

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

July 3, 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, July 3, 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.

Office of Emergency Management Systems (OEMS) Accreditation for the Sheriff’s Office Emergency Communications Center Mr. Ken Crumpler, Communications Coordinator, Office of Emergency Management Systems, presented the Accreditation certificate to Ms. Carol Adams, Manager of the Emergency Communications Division. Ms. Stimpson thanked Mr. Crumpler, Ms. Adams, and all Stafford dispatchers for helping to provide for the safety of County citizens.

Presentations by the Public No members of the public spoke.

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

- Mr. Cavalier - Deferred
- Mr. Milde - VRE; Jail Board; Eagle Scout ceremonies; Vine & Venture
- Mr. Schieber - Deferred
- Mr. Snellings - Infrastructure Committee Update; Rocky Pen Run update; Ordinance requiring dumpsters at multi-family dwellings; Courthouse Streetscape dig, 1783 north wall of courthouse; Waiver to suspend the noise ordinance during Hot Lanes construction added to the 8/21/12 agenda.
- Mr. Sterling - Deferred
- Ms. Stimpson - Thanked staff for hard work following the 6/29 storm.
- Mr. Thomas - Deferred

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Romanello introduced Mr. Mike Smith, Public Works Director, who gave an update on transportation projects in the County. Mr. Chris Hoppe, Director of Parks, Recreation, and Community Facilities, gave an update on Parks projects in the County. Acting Fire Chief, Mark Lockhart, gave an update on the remnants of the June 29<sup>th</sup> storm and talked about the Verizon and Nextel failures which caused problems with communications throughout northern Virginia. He said that the radio system “worked like a champ!” Chief Lockhart thanked staff for their assistance in keeping the Emergency Operations Center active and talked about cooling centers, set up at two schools but subsequently closed due to lack of citizen attendance. He said that all traffic lights in the County were functioning and roads that had been closed due to downed power lines or trees were now reopened.

Mr. Sterling asked about public notification of road closures, power outages, cooling centers, saying that it was hard to get information out via e-mail when there was no power. He added that times like this demonstrated the real value of the printed press.

Ms. Stimpson thanked Chief Lockhart and staff for their efforts on behalf of the citizens of the County. Mr. Romanello stated that Public Information Officer, Shannon Howell, had been live on the radio and that at the upcoming Council of Governments meeting, the 911 failure caused by a Verizon switch failure, would be discussed and said that the Governor convened a group to ensure redundancy in the 911 system in the future.

Legislative; Additions and Deletions to the Agenda Mr. Sterling motioned, seconded by Mr. Schieber, to accept the addition of Item 36: Economic Development; Greencore USA Business Venture; and Item 37: Fire and Rescue; Ratify the Declaration of a Local Emergency in the County; and delete Item 33: Public Works; Adopt Changes to the Comprehensive Plan and Amend and Reordain Section 13.5 of the County Code Entitled “Impact Fees;” and Item 35: Public Works; Consider Condemnation and Exercise Quick-Take Powers to Acquire Right-of-Way, Utility Easements, and Temporary Construction Easements for the Mountain View Road Project.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Sterling motioned, seconded by Mr. Snellings, to accept the Consent Agenda consisting of Items 4 through 23.

The Voting Board tally was:

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

Item 4. Approve Minutes of June 19, 2012 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R12-192 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED JUNE 19, 2012 THROUGH JULY 2, 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 3<sup>rd</sup> day of July, 2012, that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize the County Administrator to Sign an Agreement with Logan Systems, Inc. for Land Records Management Services

Resolution R12-185 reads as follows:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT TO LOGAN SYSTEMS, INC. FOR LAND  
RECORDS MANAGEMENT SERVICES**

WHEREAS, the Clerk of the Circuit Court is charged with land records data management for the County; and

WHEREAS, the Clerk's Office has had a successful partnership with Logan Systems, Inc., for provision of land records data management services to Court staff and public users; and

WHEREAS, the Board desires to continue its partnership with Logan Systems, Inc.; and

WHEREAS, the Clerk's Office and County staff reviewed the proposal and determined that it is reasonable for the scope of services proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the County Administrator be and he hereby is authorized to execute a sole-source contract with Logan Systems, Inc. in an amount not to exceed One Hundred Seventy Thousand Dollars (\$170,000), unless amended by a duly-executed contract amendment, for FY2013 for land records data management services.

BE IT FURTHER RESOLVED that this contract may be renewed for three (3) annual renewals with the written approval of Board of Supervisors and Logan Systems, Inc.

Item 7. This item was deleted.

Item 8. Public Information; Recognize and Commend Fire and Rescue Department Personnel for Their Annual Participation in the Muscular Dystrophy Association’s “Fill the Boot” Campaign

Proclamation P12-07 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND STAFFORD  
COUNTY FIRE AND RESCUE DEPARTMENT PERSONNEL FOR THEIR  
ANNUAL “FILL THE BOOT” CAMPAIGN

WHEREAS, fire and rescue personnel respond to “all hazards” incidents requiring physical strength and stamina, extensive training, courage, and selfless concern for the welfare of citizens and spend countless hours involved with the community to inform and educate the public; and

WHEREAS, fire and rescue personnel throughout the Commonwealth and the United States have partnered with the Muscular Dystrophy Association for the past 58 years in the fight against neuromuscular diseases; and

WHEREAS, the Muscular Dystrophy Association and the families it serves are extremely grateful to all fire and rescue personnel for their dedication to this worthy cause; and

WHEREAS, the men and women of the International Association of Fire Fighters have raised over \$450 million for the Muscular Dystrophy Association since 1954; and

WHEREAS, Stafford County Fire and Rescue Department personnel raised \$36,485 during their 2011 “Fill the Boot” campaign, with a goal of raising \$38,000 this year; and

WHEREAS, to continue their successful efforts to help discover cures for these devastating diseases, the Stafford County Firefighter's Association – Local 4012 of the International Association of Fire Fighters - will hold a “Fill the Boot” campaign during the Labor Day weekend at major intersections throughout Stafford County; and

WHEREAS, 100 percent of monies collected will be used in the greater Northern Virginia and Washington DC region and will help fund research to eradicate 42 neuromuscular diseases, send children to summer camp, and educate health professionals and the general public about muscular dystrophy; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere, the outstanding community spirit exhibited by Stafford County Fire and Rescue

Department personnel, and to urge citizens to donate generously in support of the Muscular Dystrophy Association;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that Stafford County Fire and Rescue Department personnel be and they hereby are recognized and commended for sponsoring the 2012 Muscular Dystrophy Association “Fill the Boot” campaign.

