a reasonable effort to reach an agreement with you concerning the time for producing the records.
- Stafford County shall comply with the following procedures for responding to a FOIA request.
 - Staff, within each applicable Department, will provide all responsive records to his/her Department head.
 - All Department heads shall review all submitted, responsive records, ensuring all information required and allowed to be exempted, redacted, or withheld under the FOIA statutes has been excluded or redacted. The Department heads will also appropriately document any information redacted or withheld in accordance with the FOIA statutes.
 - The Department heads will transmit all records to the County Administrator's Office for final coordination. The County Administrator's Office will then transmit all records to the requester.
 - All Board members and other public officials/officers shall respond directly to the County Administrator's Office.
 - If at any time during the process a Department head or the County Administrator's Office has any legal questions about the records, responsiveness, exemptions, or information that shall/may be withheld or redacted, he/she may consult with the County Attorney's Office.

- Delays in responding to a FOIA request.
 - If staff or a Department head needs clarification regarding a FOIA request, and the ambiguity can be cleared up by communication with the requester, the Department head or the County Administrator's Office shall contact the requester.
 - If the Department head determines that he/she or his/her staff will not be able to respond to a FOIA request within the statutory five (5) working days, he/she shall communicate with the County Administrator's Office the need for more time and approximately how long the Department needs to respond to the request.
 - The County Administrator's Office shall communicate the need for an extension in writing, invoking the statutory additional seven (7) working days.
 - If greater than seven (7) days is necessary, the County Administrator's Office shall try to reach a reasonable agreement with the requester for more time. If a reasonable agreement cannot be reached, the County Administrator's Office shall contact the County Attorney's Office to petition the circuit court for additional time.
 - Please see the section below about cost and deposits with regards to further possible delays in responding.

Costs

- You may have to pay for the records that you request from Stafford County. FOIA allows the County to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It cannot include general overhead costs.
- If the County estimates that it will cost more than \$200 to respond to your request, the County will require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that the County has to respond to your request does not include the time between when the County asks for a deposit and when you respond.
- All deposits shall be paid by check or money order made payable to Stafford County and delivered to the County Administrator's Office. Checks and money orders will be held and only deposited once the request is complete. Any outstanding balance due must be paid before or at the time the responding records are released. Any balance remaining from the deposit shall be returned to the requester.

- You may request that the County estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs. The statutory time limits provided do not begin to run until you give the County permission to proceed, approving the estimate or by paying the deposit as required above.
- If you owe the County money from a previous FOIA request that has remained unpaid for more than 30 days, Stafford County may require payment of the past-due bill before it will respond to your new FOIA request.
- Responses to FOIA requests that require 30 minutes or less of an individual Board member, public officer/official, or staff member time, will not be charged to you.
- Board members, public officers/officials, and Constitutional officers shall have discretion to determine if his/her individual time spent responding to a FOIA request (in excess of 30 minutes), will be charged to the requester. If the member, official, or officer chooses not to charge for his/her time, he/she shall communicate that determination to the County Administrator's Office when providing the requested records.
- The fee charged for responses by Board members and public officials/officers shall be based upon the individuals' pay as a County official and shall not take into account any non-County employment. His/her time shall be charged based on the following formula:

$$\text{(FOIA response fee)} = \text{(Time to respond in hours)} \times \frac{\text{(Yearly compensation)}}{(52 \text{ weeks} \times 40 \text{ hr/wk})}$$

- The fees charged for constitutional officers, department heads, and staff response time shall be based on the actual amount of time individually spent responding to the FOIA request.
 - Time of officers, department heads, and staff who are paid hourly, shall be charged based on the following formula:

$$\text{(FOIA response fee)} = \text{(Time to respond in hours)} \times \text{(Hourly pay)}$$

- Time of officers, department heads, and staff who are salary, shall be charged based on the following formula:

$$\text{(FOIA response fee)} = \text{(Time to respond in hours)} \times \frac{\text{(Yearly salary)}}{(52 \text{ weeks} \times 40 \text{ hr/wk})}$$

Planning and Zoning; Guidance Requested by the Planning Commission Regarding the Addition of Urban Development Areas to the Comprehensive Plan Mr. Jeff Harvey presented this item and answered Board member's questions. Hearing no objection, the Board requested that this item be placed on the June 5th agenda.

Legislative; Closed Meeting. At 5:09 p.m., Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM12-14.

The Voting tally was:

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

Nay: (0)

Resolution CM12-14 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to hold a Closed Meeting for (1) consultation, discussion, and legal advice pertaining to the proposed condemnation of land along Mountain View Road; and (2) a personnel matter discussion pertaining to personnel and personnel organizational matters in County Administration; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A) (1) and (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 15th day of May, 2012, does hereby authorize discussions of the aforesaid matters in Closed Meeting.

Legislative; Closed Meeting Certification At 5:37 p.m. Mr. Thomas motioned, seconded by Mr. Schieber, to adopt proposed Resolution CM12-14(a).

The Voting Board tally was:

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

Nay: (0)

Resolution CM12-14(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 15, 2012

WHEREAS, the Board has, on this the 15th 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 15th 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.

Recess At 5:19 p.m., the Chairman declared a recess until 7:00 p.m.

Call to Order At 7:03 p.m., the Chairman called the meeting back to order.

Invocation Mr. Cavalier gave the Invocation.

Pledge of Allegiance Mr. Sterling led the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Historical Commission Annual Preservation Awards Ms. Anita Dodd, Chairman, presented awards to the late Homer Musselman (accepted by his widow, Janet Musselman), Alex McAllister, and Va. Army National Guard (Shawn Otto accepted).

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

- | | | |
|-----------------|---|---|
| Kenneth Pitts | - | Supported Paving @ Civil War Park |
| George Schwartz | - | FOIA and Transparency in Government |
| Dean Fetterolf | - | Clift Farms; FOIA; Records Retention;
Neglect of Duty/Misuse of Office |

- Jeffrey Curry - Unfair Swim Lane Allocations @ Woodlands Pool/Historical Precedence
- Paul Waldowski - Airport Loan; Recession; Unaffordable Housing; Decrease taxes; Stormwater Management; VRE Parking
- Matt Brockman - Swim Lane Allocations

Public Works/Planning and Zoning; Consider Amendment of Development Service Fees

Mike Smith, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons spoke.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O12-19.

