

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 19, 2012

Call to Order The regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:01 P. M., on Tuesday, June 19, 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 was: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

Presentation of a Proclamation to Stafford County Citizen Volunteers Ms. Stimpson presented a proclamation to citizen volunteers who were honored for donating their time and talent to Stafford County. Jeffrey Shover, Manager of Citizen’s Assistance, acknowledged the rewards of working with the volunteers saying that their work saves taxpayers thousands of dollars each year.

Recognition of the 2012 NACO Achievement Award for the Heather Empfield Public Day School Ms. Stimpson recognized Ms. Donna Krauss, Assistant to the County Administrator for Human Services, and Ms. Sue Clark with the Schools Division, for their hard work and initiative in the creation of the Heather Empfield Public Day School and for receiving the National Association of Counties Achievement Award.

350th Anniversary Committee Update Former George Washington District Supervisor and Chairman of the 350th Anniversary Committee, Dr. Harry Crisp, gave a Power Point presentation and talked about upcoming events planned for the year-long celebration of the 350th anniversary of Stafford County.

At Dr. Crisp’s request, a resolution will be added to the July 3, 2012 agenda, for the Board’s endorsement of events detailed in his presentation. A special donation fund was set-up to accept tax deductible donations which will be used to help fund the events planned by the ten-member Committee. Mr. Gary Snellings, Hartwood District Supervisor, is the Liaison to the Board and will keep Board members informed of the activities of the Committee. The Committee held two Town Hall meetings and a website presence has been established. Proposed events include a “First Night Stafford” celebration on December 31, 2013; a Memorial Day Weekend parade and community celebration; entertainment on the 4th of July that will include events before and after fireworks at Pratt Park; events at Aquia Landing and Crow’s Nest are tentatively scheduled for September 27, 2014; and a Wings and Wheels Air Show is on tap for October. Closing events of the 350th Anniversary celebration will include “Last Night Stafford” with musical and theater presentation events scheduled for December 31, 2014. Ms. Stimpson suggested a formal Anniversary Ball would be a nice ending to the year-long celebration.

Citizen Action Officer Update Ms. Lakesha Cole, Citizen Action Officer, gave a presentation and answered Board members questions. Board members expressed their gratitude to Ms. Cole and wished her the very best in her new venture as her husband is being transferred to Okinawa with the United States Marine Corps. Ms. Cole’s replacement, Ms. Joanie DeShazo, was introduced and welcomed by the Board.

Presentations by the Public No members of the public spoke.

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

- Mr. Sterling – Update on the Finance, Audit, and Budget Committee; Public Safety grant; School Board letter to the Board regarding budget differences; Utilities budget review by the FAB Committee.
- Mr. Milde – Community and Economic Development Committee update include the George Mason University MOA and the Association of University Research Parks; 5:30 p.m. gathering @ Patricio; Chaired last FAMPO meeting; grateful that the proposed I-95 toll is planned for south of Petersburg, VA.
- Mr. Cavalier – Visited the Woodstream neighborhood behind Stafford Marketplace to look at possible walking trail/connection to Smith Lake Park;

requested that the project be initiated and that staff present a follow-up at a future Board meeting.

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Romanello spoke of the impending retirement of two Stafford County employees, Mr. David Gayle with 27 years of full-time employment and Ms. Marcia Haggerty with 14 years, 11 months service to the County. Ms. Stimpson agreed that calling Mr. Gayle a gentleman was a perfect description. She thanked Ms. Haggerty for her job handling payroll for many years.

Legislative; Additions and Deletions to the Agenda Mr. Sterling motioned, seconded by Mr. Snellings, to accept the Agenda with the deletion of proposed Resolutions R12-139 and R12-140 on Item 28.

The Voting Board tally was:

Yea: (7) Sterling, Snellings, Cavalier, Milde, Schieber, Stimpson, Thomas
Nay: (0)

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Schieber, to accept the Consent Agenda consisting of Items 3 through 15; omitting Items 5, 8, and 16.

The Voting Board tally was:

Yea: (7) Milde, Schieber, Cavalier, Snellings, Sterling, Stimpson, Thomas
Nay: (0)

Item 3. Approve Minutes of June 5, 2012 Board Meeting

Item 4. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R12-172 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JUNE 5, 2012 THROUGH JUNE 18, 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 19th day of June 2012 that the above-mentioned EL be and hereby is approved.

Item 6. Public Works; Authorize the County Administrator to Award a Contract for Construction of a Turn Lane on Southbound Warrenton Road at Eley Road

Resolution R12-180 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO AWARD A CONTRACT FOR CONSTRUCTION OF A RIGHT TURN
LANE FROM SOUTHBOUND WARRENTON ROAD ONTO ELEY ROAD

WHEREAS, citizens have expressed concerns about safety at the intersection of Warrenton Road and Eley Road; and

WHEREAS, the Department of Public Works and the Sheriff's Office determined there are safety issues at this intersection; and

WHEREAS, the Board desires to address these safety concerns and protect the public's health, safety, and welfare; and

WHEREAS, a design was completed and offered for public bid; and

WHEREAS, six bids were received, with the bid of \$84,976, received from Arthur Construction Company, Inc. determined to be the lowest responsive bid; and

WHEREAS, staff determined that this bid is reasonable for the scope of work proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that the County Administrator be and he hereby is authorized to execute a contract with Arthur Construction Company, Inc. in an amount not to exceed Eighty-four Thousand Nine Hundred Seventy-six Dollars (\$84,976), unless amended by a duly-executed contract amendment, for construction of a right turn lane from southbound Warrenton Road (US-17) onto Eley Road (SR-734); and

BE IT FURTHER RESOLVED, that the amount of \$84,976 in Transportation Funds is authorized for this project; and

BE IT STILL FURTHER RESOLVED, that the County Administrator is authorized to sign all documents necessary for the administration of this project.