Item 9. Public Information; Recognize and Commend Wendy Payne, Retiring Principal of Brooke Point High School

Proclamation P12-08 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND WENDY  
PAYNE FOR HER 31 YEARS OF SERVICE TO STAFFORD COUNTY  
PUBLIC SCHOOLS

WHEREAS, Wendy Payne, Principal of Brooke Point High School, retired on June 30, 2012, leaving behind an enduring legacy as an educator, athletic coach, and a leader in the Stafford County Public School system; and

WHEREAS, Wendy Payne received a Bachelor’s Degree in Education from George Mason University, a Master’s of Education from George Mason University, and an Administrative Endorsement from the University of Virginia; and

WHEREAS, Wendy Payne began her career and served 11 years as a physical education teacher and gymnastics coach at North Stafford High School; and

WHEREAS, Wendy Payne served eight years at Stafford High School as a physical education teacher, department head, gymnastics coach, and administrative assistant; and

WHEREAS, Wendy Payne served as principal of Rodney Thompson Middle School for five years; and

WHEREAS, Wendy Payne retired from Stafford County Public Schools after serving for three years as principal of Brooke Point High School years; and

WHEREAS, Wendy Payne coached four gymnastics teams to win AAA state championships and took numerous other teams to state championships; won Coach of the Year in Stafford County several times; served as state interpreter for Virginia High School League Gymnastics; and served on the board of the National Federation of High School Gymnastics; and

WHEREAS, during 31 years of education service to Stafford County, Wendy Payne's spirit and example inspired countless students and staff to achieve their highest potential, and gave her time, knowledge and expertise to help children build strong foundations for happy and successful lives;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does recognize and commend Wendy Payne for her accomplished service as a principal and an educator.

Item 10. Fire and Rescue; Adopt the Regional 2012 Hazard Mitigation Plan

Resolution R12-189 reads as follows:

A RESOLUTION TO ADOPT THE GEORGE WASHINGTON  
REGIONAL COMMISSION 2012 HAZARD MITIGATION PLAN

WHEREAS, the federal Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, the George Washington Regional Commission, representing Stafford County, as well as the other localities of Planning District 16, including the City of Fredericksburg, the Town of Bowling Green, the Town of Port Royal, and the counties of Caroline, King George, and Spotsylvania, was convened in order to study the region's risks from, and vulnerabilities to, natural disasters, and to make recommendations on mitigating the effects of such hazards on the region; and

WHEREAS, the George Washington Regional Commission established a Mitigation Advisory Committee consisting of County staff and staff from other area localities and various state agencies; and

WHEREAS, efforts of the Mitigation Advisory Committee and the George Washington Regional Commission resulted in the development of the 2012 Hazard Mitigation Plan for the region; and

WHEREAS, the George Washington Regional Commission, on June 18, 2012, endorsed the 2012 Hazard Mitigation Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the George Washington Regional Commission 2012 Hazard Mitigation Plan be and it is hereby approved and adopted; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to execute any documentation necessary or appropriate to carry out the Board's approval of this plan.

Item 11. Public Works; Petition VDOT to Include Hempstead Lane and Presidential Lane within the Augustine North Subdivision into the Secondary System of State Highways

Resolution R12-190 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE HEMPSTEAD LANE AND PRESIDENTIAL LANE WITHIN AUGUSTINE NORTH SUBDIVISION, SECTIONS 5 AND 5A, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Virginia Code Section 33.1-229, desires to include Hempstead Lane and Presidential Lane within Augustine North Subdivision, Sections 5 & 5A, 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 3<sup>rd</sup> day of July, 2012 that VDOT be and it hereby is petitioned to include the following streets within Augustine North Subdivision, Sections 5 & 5A, into the Secondary System of State Highways:

| <u>Street Name (Route Number)</u> | <u>Station</u>   | <u>Length</u>       |
|-----------------------------------|--|---------------------|
| Hempstead Ln. (SR-2069)           | From: Kirby Ln. (SR-2066)<br>To: Inter. of Presidential Ln. (SR-2086)                    | 0.14 mi.<br>ROW 50' |
| Presidential Ln. (SR-2086)        | From: Inter. of Hempstead Ln. (SR-2069)<br>To: 0.12 E. Inter. of Hempstead Ln. (SR-2069) | 0.12 mi.<br>ROW 50' |
| Presidential Ln. (SR-2086)        | From: Inter. of Hempstead Ln. (SR-2069)<br>To: 0.08 W. Inter. of Hempstead Ln. (SR-2069) | 0.08 mi.<br>ROW 50' |

An unrestricted right-of-way, as indicated above, for each street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Augustine North, Section 5, recorded in Plat Book 32, Page 33, with LR 980012715 on July 14, 1998, and Plat of Record entitled, Augustine North, Section 5A, recorded in PM 080000085, with LR 080007857 on April 30, 2008; and



BE IT FURTHER RESOLVED that a copy of this resolution is forwarded by the County Administrator, or his designee, to the Developer, and to the Transportation & Land Use Director at the VDOT Fredericksburg Residency Office.

Item 12. Public Works; Petition the Secretary of Transportation to Allocate Federal Fiscal Year 2012 Federal Bonus Obligation Program Funds

Resolution R12-191 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA SECRETARY OF TRANSPORTATION TO ALLOCATE FEDERAL FISCAL YEAR 2012 FEDERAL BONUS OBLIGATION PROGRAM FUNDS

WHEREAS, the Board desires to take advantage of all available funding for transportation improvements in the County; and

WHEREAS, the Jefferson Davis Highway (US-1) widening project is eligible to receive federal bonus obligation funds for Federal Fiscal Year (FFY) 2012;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and it hereby does indicate its desire to request the Virginia Secretary of Transportation to allocate FFY2012 federal bonus obligation program funds in the following manner: approximately Three Million Three Hundred Thousand Dollars (\$3,300,000) for the Jefferson Davis Highway (US-1) widening project; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Fredericksburg Area Metropolitan Planning Organization (FAMPO) Administrator and the Virginia Department of Transportation (VDOT) District Administrator.

Item 13. Public Works; Authorize a Public Hearing to Convey an Easement to AT&T for Poplar Road Project

Resolution R12-204 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONVEYANCE OF A COUNTY-OWNED UTILITY EASEMENT TO AT&T FOR UTILITY RELOCATION IN CONNECTION WITH STAFFORD COUNTY'S ROAD IMPROVEMENT PLAN

WHEREAS, the Board identified the completion of road improvements in the vicinity of Warrenton Road (US-17) and Poplar Road (SR-616) as a critical part of Stafford County’s road improvement plan; and

WHEREAS, these improvements were recommended in the 2003 Transportation Plan Update, included as part of the Impact Fee Analysis, and financed by road impact fees collected from the Central West Impact Fee District; and

WHEREAS, the Board approved the acquisition of the properties necessary for completion of the road improvements, right-of-way, and utility easements; and

WHEREAS, on July 13, 2011, the Board acquired approximately 0.378 acres for a utility easement from Tax Map Parcel 35-86E; and

WHEREAS, the Board acquired the utility easement for the sole purpose of dedicating it to the various utility companies for its use; and

WHEREAS, the Board desires to convey 0.189 acres to AT&T for use as an exclusive easement for relocation of AT&T utility lines and facilities; and

WHEREAS, the Board is required to, and desires to, hold a public hearing prior to conveying County-owned property; and

WHEREAS, the Board finds that this conveyance promotes the health, safety, and general welfare of Stafford County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012 that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the conveyance of the previously acquired 0.189 acres in Tax Map Parcel 35-86E, to AT&T as an exclusive easement for relocation of utility lines and facilities.

Item 14. Public Works; Authorize the County Administrator to Execute an Agreement with AT&T for Payment of Utility Line Relocation Services on the Poplar Road Project

Resolution R12-221 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH AT&T FOR PAYMENT OF UTILITY LINE AND FACILITIES RELOCATION SERVICES ON THE POPLAR ROAD PROJECT

WHEREAS, the completion of road improvements in the vicinity of Warrenton Road (US-17) and Poplar Road (SR-616) is a critical part of Stafford County’s road improvement plan; and

WHEREAS, an AT&T service line and facilities must be relocated solely due to the road improvement project; and

WHEREAS, the County will bear the cost of the relocation services; and

WHEREAS, AT&T will require an agreement with the County for payment of the relocation services before the project can proceed; and

WHEREAS, AT&T estimated the County’s cost for the relocation of the service line and facilities at Three Hundred Thirty-six Thousand Six Hundred Twenty-six Dollars (\$336,626);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the Board be and it hereby does authorize the County Administrator to execute an agreement with AT&T for the payment of utility line and facilities relocation services in an amount not to exceed Three Hundred Thirty-six Thousand Six Hundred Twenty-six Dollars (\$336,626), unless amended by a duly executed contract amendment.

Item 15. Execute an Agreement with VDOT Governing the Relocation of Water and Sewer Utilities from Jefferson Davis Highway

Resolution R12-193 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE AN AGREEMENT WITH THE VIRGINIA  
DEPARTMENT OF TRANSPORTATION GOVERNING  
RELOCATION OF WATER AND SEWER UTILITIES ON JEFFERSON  
DAVIS HIGHWAY AT THE AQUIA CREEK BRIDGE (US-1)

WHEREAS, the Virginia Department of Transportation (VDOT) will construct improvements on Jefferson Davis Highway (US-1) at the Aquia Creek Bridge; and

WHEREAS, certain water and sanitary sewer adjustments are necessary for the project; and

WHEREAS, the County desires that certain betterments to the County’s sanitary sewer system estimated to cost \$74,589 be included in the VDOT project; and

WHEREAS, it is necessary for VDOT and the County enter into an agreement regarding the water and sanitary sewer facilities adjustments and betterments to relocate the County's water and sewer facilities to provide for the betterment of the facilities;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of July, 2012, that the County Administrator be and he hereby is authorized to execute an agreement with the Virginia Department of Transportation for the adjustment of water and sanitary sewer facilities on Jefferson Davis Highway (US-1) and to the betterment of certain water and sewer facilities in an amount not to exceed Seventy-four Thousand Five Hundred Eighty-nine Dollars (\$74,589).

Item 16. Utilities; Authorize a Public Hearing to Convey Easements to Virginia Dominion Power for Rocky Pen Run Reservoir

Resolution R12-196 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE PUBLIC HEARINGS TO CONSIDER CONVEYANCE OF EASEMENTS TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY, IDENTIFIED AS TAX MAP PARCELS 43-31, 51-2, 43-81, 43-28, 43-27, 43-27A, 43-26B, AND 43-76-2-18, IN CONNECTION WITH THE ROCKY PEN RUN RESERVOIR AND DAM, AND THE RAPPAHANNOCK RIVER INTAKE PROJECTS

WHEREAS, the Board authorized construction of the Rocky Pen Run Reservoir and Dam, and the Rappahannock River Intake projects ("projects"); and

WHEREAS, the designs for the projects require installation of a three-phase electrical service; and

WHEREAS, the designs for the projects require public road access to be provided to three improved lots on Cool Well Court affected by the inundation of water in connection with the projects; and

WHEREAS, the designs for the projects require the relocation of power lines in order to provide power to the lots on Cool Well Court affected by the inundation of water in connection with the projects; and

WHEREAS, the designs for the projects require easements to be granted to Virginia Dominion Power in order to complete the projects, and provide adequate and permanent power to the projects; and

WHEREAS, the County owns Tax Map Parcels 51-2, 43-81, 43-28, 43-27, 43-27A, 43-26B, and 43-76-2-18; and

WHEREAS, the designs for the Projects requires Dominion Virginia Power to acquire an easement on Tax Map Parcel 43-31 to complete the three-phase infrastructure required to complete the projects; and

WHEREAS, the Board authorized condemnation and quick-take of a portion of Tax Map Parcel 43-31 through Resolution R12-104, adopted on May 1, 2012;

WHEREAS, Virginia Code Section 15.2-1800 requires a public hearing for the conveyance of any real property interest owned by the County; and

WHEREAS, the Board desires to consider public comments concerning the conveyance of easements needed by Dominion Virginia Power for completion of the projects, as detailed above;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does authorize the County Administrator to advertise for three public hearings to consider conveyance of easements to Dominion Virginia Power in connection with the Rocky Pen Run Reservoir and Dam and the Rappahannock River Intake projects.

Item 17. This item was deleted.

Item 18. Economic Development; Endorse the Conceptual Signature Events for the County's 350 Anniversary

Resolution R12-207 reads as follows:

A RESOLUTION ENDORSING THE CONCEPTUAL SIGNATURE  
EVENTS FOR THE CELEBRATION OF THE 350<sup>TH</sup> ANNIVERSARY  
OF STAFFORD COUNTY

WHEREAS, Resolution R11-267, adopted by unanimous vote of the Board on October 4, 2011, appointed members to a Blue Ribbon Steering Committee to commemorate the 350<sup>th</sup> anniversary of Stafford County; and

WHEREAS, in a presentation on June 19, 2012, the Committee's chairman, Dr. Harry Crisp, requested formal endorsement of events planned for the commemoration of the 350<sup>th</sup> anniversary of Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does endorse the

following conceptual signature events in commemoration of the 350<sup>th</sup> anniversary of Stafford County:

December 31, 2013 – “First Night Stafford”  
Memorial Day Weekend 2014 – Parade and Community Celebration  
July 4, 2014 – Entertainment before/after fireworks display at Pratt Park  
September 27, 2014 – Aquia Landing/Crow’s Nest events  
October, 2014 – Wings and Wheels Air Show  
December 31, 2014 – “Last Night Stafford”

Item 19. Planning and Zoning; Authorize 30-Day Extension to the Planning Commission for Review of Architectural Guidelines

Resolution R12-212 reads as follows:

A RESOLUTION TO GRANT A TIME EXTENSION TO THE PLANNING COMMISSION REGARDING PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN, SPECIFICALLY THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT PLAN, DATED APRIL 18, 2007, TO INCLUDE, AMONG OTHER THINGS, ARCHITECTURAL DESIGN GUIDELINES

WHEREAS, the Board adopted a small area plan in the Courthouse Area as an element of the County’s Comprehensive Plan (the Courthouse UDA); and

WHEREAS, the Board previously adopted a Traditional Neighborhood Development Plan, as an element of the Comprehensive Plan, that provides design standards for the type of development recommended in the Courthouse UDA; and

WHEREAS, the Board desires to incorporate additional development guidelines and standards in the Courthouse UDA by modifying the recommendations in the Traditional Neighborhood Development Plan to incorporate Architectural Design Guidelines; and

WHEREAS, the Board previously referred proposed amendments to the Planning Commission, pursuant to Resolution R12-68, with a deadline of June 5, 2012; and

WHEREAS, the Board previously granted an extension to the Planning Commission, pursuant to Resolution R12-116, with a deadline of September 5, 2012; and

WHEREAS, the Planning Commission is requesting an additional thirty days (30) to prepare the amendments and receive public input;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on the 3<sup>rd</sup> day of July, 2012, that the Planning Commission be and it hereby is granted an extension until October 5, 2012 to prepare, hold a public hearing on, and provide the Board with its recommendations on the proposed amendments to the Comprehensive Plan, specifically the Traditional Neighborhood Development Plan, dated April 18, 2007, to include, among other things, Architectural Design Guidelines; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall provide the Planning Commission with a copy of this resolution.

Item 20. Legislative; Appoint a Member to the Community Criminal Justice Board (CCJB)

Resolution R12-213 reads as follows:

A RESOLUTION APPOINTING A MEMBER TO THE RAPPAHANNOCK AREA COMMUNITY CRIMINAL JUSTICE BOARD (CCJB)

WHEREAS, § 9.1-178 of the Code of Virginia requires localities which jointly operate a community corrections program to establish a community criminal justice board, and requires representatives of certain offices to be members of the Board; and

WHEREAS, the Counties of Spotsylvania, King George, Stafford, and the City of Fredericksburg jointly established the Rappahannock Area Community Criminal Justice Board (CCJB) in 1995 and appointed initial members to the Board; and

WHEREAS, the following person has been recommended by the CCJB to serve a two year term;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Stafford County on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does approve the appointment of the following person to the Rappahannock Area Community Criminal Justice Board, which terms shall begin July 1, 2012 and shall expire June 30, 2014:

1. The Honorable Phillip U. Fines, Juvenile and Domestic Relations Court

In the event that the person listed above list does not remain in their position throughout the term of their appointment to the CCJB, their successors shall fill the remainder of such term without the necessity of further action from the local governing bodies; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Administrative Officer of the CCJB, Kevin Hudson, Director of Programs and Community Corrections, Rappahannock Regional Jail.

Item 21. Legislative; Authorize the County Administrator to Sign an Amendment to the Anne E. Moncure Elementary School Memorandum of Agreement

Resolution R12-218 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE BOARD OF SUPERVISORS AND THE STAFFORD COUNTY SCHOOL BOARD REGARDING THE ANNE E. MONCURE ELEMENTARY SCHOOL

WHEREAS, the School Board owns real property located at 75 Moncure Lane, Stafford, Virginia, Tax Map (TM) Parcel 20-136A, site of the Anne E. Moncure Elementary School; and

WHEREAS, the Board and the School Board desired to rebuild and relocate Anne E. Moncure Elementary School to a new site, located on TM Parcels 20-66B, 20-66C, 21-15, and 21-16 (the Parcels); and

WHEREAS, the County and the School Board entered into a Memorandum of Agreement (MOA) regarding the Anne E. Moncure Elementary School which provided, among other things, that the County would purchase the Parcels; the County and the School Board would exercise a Deed of Ground Lease leasing the Parcels to the School Board during construction of the new school; and the School Board would execute a Special Warranty Deed, conveying TM Parcel 20-136A (75 Moncure Lane) to the County, said Deed to be held in escrow; and

WHEREAS, in April 2012, the Virginia Department of Transportation (VDOT) notified the School Board that it requires a 0.048 acre portion (“0.048 Acre Portion”) of TM Parcel 20-136A (75 Moncure Lane) for VDOT’s plans to expand the Staffordboro Boulevard commuter lot and the Juggins Road connector (VDOT Plans); and

WHEREAS, both the County and the School Board believe 75 Moncure Lane may be declared surplus after the new school opens and, as such, it would be in the best interest of the County to sell the 0.048 Acre Portion to VDOT and grant VDOT such temporary construction easements as reasonably required to allow VDOT to implement its Plans; and

WHEREAS, the sale of the 0.048 Acre Portion to VDOT requires an amendment to the MOA since the 0.048 Acre Portion is on TM Parcel 20-136A, which is subject to the MOA; and

WHEREAS, after execution of the First Amendment, pursuant to Virginia Code § 22.1-129, the School Board must declare the 0.048 Acre Portion surplus and hold a public hearing, prior to the sale of the property; and



WHEREAS, pursuant to Virginia Code § 22.1-129, prior to the School Board conveying the 0.048 Acre Portion to VDOT, the Board must adopt a resolution approving the sale and granting access to VDOT for the necessary temporary construction easements as reasonably required for implementation of the VDOT Plans; and

WHEREAS, the Board finds that the sale promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does authorize the County Administrator to execute the First Amendment to the Memorandum of Agreement and any and all necessary additional documents that may be reasonably necessary to carry out the intent and provisions of the First Amendment to the Memorandum of Agreement.

Item 22. Parks, Recreation and Community Facilities; Authorize the County Administrator to Renew a Contract for Custodial Services at County Facilities

Resolution R12-214 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT FOR CUSTODIAL SERVICES AT  
VARIOUS COUNTY FACILITIES

WHEREAS, outside professional custodial services, beyond the capacity of County resources, are needed at various County facilities; and

WHEREAS, the current contract with C.C. Building Services is in need of renewal; and

WHEREAS, C.C. Building Services will renew the contract for \$268,119, which does not include a price increase; and

WHEREAS, funds are available in the FY2013 budget; and

WHEREAS, staff determined that the proposed renewal is reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the County Administrator be and he hereby is authorized to renew the contract with C. C. Building Services in an amount not to exceed Two Hundred Sixty-eight Thousand One Hundred Nineteen Dollars (\$268,119), unless amended by a duly-executed contract amendment.

Item 23. Parks, Recreation and Community Facilities; Authorize the County Administrator to Renew a Contract for Refuse and Recycling Services at County Facilities

Resolution R12-215 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO RENEW A CONTRACT FOR REFUSE AND RECYCLING SERVICES AT VARIOUS COUNTY FACILITIES

WHEREAS, professional refuse and recycling services are needed at various County facilities and these services are beyond the capability of County resources; and

WHEREAS, the current contract with Waste Management is in need of renewal; and

WHEREAS, the contract price includes the standard three percent (3%) increase; and

WHEREAS, staff determined that the renewal is reasonable for the scope of services provided; and

WHEREAS, funds are available in the FY2013 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the County Administrator be and he hereby is authorized to execute any necessary documents to renew the contract with Waste Management in an amount not to exceed One Hundred Five Thousand Seven Hundred Five Dollars (\$105,705), unless amended by a duly-executed contract amendment.

Parks, Recreation and Community Facilities; Parks Projects and Consideration of Authorizing the County Administrator to Acquire Property Hearing no objection, the Board moved this item to closed meeting.

Swim Lane Analysis Chief Financial Officer, Maria Perrotte, told the Board that Dr. Lerch, with George Mason University (GMU), was doing a free analysis. He has been working with the three swim teams regarding choices of daily vs. weekly allocations and is concluding his study and will have a report within the next two weeks.

Ms. Stimpson asked what was next and how Dr. Lerch would format his report. Ms. Perrotte said that his format would depend on his conclusions. She added that he would like to sit-down (she did not specify with who or when) and go through his recommendations, after which, staff would pull together a final report.

Ms. Stimpson asked if this was good timing. Mr. Romanello replied that Dr. Lerch was asked to provide his report as soon as possible. It would have been better to have the report in early July as the first swim season begins shortly after Labor Day.

Mr. Cavalier asked for assurance that there was no connection between Dr. Lerch, GMU, and any of the swim teams. Mr. Thomas reminded Mr. Cavalier that his friendly amendment (to Mr. Thomas' original motion) was that the consultant selected to do the analysis be an impartial, independent, third-party. Maria said that Dr. Lerch does not live in Stafford, nor does he or his family have any affiliation with any swim team in the County. Mr. Cavalier asked again if GMU was impartial. Maria said that so far as she was aware, there was no connection, other than non-swim related, between GMU and the County.

Ms. Stimpson said that it would be brought back to the Board but there was not another meeting until August 21, 2012. Mr. Romanello said that Board direction would be helpful and that as soon as it was available, Dr. Lerch's report would be provided to the Board, and to the Parks and Recreation Commission. Ms. Stimpson said that it was not fair to throw this back to the Commission, that staff should put together a report based on the data provided. Mr. Cavalier said that he did not think that was what the Board agreed to and that to his recollection, it was decided at the last meeting that it should go back to the Commission. Ms. Stimpson asked if Mr. Cavalier suggested putting the Commission back to ground zero. She said that normally staff puts together a recommendation first. Mr. Cavalier said he was okay with that.

Public Works; Unpaved Roads Currently in the State Secondary System Mr. Mike Smith, Director of Public Works gave a presentation and answered Board members questions. Mr. Sterling noted that he wanted to see the unpaved roads paved, but not at the expense of other transportation projects in the County.

Mr. Cavalier motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-206.

The Voting tally was:

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

Resolution R12-206 reads as follows:

A RESOLUTION EXPRESSING THE BOARD’S INTENT TO PAVE THE REMAINING UNPAVED ROADS IN STAFFORD COUNTY THAT ARE INCLUDED IN THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board supports paving of all state secondary roads in the County;  
and

WHEREAS, there are fourteen (14) roads in the County that are part of the Secondary System of State Highways that are not paved; and

WHEREAS, four (4) of these roads are included in the adopted Secondary Road Six Year Plan (SSYP) to be paved; and

WHEREAS, the Board would like to express its commitment to the paving of the unpaved roads that are a part of the Secondary System of State Highways; and

WHEREAS, the Board will not pave these roads at the expense of completing higher transportation priorities or when the residents along these roads oppose paving them;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the Board intends to pave the remaining unpaved County roads that are in the Secondary System of State Highways as funding allows and when the residents along these roads support paving the roads.

Public Works; Consider Condemnation and Exercise of Quick-Take Powers to Acquire 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. Mr. Sterling said he took the opportunity to visit the area and said that he wished to reiterate that the Board’s decision was in the best and most appropriate interest of taxpayers and safety of those traveling on Mountain View Road.

Mr. Sterling motioned, seconded by Mr. Schieber, to adopt proposed Resolution R12-141.

The Voting tally was:

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

Resolution R12-141 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY, A PERMANENT DRAINAGE EASEMENT, TEMPORARY SLOPE EASEMENT, AS WELL AS AN EASEMENT TO BE CONVEYED TO NORTHERN VIRGINIA ELECTRIC COOPERATIVE FOR A PERMANENT UTILITY EASEMENT, ON A PORTION OF THE PROPERTY OF RICHARD AND ETHEL STEWART, TAX MAP PARCEL 18X-2-3, IN CONNECTION WITH THE MOUNTAIN VIEW ROAD BOND PROJECT

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

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

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

WHEREAS, the Board has determined that staff has been unable to obtain certain right-of-way, permanent utility and drainage easements, and temporary slope easements necessary for the completion of the project; and

WHEREAS, Tax Map Parcel 18X-2-3 consists of approximately 1.72 acres of land owned by Richard and Ethel Stewart (“the Property Owners”); and

WHEREAS, the Board must acquire right-of-way and easements on Tax Map Parcel 18X-2-3 (“the Property”) because the design of the road improvements requires 0.006 acres of right-of-way, 0.03 acres of permanent drainage easement, 0.028 acres of temporary slope easement, and 0.175 acres of easement to be conveyed to Northern Virginia Electric Cooperative (NOVEC) for use as a permanent utility easement on Tax Map Parcel 18X-2-3; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Six Thousand Eight Hundred Fifty Dollars (\$6,850), based upon the 2012 assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said determination of value on behalf of the County to the Property Owners; and

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

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

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.006 acres of right-of-way, 0.03 acres of permanent drainage easement, 0.028 acres of temporary slope easement, and 0.175 acres of easement to be conveyed to NOVEC for use as a permanent utility easement, Tax Map Parcel 18X-2-3;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012 that the Board be and it hereby does find that public necessity exists for the Board’s ownership of the right-of-way, permanent drainage easement, temporary slope easement, and easement to be conveyed to NOVEC for use as a permanent utility easement on the Property to complete construction and begin operation of the Mountain View Road Bond Project between Rose Hill Farm Drive and 0.25 miles north of Joshua Road; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Six Thousand Eight Hundred Fifty Dollars (\$6,850) as just compensation for the right-of-way, permanent drainage easement, temporary slope easement, and easement to be conveyed to NOVEC for use as a permanent utility easement including damages, if any, to the remainder of the Property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.006 acres of right-of-way, 0.03 acres of permanent drainage easement, 0.028 acres of temporary slope easement, and 0.175 acres of easement to be conveyed to NOVEC for use as a permanent utility easement on Tax Map Parcel 18X-2-3 for construction and operation of the Mountain View Road improvements between Rose Hill Farm Drive and 0.25 miles north of Joshua Road, under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Stafford County Board of Supervisors does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate and to deposit Six Thousand Eight Hundred Fifty Dollars (\$6,850), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the right-of-way, permanent drainage easement, temporary slope easement, and easement to be conveyed to NOVEC for use as a permanent utility easement in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Resolution R12-142.

The Voting tally was:

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

Nay: (0)

Resolution R12-142 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY, PERMANENT DRAINAGE AND SIGHT DISTANCE EASEMENTS, TEMPORARY SLOPE EASEMENT, AS WELL AS AN EASEMENT TO BE CONVEYED TO NORTHERN VIRGINIA ELECTRIC COOPERATIVE FOR PERMANENT UTILITY EASEMENT, ON A PORTION OF THE

PROPERTY OF MASHANE NINI, TAX MAP PARCEL 18C-38, IN  
CONNECTION WITH THE MOUNTAIN VIEW ROAD BOND PROJECT

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

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

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

WHEREAS, Tax Map Parcel 18C-38 consists of approximately 1.00 acre of land owned by Mashane Nini (“the Property Owner”); and

WHEREAS, the Board must acquire right-of-way and easements on Tax Map Parcel 18C-38 (“the Property”) because the design of the road improvements requires 0.016 acres of right-of-way, 0.019 acres of permanent drainage easement, 0.024 acres of permanent sight distance easement, 0.139 acres of temporary slope easement, and 0.095 acres of easement to be conveyed to Northern Virginia Electric Cooperative (NOVEC) for use as a permanent utility easement on Tax Map Parcel 18C-38; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Seven Thousand Nine Hundred Dollars (\$7,900), based upon the 2012 assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said determination of value on behalf of the County to the Property Owner; and

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

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



WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.016 acres of right-of-way, 0.019 acres of permanent drainage easement, 0.024 acres of permanent sight distance easement, 0.139 acres of temporary slope easement, and 0.095 acres of easement to be conveyed to NOVEC for use as a permanent utility easement on Tax Map Parcel 18C-38;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012 that the Board be and it hereby does find that public necessity exists for the Board's ownership of the right-of-way, permanent drainage and sight distance easements, temporary slope easement, and easement to be conveyed to NOVEC for use as a permanent utility easement on the Property to complete construction and begin operation of the Mountain View Road Bond Project between Rose Hill Farm Drive and 0.25 miles north of Joshua Road; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Seven Thousand Nine Hundred Dollars (\$7,900) as just compensation for the right-of-way, permanent drainage and sight distance easements, temporary slope easement, and easement to be conveyed to NOVEC for use as a utility easement including damages, if any, to the remainder of the Property, that the Board and the Property Owner cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.016 acres of right-of-way, 0.019 acres of permanent drainage easement, 0.024 acres of permanent sight distance easement, 0.139 acres of temporary slope easement, and 0.095 acres of easement to be conveyed to NOVEC for use as a permanent utility easement on Tax Map Parcel 18C-38 for construction and operation of the Mountain View Road improvements between Rose Hill Farm Drive and 0.25 miles north of Joshua Road, under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Stafford County Board of Supervisors does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or designees, to sign the Certificate and to deposit Seven Thousand Nine Hundred Dollars (\$7,900), with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the right-of-way, permanent drainage and sight distance easements, temporary slope easement, and easement to be conveyed to NOVEC for use as a permanent utility easement in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-143.

The Voting tally was:

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

Nay: (0)

Resolution R12-143 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY, PERMANENT DRAINAGE EASEMENT, TEMPORARY SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT, ON A PORTION OF THE PROPERTY OF EVERGREEN REAL PROPERTIES, LLC, TAX MAP PARCEL 18-76B IN CONNECTION WITH THE MOUNTAIN VIEW ROAD BOND PROJECT

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

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

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

WHEREAS, the Board has determined that staff has been unable to obtain certain right-of-way, permanent drainage easements, and temporary slope and construction easements necessary for the completion of the project; and

WHEREAS, Tax Map Parcel 18-76B consists of approximately 36.53 acres of land owned by Evergreen Real Properties, LLC (“the Property Owners”); and

WHEREAS, the Board must acquire right-of-way and easements on Tax Map Parcel 18-76B (“the Property”) because the design of the road improvements requires 0.03 acres of right-of-way, 0.006 acres of permanent drainage easement, 0.005 acres of temporary slope easement, and 0.034 acres of temporary construction easement on Tax Map Parcel 18-76B; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Eight Hundred Dollars (\$800), based upon the 2012 assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said determination of value on behalf of the County to the Property Owners; and

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

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

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.03 acres of right-of-way, 0.006 acres of permanent drainage easement, 0.005 acres of temporary slope easement, and 0.034 acres of temporary construction easement on Tax Map Parcel 18-76B;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012 that the Board be and it hereby does find that public necessity exists for the Board's ownership of the right-of-way, permanent drainage easement, temporary slope easement, and temporary construction easement on the Property to complete construction and begin operation of the Mountain View Road Bond Project between Rose Hill Farm Drive and 0.25 miles north of Joshua Road; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Eight Hundred Dollars (\$800) as just compensation for the right-of-way, permanent drainage easement, temporary slope easement, and temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.03 acres of right-of-way, 0.006 acres of permanent drainage easement, 0.005 acres of temporary slope easement, and 0.034 acres of temporary construction easement on Tax Map Parcel 18-76B for construction and operation of the Mountain View Road improvements between Rose Hill Farm Drive and 0.25 miles north of Joshua Road, under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Stafford County Board of Supervisors does hereby authorize the County Attorney to file a Certificate of Take

among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate and to deposit Eight Hundred Dollars (\$800), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the right-of-way, permanent drainage easement, temporary slope easement, and temporary construction easement in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-144.

The Voting tally was:

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

Nay: (0)

Resolution R12-144 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE PERMANENT DRAINAGE AND WATERLINE EASEMENTS, AND TEMPORARY SLOPE EASEMENT, ON A PORTION OF THE PROPERTY OF DANNY AND DEBORAH HICKS, TAX MAP PARCEL 18A-1-1 IN CONNECTION WITH THE MOUNTAIN VIEW ROAD BOND PROJECT

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

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

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

WHEREAS, the Board has determined that staff has been unable to obtain certain permanent drainage and waterline easements, and temporary slope easements necessary for the completion of the project; and

WHEREAS, Tax Map Parcel 18A-1-1 consists of approximately 1.18 acres of land owned by Danny and Deborah Hicks ("the Property Owners"); and

WHEREAS, the Board must acquire easements on Tax Map Parcel 18A-1-1 ("the Property") because the design of the road improvements requires 0.016 acres of

permanent drainage easement, 0.003 acres for a permanent County water line easement, and 0.12 acres of temporary slope easement on Tax Map Parcel 18A-1-1; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Eight Thousand Five Hundred Dollars (\$8,500), based upon the 2012 assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said determination of value on behalf of the County to the Property Owners; and

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

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

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.016 acres of permanent drainage easement, 0.003 acres for a permanent County water line easement, and 0.12 acres of temporary slope easement on Tax Map Parcel 18A-1-1;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012 that the Board be and it hereby does find that public necessity exists for the Board's ownership of the permanent drainage and County water line easements, and temporary slope easement on the Property to complete construction and begin operation of the Mountain View Road Bond Project between Rose Hill Farm Drive and 0.25 miles north of Joshua Road; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Eight Thousand Five Hundred Dollars (\$8,500) as just compensation for the permanent drainage and County water line easements, and temporary slope easement, including damages, if any, to the remainder of the Property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.016 acres of permanent drainage easement, 0.003 acres for a permanent County water line easement, and 0.12 acres of temporary slope easement

on Tax Map Parcel 18A-1-1 for construction and operation of the Mountain View Road improvements between Rose Hill Farm Drive and 0.25 miles north of Joshua Road, under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Stafford County Board of Supervisors does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate and to deposit Eight Thousand Five Hundred Dollars (\$8,500), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the permanent drainage and County water line easements, and temporary slope easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Planning and Zoning; Transfer of Development Rights Senior Planner, Amy Ansong, gave a PowerPoint presentation and answered Board members questions. Commissioner of the Revenue, Scott Mayausky, and Pat Taves, Esq., also participated in portions of the presentation and responded to questions by Board members. Discussion ensued.

Following discussion, it was agreed by the Board that a sub-committee should be formed to continue studying Transfer of Development Rights and to offer a recommendation to the Board at a future meeting (no date was specified). Members of the sub-committee include Mr. Milde, Mr. Thomas, and Mr. Snellings.

County Attorney; Consider a Claim on Behalf of Rocky Ridge Joint Venture County Attorney, Charles Shumate, introduce Mr. Clark Leming, Esq. Mr. Leming stated that he was counsel for Rocky Ridge Joint Venture (RRJV). Mr. Leming presented a time line and an overview of the law suit filed in October, 2011, regarding the bond being held on the Austin Ridge subdivision which includes \$20,000 Erosion and Sediment bond and a \$42,000 Stormwater bond. Following questions from Mr. Sterling about properties impacted by the land-slide, Mr. Leming stated that based on the performance agreement, the County had no authority to draw on the Stormwater bond which had nothing to do with land-slide issues or the affected properties.

Mr. Sterling asked if the Board could not allow the courts to adjudicate this matter. Mr. Leming agreed that the Courts could continue to hear the claim but that the judge insisted that the matter be brought before the Board of Supervisors before the case would continue. He added that the County was within its arguable rights to draw on the Erosion/Sediment bond but not the Stormwater bond. Mr. Snellings asked for clarification and Mr. Leming responded that his client failed to renew the performance agreement and to collect on it, the performance agreement had to be renewed.

Charles Shumate said that he would prefer that the Board not continue the debate publicly, adding that he believed that the Courts should be allowed to decide the matter. Ms. Stimpson said that she agreed, so long as their discussion with Mr. Leming satisfied the Courts requirement.

Presentation by the Stafford Museum Foundation Mr. Scott Mayausky, Vice-President of the Museum and Cultural Foundation, gave a Power Point presentation to the Board and an update on what may be necessary (in the future) to build a Stafford County museum. Mr. Mayausky's presentation included a link to the planned Smithsonian's African American Heritage Museum.

Utilities; Refer to the Utilities Commission Revisions to the Wastewater Availability Fees Mr. Harry Critzer, Director of Utilities, gave a presentation and answered Board members questions. Following discussion, a sub-committee was formed consisting of two members of the Board along with two members of the Utilities Commission. The sub-committee was tasked with looking at the Utilities CIP as well as rates and project costs. Mr. Cord Sterling and Mr. Bob Thomas were appointed to the sub-committee. The two appointees from the Utilities Commission had not been appointed at the time of the meeting.

Mr. Sterling motioned, seconded by Mr. Thomas, to appoint a sub-committee consisting of both Mr. Sterling and Mr. Thomas representing the Board, and two (yet to be appointed) members of the Utilities Commission..

The Voting tally was:

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

Nay: (0)

Legislative; Create and Appoint the Stafford County Armed Services Memorial Commission Ms. Stimpson said that she was contacted by the father of Donald Lamar, a member of the military, and Stafford resident, who was killed in action in Iraq. He suggested that there be a street named after his son or some manner of appropriate recognition of his son's service to his Country. Ms. Stimpson said that she wished to create a Stafford County Armed Services Memorial Commission to look at ideas for a memorial or wall commemorating Stafford County residents who gave their lives in service to their country.

Mr. Sterling spoke with Lt. General Ronald Christmas who agreed to serve on the Commission. Mr. Snellings also offered his service. The appointment of (former) Board Chairman, now Delegate Mark Dudenhefer, was conditional upon his acceptance of the appointment.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-202.

The Voting tally was:

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

Nay: (0)

Resolution R12-202 reads as follows:

A RESOLUTION TO CREATE AND APPOINT THE STAFFORD  
COUNTY ARMED SERVICES MEMORIAL COMMISSION



WHEREAS, Stafford County has a long tradition of men and women serving in our nation's armed forces, for more than 200 years, across many wars including the Revolutionary War, the Civil War, World Wars I and II, the Korean War, the Vietnam War, Iraq and Afghanistan; and

WHEREAS, while preserving freedom and democracy for their families, neighbors, citizens, and countless people around the world, many of these men and women made the ultimate sacrifice and lost their lives in service to their families, Stafford County, the Commonwealth of Virginia, and their country; and

WHEREAS, the Board desires to honor the tremendous loss of our brave sons and daughters, and in doing so, honor their families, who have also made the ultimate sacrifice; and

WHEREAS, in an effort to do the best for those who did their very best for us, the Board desires to create a memorial to honor each life lost and preserve their memory for generations to come; and

WHEREAS, a memorial would give families and citizens a place to honor the fallen, and would serve as a visible reminder to the public of all the men and women who gave the last full measure of devotion to their country; and

WHEREAS, with this resolution the Board creates a Stafford County Armed Services Memorial Commission to plan the memorial; and

WHEREAS, the Board desires to receive citizen guidance on the creation of a Stafford County Armed Services Memorial;

WHEREAS, the Commission will be composed of three County residents appointed by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that it be and hereby does appoint the following citizens to the Commission:

1. Lt. General Ron Christmas
2. Mr. Gary Snellings
3. Del. Mark Dudenhefer

BE IT FURTHER RESOLVED that the Stafford County Armed Services Memorial Commission shall report its recommendations to the Board in January, 2013, to include, but not limited to, a proposed location, type, and anticipated cost of a memorial.

Recess At 5:21 p.m., the Chairman declared a recess.

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

Invocation Mr. Snellings gave the Invocation.

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

Presentations by the Public Citizens spoke on topics as identified:

Paul Waldowski - Urban Development Areas; TDR; Sidewalks

Public Works; Adopt Changes to the Comprehensive Plan and Amend and Reordain Section 13.5 of the County Code Entitled “Impact Fees” This public hearing was cancelled and rescheduled for August 21, 2012.

Public Works; Authorize the County Administrator to Convey County-Owned Property to the Virginia Department of Transportation for Falmouth Intersection Improvements  
Mr. Mike Smith, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Alane Callander

The Chairman closed the public hearing.

Ms. Stimpson motioned, seconded by Mr. Thomas, to adopt proposed Resolution R12-153.

The Voting Board tally was:

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

Nay: (0)

Resolution R12-153 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO CONVEY COUNTY-OWNED PROPERTY, IDENTIFIED AS TAX MAP PARCEL 53D-1-66, TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO THE INTERSECTION OF WARRENTON ROAD AND CAMBRIDGE STREET IN THE FALMOUTH DISTRICT

WHEREAS, the Board identified the completion of improvements to the intersection of Warrenton Road (US-17) and Cambridge Street (US-1) as a top transportation priority; and

WHEREAS, the County owns property adjacent to Cambridge Street, identified as Tax Map Parcel 53D-1-66 (County-owned property); and

WHEREAS, the Warrenton Road/Cambridge street intersection improvements will be completed by the Virginia Department of Transportation (VDOT); and

WHEREAS, VDOT submitted an appraisal of the County-owned property, Tax Map Parcel 53D-1-66, performed by a certified professional in the amount of Thirty-six Thousand Dollars (\$36,000); and

WHEREAS, VDOT made an offer in the amount of Thirty-six Thousand Dollars (\$36,000) for acquisition of the County-owned property; and

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

WHEREAS, the Board finds that this conveyance promotes the health, safety, and general welfare of Stafford County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that the Board be and it hereby does authorize the County Administrator to execute any and all necessary and appropriate documents needed to convey the County-owned property identified as Tax Map Parcel 53D-1-66 to the Virginia Department of Transportation for use in the improvement of the intersection of Warrenton Road and Cambridge Street in the Falmouth District.

Public Works; Consider Condemnation and Exercise of Quick-Take Powers to Acquire 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.

The Chairman opened the public hearing.

The following persons desired to speak:

Bart Gabriel

Paul Waldowski

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Thomas, to defer this item to the August 21<sup>st</sup> Board meeting.

The Voting Board tally was:

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

Nay: (0)

Fire and Rescue; Ratify the Declaration of a Local Emergency in the County Mr. Sterling motioned, seconded by Mr. Schieber, to adopt proposed Resolution R12-226.

The Voting Board tally was:

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

Nay: (0)

Resolution R12-226 reads as follows:

A RESOLUTION TO RATIFY THE DECLARATION OF  
A LOCAL EMERGENCY IN STAFFORD COUNTY

WHEREAS, a severe weather event which occurred in Stafford County on Friday, June 29, 2012, caused substantial rainfall and high, damaging winds ; and

WHEREAS, Stafford County was faced with such rainfall and high winds which created power outages, hazardous road conditions, blocked roads, and other dangerous conditions of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage, loss, hardship, or suffering caused by the June 29, 2012, weather event; and

WHEREAS, on June 30, 2012, the Governor of the Commonwealth of Virginia declared a state-wide emergency due to the June 29, 2012 weather event; and

WHEREAS, the Declaration of a Local Emergency was declared by the County Administrator on Saturday, June 30, 2012; and

WHEREAS, this Declaration of a Local Emergency is subject to confirmation by the local governing body;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, that a Declaration of a Local Emergency did commence on June 30, 2012 throughout Stafford County; and

BE IT FURTHER RESOLVED that during the existence of this emergency, the powers, functions, and duties of the County Administrator (as the Director of Emergency Services of Stafford County) shall be those prescribed in Virginia Code § 44-146.21, as well as the ordinances, resolutions, and approved plans of Stafford County, in order to mitigate the effects of said emergency.

Mr. Schieber motioned, seconded by Mr. Thomas, to add an additional item to the agenda for the appointment a member to the Telecommunications Commission representing the Falmouth District.

The Voting tally was:

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

Ms. Stimpson motioned, seconded by Mr. Thomas, to appoint Christopher Zaffran to the Telecommunications Commission.

The Voting tally was:

Yea: (6) Stimpson, Thomas, Cavalier, Milde, Snellings, Thomas  
Nay: (0)  
Absent: (1) Sterling

Legislative; Closed Meeting. At 7:27 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM12-17.

The Voting tally was:

Yea: (6) Thomas, Milde, Cavalier, Schieber, Snellings, Stimpson  
Nay: (0)  
Absent: (1) Sterling

Resolution CM12-17 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to hold a Closed Meeting for (1) consultation with legal counsel regarding the lawsuits being addressed by

the Widewater Litigation Review Committee; (2) discussion regarding the potential acquisition of real property for a public purpose pertaining to the Park Bond Referendum projects; (3) discussion and consultation with legal counsel regarding the award of a public contract related to the Rocky Pen Run Reservoir and Dam project; (4) discussion concerning the expansion of an existing business in the County where no previous announcement of such expansion has been made; (5) discussion regarding the potential acquisition of real property for a public purpose(s), including for an academic presence and/or economic development, pertaining to the Technology and Research Park; and (6) discussion and consideration of the performance of a specific County employee; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(1), (A)(3), (A)(5), (A)(7), and (A)(29) such consultations and discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of July, 2012, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order At 9:02 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 CM12-17(a).

The Voting Board tally was:

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

Resolution CM12-17(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 3, 2012

WHEREAS, the Board has, on this the 3<sup>rd</sup> day of July, 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 3<sup>rd</sup> day of July, 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.

At 9:03 p.m., Mr. Thomas motioned, seconded by Mr. Sterling, to return to closed meeting for an additional discussion.

The Voting Board tally was:

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

Nay: (0)

At 9:05 p.m., Mr. Schieber motioned, seconded by Mr. Sterling, to deny the Rocky Ridge Joint Venture claim.

The Voting Board tally was:

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

Nay: (0)

Adjournment At 9:06 p.m. the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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Susan B. Stimpson  
Chairman