The Voting Board tally was:

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

Nay: (0)

Ordinance O12-19 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN FEES FOR BUILDING AND LAND DEVELOPMENT INSPECTION AND REVIEW SERVICES COLLECTED BY THE DEPARTMENTS OF PLANNING AND ZONING AND PUBLIC WORKS

WHEREAS, the Board is authorized by the Virginia Code to set reasonable fees for building and land development inspection and review services provided by the Departments of Planning and Zoning, and Public Works; and

WHEREAS, the Board desires that the fees for these services should be kept current with the actual costs of providing these services; and

WHEREAS, the Board last amended building and land development inspection fees with Ordinance O10-52 on November 30, 2010; and

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

WHEREAS, the Board desires to upgrade the HANSEN development software system, which the County uses to review, track, and approve land use and building permit applications, because this upgrade will improve the services that the County provides to the community; and

WHEREAS, the Board desires to amend the fees for building and land development inspection and review services to include a 2.75% technology fee to cover the cost of the upgrade to the HANSEN system; and

WHEREAS, the 2.75 % technology fee will be included in the fee schedule for building and land development inspection collected by the Departments of Public Works, and Planning and Zoning, for five years, to cover the full cost of the upgrade to the HANSEN system;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of May, 2012, that the schedule of fees collected only by the Departments of Planning and Zoning, and Public Works, for building and land development inspection and review services, provided by the Departments of Planning and Zoning, Public Works, Utilities, Fire and Rescue, and GIS, be and it hereby is amended and reordained to include a 2.75% technology fee on each of the fees listed below; and

BE IT FURTHER ORDAINED THAT this technology fee will be assessed and imposed until June 18, 2017 at which time it will expire; and

BE IT STILL FURTHER ORDAINED that the amended fees are as follow and will become effective on July 1, 2012:

Service

PROPOSED FEES
Payment for all plan review fees shall be made in advance.
Building permit fees shall be paid prior to receiving a building permit.

<u>Technology Fee - on all development permit fees and development review fees listed below</u>	<u>2.75%</u>
State Levy - on total building permit fees (including Fire Protection Permits)	2.00%

BUILDING
Residential Construction

Single-Family Dwellings - New Construction
(Use Groups R-3, R-4 and R-5)

Individual House Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$200 min.
Master House Plan Review Fee	\$0.20/sq.ft.; \$200 min.
Individual House Plan Review Fee for Master Plan Approved Designs	\$0.04/sq.ft.; \$100 min.
Industrialized/Manufactured Housing Plan Review Fee	\$0.04/sq.ft.; \$100 min.
Architectural Building Review Fee (if applicable)	\$100
Building Construction Inspection - per sq. ft.	\$0.14/sq.ft.; \$50 min.
Plan Amendments - per sq. ft. of involved area	\$0.04/sq.ft.; \$50 min.
All Trades - i.e., electric, plumbing, etc. - per trade per system	\$60
Supplemental Heating Units - i.e., gas logs, fireplace inserts, space heaters, chimneys, etc. - per unit	\$60
Utility Hookups - i.e., electric, water, sewer, etc. - per hookup	\$60
Mechanical Lifts - i.e., elevators, wheelchairs - per level	\$60
ASME Tanks, etc. - per unit	\$60
Generators - per unit	\$60
Certificate of Occupancy	\$60
Temporary Occupancy	\$250

Additions and Alterations
(Use Groups R-3, R-4 and R-5)

Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$75 min.
Architectural Building Review Fee (if applicable)	\$100
Building Construction Additions - per sq. ft.	\$0.14/sq.ft.; \$50 min.
Building Construction Alterations - per sq. ft.	\$0.10/sq.ft.; \$50 min.
Plan Amendments - per sq. ft. of involved area	\$0.04/sq.ft.; \$50 min.
All Trades - i.e., electric, plumbing, etc. - per trade per system	\$60
Supplemental Heating Units - i.e., gas logs, fireplace inserts, space heaters, chimneys, etc. - per unit	\$60
Utility Hookups - i.e., electric, water, sewer, etc. - per hookup	\$60
Mechanical Lifts - i.e., elevators, wheelchairs - per level	\$60
ASME Tanks, -etc. - per unit	\$60
Generators - per unit	\$60
Roof Replacement (Structural)	
Plan Review	\$0.04/sq.ft.; \$50 min.
Inspection	\$0.04/sq.ft.; \$50 min.

Multi-Family Dwellings
(Use Groups R-1, R-2)

Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$200 min.
Architectural Building Review Fee (if applicable)	\$100
Building Construction - per sq. ft.	\$0.14/sq.ft.; \$50 min.
Plan Amendments - per sq. ft. of involved area	\$0.04/sq.ft.; \$50 min.
All Trades - i.e., electric, plumbing, etc. - per trade per system	\$60
Supplemental Heating Units - i.e. gas logs, fireplace inserts, space heaters, chimneys, etc. - per unit	\$60
Utility Hookups - i.e., electric, water, sewer, etc. - per hookup	\$60
Mechanical Lifts - i.e., elevators, wheelchairs - per level	\$60
ASME Tanks, -etc. - per unit	\$60
Generators - per unit	\$60
Certificate of Occupancy	\$60
Temporary Occupancy	\$250

Commercial Construction

New Construction - Structural (All Use Groups Except R)

Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$200 min.
Architectural Building Review Fee (if applicable)	\$100
Plan Amendments Review - per sq. ft. of involved area	\$0.05/sq.ft.; \$50 min.
Fire Prevention Code Plan Review (>10,000 sq.ft.)	\$0.04/sq.ft.; 125 min.
Plan Revision or Additional Plan Review - per review	\$125
Building Construction - per sq. ft.	\$0.14/sq.ft.; \$50 min.
Towers - per ft. of height	\$1.00/ft.; \$150 min.
Certificate of Occupancy	\$60
Temporary Occupancy	\$250

Additions and Alterations - Structural (All Use Groups Except R)

Plan Review Fees

Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$60 min.
Architectural Building Review Fee (if applicable)	\$100
Plan Amendments or Alterations - per sq. ft. of involved area	\$0.05/sq.ft.; \$50 min.
Fire Prevention Code Plan Review (>10,000 sq.ft.)	\$0.04/sq.ft.; 125 min.
Plan Revision or Additional Plan Review - per review	\$125

Building Permit Fees

Building Construction Additions - per sq. ft.	\$0.14/sq.ft.; \$50 min.
Building Construction Alterations - per sq. ft. of involved area	\$0.14/sq.ft.; \$50 min.
Roof Repair or Replacement	\$0.02/sq.ft.; \$100 min.
Temporary Business Facility	\$60
Towers - per ft. of height	\$1.00/ft.; \$150 min.

Certificate of Occupancy	\$60
Temporary Occupancy	\$250

**Pools, Spas, Hot Tubs, etc. - Residential and Commercial
(All Use Groups)**

Plan Review Fee - per sq. ft.	\$0.10/sq.ft.; \$100 min.
Pool Square Footage to include decks, walkways, and alterations - per sq. ft.	\$0.20/sq.ft.; \$60 min.

**Trades - Electrical, Mechanical, Plumbing, etc.
(All Use Groups Except R)**

Plan Review Fee (Each Trade)

1. If included with commercial new or alteration plan:	
2. If submitted as stand alone improvement:	\$0.04/sq.ft.; \$50 min.
Plan or Permit Amendments - per trade per sq. ft. of involved area	\$0.04/sq.ft.; \$50 min.