Item 7. Planning and Zoning; Refer to the Planning Commission an Amendment to the Zoning Ordinance Regarding Data and Compute Service

Resolution R12-108 reads as follows:

A RESOLUTION TO REFER ZONING AMENDMENTS TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE, SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS:” SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS;” AND SECTION 28-108, TABLE 7.1, “REQUIRED PARKING SPACES”

WHEREAS, the Board desires to attract data and computer service centers to the County as an economic development strategy; and

WHEREAS, data and computer service centers are not specifically listed as a permitted use in the Zoning Ordinance; and

WHEREAS, the Board desires to include data and computer service centers as a listed use in the Zoning Ordinance and to establish its own specific parking standard; and

WHEREAS, the Board desires to amend and reordain Stafford County Code, Section 28-25, “Definitions of specific terms;” Section 28-35, Table 3.1, “District Uses and Standards;” and Section 28-108, Table 7.1, “Required Parking Spaces;” and

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

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on the 19th day of June, 2012, that the proposed amendments to the Zoning Ordinance, pursuant to proposed Ordinance O12-16, be and they are hereby are referred to the Planning Commission for a public hearing and its recommendations; and

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

Item 9. Legislative; Approve Appointment of Kara Ward to the Economic Development Authority Representing the Falmouth District and Approve Reappointment of Joel Griffin to the Economic Development Authority Representing the Garrisonville District

Item 10. Economic Development; Authorize the Establishment of a Special Revenue Fund for 350th Anniversary Donations

Resolution R12-175 reads as follows:

A RESOLUTION TO ESTABLISH A SPECIAL REVENUE FUND FOR THE SOLE AND EXCLUSIVE PUBLIC PURPOSE OF RECEIVING CHARITABLE CONTRIBUTIONS/DONATIONS TO SUPPORT THE CELEBRATION AND COMMEMORATION OF THE 350TH ANNIVERSARY OF THE FOUNDING OF STAFFORD COUNTY

WHEREAS, the Board adopted Resolution R11-193 to establish a Blue Ribbon Planning Committee for the purpose of planning and directing a celebration and commemoration of the 350th Anniversary of the founding of Stafford County and to ensure a year-long celebration worthy of the County's past, present, and future; and

WHEREAS, the Board adopted Resolution R11-267 which appointed members of the Blue Ribbon Planning Committee; and

WHEREAS, the Committee intends to solicit individual and corporate charitable contributions/donations from a wide range of interested parties; and

WHEREAS, these charitable contributions/donations will be used for the exclusive public purpose of celebrating and commemorating the 350th Anniversary of the founding of Stafford County; and

WHEREAS, the Board desires to have these charitable contributions/donations handled in a professional manner, supervised by the County's Finance Department, ensuring that every charitable contribution/donation be accounted for as a tax-deductible charitable contribution/donation to the fullest extent possible, that routine financial reports be generated, and that all charitable contributions/donations be gratefully acknowledged;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that a special revenue fund, to be known as the Stafford County 350th Anniversary Fund, be established for the sole and exclusive purpose of receiving charitable contributions/donations to support the celebration and commemoration of the 350th Anniversary of the founding of Stafford County and all charitable contributions/donations in this special fund shall be used for exclusively public purposes.

Item 11. Fire and Rescue; Authorize Interoperable Credentialing Grant (First Responder Authentication Credentials)

Resolution R12-179 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ACCEPT TWO GRANTS FROM THE COMMONWEALTH OF

VIRGINIA FOR FIRST RESPONDER AUTHENTICATION
CREDENTIALING AND INTEROPERABLE CREDENTIALING

WHEREAS, the Commonwealth of Virginia utilizes federal grant funds to support state and locality issuance of personal identity verification-interoperable cards to enhance accountability and security during large-scale emergencies and disasters; and

WHEREAS, the Commonwealth is utilizing federal pass-through grant funds and is required to partner with a local jurisdiction and pass the grants funds to that locality for expenditure; and

WHEREAS, the Stafford County Fire and Rescue Department has served as a partner with the Commonwealth of Virginia’s Office of Veterans Affairs and Homeland Security in the pilot program phase of this initiative; and

WHEREAS, the Governor’s Office of Commonwealth Preparedness, has asked to partner with Stafford County to manage two grants totaling \$989,849.63; and

WHEREAS, as part of this partnership, Stafford County will issue purchase orders and maintain a contract with Verizon for sustainment of the Personal Identity Verification-Interoperable (PIV-I), and in exchange will receive a 5% Management and Administration fee in the amount of \$49,492.48 which will be added to the General Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that the County Administrator be and he hereby is authorized to accept, on behalf of the Stafford County Fire and Rescue Department, the above referenced request for partnership and management of the accompanying grant funds in an amount not to exceed Nine Hundred Eighty-nine Thousand, Eight Hundred Forty-Nine dollars and Sixty-three Cents (\$989,849.63).

Item 12. Finance and Budget; Appropriate a Portion of the Schools Health Services Fund

Resolution R12-182 reads as follows:

A RESOLUTION TO APPROPRIATE A PORTION OF THE FY13 SCHOOLS’
HEALTH SERVICES FUND

WHEREAS, the Board deferred appropriation of the FY13 Health Services Fund, pending information regarding the Fund’s revenues and expenditures; and

WHEREAS, financial information provided by the Schools is inconsistent with the School Board’s Adopted FY13 Budget, and does not show the budget detail requested by the Board; and

WHEREAS, the Board desires to ensure that the School Board has sufficient funds in the first-quarter of the fiscal year to meet the health insurance needs of its employees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, out of an abundance of caution and good faith, that it be and hereby does appropriate a portion of the FY13 Schools' Health Services Fund in the amount of Six Million One Hundred Sixty-seven Thousand Sixty-six Dollars (\$6,167,066); and

BE IT FURTHER RESOLVED that the Board will consider the appropriation of the balance of the FY13 Schools' Health Services Fund following the receipt of detailed budget information from the Schools.

Item 13. Legislative; Approve Appointment of Robert Hunt to the Utilities Commission Representing the Garrisonville District

Item 14. Legislative; Approve Appointment of Kenneth Pitts to the Historical Commission Representing the Aquia District

Item 15. Legislative; Approve Appointment of Frances Larkins to the Transportation Advisory Group

Utilities; Approve the Release of Pro Rata Escrow Funds to Hour Development at Seasons Landing, Inc. and to the Stafford Associates Limited Partnership (SALP)
Following discussion and a brief presentation by Deidre Jett, Utilities Financial Analyst, Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R12-125.

The Voting tally was:

Yea: (7) Milde, Sterling, Snellings, Cavalier, Schieber, Stimpson, Thomas
Nay: (0)

Resolution R12-125 reads as follows:

A RESOLUTION TO APPROVE RELEASE OF PRO RATA ESCROW FUNDS TO HOUR DEVELOPMENT AT SEASONS LANDING, INC. AND TO THE STAFFORD ASSOCIATES LIMITED PARTNERSHIP (SALP)

WHEREAS, on March 28, 2006, Stafford County entered into a Sewer Pro Rata Credit Agreement with Hour Development at Seasons Landing, Inc., and according to the terms of the agreement, they are due \$107,604; and

WHEREAS, on July 25, 2006, Stafford County entered into a Sewer Pro Rata Credit Agreement with Stafford Associates Limited Partnership (SALP) and according to the terms of the agreement, they are due \$109,336;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that escrow funds in an amount not to exceed One Hundred Seven Thousand Six Hundred Four Dollars (\$107,604) be and they are hereby released to Hour Development at Seasons Landing, Inc.; and

NOW THEREFORE, BE IT FURTHER RESOLVED that escrow funds in an amount not to exceed One Hundred Nine Thousand Three Hundred Thirty-Six Dollars (\$109,336) be and they hereby are released to the Stafford Associates Limited Partnership.

Planning and Zoning; Refer to the Planning Commission a Request to Modify the Zoning Ordinance Regarding Signs Following discussion and a brief presentation by Planning Director, Mr. Jeff Harvey, Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R12-176.

The Voting tally was:

Yea: (7) Milde, Sterling, Cavalier, Snellings, Schieber, Stimpson, Thomas
Nay: (0)

Resolution R12-176 reads as follows:

A RESOLUTION TO DIRECT THE PLANNING COMMISSION TO DEVELOP AN AMENDMENT TO THE ZONING ORDINANCE REGARDING SIGN REGULATIONS FOR USES SUCH AS PLACES OF WORSHIP, COMMUNITY CENTERS, MARINAS, GOLF COURSES, NURSING HOMES, SCHOOLS, AND OTHER SIMILAR USES

WHEREAS, the Board desires to amend the Stafford County Code to allow signs for these uses in the various zoning districts, while ensuring the signs are compatible with other uses within the zoning district and community; and

WHEREAS, the Board is requesting an amendment to the Stafford County Code to provide sign regulations for uses permitted in the Zoning Ordinance; and

WHEREAS, the Board desires to have the Planning Commission consult with the Planning and Zoning Department to develop a proposed amendment(s) to the Zoning Ordinance and make a recommendation(s) to the Board; and

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

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on the 19th day of June, 2012, that the Planning Commission be and it hereby is directed to prepare amendments to the Stafford County Code to create sign regulations for uses permitted by the Zoning Ordinance that currently are not authorized to have signs; and

BE IT FURTHER RESOLVED that the Planning Commission shall provide its recommendations, upon consultation with the Planning and Zoning Department, no later than November 7, 2012.

Parks, Recreation and Community Facilities; Execute an Agreement to Operate Youth Baseball and Youth Softball Programs Following discussion and a brief presentation by Deputy County Administrator, Tim Barody, Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-164.

The Voting tally was:

Yea: (7) Sterling, Thomas, Cavalier, Milde, Snellings, Schieber, Stimpson
Nay: (0)

Resolution R12-164 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH STAFFORD BASEBALL LEAGUE, INC., TO OPERATE THE YOUTH BASEBALL AND YOUTH SOFTBALL PROGRAMS

WHEREAS, the Stafford Baseball League, Inc., is currently operating the youth baseball and youth softball programs in the County; and

WHEREAS, the Stafford Baseball League, Inc., has operated the youth baseball program successfully since 1992 and the youth softball program since 2010; and

WHEREAS, the County's agreement with Stafford Baseball League, Inc., to operate the youth baseball program will expire in the near future and is eligible for renewal; and

WHEREAS, the Board determines that it is in the best interest of the County's citizens to permit the Stafford Baseball League, Inc., to continue to operate the youth baseball and youth softball programs in the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that the County Administrator be and he hereby is authorized to execute a new agreement with the Stafford Baseball League, Inc., to operate the youth baseball and youth softball programs for a period of five (5) years; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute one agreement with Stafford Baseball League, Inc., that addresses both the youth baseball and youth softball programs and this new agreement with Stafford Baseball League Inc., shall replace all prior agreements with SBL to operate the youth baseball program and youth softball program in the County.

Schools Update – Scott Horan, Assistant Superintendent/Facilities Manager for Stafford County Public Schools, gave a Power Point presentation and answered Board members questions concerning renovations to Falmouth Elementary School and provided an update on the upcoming rebuild of Stafford High School.

Mr. Sterling questioned the use of geo-thermal heating to which Mr. Horan responded that following further study and the receipt of bids, it was too expensive. They re-examined the value engineering and went with an air-cooled system.

Ms. Stimpson said that she and Mr. Thomas visited Falmouth Elementary School and were very impressed with the progress being made. She asked about a gap in the screen/cover on the roof of the school. Mr. Horan said that the gap was necessary for proper ventilation of the HVAC systems which were located on the roof.

Mr. Thomas talked about repurposing, or reusing, furniture and fixtures from one location to another. Mr. Horan said that School staff looked at much of the furniture and fixtures and would re-use as much as possible, although some would be disposed of due to the condition or the cost of moving v. replacing specific items.

Ms. Stimpson asked Mr. Horan to arrange a tour for Board members after renovations to Falmouth Elementary School were complete. Ms. Stimpson asked if there was an intended use for the (old) high school building once the new facility was constructed. Mr. Horan said that demolition was planned for the old building as that space was needed for parking lots and for athletic fields that were being displaced by the new construction. He indicated that demolition was (very) tentatively set for the summer, 2015, and the move into the new school should be completed by December, 2015.

Planning and Zoning; Consider an Amendment to the Zoning Ordinance Regarding Temporary Healthcare Structures Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Harvey told the Board that they originally discussed this item in 2011 and at that time, in anticipation of additional review by the General Assembly, a vote on temporary healthcare structures was deferred to June, 2012. State legislation currently calls for localities to allow a 300 square foot accessory structure, detached, and one per single-family residence. Ms. Stimpson asked why the Board was hearing the item again. Mr. Romanello said that the General Assembly required Board action. Mr. Sterling talked about this being the equivalent to placing a mobile home in a driveway. Mr. Snellings said that he believed it to be ridiculous and stated that he would vote “No.” Ms. Stimpson said that she concurred with Mr. Snellings.

Mr. Milde motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O12-22.

The Voting tally was:

Yea: (3) Cavalier, Milde, Schieber,
Nay: (4) Sterling, Snellings, Stimpson, Thomas

Public Works; Transportation Impact Fee Update Mr. Mike Smith, Director of Public Works, gave a Power Point presentation and answered Board members questions. Mr. Sterling asked that an analysis be done on comparable impact fees for both single-family attached and detached units. Staff will provide a report back to the Board on Mr. Sterling’s request.

Parks, Recreation and Community Facilities; Parks Projects Update Hearing no objection, the Board moved this item to Closed Meeting for discussion.

Human Resources; Authorize Amendment to the County’s Personnel Policy Related to Travel Mr. Anthony Romanello, County Administrator, gave the presentation and answered Board members questions.

Mr. Sterling motioned, seconded by Mr .Snellings, to adopt proposed Resolution R12-168.

The Voting tally was:

Yea: (7) Sterling, Snellings, Cavalier, Milde, Schieber, Stimpson, Thomas
Nay: (0)

Resolution R12-168 reads as follows:

A RESOLUTION TO ADOPT THE REVISED EMPLOYEE TRAVEL POLICY

WHEREAS, the Employee Travel Policy has not been updated since 2008; and

WHEREAS, the Board desires to update and revise the current Employee Travel Policy; and

WHEREAS, the Employee Travel Policy has been reviewed by the Employee Advisory Committee (EAC) and the Board's Finance, Audit and Budget Committee;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that the updated and revised Employee Travel Policy be and it hereby is adopted.

Public Information; 311 Center Update Ms. Cathy Vollbrecht, Director of Communications, gave a Power Point presentation and answered Board members questions. She provided details of the services that will be provided, saying that the anticipated date of full roll-out of the 311 Center is July, 2012.

Human Resources; Smoke Free Workplace Update Mr. Michael Neuhard, Acting Human Resources Director, gave a presentation and answered Board members questions. Mr. Snellings suggested that Mr. Neuhard contact the Phillip Morris Foundation as they have many programs that would help the County in planning a smoke free workplace. Ms. Stimpson said that she thought that was a very good idea, Mr. Neuhard agreed.

Legislative; Direct the County Administrator to Issue a Request for Proposal for a Fire and Rescue Study Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions about the RFP for a Fire, Rescue, and Emergency Services study. Mr. Sterling asked about the directing authority for the Study. Mr. Cavalier said that authority would be with the Board of Supervisors.

Mr. Cavalier motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-184.

The Voting tally was:

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

Nay: (0)

Resolution R12-184 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO SOLICIT A REQUEST FOR PROPOSAL (RFP) FOR A FIRE AND
RESCUE STUDY**

WHEREAS, the Fire and Rescue Department is six years old; and

WHEREAS, the last major review of County fire and rescue services was completed nearly ten years ago; and

WHEREAS, the Board desires to select a consultant to complete a Community Hazard/Risk Analysis and produce a Standards of Cover document that is fully compliant with industry best practices in the field of fire and EMS deployment, based on nationally recognized guidelines and criteria, federal and state mandates relative to emergency services, and generally accepted practices within fire and emergency services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that it be and hereby does authorize the County Administrator to solicit a Request for Proposal for a Fire and Rescue Study and to send the same to the Virginia Department of Fire Programs for its consideration.

Public Works; Unpaved Road Update Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. Mr. Milde asked about paving Raven Road. Mr. Dayton replied that Raven Road was in two sections and that one section was already in the State System. Mr. Milde said that paving a road with only 150 vehicle trips per day was a huge, and unnecessary, expense. He added that he would like for Raven Road to be removed from the list.

Mr. Cavalier said that during his previous term on the Board, staff was instructed to pave the remaining unpaved roads in the County within a practical timeframe and questioned why, based on Mr. Dayton's presentation, there are still fourteen unpaved roads left in the County. Mr. Cavalier said that at the next meeting, he would like further details presented to the Board, along with a resolution, reconsidering pavement of the remaining unpaved roads in the County.

Mr. Sterling talked about all the road challenges in the County. He suggested that not only unpaved roads be considered, adding that the requested Resolution should not divert monies from Bond resources. He further suggested that staff look for additional funding sources to assist in paving the remaining roads. Mr. Milde reiterated that he wished for Raven Road to be removed from the list presented by Mr. Dayton. Mr. Milde suggested reaching out to residents on the unpaved roads to determine if they wanted their roads to

be paved. Mr. Sterling said it would require signatures, Mr. Cavalier added that 50% of the residents on a given road would have to sign a petition concurring with not paving their road.

Recess At 4:48 p.m., the Chairman declared a recess.

Call to Order At 7:01 the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the Invocation.

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

Presentation of Department of Criminal Justice Service Accreditation Charlottesville Chief of Police, Tim Longo, opened his presentation saying that Sheriff Charles Jett could be counted among of the finest law enforcement personnel in the Country. He talked about the accreditation process and proving that standards set by the Virginia Law Enforcement Professional Standards Commission has been consistently met. Compliance was achieved in 154 standards with zero problems recorded. Chief Longo thanked the Board for allowing him time to make the presentation. Sheriff Jett introduced Captain Tim O’Leary who had been the County’s accreditation manager since 1999. He also introduced Lt. Shawn Kimmitz and Deputy Tiffany Armitage. He said that Chief Longo was an outstanding leader and concluded his remarks thanking the Board for their support.

Mary Washington Healthcare Update – Cathy Yablonski Ms. Yablonski gave a Power Point presentation and thanked the Board for their continual support of the Stafford Hospital Center. Mr. Milde thanked Ms. Yablonski for her leadership and asked about the newspaper’s article about negative cash flow at the Hospital. Ms. Yablonski said that the Hospital was closer to having a positive cash flow and to covering expenses. She added that trust and loyalty must be earned whenever a new hospital opens and that it takes time to grow that reputation in the community.

Mr. Thomas said that he heard a lot of good things about Stafford Hospital Center. Ms. Stimpson said that the expanded services detailed by Ms. Yablonski were exciting and a huge benefit to the residents of Stafford County as well as to surrounding localities.

Presentations by the Public Citizens spoke on topics as identified:

Paul Waldowski - Stormwater Management

Planning and Zoning; Consider Reclassification of 73.3 Acres from A-1 Agricultural and PD-1 Planned Development-1 Zoning Districts to B-2 Urban Commercial and R-2

Residential-Medium Density Zoning Districts on Assessor's Parcels 29-66A and 29-66B

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Charlie Payne, legal counsel for the applicant, answered Board members questions and, following specific questions about proffers relating to a Virginia Department of Transportation right-of-way, asked for a brief recess so that he could confer with County Attorney, Charles Shumate.

Recess At 8:04 p.m., the Chairman declared a recess.

Call to Order At 8:13 the Chairman called the meeting back to order.

Following the recess, Mr. Payne addressed the Board. He stated that the applicant was comfortable with dedicating 4.7 acres future right-of-way, with no credit, for the I-95 interchange project.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas asked about the hotel planned for the development and if there were standards in place as to the specific type of hotel that could be built on the site. Mr. Harvey said that it was not covered by zoning regulations.

Mr. Milde asked about architectural guidelines that may be in place. Mr. Harvey said that while the Planning Commission was working on architectural guidelines, they were not ready, nor had they been applied to this application.

Mr. Payne said that hotel design standards in the Plan called for a high-end property at the site and that uses incompatible with the Comprehensive Plan had been proffered out of the application. He added that planned homes in the development were comparable to existing homes to the north and west of the site.

Mr. Schieber said that this project was in his district and that after much study and review of the details, and with the applicant's willingness to dedicate 4.7 acres future right-of-way, he supported the project.

Mr. Schieber motioned, seconded by Mr. Snellings, to adopt proposed Ordinance O12-12.

The Voting Board tally was:

Yea: (7) Schieber, Snellings, Cavalier, Milde, Sterling, Stimpson, Thomas
Nay: (0)

Ordinance O12-12 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM A-1, AGRICULTURAL AND PD-1, PLANNED DEVELOPMENT-1 ZONING DISTRICTS, TO B-2, URBAN COMMERCIAL AND R-2, URBAN RESIDENTIAL-MEDIUM DENSITY ZONING DISTRICTS ON ASSESSOR'S PARCELS 29-66A AND 29-66B WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, American Life League, Inc, and Paul A. Brown, Trustee for the Judie Anne Brown Irrevocable Trust, applicants, have submitted application RC1100267 requesting a reclassification from A-1, Agricultural and PD-1, Planned Development-1 Zoning Districts, to B-2, Urban Commercial and R-2, Urban Residential- Medium Density Zoning Districts, on Assessor's Parcels 29-66A and 29-66B; and

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

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from A-1, Agricultural and PD-1, Planned Development-1 Zoning Districts, to B-2, Urban Commercial and R-2, Urban Residential-Medium Density Zoning Districts on Assessor's Parcels 29-66A and 29-66B, in the locations identified on the Zoning Exhibit Plat, prepared by the Kniseley Group, Inc., dated January 26, 2012, with proffers entitled, "Revised Proffer Statement," dated May 29, 2012, with revisions dated June 19, 2012.

Public Works; 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 Mr. Mike Smith, Director of Public

Works, gave a presentation and answered Board members questions. Each item was heard independently.

The Chairman opened the public hearing for proposed Resolution R12-141.

The following persons desired to speak:

Bob Goodall, representative for the involved land-owner
Richard Stewart

Following Mr. Goodall's remarks, Mr. Keith Dayton said that relocating the pond to capture run-off went over and above any requirement noted by the engineers working on the project.

Following Mr. Stewart's remarks, Mr. Keith Dayton responded that a larger pipe under Mountain View Road is included in the project as the existing pipe is under-sized. The new pipe, when installed, would handle run-off better than the existing pipe.

The Chairman opened the public hearing for proposed Resolution R12-142.
No persons desired to speak.

The Chairman opened the public hearing for proposed Resolution R12-143.
No persons desired to speak.

The Chairman opened the public hearing for proposed Resolution R12-144.
The following persons desired to speak:

Danny Hicks
Paul Waldowski

The Chairman closed the public hearings.

Mr. Sterling motioned, seconded by Mr. Milde, to defer a vote on each of these proposed Resolutions to the July 3, 2012 meeting.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Cavalier, Schieber, Snellings, Stimpson, Thomas
Nay: (0)

Planning and Zoning; Consider Adoption of Cluster Provisions in the Zoning and Subdivision Ordinance Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Dan Webb

Donald King

Debrarae Karnes

Wally Leonard

Brenda Cooper

Otis Gill

Danny Hicks

The Chairman closed the public hearing.

Ms. Stimpson explained that the discussion taking place was not in reference to one particular subdivision but rather County-wide cluster provisions. Mr. Milde asked how to stop individual cluster requests. County Attorney, Charles Shumate, responded that state law mandates that localities have a cluster ordinance with certain parameters included. He recommended that further discussion take place in closed meeting. Mr. Milde made reference to by-right v. conditional use permits in R-1 zoned districts. In 1999, densities in R-1, R-2, and R-3 were reduced by fifty percent (50%). Developers were left with the cluster option to regain lost density. Mr. Harvey said that the cluster ordinance permits 1.5 units per acre, same as by-right. Density, with a conditional use permit, is 2.25 units per acre. With a conditional use permit, the cost is a base fee plus a fee per acre. Mr. Harvey approximated that charges for a CUP on 10 acres was roughly \$14-15k.

Mr. Milde said that he would not vote in favor of the proposed ordinance, saying that it did not go far enough. Mr. Cavalier said that he would not vote in favor because of the A-1 lot size, it was his feeling that the 1 acre size did not meet the intent of a cluster definition. Mr. Thomas said that much of his district was zoned A-1 and A-2, Rural Residential. He added that those residents with A-1 zoning may apply for a rezoning. Mr. Thomas said that he did not support ½ acre lots. Mr. Snellings said that when he moved onto Enon Road in 1978, there were approximately 500 vehicles per day travelling on that road. Now there are 8,000 vehicle trips per day on Enon Road. He said that the current ordinance on the books is non-compliant with state law and that he would support proposed Ordinance O12-17 in order to rectify that problem. Ms. Stimpson said that she would support the cluster ordinance.

Mr. Thomas motioned, seconded by Mr. Schieber, to adopt proposed Ordinance O12-17.

The Voting Board tally was:

Yea: (4) Thomas, Schieber, Snellings, Stimpson
Nay: (3) Cavalier, Milde, Sterling

Ordinance O12-17 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 22-4, “DEFINITIONS;” SECTION 22-58, “CONTENT;” SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS;” AND SECTION 29-35, TABLE 3.1 “DISTRICT USES AND STANDARDS;” AND TO ADOPT AND ORDAIN CHAPTER 22, ARTICLE IX, “CLUSTER SUBDIVISIONS”

WHEREAS, Virginia Code Section 15.2-2286.1 requires a locality with a population growth rate of 10 percent or more to adopt clustering provisions for single-family dwellings so as to preserve open space; and

WHEREAS, Virginia Code Section 15.2-2286.1 requires a locality to provide in its zoning and subdivision ordinances clustering provisions applicable to a minimum of 40 percent of the unimproved land contained in residential and agricultural zoning districts; and

WHEREAS, Virginia Code Section 15.2-2286.1 does not allow a locality to prohibit extension of water or sewer from an adjacent property to a cluster development provided the cluster development is located within an area designated for water and sewer service by the locality; and

WHEREAS, Virginia Code Section 15.2-2286.1 allows a locality to provide for the clustering of single-family dwellings and the preservation of open space at a density calculation greater than the density permitted in the applicable land use ordinance; and

WHEREAS, Stafford County is required to adopt clustering provisions in accordance with Virginia Code Section 15.2-2286.1; and

WHEREAS, the Board desires to amend the subdivision and zoning ordinance, establishing new County clustering provisions in compliance with the Virginia Code; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of an ordinance adopting new County clustering provisions; and

WHEREAS, the Board finds that the adoption of this ordinance is consistent with good planning practices;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that Stafford County Code, Section 22-4, “Definitions;” Section 22-58, “Content;” Section 28-25, “Definitions of Specific Terms;” and Section 29-35, “Table 3.1 District Uses and Standards,” be and it hereby is amended as follows, and that Chapter 22, Article IX be and it hereby is adopted and ordained as follows, all other portions remaining unchanged:

Sec. 22-4. - Definitions.

Open space land – any land which is provided or preserved for park or recreational purposes; conservation of land or other natural resources; historic or scenic purposes; assisting in the shaping of the character, direction and timing of community development; wetlands; or agricultural and forestal production.

~~Subdivision, cluster: An alternative means of subdividing a tract premised on the concept of reducing lot size requirements for the provision of open space and/or land for public use within the development.~~

Subdivision, cluster. A design technique that groups lots for detached single-family dwellings on a site to allow the remaining land of the site to be used for open space as defined by this chapter.

Sec. 22-58. - Content.

The preliminary plan shall include the following:

(5) *Land for public or common use:*

~~e. Cluster alternative: In the event a cluster alternative is used for the proposed subdivision, as provided in Chapter 28 of the Stafford County Code, the proposed covenants, restrictions, and open space plans shall be furnished.~~

(13) Open Space Land in a Cluster Subdivision

a. The use, method of maintenance, and ownership of the dedicated open-space land shall be specified on the preliminary subdivision plan and recorded subdivision plat. The use shall comply with the regulations of the underlying zoning district and shall be subject to guidelines as set forth by the appropriate State Agency or Department.

b. If the open-space land is dedicated to park or recreational use, the use shall conform to the policy guidelines for parks and recreation in Stafford County.

ARTICLE IX. - CLUSTER SUBDIVISIONS

Sec. 22-266. - Legislative intent.

The purpose of the cluster development provision is to encourage housing developments that concentrate the location of dwellings in specific areas on a site to allow the remaining land, designated as open space land, to be preserved for park or recreational purposes; conservation of land or other natural resources; historic or scenic purposes; assisting in the shaping of the character, direction, and timing of community development; wetlands; or agricultural and forestal production.

Sec. 22-267. - Open space land regulations.

The open space land requirements for cluster subdivisions are stated in the zoning ordinance within the allowed districts. The open space land in a cluster subdivision shall be used as defined in the definition of open space land and owned and maintained by a home owners association, a conservation association, an individual or any entity that can comply with the regulations of this chapter and Chapter 28 of the Stafford County Code.

Sec. 22-268. - Maintenance and ownership of open-space land.

(1) *Homeowners' Association or Conservation Association.* If either of these associations is to assume ownership of the open space land, then it shall bear all responsibility for maintenance of the land and all structures thereon. There shall be restrictive covenants recorded which prohibit the use of the subject land for any purpose other than what is designated as open space land in this chapter. Such covenants shall run with the land and shall become part of the deed to each lot or parcel within the development. Such covenants shall be recorded in the county land records simultaneously with, or prior to, the recordation of the subdivision plat.

(2) *Individual property owner.* If the open-space land is to be owned by an individual, then he or she shall bear all responsibility for maintenance of the land and there shall be restrictive covenants recorded which prohibit the use of the subject land for any purpose other than what is designated as open-space land in this chapter. Such covenants shall run with the land and shall become part of the deed to each lot or parcel within the development. Such covenants shall be recorded in the county land records simultaneously with, or prior to, the recordation of the subdivision plat.

Sec. 22-269. Access requirements for a Cluster Subdivision Plan.

Any access through the dedicated open-space land may be mitigated to lessen the impact on the open-space land.

Sec. 22-270. Review and approval of cluster subdivision plans.

The review and approval of a developer's plans for a cluster subdivision shall follow the following steps:

(1) *Concept plans:* The applicant shall submit a concept plan of the proposed cluster

subdivision showing the designated open-space land, the intended use for the open- space land, and the lot and street layout. The plan shall comply with the submission requirements as stated in the checklist included in the Department of Planning and Zoning Application for Cluster Subdivision Concept Plan. The plan will be reviewed by the Subdivision Agent or his designee for compliance with the cluster provisions of this chapter and Chapter 28 of the County Code. If the concept plan is approved, the applicant may then submit a preliminary subdivision plan for review.

(2) Preliminary plan: Following the endorsement of the cluster concept plan by the Subdivision Agent or his designee, the applicant shall submit a preliminary subdivision plan under the requirements of Article III of Chapter 22 of the County Code.

(4) Construction plans: The requirement for the submission and approval of construction plans shall be the same as in Article III of Chapter 22 of the County Code.

(5) Final plats: The requirement for the submission of final plats shall be the same as in Article III of Chapter 22 of the County Code.

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

Cluster. A subdivision development design technique that concentrates detached single- family dwellings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features and rural character as described in Virginia Code Sections 10.1-1700 and 15.2-2286.1.

Open space land. Any land which is provided or preserved for park or recreational purposes, conservation of land or other natural resources; historic or scenic purposes; assisting in the shaping of the character; direction and timing of community development; wetlands; or agricultural or forestal production.

Sec. 28-35. - Table of uses and standards.

Table 3.1. District Uses and Standards

A-1 Agricultural.

(d) *Requirements:*

(1) *Intensity:*

Open space requirement for Cluster Subdivision = 50% of total subdivision tract

(2) *Minimum lot area: (~~#~~ acres)*

Conventional Subdivision.....3

Cluster Subdivision...well/septic system = 1--average density 1 lot per 1.5 ac

Cluster Subdivision.....public water/sewer = 1

- (3) *Minimum yards: (feet)*

Conventional Subdivision

Front.....50

Side.....20

~~Back~~ Rear.....35

Cluster Subdivision

Front....40

Side.....10

Rear.....35

- (5) *Minimum lot width: (~~in feet~~).....200*

Cluster Subdivision.....100

A-2 Rural Residential.

- (d) *Requirements:*

- (1) *Intensity:*

Open space requirement for Cluster Subdivision = 30% of total subdivision tract

- (2) *Minimum lot area (~~in~~ acres)*

Conventional Subdivision.....1

Cluster Subdivision....public water/sewer = 0.5--average density 1 lot per acre

- (3) *Minimum yards: (feet)*

Conventional Subdivision

Front...40

Side.....10

~~Back~~ Rear.....35

Cluster Subdivision

Front...30

Side.....10

Rear.....25

(5) *Minimum lot width: (~~in~~ feet)*

Conventional Subdivision.....100

Cluster Subdivision.....80

R-1 Suburban Residential.

(a) *Uses permitted by right:*

~~Cluster development.~~

~~Duplex in approved cluster development.~~

(b) *Conditional use permit:*

Cluster Subdivision maximum density 2.25 du/acre

(d) *Requirements:*

(1) *Intensity:*

Allocated density for Conventional Subdivision...1.5 du/ac

Open space ratio for Conventional Subdivision...0.50 ratio

Allowable density for Cluster Subdivision.....1.5 du/ac (See conditional use permit)

Open Space requirement for Cluster Subdivision = 30% open space of total subdivision tract

(2) *Minimum yards: (feet)*

Conventional Subdivision

Front.....30

Side10

~~Back Rear.....35~~

Cluster Subdivision

Front.....30

Side.....min 8 total 18

Rear.....25

Minimum lot size...8,000 sf.

(4) *Minimum lot width: (~~in~~ feet)*

Conventional Subdivision....80

Cluster Subdivision60

(5) *Cluster developmentSee Table 5.1 for requirements*

~~**For duplex structures, the minimum width of any individual side yard is eight (8) feet, and the minimum total width between structures is ten (10) feet.~~

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption.

Planning and Zoning; Consider an Amendment to the Zoning Ordinance Regarding Farmers Markets Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a Power Point presentation and answered Board members questions. Mr. Snellings inquired who pays the Market manager. Mr. Romanello said that the County would not be paying anyone working at or running farmers markets in the County. Mr. Sterling clarified that there would be no livestock sales at any Stafford County farmers markets.

The Chairman opened the public hearing.

The following persons desired to speak:

Jeff Adams

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Ordinance O12-07.

The Voting Board tally was:

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

Nay: (0)

Ordinance O12-07 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-25, "DEFINITIONS OF SPECIFIC TERMS;" SECTION

28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS;” AND SECTION 28-39, “SPECIAL REGULATIONS”

WHEREAS, the Stafford County Code does not define farmers market; and

WHEREAS, the Agricultural/Purchase of Development Rights Committee recommended that a definition for farmers market be created and specific zoning categories be designated to allow farmers markets by-right; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that Stafford County Code, Section 28-25, “Definitions of specific terms;” Section 28-35, Table 3.1, “District uses and standards;” and Section 28-39, “Special regulations;” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

Chapter 28 – ZONING ORDINANCE

Sec. 28-25. Definitions of specific terms.

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

Farmers market. A building, structure, or place used by two (2) or more vendors for the seasonal sale of agricultural, horticultural, or aquacultural produce and accessory/incidental merchandise. Accessory/incidental merchandise includes garden accessories, baked goods, floral supplies, or other similar type items directly related to the culture, care, use of, or processing of the principal use.

Public facilities. Any public works supplied generally by a governmental organization. Such public works shall include, but not be limited to, airports, parks, schools owned and/or operated by Stafford County or the commonwealth, water and sewer facilities, and police and fire protective facilities. *Community-serving facilities, such as farmers markets, may be established on properties containing public facilities when deemed appropriate by the Board of Supervisors.*

Sec. 28-35. Table of uses and standards.

Table 3.1 District Uses and Standards
A-1, Agricultural.

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

A-2, Rural Residential

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

RC, Rural Commercial

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

B-1, Convenience Commercial

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

B-2, Urban Commercial

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

B-3, Office

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

PD-1, Planned Development 1

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

PD-2, Planned Development 2

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

RBC, Recreational Business Campus

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

SC, Suburban Commercial

- (a) Uses permitted by right:

Farmers market (in accordance with section 28-39(u))

Sec. 28-39. Special regulations.

- (v) Special provisions applicable to farmers markets.

(1) Customer parking areas shall be provided exclusive of vendor parking, and shall be in accordance with Sec. 28-102. At a minimum, parking and driving areas shall be surfaced in crushed stone in an amount sufficient to prevent soil erosion, abate dust and provide an adequate driving surface. Where parking areas are shared with other uses on site, parking must meet the minimum requirements for all uses.

(2) For properties without an existing commercial entrance onto state-maintained roadways, an entrance permit must be obtained through the Virginia Department of Transportation.

(3) Approval must be obtained from the Stafford County Agricultural/Purchase of Development Rights Committee for establishment of a farmers market. The Committee will maintain guidelines for location, management, and operation of farmers markets, and review any request to determine conformity with such guidelines. A sketch plan must be submitted through the Department of Planning and Zoning which depicts the entrance to the site, a designated vendor area, customer parking, and setbacks of the vendor area and parking area from property lines. The sketch plan must designate the size and location of any proposed structure, which must be in accordance with all applicable building code regulations.

(4) A zoning permit must be obtained prior to operation.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon adoption.

Planning and Zoning; Consider Amending (1) the Stafford County Comprehensive Plan 2010-2030 and (2) the Courthouse Urban Development Plan, to Establish Maximum Densities for Development in Urban Development Areas and Consider an Amendment to the Zoning Ordinance to Modify Minimum Densities and Establish Maximum Densities in the UD, Urban Development Zoning District Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Sterling asked how densities were calculated. Mr. Dayton responded that calculations were done by GIS and the Planning Commission using various scenarios and mapping exercises.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R12-169.

The Voting Board tally was:

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

Nay: (0)

Resolution R12-169 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH VIRGINIA CODE SECTION 15.2-2229, BY ADOPTING THE PROPOSED AMENDMENTS, AS ADVERTISED, TO (1) THE TEXTUAL DOCUMENT ENTITLED “STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2010-2030,” DATED JANUARY 17, 2012, AND (2) THE TEXTUAL DOCUMENT ENTITLED “COURTHOUSE URBAN DEVELOPMENT AREA PLAN, STAFFORD COUNTY, VIRGINIA,” DATED FEBRUARY 10, 2012

WHEREAS, under Virginia Code § 15.2-2229, the Board may amend its Comprehensive Plan; and

WHEREAS, under Virginia Code § 15.2-2229, the Planning Commission (“Commission”) has been directed by the Board pursuant to the Board’s Resolution R12-68 to conduct a public hearing on, and provide recommendations to the Board on certain Comprehensive Plan amendments proposed by the Board (“the proposed Comprehensive Plan Amendments”); and

WHEREAS, in accordance with Resolution R12-68, the proposed Comprehensive Plan Amendments propose to amend the Comprehensive Plan by amending the textual document entitled, “Stafford County, Virginia, Comprehensive Plan, 2010-2030,” (the “2010-2030 Plan”), and the textual document entitled “Courthouse Urban Development Area Plan, Stafford County, Virginia” (the “Courthouse UDA Plan”), to: (1) add language to the 2010-2030 Plan to summarize the Virginia Code changes, effective July 1, 2012, which would allow previously mandatory Urban Development Areas (UDAs) to be an optional element of a locality’s Comprehensive Plan; (2) amend both the 2010-2030 Plan and the Courthouse UDA Plan to clarify that previously stated minimum densities for development are now target densities; and (3) amend both the 2010-2030 Plan and the Courthouse UDA Plan to recommend that the zoning district standards created for UDAs should incorporate density ranges for new development; and

WHEREAS, the Commission duly advertised and held a public hearing on May 2, 2012, on the proposed Comprehensive Plan Amendments, received a recommendation from County staff supporting approval of the proposed Comprehensive Plan Amendments, received public testimony, decided on a 7-0 vote to recommend approval of the proposed Comprehensive Plan Amendments, and forwarded its recommendation to the Board; and

WHEREAS, the Board duly advertised and held a public hearing on the proposed Comprehensive Plan Amendments on June 19, 2012, at which time public testimony was received and the proposed Comprehensive Plan Amendments were considered by the Board; and

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

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendments, as advertised, will guide and accomplish a coordinated, adjusted, and harmonious development of Stafford County, Virginia, which will, in accordance with the present and probable future needs and resources of Stafford County, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the citizens of Stafford County, Virginia, including the elderly and persons with disabilities; and

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendments, as advertised, is consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 19th day of June, 2012, be and it hereby adopts the proposed Comprehensive Plan Amendments, as advertised.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O12-13.

The Voting Board tally was:

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

Nay: (0)

Ordinance O12-13 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS”

WHEREAS, the Stafford County Code includes development regulations for Urban Development Areas, under the UD, Urban Development Zoning District that do not include maximum densities; and

WHEREAS, the Board desires to amend the Stafford County Code to establish maximum densities in the UD Zoning District and pursuant to Resolution R12-68, the Board requested the Planning Commission to conduct a public hearing, and provide recommendations to the Board, on proposed amendments to the Zoning Ordinance to incorporate maximum densities in the UD Zoning District; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that Stafford County Code, Section 28-35, Table 3.1, “District uses and standards,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Chapter 28 – ZONING ORDINANCE

Sec. 28-35. Table 3.1 – Table of Uses and Standards.

UD, Urban Development

(d) *Requirements:*

(1) *Intensity:*

Single-family detached and duplex; minimum density maximum density	Four (4) <u>Three (3)</u> dwelling units/gross acre <u>Six (6)</u> dwelling units/gross acre
---	--

Townhouse:	minimum density <u>maximum density</u>	Six (6) <u>Five (5)</u> dwelling units/gross acre <u>Eight (8) dwelling units/gross acre</u>
Multifamily:	minimum density <u>maximum density</u>	Twelve (12) <u>Eleven (11)</u> dwelling units/gross acre <u>Fourteen (14) dwelling units/gross acre</u>
Commercial and mixed use development:	minimum floor area ratio <u>maximum floor area ratio</u>	0.4 <u>1.0</u>

Legislative; Closed Meeting. At 9:54 p.m., Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM12-16.

The Voting tally was:

- Yea: (7) Sterling, Snellings, Cavalier, Milde, Schieber, Stimpson, Thomas
- Nay: (0)

Resolution CM12-16 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to hold a Closed Meeting for (1) discussion and consideration regarding the potential acquisition of real property for a public purpose pertaining to the Park Bond Referendum projects; (2) discussion concerning a prospective business or industry where no previous announcement has been made of the business’ or industry’s interest in locating its facilities in the County; and (3) a personnel matter discussion pertaining to the County Administrator’s annual evaluation; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(1), (A)(3), and (A)(5), such consultations and discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 19th day of June, 2012, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order At 11:42 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM12-16(a).

The Voting Board tally was:

Yea: (7) Sterling, Thomas, Cavalier, Milde, Schieber, Snellings, Stimpson
Nay: (0)

Resolution CM12-16(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 19, 2012

WHEREAS, the Board has, on this the 19th day of June, 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 19th day of June, 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.

Mr. Thomas motioned, seconded by Mr. Snellings to adopt proposed Resolution R12-203.

The Voting Board tally was:

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

Resolution R12-203 reads as follows:

A RESOLUTION AUTHORIZING A PAYMENT OF \$150,000 TO THE ECONOMIC DEVELOPMENT AUTHORITY FOR THE PURPOSE OF INCENTIVIZING COMMERCIAL DEVELOPMENT IN THE COUNTY

WHEREAS Economic Development is one of the top priorities of the Board; and

WHEREAS, the Board established the Stafford Opportunity Fund to provide a tool for attracting business to the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of June, 2012, that it be and hereby does authorize the County Administrator to budget and appropriate One Hundred Fifty Thousand Dollars (\$150,000) from the Stafford Opportunity Fund to the Economic Development Authority to be used for incentivizing commercial development.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R12-166.

The Voting Board tally was:

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

Nay: (1)

Resolution R12-166 reads as follows:

A RESOLUTION TO AMEND THE EMPLOYMENT AGREEMENT
WITH THE COUNTY ADMINISTRATOR

WHEREAS, the County Administrator's salary has not changed since January 1, 2009; and

WHEREAS, the Board conducted an evaluation of the County Administrator's performance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2012 that the Employment Agreement for the County Administrator be and it hereby is amended as follows:

AMENDMENT TWO

An increase of 2.5% shall be included in salary retroactive to January 1, 2012.

Adjournment At 11:45 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman