

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 17, 2008

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:05 P. M., Tuesday, June 17, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: M. S. “Joe” Brito, Vice Chairman; Harry E. Crisp; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; Cord A. Sterling and Robert “Bob” Woodson.

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

Presentation by David Sam on Germanna Community College. Dr. David A. Sam, President, Germanna Community College, gave a presentation and responded to Board members questions.

Presentation by Stephen Batsche on the Rappahannock United Way Needs Assessment. Mr. Stephen Batsche, President, Rappahannock United Way, gave a presentation and responded to Board members questions.

Legislative; Work Session on Fire and Rescue Volunteer Town Hall Meeting Response; Fleet Management, and Length of Service Awards Program/Volunteer Incentives. Mr. Rob Brown, Fire Chief, gave a presentation and responded to Board members questions.

The Board appointed committee of Mr. Brito and Mr. Sterling gave a committee report on Length of Service Awards Program/Volunteer Incentives and responded to Board members questions.

Mr. Brito motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-353.

Discussion ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Woodson, to fund \$350,000 from the Length of Service Awards Program and place into an incentive program and report back at the August meeting with additional information.

Mr. Sterling made a second substitute motion, seconded by Mr. Brito, to adopt proposed Resolution R08-353 and appoint a committee to study an incentive program for implementation at next years budget.

The Voting Board tally on the second substitute motion was:

Yea: (4) Milde, Sterling, Brito, Crisp

Nay: (3) Dudenhefer, Schwartz, Woodson

Resolution R08-353 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO SOLICIT BIDS AND EXECUTE A CONTRACT FOR A LENGTH  
OF SERVICE AWARDS PROGRAM

WHEREAS, the County desires to provide a volunteer incentive package for emergency services volunteers; and

WHEREAS, the Board desires to solicit bids and execute a contract for a Length of Service Awards Program Plan-1; and

WHEREAS, the Board desires to establish an “auditable” system which ensures compliance with the proposed points system; and

WHEREAS, the Board desires to provide credit for time served for volunteers on military deployments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008, that it be and hereby does direct the County Administrator to solicit bids and execute a contract for a Length of Service Awards Program, consistent with proposed Plan-1, to become effective January 1, 2009; and

BE IT FURTHER RESOLVED that the County Fire Chief be and he hereby is requested to provide an annual report on the Status of the Length of Service Awards Program; and

BE IT STILL FURTHER RESOLVED that the County Fire Chief establish a points system that is easily verifiable and auditable that gives credit for time served to volunteers on military deployment.

Recess. At 3:12 P. M., the Chairman declared a recess.

Call to Order. At 3:20 P. M. the Chairman called the meeting back to order.

Legislative; Work Session on Proposed Park Bond Referendum. The Board appointed committee of Mr. Sterling and Mr. Brito gave a committee report and responded to Board members questions.

Mr. Chris Hoppe, Director of Parks and Recreation, commented further.

Mr. Crisp motioned, seconded by Mr. Dudenhefer, to refer this item to the Parks and Recreation Department for consideration by the Parks and Recreation Commission and bring back with a recommendation at the July 1<sup>st</sup> Board meeting.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Brito, to refer this item to the Director of Parks and Recreation for consideration by the Parks and Recreation Commission as written with no changes and bring back to the Board at the July 1<sup>st</sup> meeting.

The Voting Board tally was:

Yea: (4) Woodson, Brito, Dudenhefer, Sterling

Nay: (3) Crisp, Milde, Schwartz

Legislative; Work Session on Transportation Bond Referendum. A Board committee of Mr. Sterling and Mr. Crisp gave a presentation and responded to Board members questions.

Mr. Fulton deLamorton, Transportation Administrator, commented.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to refer this item to the Planning Commission Transportation Committee and bring back with recommendations at the July 1<sup>st</sup> meeting.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Legislative; Closed Meeting. At 4:35 P.M., Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM08-15.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution CM08-15 reads as follows:

#### A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting Legal Advice regarding the Widewater CDA litigation case, *Brentsmill LLC, et al v. Stafford County, et al.*; and two personnel matters regarding the appointment of the Acting Director of Utilities; and the County Administrator Evaluation; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7 Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 17<sup>th</sup> day of June, 2008, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 5:00 P.M., the Chairman called the meeting to order.

Legislative; Closed Meeting Certification. Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM08-15a.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Resolution CM08-15a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD  
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON  
JUNE 17, 2008

WHEREAS, the Board has, on this the 17<sup>th</sup> day of June, 2008, 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 17<sup>th</sup> day of June, 2008, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Legislative; Illegal Immigration Task Force Report. Hearing no objections from the Board, a committee of Mr. Schwartz and Mr. Dudenhefer were appointed to further review the report and make recommendations to the Board at the September 2, 2008 Board meeting.

Legislative; Fire/Rescue Volunteer Incentives. Hearing no objections from the Board, a committee of Mr. Crisp and Mr. Milde were appointed to further review and make recommendation to the Board within six months.

Recess. At 5:05 P.M., the Chairman declared a recess until 7:00 P.M.

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

Invocation. Mr. Schwartz gave the Invocation.

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

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

- |                 |   |   |
|-----------------|---|---|
| Ted Parks       | - | Aircraft tax.   |
| Dan Gray        | - | Fire Chief.   |
| Robert Hopkins  | - | Business, Professional and Occupational License<br>Tax. |
|                 | - | Refuse haulers.   |
|                 | - | Real Estate Taxes.                                      |
|                 | - | Road safety.  |
| Martha Newton   | - | Fire and Rescue issues.                                 |
| Tim Carlson     | - | Fire and Rescue issues.                                 |
| Jeanette Martin | - | School funding.   |
| Robert Center   | - | Fire and Rescue issues.                                 |
| Chad Williams   | - | Fire Chief.   |

- Annette Walker - School funding.
- Charles Scott - Fire and Rescue issues.
- Becky Reed - Urban Transportation Service Districts.
- Patricia Kurpiel - Urban Transportation Service Districts.

Planning and Zoning; Amend Section 28-24, Measurements; and Section 28-25, Definitions of Specific Terms of the Zoning Ordinance, and Section 22-4, Definitions; Section 22-143, Shape; and Section 22-146, Side Lot Line, of the Subdivision Ordinance.

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing

The following persons spoke:

- Robert Hopkins
- Harvey Gold
- Bruce Reese
- Patricia Kurpiel
- Paul McKinney
- Tom Cropp
- Jo Knight

The Chairman closed the public hearing

Mr. Woodson motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O08-38 with a change.

Mr. Sterling motioned for a friendly amendment to include the effective date of proposed Ordinance O08-38 to be June 17, 2008.

The Voting Board tally on the amended motion was:

- Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer
- Nay: (0)

Ordinance O08-38 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-24, “MEASUREMENTS”; AND, SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS” OF THE ZONING ORDINANCE, AND AMEND AND REORDAIN SECTION 22-4, “DEFINITIONS”; SECTION 22-143, “SHAPE”; AND SECTION 22-146, “SIDE LOT LINES”, OF THE SUBDIVISION ORDINANCE

WHEREAS, due to topography, required setbacks, location of the primary and reserve drainfields for on-site sewage disposal systems and buffers for Critical Resource Protection Area (CRPA), a proposed residential lot may have limited area suitable to locate a house and accessory buildings; and

WHEREAS, the Board desires to have lots designed in such a manner that allows future owners to add value to their property by building additions and accessory structures; and

WHEREAS, some residential subdivision lots have contained irregular shaped or elongated lot lines in order to provide an area for drainfields that have led to confusion of homeowners as to where their property line and/or drainfields may be located; and

WHEREAS, the Board desires to establish regulations for the protection and benefit of homeowners so that they will have adequate areas for their leisurely enjoyment and comfort and understand where their property lines and drainfields are located; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008 that Stafford County Code, Section 28-24, Measurements; and Section 28-25, Definitions of Specific Terms, and Section 22-4, Definitions; Section 22-143, Shape; and Section 22-146, Side Lot Lines, of the Subdivision Ordinance be and they are hereby ordained as follows, with all other portions remaining the same:

**Sec. 28-24. Measurements.**

- (3) *Lot, depth of.* The mean horizontal distance between the front and rear ~~property~~ lot lines of a lot.
- (4) *Lot, frontage of.* The dimension of a lot measured along the front ~~street~~ lot line thereof. If the front lot line is curvilinear, the lot frontage is to be measured on the chord of the arc. Lot frontage shall be a minimum of eighty (80) percent of the designated lot width. Lots on any cul-de-sac shall have a minimum frontage of fifty (50) feet. Pipestem, commercial and industrial lots shall be exempt from the frontage requirement.
- (5) *Lot, width of.* The horizontal distance between the side ~~property~~ lot lines, measured at the front building line. If the front building line is curvilinear, the lot width is to be measured on the chord of the arc parallel to the front ~~property~~ lot line.

**Sec. 28-25. Definitions of specific terms.**

Lot Line. For purpose of this Chapter, any boundary line of a lot as defined herein.

Lot line, front. A street line which forms the boundary of a lot; or, in the case where a lot does not abut a street other than by an ingress/egress easement or Private Access Easement (PAE), or has double frontage, that lot line which faces the principal entrance of the main building. On a corner lot, the shorter street line shall be deemed to be the

front lot line regardless of the location of the principal entrance or approach to the main building.

Lot line, rear. The singular lot line that is most distant from, and is most nearly parallel with, the front lot line. If a rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten (10) foot line parallel to the front lot line, lying wholly within the lot for the purpose of establishing the required minimum rear yard.

Lot line, side. Any lot line which is neither a front lot line nor a rear lot line.

#### **Sec. 22-4. Definitions.**

Lot Line. For purpose of this Chapter , any boundary line of a lot as defined herein.

Lot line, front. A street line which forms the boundary of a lot; or, in the case where a lot does not abut a street other than by its driveway, or has double frontage, that lot line which faces the principal entrance of the main building. On a corner lot, the shorter street line shall be deemed to be the front lot line, regardless of the location of the principal entrance or approach to the main building.

Lot line, rear. The singular lot line that is most distant from, and is most nearly parallel with, the front lot line. If a rear lot line is less than ten (10) feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten (10) foot line parallel to the front lot line, lying wholly with in the lot for the purpose of establishing the required minimum rear yard.

Lot line, side. Any lot line which is neither a front lot line nor a rear lot line.

#### **Sec. 22-143. Shape and elongations**

(a) Shape. The depth of a lot shall not exceed five (5) times its width; the horizontal distance between the side lot lines, measured at the front building line. If the front building line is curvilinear, the lot width is to be measured on the chord of the arc parallel to the front lot line. The depth of the lot is calculated by adding the length of all of the side lot lines and dividing the total by two (2).

(b) Elongation. Lots shall not contain peculiarly shaped, elongated, or numerous side lot lines which are primarily incorporated on the lot for purposes of establishing minimum lot area, buildable area, or to incorporate a non-contiguous site for a primary and/or reserve drainfield.

**Sec. 22-146. Side lot lines.**

Side lot lines shall be approximately at right angles to or radial to curves of the ~~street~~ front lot line, except at cul-de-sac terminal points.

BE IT FURTHER ORDAINED that this ordinance shall apply to all applications for subdivisions submitted after June 17, 2008

Planning and Zoning; Amend Section 28-35, Tables of Uses and Standards; Table 3.1, District Uses and Standards; Section 28-57, Flood Hazard Overlay District (FH); Section 28-185, Conditional Use Permit; and Section 28-205, Notice, of the Zoning Ordinance.

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing

No one desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O08-37.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz  
Nay: (0)

Ordinance O08-37 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-35, TABLE OF USES AND STANDARDS; TABLE 3.1, DISTRICT USES AND STANDARDS; AND, SECTION 28-57, FLOOD HAZARD OVERLAY DISTRICT (FH), OF THE ZONING ORDINANCE

WHEREAS, the Zoning Ordinance previously provided that the Board of Zoning Appeals (BZA) would consider certain activities in the Floodway District as a Special Exception; and

WHEREAS, the Board amended the Zoning Ordinance to provide that the activities in the Floodway District would be handled by the Board through the Conditional Use Permit (CUP) process; and

WHEREAS, the Board desires the BZA undertake the determination of activities allowed in the Floodway District through the Special Exception process by amending the Zoning Ordinance; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008 that Stafford County Code, Section 28-35, Table of Uses and Standards; Table 3.1, District Uses and Standards; and, Section 28-57, Flood Hazard Overlay District (FH), of the Zoning Ordinance be and it hereby is ordained as follows, with all other portions remaining the same:

**Sec. 28-35. Table of Uses and Standards**

*Table 3.1. District Uses and Standards*

*FH Flood Hazard*

*(b) Conditional use permit:*

(1) All conditional use permitted in the underlying district.

*(c) Special exception:*

~~(2)~~ (1) Public facilities/utilities

~~(3)~~ (2) Streets

~~(4)~~ (3) Bridges

~~(5)~~ (4) Railroads

~~(6)~~ (5) Stormwater management structures

~~(7)~~ (6) Marinas

~~(8)~~ (7) Docks

~~(9)~~ (8) Wharves

~~(10)~~ (9) Piers

~~(11)~~ (10) Water dependent uses

~~(12)~~ (11) Public works

**Sec. 28-57 Flood Hazard Overlay District (FH)**

(h) *Permitted uses in the floodway district.*

(3) ~~The board of supervisors may permit the following uses and activities~~ may be permitted, by special exception, in the floodway district, ~~by review and approval of a conditional use permit, pursuant to the provisions of Section 28-185,~~ provided that they are in compliance with the provisions of the underlying district and are not prohibited by this chapter or any other ordinance.

Mr. Milde motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O08-51.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Ordinance O08-51 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY CODE BY AMENDING SECTION 28-185, CONDITIONAL USE PERMIT AND SECTION 28-205, NOTICE.

WHEREAS, Section 28-185 and Section 28-205 of the Zoning Ordinance requires written notice of a public hearing for a Conditional use permit and Reclassification, respectively, to be mailed to all adjoining property owners of the subject property at least five (5) days prior to the public hearing with the Planning Commission and Board; and

WHEREAS, the applicant of the Conditional Use Permit and/or Reclassification is required to mail the written notice of the public hearings if more than twenty (20) adjoining property owners are required to be notified; and

WHEREAS, the applicant of the Conditional use permit and/or Reclassification is required to post public hearing notice signs on the subject property of a Conditional Use Permit and/or Reclassification fifteen (15) days prior to the public hearing with the Planning Commission and/or the Board; and

WHEREAS, the Board desires that all written notices of a public hearing for a Conditional Use Permit and/or Reclassification to all adjoining properties be mailed by the Planning Commission or its representative; and

WHEREAS, the Board desires that the Planning Commission or its representative post all public hearing notice signs on the subject property of a Conditional Use Permit and Reclassification; and

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

WHEREAS, public necessity, convenience, general welfare, and good zoning practice require such an amendment to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008, that the Stafford County Code, Section 28-185 and 28-205, be amended and reordained to read as follows, all other portions remaining unchanged:

**Sec. 28-185. Conditional use permit**

(c) *Conditional use permits.* No Conditional use permit shall be issued except in conformance with the following provisions:

(6) At least fifteen (15) days prior to a Conditional use permit public hearing before the planning commission, ~~and~~ board of supervisors, or a joint session of both, the applicant planning commission or its representative shall erect on the property proposed for a Conditional use permit a sign or signs furnished by the planning director or his designee indicating the proposed use, and the date, time, and place of the hearing. The sign shall be erected ~~by the applicant~~ within ten (10) feet of whatever boundary line of such property abuts a public road, and shall ~~se~~ be placed so as to be clearly visible from ~~that~~ the road. The bottom of the sign shall be not less than two and one-half (2 1/2) feet above the ground. If more than one public road abuts such property, then a sign shall be erected in the same manner for each such road. If no public road abuts the property proposed for the Conditional use permit, then signs shall be erected in the same manner as provided for, above on at least two (2) boundaries of the property abutting land owned by the applicant.

(7) Written notice shall be given by the planning commission or its representative to all adjoining property owners no less than five (5) days before the public hearing before the planning commission or board of supervisors. Notice sent to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. In the event the adjoining property is within another jurisdiction of the commonwealth, the notice shall be sent to the administrator or executive of that jurisdiction. If the public hearing before the planning commission and/or board of supervisors is cancelled, notice shall be remailed no less than five (5) days before the rescheduled public hearing.

a. ~~The written notice by certified mail shall be given by the department of planning commission or its representative and community development shall be by certified mail. Costs of all notices, including publication, posting, and mailing, as required under this section, shall be taxed to the applicant. when the total number to be sent is less than twenty (20).~~

b. ~~The written notice by first class mail shall be given by the applicant with a letter provided by the department of planning and community development when the total number to be sent is twenty (20) or more. Proof of notification shall be submitted to the department of planning and community development prior to the public hearing.~~

### **Sec. 28-205. Notice.**

(b) At least fifteen (15) days prior to a map amendment public hearing before the planning commission, ~~and~~ the board of supervisors, or a joint session of both, the ~~applicant~~ planning commission or its representative shall erect on the property proposed for a rezoning, a sign or signs furnished by the planning director or his designee indicating the change proposed, and the date, time, and place of the hearing. The sign shall be erected ~~by the applicant~~ within ten (10) feet of whatever boundary line of such property abuts a public road, and shall ~~so~~ be placed so as to be clearly visible from ~~that~~ the road. The bottom of the sign shall be not less than two and one-half (2 1/2) feet above the ground. If more than one public road abuts such property, then a sign shall be erected in the same manner for each such road. If no public road abuts the property proposed for rezoning, then signs shall be erected in the same manner as provided for, above on at least two (2) boundaries of the property abutting land owned by the applicant. The sign posting requirement shall not apply to any change in zoning district designation involving an overlay zoning district.

(c) If the parcel of land that is subject of a map amendment is located within three thousand (3,000) feet of a boundary of a military base, military installation, or military airport, excluding armories operated by the Virginia National Guard, then, in addition to

the advertising and written notification as ~~above~~ required herein, written notice shall also be given by the planning commission or its representative at least ten (10) days before the hearing to the commander of the military base, military installation, or military airport and shall advise the commander of the opportunity to submit comments or recommendations.

(d) Written notice shall be given by the planning commission or its representative to all adjoining property owners no less than five (5) days before the public hearing before the planning commission or board of supervisors. Notice sent to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. In the event the adjoining property is within another jurisdiction of the commonwealth, the notice shall be sent to the administrator or executive of that jurisdiction. If the public hearing before the planning commission and/or board of supervisors is cancelled, notice shall be remailed no less than five (5) days before the rescheduled public hearing.

i. ~~Written notice by certified mail shall be given by the planning department~~ commission or its representative shall be by certified mail. Costs of all notices, including publication, posting, and mailing, as required under this section, shall be taxed to the applicant. ~~when the total number to be sent is less than twenty (20).~~

ii. ~~Written notice by first class mail shall be given by the applicant with a letter provided by the department of planning and community development when the total number to be sent is twenty (20) or more. Proof of notification shall be submitted to the planning department prior to the public hearing.~~

BE IT FURTHER ORDAINED that this ordinance shall become effective on June 17, 2008.

Planning and Zoning; Amend Section 28-25, Definitions of Specific Terms, of the Zoning Ordinance to Provide the Definition of Family When Used Within this Ordinance. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

Dean Fetterolf

Robert Hopkins

Patrick Walsh

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Ordinance O08-42 with changes.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Brito, Crisp, Dudenhefer, Milde, Sterling

Nay: (2) Schwartz, Woodson

Ordinance O08-42 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY CODE BY AMENDING SECTION 28-25, DEFINITIONS TO PROVIDE A DEFINITION FOR THE TERM “FAMILY”

WHEREAS, the Board recognizes that the issue of overcrowding has been raised by Stafford citizens in public presentations and in letters to the editor in local newspapers; and

WHEREAS, adjacent localities have ordinances limiting the number of persons not related by blood, marriage, adoption, or guardianship that can live in a dwelling by including a definition of “family” within their Zoning Ordinance; and

WHEREAS, Stafford County Code has no definition of “family” nor restriction on the number of unrelated individuals occupying a residential dwelling; and

WHEREAS, the Board desires to consider an amendment to the Zoning Ordinance to include a definition of “family”; and

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

WHEREAS, public necessity, convenience, general welfare, and good zoning practice requires such an amendment to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008, that the Stafford County Code, Section 28-25, be amended and reordained to read as follows, all other portions remaining unchanged:

**Sec. 28-25. Definitions of specific terms.**

When used in this chapter, the following terms shall have the meanings herein ascribed to them:

Family: Family shall mean a group of people living together as a single housekeeping unit and consisting of:

- (1) One (1) person; or

- (2) Two (2) or more persons related by blood, adoption, or marriage, together with any number of offspring, foster, step or adopted children; or
- (3) A group of no more than four (4) unrelated persons living and cooking together as a single housekeeping unit though not related by blood, marriage, adoption or guardianship, provided that the limitation on the number of unrelated persons shall not apply to residents in a housekeeping unit by persons having handicaps within the meaning of section 3602(f) of the Fair Housing Act (42 USC 3601, et seq., as amended); or
- (4) Those groups identified in Code of Virginia, § 15.2-2291, or like groups licensed by the Virginia Department of Social Services which otherwise meet the criteria of Code of Virginia, § 15.2-2291.
- (5) Two (2) unrelated persons, together with any number of offspring, foster, step or adopted children

BE IT FURTHER ORDAINED that this ordinance shall become effective on June 17, 2008.

Utilities; Amend and Readopt the Fees for High Volume and Bulk Use of Public Water Service. Ms. Susan Fitzbibbons, General Accountant, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing

No one desired to speak

The Chairman closed the public hearing

Mr. Brito motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O08-40.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Ordinance O08-40 reads as follows:

AN ORDINANCE TO AMEND AND READOPT THE FEES FOR  
PROVIDING PUBLIC WATER AND SEWER SERVICE

WHEREAS, the Board is authorized to set reasonable fees and charges for public water and sewer service; and

WHEREAS, such authority can be found in Sections 15.2-2111, 15.2-2119, and 15.2-2122 of the Code of Virginia (1950), as amended; and

WHEREAS, Chapter 25 of the County Code authorizes the establishment of fees; and

WHEREAS, the Board desires to set the fees for these services commensurate with the services provided by the County, and

WHEREAS, the Board desires to set the fees for these services to encourage the conservation of resources, and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of June, 2008, that the fees for providing public water and sewer service be amended and are hereby readopted as follows:

User Fees:

*July 1, 2008:*

Service

Water Fees

Sewer Fees

Code Section

Monthly Service Charges (Consumption per 1,000 gallons)		25-96(b)
0-4,000 gallons	1.86	
4,001-8,000 gallons	2.82	
8,001-12,000 gallons	5.51	
<del>all over 12,000 gallons</del>	<del>7.85</del>	
<u>12,001-20,000 gallons</u>	<u>7.85</u>	
<u>all over 20,000 gallons</u>	<u>23.55</u>	
Sewer Charge up to Seasonal Average & 20%	3.91	25-96(b)
Non-Residential ( <u>excludes Irrigation Meters</u> )		
All consumption	2.83	3.91
Irrigation Meters	Same as Bulk Rate	n/a
<del>Bulk Water (per 1,000 gal)</del>	<del>9.90</del>	25-96(e)
<u>Bulk Water (per 1,000 gal)</u>	<u>13.00</u>	

BE IT STILL FURTHER ORDAINED that except as otherwise stipulated, the effective date of this ordinance is for all bills issued after July 31, 2008.

Legislative; Discuss Comprehensive Plan Status Report. Mr. Woodson motioned, seconded by Mr. Milde, to delete this item from the agenda and requested an update at the July 1, 2008 Board meeting.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp  
Nay: (0)

Legislative; Additions and Deletions to the Regular Agenda. Mr. Milde motioned, seconded by Mr. Woodson, to delete items 20, 21, 22, and 23 from the Regular Agenda.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Legislative; Consent Agenda. Mr. Brito motioned, seconded by Mr. Woodson, to adopt the Consent Agenda consisting of items 9 thru 17.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Item 9. Legislative; Approve Minutes of Board Meetings. Special Meeting of May 12, 2008, and Regular Meeting of May 20, 2008.

Item 10. Finance; Approve Expenditure Listing and Waive Board Approval of July and August Expenditure Listings.

Resolution R08-320 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING

(EL) DATED JUNE 3, 2008 THROUGH JUNE 16, 2008

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 17th day of June, 2008 that the above-mentioned EL be and it hereby is approved.

Resolution R08-321 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO WAIVE BOARD APPROVAL OF JULY AND AUGUST 2008  
EXPENDITURE APPROVAL LISTINGS

WHEREAS, operating policy states that accounts payable invoices in excess of \$100,000 are released only upon Board approval; and

WHEREAS, the Board has scheduled only one meeting each month during July and August 2008; and

WHEREAS, the Board meeting schedule would cause some vendor checks to be held for several weeks; and

WHEREAS, the Board will be provided with the expenditure listings for ratification at its August 19th meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of June, 2008 that the County Administrator be and he hereby is authorized to waive Board approval of expenditures in excess of \$100,000 for the months of July and August, 2008.

Item 11. Fire and Rescue; Accept Public Safety Interoperable Communications (PSIC) Grant Program Award and Budget and Appropriate Funds.

Resolution R08-317 reads as follows:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF FEDERAL  
AND STATE GRANT FUNDING FOR THE PUBLIC SAFETY  
INTEROPERABLE COMMUNICATIONS GRANT PROGRAM (PSIC)

WHEREAS, the Virginia Department of Emergency Management (VDEM) has awarded the Public Safety Team a grant in the amount of \$165,000; and

WHEREAS, these funds would be used in partnership with the Sheriff's Office and the Fire and Rescue Department for the enhancement of updated interoperability communication hardware and software for the Stafford County Unified Command/Communication Unit; and

WHEREAS, the command unit has the capability to be used as a mobile 911 center, unified command post, multi-agency communication unit as well as a multi jurisdictional interoperability radio program, which would enhance public safety communications within the County and the region;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008, that the County Administrator be and he hereby is authorized to budget and appropriate grant funding in the amount of One Hundred Sixty-five Thousand Dollars (\$165,000) from VDEM to the General Fund, Fire and Rescue Department.

Item 12. Finance; Award Contract for Annual Renewal of the County Insurance for Liability, Property, Workers' Compensation, Volunteer Fire and Rescue and Sheriff's Special Deputies Insurance Coverage for FY2009.

Resolution R08-315 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT TO RENEW THE LIABILITY, PROPERTY,  
WORKERS' COMPENSATION, VOLUNTEER FIRE & RESCUE AND THE  
SHERIFF'S SPECIAL DEPUTIES INSURANCE COVERAGE FOR FY2009

WHEREAS, the County has reviewed its insurance coverage and related costs;  
and

WHEREAS, the board has budgeted and appropriated funds for the County  
insurance needs for fiscal year 2009; and

WHEREAS, VACo Risk Management Programs has submitted a policy renewal  
proposal to the County for liability, property and workers' compensation insurance; and

WHEREAS, Volunteer Fire Insurance Services Company (VFIS) and Provident  
Insurance Company through Welch, Graham and Ogden Insurance Inc. have submitted  
policy renewal proposals to the County for liability, property, automobile, accident and  
sickness for the Volunteer Fire and Rescue personnel and the Sheriff's Special Deputies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of  
Supervisors on this the 17th day of June, 2008, that the County Administrator be and he  
hereby is authorized to:

1. Execute a contract amendment to VACo Risk Management Programs for  
liability, property and workers' compensation insurance for FY09.
2. Execute a contract amendment to Volunteer Fire Insurance Services  
(VFIS) for the Volunteer Fire and Rescue and Sheriff's Special Deputies  
for liability, property, and automobile insurance for FY09.

- 3. Execute a contract amendment to Provident Insurance Company for Volunteer Fire and Rescue and Special Deputies for accident and sickness insurance coverage for FY09.

Item 13. Transportation; Petition VDOT to Include Estates Lane Within Estates of Hartwood Subdivision; Crowncrest Road and Boxwood Drive Within Stafford Estates Subdivision, Section 2, and St. Richards Drive and St. Charles Court Within Saint Georges Estates Subdivision, Section 7, into the Secondary System of State Highways.

Resolution R08-310 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ESTATES LANE WITHIN ESTATES OF HARTWOOD SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Estates of Hartwood Subdivision, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Estates Ln. (SR-1971)	From: Inter. Hartwood Rd. (SR-612)	0.66 Mi.

To: 0.66 Mi. E. of Inter. Hartwood Rd. (SR-612) 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Estates of Hartwood Subdivision, LR 060040035, PM 060000242 recorded December 28, 2006; and

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

Resolution R08-311 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CROWNCREST ROAD AND BOXWOOD DRIVE WITHIN STAFFORD ESTATES SUBDIVISION, SECTION 2, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Crowncrest Road and Boxwood Drive within Stafford Estates Subdivision, Section 2, into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Stafford Estates Subdivision, Section 2, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
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Crowncrest Road (SR-2146) From: Inter. Richards Ferry Road (SR-752) 0.42 Miles  
To: W. Inter. Richards Ferry Road (SR-752) 50' ROW

Boxwood Drive (SR-2147) From: Inter. Richards Ferry Road (SR-752) 0.33 Miles  
To: W. Inter. Richards Ferry Road (SR-752) 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Stafford Estates Subdivision, Section 2, LR 050050567, PM 050000296 recorded December 21, 2005; and

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

Resolution R08-312 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT  
OF TRANSPORTATION TO INCLUDE SAINT RICHARDS DRIVE AND  
SAINT CHARLES COURT WITHIN SAINT GEORGES ESTATES  
SUBDIVISION, SECTION 7, INTO THE SECONDARY SYSTEM OF  
STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add St. Richards Drive and St. Charles Court within Saint Georges Estates Subdivision, Section 7, into the Secondary System of State Highways;  
and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June 2008, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Saint Georges Estates Subdivision, Section 7, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
St. Richards Dr. (SR-1928)	From: Inter. St. Claires St. (SR-1983) To: Inter. St. Charles Ct. (SR-1976)	0.08 Mi. 52' ROW
St. Richards Dr. (SR-1928)	From: Inter. St. Charles Ct. (SR-1976) To: 0.07 Mi. E Inter. St. Charles Ct. (SR-1976)	0.07 Mi. 52' ROW
St. Charles Ct. (SR-1976)	From: Inter. St. Richards Dr. (SR-1928) To: 0.15 Mi. SE Inter. St. Richards Dr. (SR-1928)	0.15 Mi. 2' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Saint Georges Estates Subdivision, Section 7, LR 040046365 recorded December 1, 2004; and

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

Item 14. Legislative; Express Intent to Name Red Oak Drive Extended for Jason Mooney Posthumously.

Resolution R08-331 reads as follows:

A RESOLUTION TO EXPRESS INTENT TO NAME RED OAK DRIVE  
EXTENDED FOR DEPUTY SHERIFF JASON EDWARD MOONEY  
POSTHUMOUSLY

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

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

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

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

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

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

WHEREAS, the Board desires to name the Red Oak Drive Extended for Deputy Mooney posthumously after due process in accordance with the Code of Virginia;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June 2008, that the Board be and it hereby does express its intent to name Red Oak Drive Extended for Deputy Jason Edward Mooney posthumously.

Item 15. Utilities; Designate Firms to Provide Engineering Services for the Department of Utilities.

Resolution R08-333 reads as follows:

A RESOLUTION TO DESIGNATE ENGINEERING FIRMS TO PROVIDE SERVICES IN SUPPORT OF THE COUNTY'S DEPARTMENT OF UTILITIES CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Department of Utilities solicited proposals from firms interested in providing engineering services in support of the Department of Utilities Capital Improvement Program; and

WHEREAS, nineteen (19) firms provided proposals in response to this solicitation; and

WHEREAS, the Department of Utilities has found it efficient to select multiple firms to provide these services; and

WHEREAS, the selection committee reviewed the submitted proposals and determined that Bury + Partners, Dewberry, Draper Aden & Associates, CH2MHill, Froeling and Robertson, Michael Baker, Jr., Incorporated, Parsons, Patton Harris Rust & Associates (PHR+A), R Stuart Royer, Sullivan Donahoe and Ingalls (SDI), and URS were the most qualified firms to provide services for the Fiscal Year 2009 and 2010 period;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of June 2008, that the firms of Bury + Partners; Dewberry; Draper Aden & Associates; CH2MHill; Froeling and Robertson; Michael Baker, Jr., Incorporated; Parsons, Patton Harris Rust & Associates (PHR+A); R Stuart Royer; Sullivan, Donahoe, and Ingalls (SDI); and URS be and they hereby are authorized to provide engineering services in support of the County's Department of Utilities Capital Improvement Program for the Fiscal Years 2009 and 2010.

Item 16. Fire and Rescue; Terminate the Declaration of a Local Emergency in Stafford County.

Resolution R08-332 reads as follows:

A RESOLUTION TO TERMINATE THE DECLARED LOCAL  
EMERGENCY FOR THE TORNADO IMPACTED AREA

WHEREAS, on May 9, 2008, the County Administrator declared a local emergency due to the destruction of property in the southern part of the County caused by an F2 tornado; and

WHEREAS, at this time it is the desire of the Board to terminate the emergency declaration so that the County can return to normal operational procedures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008, that the declared local emergency caused by the tornado be terminated; and

BE IT FURTHER RESOLVED that the County will continue to provide mitigation and recovery efforts as the need arises.

Item 17. Legislative; Appoint Members to Boards, Authorities and Commissions;  
Economic Development Authority.

Resolution R08-335 reads as follows:

A RESOLUTION TO REAPPOINT A MEMBER TO THE ECONOMIC  
 DEVELOPMENT AUTHORITY

WHEREAS, the Economic Development Authority of Stafford was established by Ordinance of the Board on June 10, 1970, and a total of seven (7) Directors were appointed initially for terms of one (1), two (2), three (3) and four (4) years; two (2) being appointed for one (1) year terms, two (2) being appointed for two (2) year terms, two (2) being appointed for three (3) year terms and one (1) being appointed for a four (4) year term; and

WHEREAS, pursuant to Section 15.2-4904 of the Code of Virginia (1950), as amended, subsequent appointments were to be for terms of four (4) years, except appointments to fill vacancies were to be for the unexpired terms and all terms of the office were deemed to commence upon the date of the initial appointment to the Authority and, thereafter, in accordance with these provisions; and

WHEREAS, the following members have been appointed:

<u>NAME</u>	<u>EXPIRATION</u>
Donald H. Newlin (George Washington District)	June 10, 2011
Wendy Surman (Rock Hill District)	June 10, 2011

David R. Beiler June 10, 2012  
(Falmouth District)

Mark Safferstone June 10, 2009  
(Griffis-Widewater District)

John Rowley June 10, 2009  
(Hartwood District)

Jo Knight June 10, 2010  
(Aquia District)

Joel Griffin June 10, 2008  
(Garrisonville District)

WHEREAS, the term of Joel Griffin expired on June 10, 2008; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of June, 2008, that

<u>NAME</u>	<u>EXPIRATION</u>
Joel Griffin (Garrisonville District)	June 10, 2012

be and he hereby is appointed as a member of the Economic Development Authority; and

BE IT FURTHER RESOLVED that if at the end of any term of office of any director and a successor thereto has not been appointed, then the director whose term of

office has expired shall continue to hold office until a successor is appointed and qualified and that successor shall fulfill the remainder of the term.

Legislative; Discuss Urban Transportation Service Districts (UTSD). Mr. Anthony Romanello, County Administrator, commented.

Mr. Jeff Harvey, Director of Planning and Zoning, Mr. Fulton DeLamorton, Transportation Administrator, and Mr. Mike Neuhard, Deputy County Administrator, commented further.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Woodson, to work on a Memorandum of Understanding with the Virginia Department of Transportation and bring back to the Board.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz  
Nay: (0)

Transportation; Execute a Contract for Services to Assist in the Execution of Revisions to the County Transportation Impact Fee Program. Mr. Fulton deLamorton, Transportation Administrator, gave a presentation and responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-264 with a change.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling  
Nay: (0)

Resolution R08-264 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT FOR SERVICES TO EVALUATE A  
COUNTYWIDE TRANSPORTATION IMPACT FEE PROGRAM AND  
APPROVAL OF THE INITIAL SCOPE OF WORK FOR SUCH

WHEREAS, as authorized in the Code of Virginia (1950), as amended, the  
County is authorized to collect transportation impact fees; and

WHEREAS, it is the desire of the Board to evaluate a Countywide transportation  
impact fee program; and

WHEREAS, it is the Board's desire to minimize the effects of transportation  
impact fees on commercial land use development; and

WHEREAS, following the solicitation of proposals from qualified firms for  
transportation impact fee consultant services on an as-needed basis, a selection committee  
evaluated the proposals received, conducted interviews, and it has made a  
recommendation as to the firm to be awarded the contract for these services; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of  
Supervisors on this the 17<sup>th</sup> day of June, 2008, that the County Administrator be and he  
hereby is authorized to execute a contract with TischlerBise for a value not to exceed One  
Hundred Ten Thousand Dollars (\$110,000); and

BE IT FURTHER RESOLVED, that the initial task of the consultant is to  
evaluate future Countywide transportation impact fees.

Hearing no objections from the Board, staff was requested to issue a Request for Information regarding road maintenance and report back to the Board.

Legislative; Discuss Senate Bill 768 – Cash Proffer Guidelines. The County Administrator commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to direct the County Administrator to suspend adjustments on the cash proffer guidelines.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Legislative; Discuss Revenue Sharing Program. Mr. Fulton DeLamorton, Transportation Administrator, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, staff was requested to further review and bring back at the next Board meeting.

Legislative; Discuss Six-Year Secondary Road Improvement Program Additions. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to include additional roads to the Six Year Plan and determine the necessity for a public hearing.

Mr. Brito made a substitute motion, seconded by Mr. Milde, to request staff provide additional information and bring back at the July 1, 2008 Board meeting.

Discussion ensued.

Mr. Milde withdrew his second to the motion.

The Voting Board tally on the original motion was:

Yea: (6) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (1) Brito

Legislative; Discuss Installation of Crosswalks on Garrisonville Road. Mr. Dudenhefer commented.

Mr. Fulton deLamorton, Transportation Administrator, commented further.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to request the Virginia Department of Transportation further review the request in accordance with the study that has been conducted.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Legislative; Discuss Comprehensive Plan Status Report. Mr. Brito motioned, seconded by Mr. Milde, to defer this item to the next Board meeting.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Legislative; Discuss Widewater Community Development Authority Appointments. Mr. Woodson commented.

Mr. Brito motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-384.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R08-384 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE WIDEWATER  
COMMUNITY DEVELOPMENT AUTHORITY

WHEREAS, the Board adopted Ordinance O97-16 on April 1, 1997 which established the Widewater Community Development Authority; and

WHEREAS, Ordinance O97-16 provides for the appointment of five members to the Widewater Community Development Authority which shall be composed of a landowner within the boundaries of the district and other members from the engineering, construction, accounting, commercial finance, banking, real estate sales, land development, law and governmental finance areas; and

WHEREAS, the members are initially appointed for one to four years staggered terms, subsequent terms to be four years; and

WHEREAS, the Board has previously appointed the following:

NAME

EXPIRATION

\_\_\_\_\_

December 31, 2001

(Land Development)

\_\_\_\_\_

December 31, 2001

(Governmental Finance)

Martin Miller  
(Law) December 31, 2006

Louis E. Hoffman  
(Engineering) December 31, 2007

Stephen R. Beauch  
(Commercial Finance) December 31, 2008

WHEREAS, Stephen R. Beauch has submitted his resignation and all other terms have expired; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THERE FORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of June, 2007, that:

<u>NAME</u>	<u>EXPIRATION</u>
Maria Perrotte (Governmental Finance)	December 31, 2012
Angelo Amador (Law)	December 31, 2012

be and they hereby are appointed to the Widewater Community Development Authority.

Planning and Zoning; Grant Exemption to Section 22-5 of the Subdivision Ordinance for a Family Subdivision. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

Mr. Dudenhefer motioned, seconded by Mr. Brito, to adopt proposed Resolution R08-337.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R08-337 reads as follows:

A RESOLUTION GRANTING AN EXEMPTION OF STAFFORD COUNTY CODE, SECTION 22-5, OF THE SUBDIVISION ORDINANCE ENTITLED “FAMILY AND MINOR SUBDIVISIONS”

WHEREAS, Mary E. Jennings, owner of Assessor’s Parcel 19F-8 received the land under the provisions applicable to family subdivision on May 27, 2004; and

WHEREAS, Section 22-5(a)(4) of the Subdivision Ordinance requires that a family subdivision lot cannot be voluntarily transferred to a non-immediate family member for at least five (5) years; and

WHEREAS, Section 22-5(a)(14) stipulates that if the Board finds a hardship is being caused by the time restriction, it shall reduce the time period to alleviate the hardship; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of June, 2008 that the exemption to the five (5) year family subdivision property transfer restrictions for Assessor's Parcel 19F-8, Mary E. Jennings be and it hereby is granted; and

BE IT FURTHER RESOLVED that this hardship provision shall be noted on a subsequent plat or deed in accordance with Stafford County Code, Section 22-5(a)(14) of the Subdivision Ordinance.

Legislative; Recommend Member(s) to the Rappahannock Area Emergency Medical Services Council Board of Directors Vacancy. The County Administrator commented.

Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-336.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R08-336 reads as follows:

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

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

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

MEMBER

EXPIRATION

James Hill	June, 2010
Willie G. Shelton, Jr.	June, 2009

WHEREAS, Willie G. Shelton, Jr. has submitted his resignation; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of June, 2008 that

<u>MEMBER</u>	<u>EXPIRATION</u>
Joseph V. Saitta	June, 2009
James M. Smith	June, 2009

be and they hereby are recommended for appointment to the Rappahannock EMS Council Board of Directors.

Adjournment. At 10:55 P. M. the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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George H. Schwartz  
Chairman