Building Inspection (General)

Each Trade (excluding plumbing, fuel gas and fire prevention) - per trade per sq. ft. of involved area	\$0.04/sq.ft.; \$50 min.
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Mechanical (In Addition to the General Fee)

Appliances or Equipment - i.e., boilers, cooling towers, generators, product dispensers, paint booths, freezers, heaters, fans, air compressors, pumps, kitchen hoods etc., - per item	\$60
Mechanical Lifts - i.e., elevators, escalators, dumbwaiters, wheelchairs, etc. - per level	\$60

Electrical (In Addition to the General Fee)

Electric Unit Heaters (all types, per unit)	\$60
Heat Pumps, Central Air Conditioning (per unit)	\$60
Generators (per unit)	
Less than 100 KVA	\$50
100 KVA & Larger	\$100
Exterior Pole Lighting	\$60
Light Base (per unit)	\$20
Groundworks	\$50
Electric Service Entrance - < 600 Volts (Permanent)	
< 600 amps	\$60
Between 600 amps and 1,200 amps	\$100
> 1,200 amps	\$200
Electric Service Entrance - > 600 Volts (Permanent)	\$250
Transformers	
< 100 KVA	\$60

> 100 KVA	\$100
Electric Motors (Each)	\$10
Low Voltage Wiring (Data, Cable TV, Telephone, Alarm, etc.) - involved area	\$0.02/sq.ft.; \$50 min.

Temporary Electrical (In Lieu of the General Fee)

Temporary Electric Service	\$50
Temporary Electrical Wiring	\$50
Electric Sub Panels (Each)	\$15

Plumbing (In Lieu of the General Fee)

Utility Services 5' Outside Building water and sewer) - each	\$60
Building Sanitary and Storm Drain Piping (per floor)	\$100
Water Distribution Piping Within Building (per floor)	\$100
Grease Traps, Separators, Backflows, manholes, chemical treatment devices, food grinders, sewage pumps/ejectors etc. - per unit	\$60

Minor Plumbing Fixtures, - includes sinks, showers, tubs, toilets, urinals, bidets, dishwashers, clothes washers, drinking fountains, yard/wall hydrants, backwater devices, roof, floor & trench drains etc. - per unit (unless listed elsewhere in Fee Schedule)	\$5; \$50 min.
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Major Plumbing Fixtures - includes emergency eyewash/shower stations, irrigation systems, water treatment units, clinical sinks, macerating toilets, specialized washer systems, water features/fountains & aquariums, ice makers, water heaters and baptiseries	\$60
Directional Devices, Pressure Reducing Devices, etc. - per unit	\$15

Fuel Gas (In Lieu of the General Fee)

Base Fee	\$60
Regulators (Each)	\$10
Fuel Tanks, each (including ASME)	\$60
Fuel Pumps/Dispensers	\$60

**Fire Protection Systems (Department of Fire and Rescue
fees charged with Building Permit)****Plan Review Fees (All Use Groups)**

Sprinkler System Limited Occupancy - per system	\$55
Sprinkler System Light Hazard Occupancy - Minimum fee	\$136
1-100 Sprinkler Heads, per head	\$2.20
101-300 Sprinkler Heads, per head	\$2.10
301-500 Sprinkler Heads, per head	\$1.99
501+ Sprinkler Heads, per head	\$1.78

Sprinkler Ordinary Hazard and Rack Storage - Minimum fee	\$136
1-100 Sprinkler Heads, per head	\$2.20
101-300 Sprinkler Heads, per head	\$1.99
301-500 Sprinkler Heads, per head	\$1.57
501+ Sprinkler Heads, per head	\$1.26
Sprinkler Extra Hazard - Minimum fee	\$136
1-100 Sprinkler Heads, per head	\$1.68
101-300 Sprinkler Heads, per head	\$1.57
301-500 Sprinkler Heads, per head	\$1.47
501+ Sprinkler Heads, per head	\$1.26
NFPA 13R System - Minimum fee	\$136
1-100 Sprinkler Heads, per head	\$2.20
101-300 Sprinkler Heads, per head	\$2.10
301-500 Sprinkler Heads, per head	\$1.99
501+ Sprinkler Heads, per head	\$1.78
NFPA 13D Systems - per system	\$50
Dry Pipe System - per dry pipe valve	\$52
Sprinkler & Standpipe - per standpipe riser	\$150
Standpipe System - per system	\$100
Fire Pump - per fire pump, includes all risers	\$275
Fire Alarm System - per device	\$5; \$100 min.
Underground Fire Service Line - per unit	\$150
Commercial Kitchen Hood Suppression System - per system	\$200
Carbon Dioxide Extinguishing System - per system	\$110
Clean Agent Extinguishing System - per system	\$100
Dry Chemical System - per system	\$100
Wet Chemical System - per system	\$100
Paint Spray Booths - per system	\$200
Inspection Fees (All Use Groups)	
Inspection by Building Official	\$0.02/sq.ft.; \$50 min.
Elevator Recall Inspection	\$0
Inspection by Fire and Rescue - per inspection (800 series in Hansen)	\$200
Re-Inspection Fee - for additional inspections by Fire and Rescue	\$200
Miscellaneous Permits	
Review Fees	
Office Trailers	\$100
Tents	\$60

Demolition	\$60
Home Business	\$60
Alternative Energy Systems (solar, wind, geothermal, etc.)	\$100
Ramps, Docks, etc. - per sq. ft. of surface area	\$0.05/sq.ft.; \$50 min.
Retaining Walls, Bulkheads - per lineal feet of wall	\$60

Inspection Fees

Office Trailers	\$100
Tents	\$60
Demolition	\$60
Equipment Installation (generators, pumps, etc.)	\$60
Home Business	\$60
Alternative Energy Systems (solar, wind, geothermal, etc.)	\$50
Ramps, Docks, etc. - per sq. ft. of surface area	\$0.20/sq.ft.; \$50 min.
Retaining Walls, Bulkheads - per lineal feet of wall	\$0.80/lin.ft.; \$50 min.

Dept. of Planning and Zoning Fees Charged with Building Permit

Dept. of Planning and Zoning Fees Charged with Building Permit)

Residential new Zoning Permit	\$100
Residential Change Zoning Permit	\$70

Commercial Zoning Permit

Minor Development	\$125
Major Development	\$250
Sign Permit - per square foot	\$120+\$2/sq.ft.

Administrative

(All Use Groups)

Building Code, Fire Code, Property Maintenance, and Amusement Device Appeals - per appeal (non-refundable if withdrawn by applicant, refundable upon applicant's successful appeal)	\$500
Permit Information Changes and Refunds - per permit	\$25
Administrative Fee - per permit	\$25
Stop Work Orders and Violation Notices - per event	\$200
Re-inspection Fees - per re-inspection per trade (except fire) - one free re-inspection	\$60
Approval for Third Party Inspectors to include access to the County IWR Computer System - setup fee (non-refundable)	\$250
After Hours & Weekend Inspections (in addition to normal fees)	\$75/hr
Record research, reports, documents, verifications, etc.- per hour (estimated total fee payable in advance, non-refundable)	\$40/hr.
Mailed or faxed documents, letters, reports, occupancy permits (non-refundable)	\$2/page
Photocopies - per page	\$0.25/page

Fees for amusement devices shall be in accordance with State of Virginia regulations

Fees may be waived at the discretion of the Building Official when such work is being performed by a non-profit or governmental organization for other than themselves

State Levy - on total building permit fees (including Fire Protection Permits)	2%
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Refunds for voided permits shall be prorated based upon the percentage of inspections completed. Refund requests shall be made in writing

Re-instatement of expired or rescinded permit	\$50
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Extension of Permit	\$50
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Chesapeake Bay Preservation Area

Grading Permit

Erosion & Sediment Control Inspection Fee - per disturbed acre or portion thereof	\$600/dist.ac.; \$600 min. fee; \$1000 annual renewal fee
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Stormwater Inspection Fee (Construction Inspection of Stormwater Management BMP's, Storm Sewers and Stormwater Conveyance Channels Located Outside VDOT Right of Way)	2% of the total approved amount of the security for Stormwater Facilities and Stormwater Drainage Systems
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CBPA Building Permit Review (Residential/Commercial NEW)	\$75
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CBPA Building Permit Review (Residential/Commercial CHANGE)	\$25
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Residential Lot Grading - building permit

Plan Review Fee	\$300
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Inspection Fee	\$300
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Landscaping Inspection - Residential (per Building Permit)	\$0
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Landscaping Inspection - Commercial (per Building Permit)	\$100
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Stormwater Management/ Drainage As-Built Plan Review	None
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Stormwater BMP Maintenance Inspection by County Staff (per BMP Facility)

Stormwater Ponds (Retention, Ext. Detention, Detention Facilities)	\$300
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Filtration/Infiltration facilities (Bioretention, Bioinfiltration, Infiltration Trench, Constructed Wetlands, Sand Filter, Dry Well System, Porous & Permeable Pavement systems, Tree Box Filter, Vegetated Roofs, Etc.)	\$75
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Level Spreaders/Filter Strips, vegetated/Grassed Swales, Above Ground Water Quality/Manufactured facilities, check Dams, etc.	\$50
Onlot LID Facilities (Rain Gardens Rain Barrels Dry Wells, etc.) and BMP Facilities Located on Individual Residential Lots	\$0
County Staff Review of Owner BMP Maintenance Inspection Report Prepared by Registered Design Professional (Per BMP Facility	\$50
Major Water Quality Impact Review	\$500
RPA Waiver Request	\$200
RPA Mitigation/Restoration Plan	\$200

SECURITIES

Developer

Securities Contract Management Fee	\$550
Security Reduction	\$325
Replacement of Agreement	\$500
Substitution of Security	\$350
Security Contract Extensions	\$300
Security Default Action	\$600
Report Requests	\$75

Individual Building Lot Security Fees

Management Fee (Building Lots)	\$175
Substitution Fee	\$125
Report Requests	\$75
Individual Lot Security (single family home)	\$2,500
Individual Lot Security (townhouse)	\$500

Fire Prevention Code Permits (Issued by Department of Fire and Rescue)

Facilities, Occupancies and Precautions Against Fire

Assembly/Educational Occupancies	\$200
Aviation Facility	\$200
Covered Mall Building	\$200
Commercial Open Burning	\$200
Dry Cleaning Facility	\$200
Exhibit or Trade Shows	\$200
Hazardous Production Materials Facility (HPM)	\$500
Lumber Yards and Woodworking Operations	\$200
Organic Coating Manufacturing Facility	\$200
Private Fire Hydrants (Not Serviced by Stafford County Utilities)	\$200
Special Amusement Occupancies	\$200
Tents, Canopies and Membrane Structures	\$200
Vehicle Display Inside of a Building	\$200
Vehicle Repair Garages	\$200

Waste Handling Facility	\$200
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Combustible Storage and Hazardous Operations

Aerosols	\$200
Battery Systems	\$200
Combustible Dust-Producing Operations	\$200
Combustible Fibers	\$200
Compressed Gases	\$200
Flammable Finishes	\$200
Fruit and Crop Ripening Operations	\$200
Fumigation and Insecticidal Fogging Operations	\$200
High-Piled and Combustible Storage	\$200
Industrial Oven Operations	\$200
Magnesium Operations	\$200
Tire Storage and Rebuilding Operations	\$200
Welding and other Hot Work	\$200

Fireworks and other Explosives

Blasting	\$200
Explosive or Fireworks Storage	\$200
Fireworks: Aerial Display	\$500
Fireworks: Indoor Pyrotechnics Display or Special Effects	\$200
Fireworks: Itinerant Vendor	\$1,000
Fireworks: Distributor or Wholesaler	\$500
Fireworks: Permanent Vendor	\$200

Hazardous Materials

Corrosive Materials	\$200
Cryogenic Fluids	\$200
Flammable and Combustible Liquids	\$200
Flammable Gases	\$200
Flammable Solids	\$200
Highly Toxic Materials	\$200
Liquefied Petroleum Gas (LPG)	\$200
Organic Peroxides	\$200
Oxidizers	\$200
Pyrophoric Materials	\$200
Pyroxylin Plastics	\$200
Unstable Materials	\$200
Water-Reactive Materials	\$200

Development Review Fee on Planning and Zoning Applications

Erosion and Sediment Control (E&S) and Stormwater Management (SWM) Review

Preliminary Subdivision Plan	\$1,100
Preliminary Subdivision Plan (Third and subsequent reviews)	\$550
Stormwater Management Concept Plan (Major Site Plan)	\$0
Stormwater Management Concept Plan (Third and subsequent review)	\$0
Subdivision Construction Plan	\$2,200
Subdivision Construction Plan (Third and subsequent reviews)	\$1,100
Preliminary Site Plan	\$0
Major Site Plan	\$3,000
Major Site Plan (Third and subsequent reviews)	\$1,500
Grading Plan	\$1,100
Grading Plan (Third and subsequent reviews)	\$550
Infrastructure Plan	\$1,100
Infrastructure Plan (Third and subsequent reviews)	\$550
Stormwater Management Exception Request	\$450
FEMA Floodplain Study Review	\$2,000

Fire and Rescue Review

Preliminary Subdivision Plan (1-5 lots)	\$75
Preliminary Subdivision Plan (6-30 lot)	\$100
Preliminary Subdivision Plan (31-100 lot)	\$175
Preliminary Subdivision Plan (101-300 lot)	\$275
Preliminary Subdivision Plan (≥ 301 lots)	\$275+\$1.50 per lot over 301 lots
Preliminary Subdivision Plan (Third and subsequent Reviews)	\$125
Subdivision Construction Plan (1-5 lot)	\$200
Subdivision Construction Plan (6-30 lot)	\$300
Subdivision Construction Plan (31-100 lot)	\$400
Subdivision Construction Plan (101-300 lot)	\$600
Subdivision Construction Plan (≥ 301 lots)	\$600+\$2.50 per lot over 301 lots
Subdivision Construction Plan (Third and subsequent reviews)	\$125
Major Site Plan (<1 acre disturbed)	\$250

Major Site Plan (1-5 acre disturbed)	\$350
Major Site Plan (>5 acres disturbed)	\$350 + \$75/ disturbed acre or portion thereof above 5 acres
Major Site Plan (Third and subsequent reviews)	\$125
Fire Lane Review and Inspections	\$200
Conditional Use Permit	\$95
Rezoning	\$125
Utilities Plan Review	
Major Site Plan	\$850
Major Site Plan (Third and subsequent reviews)	\$240
Major Site Plan Revision	\$365
Major Site Plan Revision (Third and subsequent reviews)	\$180
Preliminary Site Plan	\$0
Preliminary Site Plan (Third and subsequent reviews)	\$0
Preliminary Subdivision Plan	\$550
Preliminary Subdivision Plan (Third and subsequent reviews)	\$180
Subdivision Construction Plan	\$845
Subdivision Construction Plan (Third and subsequent reviews)	\$305
Subdivision Construction Plan Revision	\$490
Subdivision Construction Plan Revision(Third and subsequent reviews)	\$240
Infrastructure Plan	\$600
Infrastructure Plan (Third and subsequent reviews)	\$160
Grading Plan	\$430
Grading Plan (Third and subsequent reviews)	\$180
Major Subdivision Plat	\$400
Major Subdivision Plat (Third and subsequent reviews)	\$95
Minor Subdivision Plat	\$220
Minor Subdivision Plat (Third and subsequent reviews)	\$95
Family Subdivision Plat	\$180
Family Subdivision Plat (Third and subsequent reviews)	\$95
Boundary Line Adjustment Plat	\$160
Boundary Line Adjustment Plat (Third and subsequent reviews)	\$95

Dedication Plat	\$240
Dedication Plat (Third and subsequent reviews)	\$95
Rezoning	\$215
Conditional Use Permit	\$95d
I.T. Review	
Major Subdivision Plat	\$34/lot
Minor Subdivision Plat	\$34/lot
Family Subdivision Plat	\$20/lot
Boundary Line Adjustment Plat	\$20/lot
Planning and Zoning Review	
Conditional Use Permit	\$9,750+(\$125/acre>5) +\$6.48/adjacent property notification
Minor Conditional Use Permit Condition Amendment	\$6,190+\$6.48/adjacent property notification
Rezoning (Regular)	\$12,500+(\$125/acre>5) +\$6.48/adjacent property notification
Rezoning (<5 acre)	\$4,375 +\$6.48/adjacent property notification
Proffer Amendment	\$10,000+(\$125/acre>5) +\$6.48/adjacent property notification
Minor Proffer Amendment	\$6,190+\$6.48/adjacent property notification
Rezoning (Planned Development)	\$15,000+(\$25/acre>75)+ \$6.48/adjacent property notification
Proffer Amendment (Planned Development)	\$10,000+(\$25/acre>75)+ \$6.48/adjacent property notification
Comprehensive Plan Amendment (<100 acre)	\$500
Comprehensive Plan Amendment (=>100 acre)	\$1,000
Comprehensive Plan Compliance Review	\$300
Private Access Easement	\$0
Plat Vacation	\$150

Major Subdivision Plat	\$1,975+(\$125/Lot)
Major Subdivision Plat (Third and subsequent reviews)	\$1,050+(\$65/Lot)
Minor Subdivision Plat	\$1,500+(\$125/Lot)
Minor Subdivision Plat (Third and subsequent reviews)	\$600+(\$65/Lot)
Family Subdivision Plat	\$1,150
Family Subdivision Plat (Third and subsequent reviews)	\$550
Boundary Lind Adjustment Plat	\$750
Boundary Lind Adjustment Plat (rev)	\$350
Dedication Plat	\$1,150
Dedication Plat (rev)	\$500
Cluster Concept Plan	\$1,975+(\$125/Lot)
Preliminary Subdivision Plan	\$8,250+(\$125/Lot)
Preliminary Subdivision Plan (Third and subsequent reviews)	\$3,200
Prelim Subdivision Plan (Technical review)	\$500
Subdivision Construction Plan	\$9,500+(\$625/impervious acre)+(\$1,000/Pump Station)
Subdivision Construction Plan (Third and subsequent reviews)	\$3,200
Infrastructure Plan	\$3,825
Infrastructure Plan (Third and subsequent reviews)	\$1,300
Major Site Plan	\$7,400+625/Impervious Acre
Major Site Plan (Third and subsequent reviews)	\$3,100
Minor Site Plan	\$1,630
Minor Site Plan (Third and subsequent reviews)	\$650
Preliminary Site Plan	\$0
Preliminary Site Plan (Third and subsequent reviews)	\$0
Grading Plan	\$7,300
Grading Plan (Third and subsequent reviews)	\$3,150
Minor Grading Plan	\$2,450
Minor Grading Plan (Third and subsequent reviews)	\$1,200
Major Plan/Plat Revision	\$4,500
Major Plan/Plat Minor Revision	\$2,100

Minor Plan/Plat Revision	\$900
Street Name Change	\$2,500
Certificate of Appropriateness	\$25
Wetland Permit	\$675
Perennial Flow Review (<20 acres)	\$500
Perennial Flow Review (20 acres or more)	\$750
Perennial Flow Analysis (Family)	\$500
Major Water Quality Impact Review	\$500
RPA Waiver Request	\$200
RPA Mitigation/Restoration Plan	\$200
Appeal to BOS	\$2,250
Subdivision Waivers	\$750 + (500/Provision)
Waiver to BOS	\$2,250 + (850/Provision)
Departure from Design Standards (Landscaping and Buffering)	\$2,250+(\$850/Provision)
Alternative Compliance (Landscaping and Buffering)	\$300
BZA Variance Individual Residential Property	\$600
BZA Variance Other	\$1,375
BZA Special Exception Individual Residential Property	\$600
BZA Special Exception Other	\$1,375
BZA Appeal Individual Residential Property	\$600
BZA Appeal Other	\$1,900
Zoning Administrator Written Determination	\$390+\$6.48/adjacent property notification
DMV Verification Letter	\$100
DMV Certification	\$50
Site Plan As-Built	\$123
Public Works Review	
Preliminary Subdivision Plan	\$450
Preliminary Subdivision Plan (Third and subsequent reviews)	\$160
Subdivision Construction Plan	\$500
Subdivision Construction Plan (Third and subsequent reviews)	\$160
Infrastructure Plan	\$400

Infrastructure Plan (Third and subsequent reviews)	\$160
Major Site Plan	\$475
Major Site Plan (Third and subsequent reviews)	\$160
Preliminary Site Plan	\$0
Preliminary Site Plan (Third and subsequent reviews)	\$0
Private Access Easement	\$0
Major Subdivision Plat	\$310
Major Subdivision Plat (Third and subsequent reviews)	\$100
Minor Subdivision Plat	\$310
Minor Subdivision Plat (Third and subsequent reviews)	\$100
Dedication Plat	\$310
Dedication Plat (Third and subsequent reviews)	\$100
Conditional Use Permit	\$120
Rezoning (regular)	\$200
Rezoning (Planned Development)	\$200
R-O-W Abandonment	\$4,500
Traffic Safety Request	\$65
Traffic Impact Analysis Volume < 1000 VPD	\$200
Traffic Impact Analysis Volume > 1000 VPD	\$400

Planning and Zoning Application Refunds

- If applications for Conditional Use Permit, Rezoning, BZA Variance, Special Exception and Appeal are withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant. If an application is withdrawn after the first public hearing, the application fee is nonrefundable.
- If applications for Plan and Plat are withdrawn prior to the completion of the first review, fifty (50) percent of the total fee amount paid will be refunded. If the application is withdrawn after completion of the first review, the application fee is non-refundable.

Public Information; Communications Plan Public Information Administrator, Ms. Cathy Vollbrecht, presented the proposed Communications Plan to the Board. Public Information

Office, Ms. Shannon Howell, gave a demonstration of video clips available from recent meetings, interviews, and events.

Mr. Snellings asked who determined what event(s) were video-taped. Ms. Vollbrecht replied that it was based on Board request. Mr. Snellings asked if there was a cost associated with video-taping to which Ms. Vollbrecht responded, “Not so far.” Mr. Milde noted that the Commissioner of the Revenue’s video regarding tax assessment had 2200 hits thus far.

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

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Snellings, to accept the Consent Agenda consisting of Items 8 through 19.

The Voting Board tally was:

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

Nay: (0)

Item 8. Approve Minutes of the May 1, 2012 and May 8, 2012 Board Meetings

Item 9. Finance and Budget; Approve Expenditure Listing

Resolution R12-130 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED MAY 1, 2012 THROUGH MAY 14, 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 hereby is approved.

Item 10. Finance and Budget; Authorize 4th Quarter Appropriation of Schools Health Fund Services

Resolution R12-134 reads as follows:

A RESOLUTION TO APPROPRIATE THE FOURTH QUARTER ALLOCATION OF THE SCHOOLS' HEALTH SERVICES FUND

WHEREAS, the FY2012 Health Services Fund budget appropriation consisted of a contribution up to \$5.5 million to the Other Post-Employment Benefits (OPEB) trust, plus 25% of the remaining budget, pending information regarding the fund's revenues and expenditures; and

WHEREAS, the Board subsequently appropriated an additional 50% of the remaining budget to cover second and third quarter expenditures; and

WHEREAS, the Schools have requested appropriation of the final 25% of the Schools' Health Services Fund to cover fourth quarter expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does increase the appropriation of the Schools' Health Services Fund by \$4,960,602.

Item 11. Public Works; Authorize a Public Hearing to Consider Condemnation and Exercise of Quick-Take Powers to Acquire Permanent Right-of-Way, Utility Easements and Temporary Construction Easements for the Mountain View Road Improvement Project

Resolution R12-136 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE PERMANENT RIGHT-OF-WAY EASEMENTS; PERMANENT DRAINAGE, SIGHT DISTANCE, WATER LINE, AND UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION, SLOPE AND ENTRANCE EASEMENTS ON PORTIONS OF THE PROPERTIES OF BETTY ANN WIRMAN, DAVID AND BETTY ANN WIRMAN, RICHARD AND ETHEL STEWART, MASHANE NINI, EVERGREEN REAL PROPERTIES, LLC, AND DANNY AND DEBORAH HICKS, ALL IN CONNECTION WITH THE MOUNTAIN VIEW ROAD BOND PROJECT

WHEREAS, The Board identified the completion of road improvements on Mountain View Road from Rose Hill Farm Drive to 0.25 miles north of Joshua Road as a critical part of Stafford County's road improvement plan; and

WHEREAS, these improvements are included in the 2008 Transportation Bond Referendum; and

WHEREAS, the Board approved the acquisition of the properties necessary for the completion of the road improvements and County staff is in the process of acquiring the necessary portions of property for right-of-way, permanent and temporary easements; and

WHEREAS, the Board has determined that there are currently six areas that staff has been unable to obtain through negotiations between the property owners and the County's consultant; and

WHEREAS, Tax Map Parcel 18-51 consists of approximately 43.27 acres of land owned by Betty Ann Wirman and the Board must acquire right-of-way and easement on Tax Map Parcel 18-51 because the design of the road improvements requires 0.064 acres of permanent right-of-way easement, 0.05 acres of permanent drainage easement, 0.043 acres of temporary construction easement, 0.109 acres of temporary entrance easement, and 0.14 acres of easement to be conveyed to Verizon for use as a permanent utility easement on Tax Map Parcel 18-51; and

WHEREAS, the fair market value for the required portions of Tax Map Parcel 18-51, together with damages, if any, to the remainder of the property is Three Thousand, Two Hundred Dollars (\$3,200), based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcels 18-17E, 18-17D, 18-52, 18-53, and 18-54B consist of approximately 36.06 acres of land owned by David and Betty Ann Wirman and the Board must acquire right-of-way and easement on Tax Map Parcels 18-17E, 18-17D, 18-52, 18-53 and 18-54B because the design of the road improvements requires 3.8 acres of permanent right-of-way easement, 0.47 acres of permanent drainage easement, 1.69 acres of temporary construction easement, 0.45 acres of temporary entrance easement, and 0.003 acres of easement to be conveyed to Verizon for use as a permanent utility easement, and 1.12 acres of easement to be conveyed to NOVEC for use as a permanent utility easement on Tax Map Parcels 18-17E, 18-17D, 18-52, 18-53, and 18-54B; and

WHEREAS, the fair market value for the required portions of Tax Map Parcels 18-17E, 18-17D, 18-52, 18-53, and 18-54B, together with damages, if any, to the remainder of the property is Eighty-six Thousand Two Hundred Dollars (\$86,200), based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcel 18X-2-3 consists of approximately 1.72 acres of land owned by Richard and Ethel Stewart and the Board must acquire right-of-way and easements on Tax Map Parcel 18X-2-3 because the design of the road improvements requires 0.006 acres of permanent right-of-way easement, 0.03 acres of permanent drainage easement, 0.028

acres of temporary slope easement, and 0.175 acres of easement to be conveyed to Northern Virginia Electric Cooperative (NOVEC) for use as a permanent utility easement on Tax Map Parcel 18X-2-3; and

WHEREAS, the fair market value for the required portions of Tax Map Parcel 18X-2-3, together with damages, if any, to the remainder of the property is Six Thousand Eight Hundred Fifty Dollars (\$6,850), based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcel 18C-38 consists of approximately 1.00 acres of land owned by Mashane Nini and the Board must acquire right-of-way and easements on Tax Map Parcel 18C-38 because the design of the road improvements requires 0.016 acres of permanent right-of-way easement, 0.019 acres of permanent drainage easement, 0.024 acres of permanent sight distance easement, 0.139 acres of temporary slope easement, and 0.095 acres of easement to be conveyed to NOVEC for use as a permanent utility easement on Tax Map Parcel 18C-38; and

WHEREAS, the fair market value for the required portions of Tax Map Parcel 18C-38, together with damages, if any, to the remainder of the property is Seven Thousand Nine Hundred Dollars (\$7,900), based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcel 18-76B consists of approximately 36.529 acres of land owned by Evergreen Real Properties, LLC and the Board must acquire right-of-way and easements on Tax Map Parcel 18-76B because the design of the road improvements requires 0.03 acres of permanent right-of-way easement, 0.006 acres of permanent drainage easement, 0.005 acres of temporary slope easement, and 0.034 acres of temporary entrance easement on Tax Map Parcel 18-76B; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 18-76B, together with damages, if any, to the remainder of the property is Eight Hundred Dollars (\$800), based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcel 18A-1-1 consists of approximately 1.18 acres of land owned by Danny and Deborah Hicks and the Board must acquire right-of-way and easements on Tax Map Parcel 18A-1-1 because the design of the road improvements requires 0.019 acres of permanent easement and 0.12 acres of temporary easement, in the following segments: 0.016 acres of permanent drainage easement; 0.003 acres for County permanent water line easement; and 0.12 acres of temporary slope easement; and

WHEREAS, the fair market value for the required portions of Tax Map Parcel 18C-38, together with damages, if any, to the remainder of the property is Eight Thousand Five Hundred Dollars (\$8,500), based upon the 2012 assessed value; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012 that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the condemnation and use of its quick-take power to acquire permanent right-of-way easements, permanent drainage, sight distance, waterline and utility easements; and temporary construction, slope, and entrance easements on portions of the properties of Betty Ann Wirman, Tax Map Parcel 18-51; David and Betty Ann Wirman, Tax Map Parcels 18-17E, 18-17D, 18-52, 18-53, and 18-54B; Richard and Ethel Stewart, Tax Map Parcel 18X-2-3; Mashane Nini, Tax Map Parcel 18C-38; Evergreen Real Properties, LLC, Parcel 18-76B; and Danny and Deborah Hicks, Tax Map Parcel 18A-1-1 all in connection with the Mountain View Road Transportation Bond project between Rose Hill Farm Drive and 0.25 miles north of Joshua Road, under the provisions of the Virginia Code, Sections 15.2-1903(B) and 15.2-1905(C).

Item 13. Utilities; Authorize the County Administrator to Execute Documents for Acquisition of Property for the Celebrate Virginia Water Storage Tank

Resolution R12-129 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR ACQUISITION
OF PROPERTY FOR THE CELEBRATE VIRGINIA
WATER STORAGE TANK

WHEREAS, the Celebrate Virginia Water Storage Tank is included in the Water and Sewer Master Plan and the FY13-FY22 Capital Improvement Plan; and

WHEREAS, the County and the property owner have reached an agreement for acquisition of the site for this tank; and

WHEREAS, staff recommends approval of the acquisition in the form of a partial gift and payment by the County of debt service to the Commercial Development Authority in an amount not to exceed \$137,387;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does authorize the County Administrator to execute a Purchase Agreement and any and all other necessary documents for property acquisition for the Celebrate Virginia Water Storage Tank in an

amount not to exceed One Hundred Thirty-seven Thousand Three Hundred Eighty-seven Dollars (\$137,387).

Item 14. Parks, Recreation and Community Facilities; Authorize a Public Hearing to Consider Revision of Certain Parks and Recreation Fees

Resolution R12-126 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO REVISE CERTAIN PARKS AND
RECREATION FEES

WHEREAS, user fees represent an important source of revenue and contribute to operating and maintenance costs of County Parks and Recreation facilities; and

WHEREAS, due to increasing costs of operating services, it is necessary to periodically review, and subsequently increase, certain Parks and Recreation fees; and

WHEREAS, staff reviewed the user fees and recommended proposed increases be considered; and

WHEREAS, at its meeting on April 26, 2012, the Parks and Recreation Advisory Commission unanimously recommended approval of the revised fee structure; and

WHEREAS, the Board desires to consider public comments concerning the proposed revised fee structure;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th 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 revising certain Parks and Recreation fees.

Item 15. Public Information; Declare June as Pediatric Stroke Awareness Month in Stafford County

Proclamation P12-03 reads as follows:

A PROCLAMATION TO RECOGNIZE THE MONTH OF JUNE 2012,
AS PEDIATRIC STROKE AWARENESS MONTH IN STAFFORD
COUNTY

WHEREAS, the highest risk of pediatric stroke, about one in 2,800 live births, occurs in infants less than one month old; and

WHEREAS, strokes occur in 11 out of 100,000 children ages one to 18 years old; and

WHEREAS, strokes are fatal in 20 to 40 percent of children; and

WHEREAS, strokes can and do occur prior to birth; and

WHEREAS, 50 to 80 percent of children affected by a stroke may have serious and long-term challenges and need specialized, acute and long-term care; and

WHEREAS, there is little research into infant and childhood strokes and little awareness by both professionals and the public; and

WHEREAS, the Children’s Hemiplegia and Stroke Association would like to raise awareness of strokes in children and the lack of research into the cause;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does recognize the month of June 2012, as Pediatric Stroke Awareness Month in Stafford County.

Item 16. Public Information; Recognize Col. Daniel L. Choike Upon His Retirement from the United States Marine Corps

Proclamation P12-04 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND
COLONEL DANIEL J. CHOIKE, RETIRING COMMANDER,
MARINE CORPS BASE QUANTICO

WHEREAS, Colonel Daniel J. Choike, Commander, Marine Corps Base Quantico, is retiring after 30 years of service in the U.S. Marines Corps; and

WHEREAS, Colonel Choike elevated the spirit of cooperation and outreach between Quantico and Stafford County to a level higher than ever before; and

Whereas, Colonel Choike participated in and contributed greatly to the Quantico Growth Management Committee, set up after the 2005 Base Realignment and Closure (BRAC) action to deal with issues related to growth on base; and

WHEREAS, Colonel Choike had the vision to set up the Quantico Regional Executive Steering Committee and the Quantico Regional Planning Team, and was an asset in assisting Stafford County with its planning efforts to include redevelopment efforts, Comprehensive Plan and other BRAC issues related to transportation, hospitality, and economic development; and

WHEREAS, Colonel Choike was a strong supporter of Marine Corps volunteer efforts in Stafford County, including Toys for Tots, the Stuff the Bus campaign, and the Marine Adopt-a-School program, among many others;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does recognize and commend Colonel Daniel J. Choike for his service to the citizens of Stafford County and to Marine Corps Base Quantico.

Item 17. Public Information; Approve Adoption of the Communications Plan

Resolution R12-145 reads as follows:

A RESOLUTION TO ADOPT THE STAFFORD COUNTY
COMMUNICATIONS PLAN

WHEREAS, the Board believes that transparent, open government is important to all citizens, businesses, and County employees; and

WHEREAS, one way to achieve a transparent government is to provide clear and accessible communications; and

WHEREAS, the Board desires to be proactive in keeping citizens, businesses, and employees informed about how the County operates, and the policies and procedures that are involved in that operation, and to engage citizens, businesses, and employees in their local government; and

WHEREAS, a coordinated and concerted approach to communications will help the Board promote its priorities for the community including Education, Public Safety, Infrastructure, Economic Development, and Service Excellence, all encompassed by an overall theme of Fiscal Responsibility and Reducing the Tax Burden; and

WHEREAS, a communications plan will help to provide an honest, positive message that the Stafford County Government is a responsible and accountable government; foster pride in Stafford County among citizens, businesses, and employees; and use technologies that are “state of the art” and effective in communicating to different groups in the community;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that it be and hereby does approve the Stafford County Communications Plan.

Item 18. Legislative; Approve Appointment of Steve Hubble to the Hidden Lake Advisory Committee

Item 19. Legislative; Approve Reappointment of John Rowley to the Rappahannock Area Community Service Board of Directors

Public Works; Budget and Appropriate Funds for Civil War Park Paving Mr. Romanello presented this item and answered Board members questions. Mr. Milde talked about Mr. Glenn Trimmer's efforts on behalf of preservation in the County and fund raising, both cash and in-kind from Vulcan, AmeriCast, the Army National Guard and, if funding for the asphalt was approved, the United States Air Force Red Horse Group.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-132.

The Voting Board tally was:

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

Nay: (0)

Resolution R12-132 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE FUNDS FOR PAVING OPERATIONS AT THE STAFFORD CIVIL WAR PARK

WHEREAS, the Board has been working in cooperation with the Friends of Stafford Civil War Sites (FSCWS) on the development of the Stafford Civil War Park; and

WHEREAS, the original funding for the park did not include paving of the roads in the Park; and

WHEREAS, FSCWS has secured a commitment for the manpower and equipment from the Virginia Air National Guard, Red Horse Division, for paving operations; and

WHEREAS, paving operations will enhance the Park and save the County capital costs as well as maintenance costs; and

WHEREAS, in order to coordinate with the Virginia Air National Guard for paving operations, funds in the amount of \$48,000 are needed; and

WHEREAS, the Board desires to take advantage of this opportunity;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of May, 2012, that funds in an amount not to exceed Forty-eight Thousand Dollars (\$48,000) be and they hereby are budgeted and appropriated in FY2012 for the paving operations and associated activities at the Stafford Civil War Park.

Swim Lanes Allocation Analysis Ms. Stimpson introduced a video clip of a swim lane allocation discussion at a Board meeting in November, 2011, saying that it was for the benefit of the new members to the Board who were not present when the original vote was taken. Ms. Stimpson added that she recognized the need for a new pool in the County and said that everyone was working together towards a fair and equitable solution for all residents. Ms. Stimpson requested that Mr. Romanello engage an outside, unbiased, independent source to perform an analysis of both daily and weekly models.

Mr. Cavalier said that there are not enough swim lanes for the number of swim teams in the County but that if Olympic Gold Medalist, Jeff Rouse, who was on the Parks and Recreation Commission, voted in favor of the current allocation, he was not going to vote for an additional study to be done.

Ms. Stimpson said that it was a split vote, taken at the last minute and was not even on the agenda for the Commission on the night the vote was taken. She said that she believed that it was wise to look at all pertinent information. Mr. Thomas asked that he be provided with a copy of the Commission's minutes from the meeting where the vote was taken. Mr. Baroody said there had been conversations about daily v. weekly models for several months but that an independent analysis had not been performed. Mr. Cavalier said that only one of the four teams involved disagreed with the allocations.

Ms. Stimpson said that she was the Chairman and as such, she was directing staff to undertake the independent, unbiased, outside analysis of daily and weekly models. Mr. Milde asked for clarification about what was taking place. Mr. Baroody said that the Commission had worked hard to come to a consensus and arrived at a 4 – 3 vote, within the Board's initial framework (given to the Commission in November, 2011) and used a weekly allocation model.

Mr. Sterling noted that this was the most contentious issue he ever faced while on the Board and that with existing facilities, it would be impossible to meet everyone's requirements. He said that the direction to the Commission was to treat everyone equally, but he questioned which model should be used and said that more pools must be built or the Board would revisit the swim lane allocation issue again in two or three months.

Mr. Schieber said that there had been much progress in establishing the framework, that there were two camps so far as favoring the daily or weekly model for allocations. He said that everything should be considered before the Board moves forward.

Ms. Stimpson said that she wanted an independent source to look at daily and weekly allocation models, that she was aware that the County needed additional pools and that even the Commission was split on this issue so it was time for the Board to step in. She added that keeping teams off the deck at the same time was not an efficient use of lane hours and that space was needed for residents to use County pools before work.

Mr. Cavalier asked who would do such a study and what would the cost associated with it be? He suggested that the issue could, and should, be solved internally and asked why use outside "number crunchers" that have no experience with swim teams. Mr. Romanello said that he had no formal cost estimate but was considering relying on the University of Mary Washington for a mathematics or statistics professor to do the analysis saying that the cost could be in the low thousands of dollars, or it may be possibly be free.

Mr. Sterling said that each person looking at the data would have a different interpretation, adding that each side feels that it was right in their assessment of fair and equitable swim lane allocations. Mr. Sterling said that the Commission already made a decision. Ms. Stimpson said that it was a split vote and that half the Commission wished to see all the data (both models) and that it was very important to get it right and then build a new pool.

Mr. Milde said that the item was added for discussion without adequate information being supplied to the Board and said that the Board already voted back in November, 2011. Mr. Milde suggested that allocations be left as-is and that the Commission not be second-guessed. Ms. Stimpson reiterated her request for an independent, outside, unbiased source to review the data.

Mr. Thomas cited TDR as an example where something that the Board had previously reviewed was given a second look and said that reviewing data was not uncommon. Mr. Schieber said that he had a personal connection and that it was tough to find a person in the County that was unconnected to the issue. He said that he stands to have no material gain and that on legal advice from the County Attorney, there was no conflict of interest on his part even though his wife was a paid swim coach – but that in the interest of full disclosure he wished to make that known to the Board and to the citizens of the County.

Mr. Cavalier said that he, too, had personal involvement in that in 2007, he was the past president of one of the County's swim clubs and at that time, he did recuse himself from voting. He left the dais and sat in the crowd when the vote was taken even though he had no financial consideration or gain in the matter.

Mr. Thomas motioned, seconded by Mr. Snellings, to authorize staff to engage an independent third party to review both daily and weekly allocation data and to report their findings back to the Parks & Recreation Commission.

Mr. Milde said that in his seven years on the Board, he had never interfered with the Commission's decision and he would not do so in this case.

Mr. Cavalier made a friendly amendment that it should be an outside, non-biased, independent organization with no affiliation to any members of the Board, County staff, or swim team. Mr. Thomas and Mr. Sterling agreed to add Mr. Cavalier's friendly amendment to their original motion.

The Voting Board tally was:

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

Nay: (3) Cavalier, Milde, Sterling

Adjournment At 8:31 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman