

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

July 7, 2015

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Gary F. Snellings, Chairman, at 3:00 p.m., on Tuesday, July 7, 2015, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Gary F. Snellings, Chairman; Laura A. Sellers, Vice Chairman; Meg Bohmke; Jack R. Cavalier; Paul V. Milde, III; and Robert “Bob” Thomas, Jr. Cord A. Sterling was absent from the afternoon session due to a work commitment, and was present for the evening session.

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

Presentation by Dr. Bruce Benson, Superintendent of Schools Dr. Benson discussed filling teacher vacancies and upcoming shared services ventures including joint health care benefits and grounds maintenance. The School Board held a work session on June 27, 2015, to discuss the Utilization Study, including Strategic Planning and Alignment of Resources. An outline of the strategic plan will be presented to the Board prior to the start of the new school year.

Dr. Benson noted that he was working with school principals on a class size analysis including frequency distribution (the number of students in each class). Mr. Cavalier asked if the Utilization Study was the same as the Efficiency Study. Dr. Benson said that it was not, that the class size analysis was being done internally with an enhanced level of scrutiny that included staffing plans and goals for the entire Division. Mr. Cavalier said he heard about the shared services work but nothing more about the Efficiency Study in terms of next years’ budget.

Regarding the new Stafford High School, Dr. Benson said that work was progressing and staff expected to take delivery of the school by the end of July of the first of August. He and Ms. Sellers toured the building. The chillers were on-line, the gymnasium floor was installed, and bleachers were being moved from the old facility to the new school gym.

Dr. Benson said that a “delivery methodology” was in place and in the academic wing, floors and finishes were complete. Completion of ceiling tiles, moulding, and testing of fire safety suppression devices was scheduled for the following week. Dr. Benson thanked County inspection staff for its responsiveness and on-site work to ensure that the building would be ready in time for the upcoming school year.

Ms. Sellers spoke about the tour of the building saying that she was a bit more optimistic than Dr. Benson about the pace of construction, adding that it was a beautiful building. Dr. Benson talked about the college model with access to general-use classrooms. Mr. Thomas said there was a rumor that the new building would house fewer students than the old Stafford High School. He wanted to dispel the rumor adding that the rebuilt Stafford High School would hold more students than the old facility. Dr. Benson talked about ongoing efforts to capitalize on shared spaces in the new building.

Dr. Benson handed out a booklet entitled, “Stafford Is My Home.” He shared that his contract was extended for a four-year period and that he was very happy to call Stafford County his home. On August 31st and September 1st, Dr. Benson hosts a Welcome Back event at Brooke Point and Mountain View High Schools respectively and invited Board members to attend and hear a “State of the School Division” address and an outline of priorities for the new school year. Ms. Bohmke thanked Dr. Benson for the book, saying that it contained a wonderful history of the County. She also thanked him for tackling the issue of class size, and cited Hampton Oaks ESL classes and not enough teachers. Ms. Bohmke was on the School Board at that time and said there were huge inequities that created bad will. She talked about the recently held meeting of the Joint Board/Schools Working Committee and the upcoming bid for joint health care benefits, and streamlining grounds maintenance services, which could save approximately \$250,000 (each) for the Schools and the County.

Regarding Stafford High School, Mr. Romanello clarified that County inspectors were available whenever necessary. Dr. Benson reiterated that the level of service was incredible and very much appreciated. Mr. Snellings thanked Dr. Benson for his presentation and noted that he, Dr. Benson, was the first superintendent in ten years to call Stafford County home.

Presentations by the Public The following person desired to speak:

- Jonathan Cupina - Settler’s Landing cut-through restriction plan
- Alane Callander - Supported cut-through restriction in Settler’s Landing
- Tylor Underwood - Defer Item 10 regarding paving of Government Center

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

Ms. Bohmke - Enjoyed the July 4th festivities at Ferry Farm along with Mr. Snellings, Ms. Sellers, Congressman Rob Wittman, Boy Scout Troop 170, the American Legion Color Guard, Stafford High School ROTC, and Virginia Heritage Troop 128.

Mr. Cavalier - Infrastructure Committee update including the Richmond to DC High Speed Rail; the Rappahannock River Crossing (between Route 17 and Route 3, proposed collector/distributor lanes); House Bill 2, transportation priority procedures for the Commonwealth Transportation Board; and paving Government Center parking lots.

Mr. Milde - Attended VRE meeting; the Widewater Curry Party on the River; a meeting of the Stafford Tech and Research Park Board (two new members appointed/George Hughes, President of SimVentions, and Robert Charlton, President of GID Solutions); discussed Co-working space at Quantico Corporate Center; met with representatives from Georgia Tech about possible partnership synergies; CVTV contract regarding a third Public, Education, and Government (PEG) Channel was taking longer than anticipated but was in process; the Community and Economic Development Committee (CEDC) discussed the Courthouse Southeast Quadrant, the Aquia Towne Center (and commercial space ground breaking); and allowing food trucks at the Government Center.

Ms. Sellers - Co-chaired the Joint Board/Schools Working Committee meeting; toured new Stafford High School building; requested clarification about a sign posted at the Farmer’s Market saying that no dogs were allowed “By Order of Stafford County.”

Mr. Snellings - Attend NYC meeting with rating agencies, praised staff for its professional and enthusiastic portrayal of the County and its finances; thanked Sheriff Jett for his handling of the apprehension of three bank robbers and use of the County’s reverse E-911 system to keep residents alerted.

Mr. Sterling - Absent from the afternoon session.

Mr. Thomas - Attend NYC meeting with rating agencies; noted that staff did a great job presenting the County’s financial story and accomplishments

Report of the County Attorney Mr. Shumate deferred his report.

Report of the County Administrator Mr. Romanello introduced an “Above and Beyond” video highlighting work done by the Department of Fire, Rescue, and Emergency Services, which, with the help of Culpeper County’s Equine Rescue Team, rescued a horse named Ben that was stuck in an icy pond.

Additions/Deletions to the Regular Agenda Item 12. Public Works; Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Brooke Road Improvement Project (Proposed Resolutions R15-197 (TMP 47-56) and R15-200 (TMP 47G-1-4 & 47G-1-5), were settled.

Legislative; Consent Agenda Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt the Consent Agenda, which consisted of Items 3 through 11, omitting Items 6 and 10, pulled from the Consent Agenda by Ms. Sellers and Ms. Bohmke, respectively.

The Voting Board tally was:

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

Item 3. Legislative; Approve Minutes of the June 16, 2015 Board Meeting

Item 4. Finance and Budget; Approve Expenditure Listing

Resolution R15-255 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JUNE 16, 2015 THROUGH JULY 06, 2015

WHEREAS, the Board 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 7th day of July 2015 that the above-mentioned EL be and hereby is approved.

Item 5. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider Abandonment of a Portion of State Route 813 (former Richards Ferry Road)

Resolution R15-244 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON A PORTION OF PRESCRIPTIVE RIGHT-OF-WAY FOR STATE ROUTE 813, (FORMER RICHARDS FERRY ROAD) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, old State Route 752 (Richards Ferry Road) has been relocated in the past to improve its intersection with Route 17 (Warrenton Road); and

WHEREAS, in 1988 the Board adopted Resolution R88-238 renumbering a section of the former Richards Ferry Road from State Route 752 to State Route 813, but did not officially abandon the prescriptive right-of-way associated with the road; and

WHEREAS, the Virginia Department of Transportation (VDOT) received a request from Tracy J. Lippincott, the property owner of Tax Map Parcel No. 35-10, desiring the right-of-way be returned to her; and

WHEREAS, VDOT has requested that the Board formally petition VDOT to abandon the unnecessary right-of-way to allow the Commonwealth Transportation Board to officially convey the abandoned right-of-way to Ms. Lippincott; and

WHEREAS, the prescriptive right-of-way associated with the former Richards Ferry Road (State Route 813) no longer serves a public need; and

WHEREAS, the Board desires and is required to hold a public hearing to consider requesting VDOT to abandon the relocated portion of the former Richards Ferry Road (State Road 813);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider petitioning the Virginia Department of Transportation (VDOT) to make adjustments to the Secondary System of State Highways to abandon the prescriptive right-of-way, consisting of approximately 0.15 mile, which is associated with the former Richards Ferry Road (State Route 813), pursuant to Virginia Code Section 33.2-909.

Item 7. Public Works; Authorize the County Administrator to Execute Contracts for Utilities Relocation with Dominion Virginia Power and Verizon in Conjunction with the Brooke Road Improvement Project

Resolution R15-250 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DOMINION VIRGINIA POWER FOR PAYMENT OF UTILITY LINE RELOCATION SERVICES FOR THE BROOKE ROAD IMPROVEMENT PROJECT

WHEREAS, the Board identified the completion of road improvements on Brooke Road, south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, Dominion Virginia Power utility lines must be relocated in order to proceed with the Project; and

WHEREAS, all of Dominion Virginia Power's utility lines are outside of the Project's right-of-way, and relocation of the lines does not constitute a betterment; and

WHEREAS, the County must bear the cost of the relocation services for all Dominion Virginia Power lines and facilities outside of the road right-of-way, and for which relocation is not a betterment; and

WHEREAS, Dominion Virginia Power requires execution of a contract and payment for the utility line relocation services for the Project; and

WHEREAS, Dominion Virginia Power estimates that the County's cost for the utility line relocation services as One Hundred Twenty-seven Thousand Four Hundred Fifty-seven Dollars (\$127,457); and

WHEREAS, the cost of the utility line relocation services is included in the Project's budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that the Board be and it hereby does authorize the County Administrator or his designee to execute a contract with Dominion Virginia Power for the payment of utility line relocation services in an amount not to exceed One Hundred Twenty-seven Thousand Four Hundred Fifty-seven Dollars (\$127,457), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the funds are budgeted and appropriated from the County's Transportation Fund for this purpose.

Resolution R15-251 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH VERIZON FOR PAYMENT OF UTILITY LINE RELOCATION SERVICES FOR THE BROOKE ROAD IMPROVEMENT PROJECT

WHEREAS, the Board identified the completion of road improvements on Brooke, Road south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, Verizon utility lines must be relocated in order to proceed with the Project; and

WHEREAS, all of Verizon's utility lines are outside of the Project's right-of-way, and relocation of the lines does not constitute a betterment; and

WHEREAS, the County must bear the cost of the relocation services for all Verizon lines and facilities outside of the road right-of-way, and for which relocation is not a betterment; and

WHEREAS, Verizon requires the execution of a contract and payment for the utility line relocation services for the Project; and

WHEREAS, Verizon estimates that the County's cost for the utility line relocation services as \$95,373; and

WHEREAS, the cost to cover the utility line relocation services are included in the Project's budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that the Board be and it hereby does authorize the County Administrator, or his designee, to execute a contract with Verizon for the payment of utility line relocation services in an amount not to exceed Ninety-five Thousand Three Hundred Seventy-three Dollars (\$95,373) unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the funds are budgeted and appropriated from the County's Transportation Fund for this purpose.

Item 8. County Administration; Authorize the County Administrator to Execute an Agreement with Columbia Gas at Embrey Mill

Resolution R15-246 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE TWO AGREEMENTS WITH COLUMBIA GAS OF VIRGINIA, INC., FOR NATURAL GAS SERVICE AT EMBREY MILL PARK AND THE JEFF ROUSE SWIM AND SPORT CENTER, IN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, natural gas service is needed to develop Embrey Mill Park (Park) and the Jeff Rouse Swim and Sport Center (Center), in the Garrisonville Election District; and

WHEREAS, Columbia Gas of Virginia, Inc., the local provider of natural gas, requires that an Aid to Construction Agreement be executed to initiate construction of the natural gas line for transmitting and distributing natural gas to the Park and Center; and

WHEREAS, the Aid to Construction Agreement requires a non-refundable payment of Two Hundred Eighty Thousand Four Hundred Thirty-nine dollars (\$280,439); and

WHEREAS, Columbia Gas of Virginia, Inc., requires that a Commercial Delayed Deposit Agreement be executed to protect its capital investment, in the event the County does not connect to the newly constructed natural gas line and begin consumption of natural gas; and

WHEREAS, under the Commercial Delayed Deposit Agreement, if the County does not connect to the gas line and begin consumption of natural gas within one year of completion of the gas main, the County would be obligated to pay a refundable deposit of Two Hundred Eighteen Thousand One Hundred Twenty-five dollars (\$218,125); and

WHEREAS, the Board desires to have natural gas distributed to the Park and Center;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that the County Administrator or his designee be and he hereby is authorized to execute an Aid to Construction Agreement with Columbia Gas of Virginia, Inc.; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to make a non-refundable payment to Columbia Gas of Virginia, Inc., in an amount not to exceed Two Hundred Eighty Thousand Four Hundred Thirty-nine dollars (\$280,439), unless amended by a duly-authorized change order, for construction of a natural gas line to serve Embrey Mill Park and the Jeff Rouse Swim and Sport Center; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to execute a Commercial Delayed Deposit Agreement with Columbia Gas of Virginia, Inc.

Item 9. Fire and Rescue Authorize the County Administrator to Execute a Contract Renewal with MED3000, Inc., for Ambulance Billing Collection Services

Resolution R15-252 reads as follows:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT RENEWAL WITH MED3000, INC. FOR
AMBULANCE TRANSPORT BILLING AND COLLECTION SERVICES**

WHEREAS, the Stafford County Fire and Rescue Department desires to extend the existing contract with MED3000, Inc., to provide ambulance transport billing and collection services from July 1, 2015 through June 30, 2016; and

WHEREAS, the contract with MED3000, Inc. is a cooperative procurement based on MED3000, Inc.'s contract with Fairfax County, RQ10-1471-2-11A, dated March 30, 2010; and

WHEREAS, County staff reviewed the proposed contract renewal and determined that it continues to be reasonable for the proposed scope of services;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on the 7th day of July, 2015, that the County Administrator, or his designee, be and he hereby is authorized to execute a contract renewal with MED3000, Inc., for ambulance transport billing and collection services at a rate of 5.5% of revenue collected, in an amount not to exceed One Hundred Forty-five Thousand Dollars (\$145,000), unless amended by a duly-executed contract amendment.

Item 11. Utilities; Authorize the County Administrator to Execute a Contract for Residual Waste Solids Hauling Services from the Aquia Wastewater Treatment Facility

Resolution R15-247 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH AGRI-SERVICES CORP. FOR
TRANSPORTING RESIDUAL WASTE SOLIDS FROM THE AQUIA
WASTEWATER TREATMENT FACILITY

WHEREAS, the Utilities Department has an annual contract for the transportation of residual waste solids (sludge) produced at the Aquia Wastewater Treatment Facility; and

WHEREAS, removal of sludge is critical in meeting regulatory performance requirements at wastewater treatment facilities; and

WHEREAS, the Utilities Department received notification that the current vendor was unwilling to renew the contract; and

WHEREAS, bids were solicited for sludge hauling service from the Aquia Wastewater Treatment Facility; and

WHEREAS, one bid was received from Agri-Services Corp. in the amount of \$410,000; and

WHEREAS, the Utilities Department determined the bid was reasonable for the scope of work; and

WHEREAS, Agri-Services Corp. is the lowest responsive and responsible bidder; and

WHEREAS, funds are available in the FY2016 Utilities Department operating budget; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that the County Administrator or his designee be and he hereby is authorized to execute a contract with Agri-Services Corp. to provide sludge hauling services from the Aquia Wastewater Treatment Facility, in an amount not to exceed Four Hundred Ten Thousand Dollars (\$410,000), unless amended by a duly-executed contract amendment.

Item 6. Public Works; Request the Virginia Department of Transportation to Review and Address the Problem of Cut-Through Traffic in the Settlers’ Landing Subdivision

In response to remarks made during the public comment portion of the meeting, Ms. Sellers noted that she was not contacted by the Settlers’ Landing HOA, even though it was located in her district (Garrisonville).

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-248.

The Voting Board tally was:

- Yea: (6) Bohmke, Cavalier, Milde, Sellers, Snellings, Thomas
- Nay: (0)
- Absent: (1) Sterling

Resolution R15-248 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO REVIEW AND ADDRESS THE PROBLEM OF CUT-THROUGH TRAFFIC AND SUPPORT THE DEVELOPMENT OF A RESIDENTIAL CUT-THROUGH RESTRICTION PLAN FOR THE SETTLER’S LANDING SUBDIVISION

WHEREAS, the Board is interested in promoting public health, safety, and welfare, including the prevention of accidents and injuries caused by excessive traffic on residential streets; and

WHEREAS, the Settler’s Landing Homeowners’ Association, Inc. desires to control residential cut-through traffic in its neighborhood; and

WHEREAS, the County conducted traffic studies, which established that vehicular volume counts in the Settler’s Landing Subdivision meets established criteria for further consideration of the use of cut-through traffic controlling measures; and

WHEREAS, the County received a petition that included signatures from over 75% of the residents/owners in the impacted area of the Settler’s Landing Subdivision, who are in support of controlling residential cut-through traffic;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that it be and hereby does support the development of a Residential Cut-Through Restriction Plan for the Settler’s Landing Subdivision; and

BE IT FURTHER RESOLVED that the County Administrator or his designee will provide a copy of this resolution to the Virginia Department of Transportation’s Residency Administrator, Fredericksburg District.

Item 10. Parks, Recreation and Community Facilities; Authorize the County Administrator to Execute Contracts for Courthouse and Government Center Parking Facility Improvements with: (1) Slurry Pavers, Inc. for the Full Depth Reclamation Process; and (2) Espina Paving, Inc. for Asphalt Installation

In response to remarks made during the public comment portion of the meeting, Ms. Bohmke said that repair and repaving of the Government Center parking lot could not be delayed; that it was 24 years old and in serious need of refurbishing. Mr. Thomas noted that the citizens' question about warranties was well taken and asked that staff confirm who would warranty the work.

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-254.

The Voting Board tally was:

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

Resolution R15-254 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS FOR THE COURTHOUSE AND GOVERNMENT CENTER PARKING FACILITY IMPROVEMENTS WITH: SLURRY PAVERS, INC. FOR THE FULL DEPTH RECLAMATION PROCESS, AND ESPINA PAVING, INC. FOR ASPHALT INSTALLATION

WHEREAS, the Stafford County Courthouse and Government Center's 24-year old parking facility requires complete rebuilding to improve the pavement and sub-base, travel surface, and aesthetics; and

WHEREAS, improvements to the Stafford County Courthouse and Government Center parking facility were budgeted and appropriated in Cash Capital for FY2015 and FY2016; and

WHEREAS, staff determined that Slurry Pavers, Inc. is the lowest responsive and responsible bidder for the Full Depth Reclamation; and

WHEREAS, staff determined that Espina Paving, Inc. is the lowest responsive and responsible bidder for asphalt installation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015, that the County Administrator be and he hereby is authorized to execute a contract with Slurry Pavers, Inc., in an amount not to exceed Four Hundred Thirty-eight Thousand Seventeen Dollars (\$438,017), unless modified by a duly-authorized change order, for the Full Depth Reclamation of the County's Courthouse and Government Center parking facility; and

BE IT FURTHER RESOLVED, that the County Administrator be and he hereby is authorized to execute a contract with Espina Paving, Inc. in an amount not to exceed Four Hundred Twelve Thousand Five Hundred Sixty-six Dollars (\$412,566), unless authorized by a duly-authorized change order, for the installation of asphalt pavement at the County Courthouse and Government Center parking facility.

Public Works; Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Brooke Road Improvement Project Mr. Chris Rapp, Director of Public Works, updated the Board and answered questions. He reminded the Board that two items were settled: proposed Resolutions R15-197 and R15-200 were removed from the Agenda.

Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution R15-157.

The Voting Board tally was:

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

Resolution R15-157 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT SLOPE EASEMENT, PERMANENT EASEMENT FOR CULVERT, UTILITY EASEMENT TO BE CONVEYED TO VERIZON, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 47-56B, OWNED BY ALEXANDRA ROMERO, IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land necessary for the completion of the Project and County staff is in the process of acquiring the necessary land for right-of-way, and permanent and temporary easements; and

WHEREAS, Tax Map Parcel No. 47-56B (Property) consists of approximately 2.89 acres (126,037 square feet) of land owned by Alexandra Romero (Property Owner), located within the George Washington Election District; and

WHEREAS, the Board must acquire fee simple right-of-way, and permanent and temporary easements, because the design of the Project requires 1,968 square feet of fee simple right-of-way, 482 square feet of permanent slope easement, 470 square feet of permanent easement for culvert, 3,992 square feet of utility easement to be conveyed to Verizon, and 3,040 square feet of temporary construction easement; and

WHEREAS, fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Two Thousand One Hundred Dollars (\$2,100), based upon 2014 assessed values; 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 fair market 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 was 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 §§ 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 condemnation and quick-take powers to enter and take the above-referenced 1,968 square feet of fee simple right-of-way, 482 square feet of permanent slope easement, 470 square feet of permanent easement for culvert, 3,992 square feet of utility easement to be conveyed to Verizon, and 3,040 square feet of temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015 that the Board be and it hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent slope easement, permanent easement for culvert, utility easement to be conveyed to Verizon, and temporary construction easement on Tax Map Parcel No. 47-56B (Property) to complete the Brooke Road Improvement Project; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 1,968 square feet of fee simple right-of-way, 482 square feet of permanent slope easement, 470 square feet of permanent easement for culvert, 3,992 square feet of utility easement to be conveyed to Verizon, and 3,040 square feet of temporary construction easement, on the Property for the construction and operation of the Brooke Road Improvement Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes 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 their designees, to sign the Certificate and to deposit Two Thousand One Hundred Dollars (\$2,100), with the Clerk of the Stafford County Circuit Court, for Alexandra Romero's benefit, before entering and taking possession of the fee simple right-of-way, permanent slope easement, and permanent easement for culvert, utility easement to be conveyed to Verizon 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.

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-159.

The Voting Board tally was:

Yea: (5) Bohmke, Cavalier, Sellers, Snellings, Thomas

Nay: (1) Milde

Absent: (1) Sterling

Resolution R15-159 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT SLOPE EASEMENT, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 47-39F, OWNED BY JAMES AND PAMELA HILLER, IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land necessary for the completion of the Project and County staff is in the process of acquiring the necessary land for right-of-way, and permanent and temporary easements; and

WHEREAS, Tax Map Parcel No. 47-39F (Property) consists of approximately 3.00 acres (130,756 square feet) of land owned by James and Pamela Hiller (Property Owners), located within the Aquia Election District; and

WHEREAS, the Board must acquire fee simple right-of-way, and permanent and temporary easements, because the design of the Project requires 3,869 square feet of fee simple right-of-way, 4,463 square feet of permanent slope easement, and 3,339 square feet of temporary construction easement; and

WHEREAS, fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Three Thousand Seven Hundred Dollars (\$3,700), based upon 2014 assessed values; 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 fair market 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 was 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 §§ 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 condemnation and quick-take powers to enter and take the above-referenced 3,869 square feet of fee simple right-of-way, 4,463 square feet of permanent slope easement, and 3,339 square feet of temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015 that the Board be and it hereby does find that public necessity exists for the Board’s ownership of fee simple right-of-way, permanent slope easement, and temporary construction easement on Tax Map Parcel No. 47-39F (Property) to complete the Brooke Road Improvement Project; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County’s quick-take powers to enter upon and immediately acquire 3,869 square feet of fee simple right-of-way, 4,463 square feet of permanent slope easement, and 3,339 square feet of temporary construction easement, on the Property for the construction and operation of the Brooke Road Improvement Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes 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 their designees, to sign the Certificate and to deposit Three Thousand Seven Hundred Dollars (\$3,700), with the Clerk of the Stafford County Circuit Court, for James and Pamela Hiller’s benefit, before entering and taking possession of the fee simple right-of-way, permanent 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.

Ms. Bohmke motioned, seconded by Mr. Milde, to adopt proposed Resolution R15-196.

The Voting Board tally was:

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

Resolution R15-196 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT SLOPE EASEMENT, PERMANENT EASEMENT FOR CULVERT, PERMANENT EASEMENT FOR PIPES, PERMANENT DRAINAGE EASEMENT, UTILITY EASEMENT TO BE

CONVEYED TO DOMINION VIRGINIA POWER, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 47-23, OWNED BY GERTRUDE S. AND GERALD L. YOUNG, TRUSTEES, IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, IN THE FALMOUTH ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land necessary for the completion of the Project and County staff is in the process of acquiring the necessary land for right-of-way, and permanent and temporary easements; and

WHEREAS, Tax Map Parcel No. 47-23 (Property) consists of approximately 164.29 acres (7,156,472 square feet) of land owned by Gertrude S. and Gerald L. Young, Trustees (Property Owners), located within the Falmouth Election District; and

WHEREAS, there is currently an unsettled ownership dispute with regards to the Property, after the death of one of the former owners; and

WHEREAS the County has contacted the attorneys for the potential heirs, but ownership has not been resolved; and

WHEREAS, the Board must acquire fee simple right-of-way, and permanent and temporary easements, because the design of the Project requires 117,301 square feet of fee simple right-of-way, 40,282 square feet of permanent slope easement, 1,924 square feet of permanent easement for culvert, 375 square feet of permanent easement for pipes, 1,317 square feet of permanent drainage easement, 28,870 square feet of utility easement to be conveyed to Dominion Virginia Power, and 39,171 square feet of temporary construction easement; and

WHEREAS, fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Twenty-nine Thousand Eight Hundred Six Dollars (\$29,806), based upon 2014 appraised values; 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 fair market 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 was 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 §§ 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 condemnation and quick-take powers to enter and take the above-referenced 117,301 square feet of fee simple right-of-way, 40,282 square feet of permanent slope easement, 1,924 square feet of permanent easement for culvert, 375 square feet of permanent easement for pipes, 1,317 square feet of permanent drainage easement, 28,870 square feet of utility easement to be conveyed to Dominion Virginia Power, and 39,171 square feet of temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015 that the Board be and it hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent slope easement, permanent easement for culvert, permanent easement for pipes, permanent drainage easement, easement to be conveyed to Dominion Virginia Power, and temporary construction easement on Tax Map Parcel No. 47-23 (Property) to complete the Brooke Road Improvement Project; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 117,301 square feet of fee simple right-of-way, 40,282 square feet of permanent slope easement, 1,924 square feet of permanent easement for culvert, 375 square feet of permanent easement for pipes, 1,317 square feet of permanent drainage easement, 28,870 square feet of utility easement to be conveyed to Dominion Virginia Power, and 39,171 square feet of temporary construction easement, on the Property for the construction and operation of the Brooke Road Improvement Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes 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 their designees, to sign the Certificate and to deposit Twenty-nine Thousand Eight Hundred Six Dollars (\$29,806), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the fee simple right-of-way, permanent slope easement, permanent easement for culvert, permanent easement for pipes, permanent drainage easement, utility easement to be conveyed to Dominion Virginia Power, 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. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-198.

The Voting Board tally was:

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

Resolution R15-198 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT SLOPE EASEMENT, PERMANENT EASEMENT FOR CULVERT, PERMANENT EASEMENT FOR PIPES, PERMANENT EASEMENT FOR DITCH, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 47-25, OWNED BY GREAT OAKS CENTER, INC., IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Brooke Road south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land necessary for the completion of the Project and County staff is in the process of acquiring the necessary land for right-of-way, and permanent and temporary easements; and

WHEREAS, Tax Map Parcel No. 47-25 (Property) consists of approximately 194.00 acres of land owned by Great Oaks Center, Inc. (Property Owner), located within the Aquia Election District; and

WHEREAS, the Board must acquire fee simple right-of-way, and permanent and temporary easements, because the design of the Project requires 57,116 square feet of fee simple right-of-way, 38,495 square feet of permanent slope easement, 1,166 square feet of permanent easement for culvert, 634 square feet of permanent easement for pipes, 3,384 square feet of permanent easement for ditch, and 32,669 square feet of temporary construction easement; and

WHEREAS, fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Fourteen Thousand Six Hundred Dollars (\$14,600), based upon 2014 assessed values; 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 fair market 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 was 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 §§ 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 condemnation and quick-take powers to enter and take the above-referenced 57,716 square feet of fee simple right-of-way, 38,495 square feet of permanent slope easement, 1,166 square feet of permanent easement for culvert, 634 square feet of permanent easement for pipes, 3,384 square feet of permanent easement for ditch, and 32,669 square feet of temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of July, 2015 that the Board be and it hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent slope easement, permanent easement for culvert, permanent easement for pipes, permanent easement for ditch, and temporary construction easement on Tax Map Parcel No. 47-25 (Property) to complete the Brooke Road Improvement Project; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately acquire 57716 square feet of fee simple right-of-way, 38,495 square feet of permanent slope easement, 1,166 square feet of permanent easement for culvert, 634 square feet of permanent easement for pipes, 3,384 square feet of permanent easement for ditch, and 32,669 square feet of temporary construction easement, on the Property for the construction and operation of the Brooke Road Improvement Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes 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 their designees, to sign the Certificate and to deposit Fourteen Thousand Six Hundred Dollars (\$14,600), with the Clerk of the Stafford County Circuit Court, for Great Oak Center, Inc.'s benefit, before entering and taking possession of the fee simple right-of-way, permanent slope easement, permanent easement for culvert, permanent easement for pipes, permanent easement for ditch, 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.

Legislative; Closed Meeting. At 3:51 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM15-14.

The Voting Board tally was:

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

Resolution CM15-14 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of prospective candidates for employment as outside legal counsel; (2) consultation with legal counsel and briefings by staff members regarding land use application fees; (3) discussion and consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and (4) discussion of the County Administrator's performance evaluation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 7th day of July, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 4:44 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Ms. Sellers motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM15-14(a).

The Voting Board tally was:

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

Resolution CM15-14(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 7, 2015

WHEREAS, the Board has, on this the 7th day of July, 2015, 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 7th day of July, 2015, 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 4:50 p.m., Mr. Sterling arrived. The Chairman declared the meeting adjourned until 7:00 p.m.

Call to Order At 7:00 p.m., the Chairman called the evening session to order.

Invocation Mr. Snellings asked for a moment of silence to remember the victims in Charleston, South Carolina.

Pledge of Allegiance Mr. Cavalier led the recitation of the Pledge of Allegiance.

Presentations by the Public – II

- Allen Goad - Citizen protest regarding the Confederate flag and the resulting traffic congestion, lack of police presence, and no permit required to assemble.
- Dean Fetterolf - School spending/per student funding ratio.
- Ruth Carlone - Reconsider including Mark Lenzi’s name on the Jeff Rouse Swim and Sports Center.
- Donald Squires - Non-responsiveness of local cable providers; paid Comcast \$5,000 to get bandwidth at his house; Verizon never replied to repeated service requests.
- Paul Waldowski - Sidewalk to nowhere; 119 days to Election Day; County is 268 square miles, 11 square miles of water, and 479 people per square mile; “Holy Sheetz” geese and turtles foundering since construction/environmental impact not taken into account by the County before permitting; cicadas returning on seventeen year cycle.

Planning and Zoning; Consider Reclassification from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District on Assessor’s Parcels 29-72 and 29-72B (Embrey Mill) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Clark Leming, for the Applicant, also addressed the Board.

Mr. Sterling asked if there was a guarantee regarding consistency of the elevations and architectural renderings for proposed businesses. Mr. Harvey said that part of the approval process was staff’s review of proposed building plans and materials. There would be no raw cinder block or vinyl siding permitted. Mr. Sterling expressed concern if space was leased to a franchise (7-11, Popeye’s, etc.), that the appearance of the site may change based on the franchisee. Mr. Harvey said that if the proposed change was too dramatic, it would require a Board vote on a future proffer amendment.

Mr. Harvey spoke in detail about traffic impacts on Austin Ridge Drive, Sunflower Drive, and the future widening of Courthouse Road, adding that there was \$224,000 in cash proffers to compensate for traffic impacts, as well as dedicated easements to the County for future water-line installation.

While the proposed development complied with Urban Development Area (UDA) specifications, it did not comply with density requirements in the County's Comprehensive Plan. The Planning Commission voted approval 7 – 0 at its meeting on May 27, 2015.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O15-22.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas

Nay: (0)

Ordinance O15-22 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT, TAX MAP PARCEL NOS. 29-72 AND 29-72B, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, North Stafford Associates, LC, applicant, submitted Application RC14150333 requesting a reclassification from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, on Tax Map Parcel Nos. 29-72 and 29-72B, located within the Garrisonville Election District; and

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

WHEREAS, the Board finds that the requested zoning amendment 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 7th day of July 2015, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District, Tax Map Parcel Nos. 29-72 and 29-72B, in the location identified on the Rezoning Plat, prepared by Pennoni Associates, Inc., dated July 15, 2014, last revised March 13, 2015, with proffers entitled “Proffers,” dated June 13, 2015.

Planning and Zoning; Amend Proffered Conditions on 22 Acres Zoned UD-4, Urban Development Zoning District (Abberly) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Charlie Payne, for the Applicant, also addressed the Board. Immediately prior to the start of the evening session of the Board meeting, Mr. Payne submitted revised, unsigned, proffers for distribution to, and consideration by the Board.

Ms. Sellers inquired if the proffers collected were on all units, which Mr. Harvey confirmed. Mr. Thomas asked about \$800k for the turf field at Brooke Point High School. Mr. Harvey said it was a lump sum payment, due at site plan approval. Regarding the land for a future Germanna Community College (GCC) campus, the land would be dedicated at final site plan approval rather than at building permit approval (included in the newly revised proffers).

Mr. Sterling asked about the proposed 3500 square foot pool, which was changed in the revised proffers to read 3500 square foot pool “area,” including the pool, bath house, and associated components. He expressed concern that the actual pool site was reduced from the original proffered pool size, making it less than half the water surface and size of Woodlands Pool, and seriously down-sized for an upscale complex. Mr. Milde asked if the pool would be open to the public. Mr. Harvey said that the pool would only be used by residents of the development. Mr. Sterling asked for further clarification about the size of the pool.

Ms. Sellers asked if any of the proposed units were rent controlled, and also for the number of rent controlled units in the County. Mr. Harvey did not have available the number of rent controlled units in the County. Mr. Milde asked about the use of school proffers. Mr. Harvey said they were for capital building projects, computers, etc.

Mr. Payne remarked that the changes were minor in the revised proffers (turned in at the start of the evening session of the meeting). He said that it was a \$50 million project for residents with a median income of \$75,000, aimed at attracting retirees, young professionals, and singles. The Applicant purchased property and owned the land free and clear after paying \$1.3 million, and made a significant investment in the project. In response to another question, other communities owned by the Applicant were located in

Raleigh and Charlotte, North Carolina; Richmond, Virginia; and in southern Maryland. The make-up of rental units was adjusted to include additional two-bedroom units based on market projections.

Mr. Payne said that the project would not have a negative impact on the County, that there was a demonstrated positive impact based on proffers, future taxes, etc. He spoke to Mr. Sterling's concerns about the size of the pool stating that it was a typographical error in the original proffers; that the size of the pool was 2500 square feet, not including the area surrounding the pool and amenities necessary for pool upkeep.

Mr. Milde reminded the Board that at the first Abberly public hearing, Abberly was supported by Dr. David Sam, President of GCC, and by Ms. Cathy Yablonski, (then) Director of Stafford Hospital Center. Mr. Snellings asked why Dr. Sam and Ms. Yablonski were not present to reaffirm support of the project. Mr. Payne said the Applicant did not think it was necessary.

Ms. Bohmke said that she was very excited about a new GCC campus in the Courthouse area. She said however, it was twenty months since original approval and the Applicant now wanted to change the number of bedrooms, and he needed also to be more specific about the pool size. She added that she hated getting last minute proffers, especially unsigned, and not being given an opportunity to review them before being asked to vote. Mr. Payne said that a feasibility study was not completed at the zoning stage. Therefore, the need for an adjustment on the number of bedrooms was only recently apparent, which accounted for the time delay.

Mr. Sterling asked about state monies allocated for the proposed GCC campus, and if any apartments would be reserved for County teachers. Mr. Payne answered that the Fair Housing Act would not permit setting aside units for a particular demographic. Mr. Thomas equated the size of the proposed swimming pool to the approximate size of the Board Chambers. Mr. Payne said that the pool size was 2500 square feet, adding that he did not know the square footage of the Board Chambers.

Mr. Thomas asked if the project would be in jeopardy if not voted on. Mr. Payne said that it was not fatal but may be in jeopardy. Mr. Milde asked if the project would be dead. Mr. Payne said not dead but it would affect the Applicant's ability to borrow funds to move forward with the project; that a lot of money was expended and the Applicant was fully committed to seeing the project through to completion.

In response to Mr. Sterling's question, Mr. Milde said that state funding was appropriated annually and not yet to GCC, which had done a Master Plan for a 32-33 acre campus. There was money was set aside on the County level to assist in the campus expansion. He asked how much money was set aside by the County. Mr. Tim Barody, Deputy

County Administrator, said it was \$50,000 in the FY2015 and FY2016 budgets, and he anticipated that amount would be set aside in the future.

Mr. Milde questioned that amount saying that he believed it to be a much larger sum. Mr. Baroody said that the Economic Development Authority pledge \$1 million predicated on the sale of property it owned on State Route 1 (Jefferson Davis Highway). The plan was for the EDA to put the property on the market later in 2015.

The Chairman opened the public hearing.

The following persons desired to speak:

Glenn Trimmer
Dean Fetterolf
Paul Waldowski
Tylor Underwood

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to defer this item to the August 18, 2015 Board meeting.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Recess At 8:31 p.m., the Chairman declared a recess.

Call to Order At 8:44 p.m., the Chairman called the meeting back to order.

Planning and Zoning; Consider Targeted Growth Areas and 5-Year Update to the Comprehensive Plan Mr. Jeff Harvey gave a presentation and answered Board members questions. He noted that what was presented to the Board was an idea of what may happen, nothing was guaranteed and each application was reviewed based on its own merit, and had to go through the public hearing process prior to approval. A Targeted Growth Area (TGA) is similar to Urban Development Areas (UDA) but not as restrictive. One element of the proposed update was to remove the term UDA from the Comprehensive Plan, substituted by the term TGA. In addition, the Brooke Road UDA would be renamed a TGA and the Eskimo Hill UDA would be redistributed to a Business and Industry designation. Urban Services Area (USA) boundaries were unchanged. The Courthouse TGA was a bit larger than the original Courthouse UDA to better fit the County's Redevelopment Plan. Demographic information and facilities were updated.

Ms. Sellers asked why the County's by-right designation was so much higher than other localities. Mr. Harvey said that historically, three-acre lots were in agricultural zones whereas, in other localities, lot sizes were ten to twenty acres. He said there were

vestiges of the 1978 Comp Plan decisions, which was a fifty year more so than a twenty year plan. Mr. Milde said there were not enough by-right lots to accommodate growth past a certain point. Mr. Harvey agreed, adding that there were not enough lots to accommodate the County’s projected growth numbers. Mr. Milde said that pushing people onto three acre lots could be termed “sprawl.”

Mr. Snellings asked for clarification about the Airport Overlay District, which was turned down by the Board, but still there as an established TGA with a number of dwelling units. He said the Airport Overlay District contradicted the TGA and it was confusing. Mr. Cavalier said the TGA should be disconnected from the Airport Guidelines. Mr. Harvey said the Airport Guidelines could be removed from the Comp Plan update or they could be reconsidered. Ms. Sellers asked about the infrastructure needs. Mr. Harvey replied that they were current levels of service based on per capita needs.

Ms. Bohmke asked why the Brooke UDA was left in, and if it was needed as there was no water and sewer and limited land to be developed. Mr. Harvey talked about steep slopes and allocations for non-residential and residential uses. He added that Brooke was at the latter end of the timing horizon. Ms. Bohmke asked if a developer interested in Brooke would bear the cost of installing the necessary infrastructure. Mr. Harvey confirmed that a new development, within the USA, would be required to hook up to public water and sewer at the developer’s expense. Ms. Bohmke asked if staff had gone through the Comp Plan with a fine toothed comb, akin to the Commonwealth’s due diligence, and if what was presented was the best job that staff could do. Mr. Harvey said that staff did the best job it could and did not review policy issues or growth management policies, etc. He added that if the Board wanted, it had the authority to request changes.

The Chairman opened the public hearing.

The following persons desired to speak:

Preston Blaisdell	Ruth Carlone	Hamilton Palmer
Robert Starkweather	Jim Hill	Hank Scharpenberg
Randy Burdette	Lindy Kirkland	Alane Callander
Richard Harrell	Stephanie Johnson	Scott Huff
Linda Mueller	Scott Johnson	Rain (last name inaudible)
Tylor Underwood	Paul Waldowski	Frazier (last name inaudible)

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Ms. Sellers, to defer this item. Mr. Snellings reminded the Board that action had to be taken at that time.

Mr. Sterling amended his motion, seconded by Ms. Sellers, to refer the item back to the Planning Commission for review.

Mr. Thomas asked for a friendly amendment to Mr. Sterling's amended motion to include the Blaisdell tract for inclusion in the Southern Gateway TGA. Mr. Sterling and Ms. Sellers agreed to Mr. Thomas' friendly amendment.

Mr. Milde made a substitute motion, seconded by Mr. Thomas, to include in the Planning Commission's referral, the Airport Land Use Compatibility Guidelines, to identify the County's regulations over the past 20 years as they pertained to the Capital Improvements Program (CIP), and the inclusion of the Blaisdell property in the TGA.

The Voting Board tally on the substitute motion was:

Yea: (3) Bohmke, Milde, Thomas

Nay: (4) Cavalier, Sellers, Snellings, Sterling

Mr. Thomas asked if there was to be no further guidance given to the Planning Commission other than the Blaisdell tract. Mr. Sterling said the Planning Commission should be given full latitude. Mr. Milde said that it was convoluted and made no sense to ask the Planning Commission to redo the entire thing; that the two-page ads in the newspaper were not cheap, and Mr. Sterling's motion was money up in smoke.

Ms. Sellers asked how much "glide" a airplane had if the engines failed. She said she asked that question three times without getting a response from Airport authorities.

Ms. Bohmke asked if no guidelines were given to the Planning Commission, what was the purpose of sending the document back for further review – further review on what? Mr. Sterling said his preference was to defer action but if the law required action, he wanted the entire document sent back to the Planning Commission. He added that the Comp Plan did not revolve around the Stafford Regional Airport. Ms. Bohmke said there should be town hall meetings to get residents input. Ms. Sellers suggested a sub-committee made up of Board and Planning Commission members, and offered to participate. Mr. Milde made reference to a letter from Mr. Mike Rhodes, Chairman of the Planning Commission, delivered to Board members prior to the meeting.

Ms. Sellers said that no one was against the Airport. She said that she grew up her entire life living under a flight pattern but that the Airport Guidelines were not needed in the Comp Plan as the County did not need any more bureaucracy. Mr. Sterling agreed with what Ms. Sellers said, adding that management of the Airport was abysmal and they had nothing to show ten years after the Airport began operating. He said it was a management failure for the potential it should have brought to the County. Mr. Sterling said that if it was in the private sector, leadership or management would have been fired or resigned. He said it was time for Airport leaders to step up and perform, adding that he took offense at further encroachment on the citizens of the County.

Mr. Cavalier asked why the focus on the Airport when it was only one layer of the Comp Plan. He said that he supported the Airport in general but wanted the Board to look at the bigger picture. He talked about airport subsidies and loans when most of the airplane owners did not live in Stafford County, and the resulting burden to Stafford's taxpayers. Mr. Cavalier said that the Comprehensive Plan was not gospel nor was it set in stone; that each new rezoning would be weighed on its own merit, following its own public hearing, regardless of any decisions made (that night) by the Board.

Mr. Cavalier said that the area around the Airport was originally considered to be ideal for light industrial and commercial ventures and the bickering was not helpful. Mr. Cavalier said that he and his fellow Board members did not appreciate the stance taken by Stafford Regional Airport Authority members, which the Board would not tolerate. Belligerent letters to the Editor were not helpful to the cause either. He added that he did not believe the County would grow by 90,000 residents in the next ten years and that everyone should relax and make it work.

Ms. Bohmke said there was so much emotion about the Airport; she believed that everyone should sit around the table and deliberate/figure out where everyone stood. She said that she feels bad for the Airport Authority and was thankful for the Guidelines document which required a tremendous amount of research. Ms. Bohmke added that it made good business sense to take the Airport asset and build up businesses around it.

Mr. Milde talked about the Airport subsidies and that \$65,000 came from Prince William County; that the County only contributed \$85,000. He said that the Airport had a \$300,000 payroll, corporate tenants, built a new terminal, and was repaying its loan to the County ahead of schedule, or right on schedule. Water and sewer was planned for the Airport within the next three years; the Airport was not an economic failure. Mr. Milde said there was no place for personal attacks. The Planning Commission unanimously supported the Airport Guidelines and the Board should also support it and go forward including it in the Comp Plan 5-year update, and let the Planning Commission do the job that Board asked for.

Mr. Snellings said that at the Board's last meeting, he said the Airport was in the wrong location and he would stick by that statement. Even though there was bad soil and bad terrain, he did not expect the Airport to be moved.

In addition to Mr. Thomas' friendly amendment, the Board also added that the item be brought back for consideration its October 6th meeting.

The Voting Board tally on the original motion, including the friendly amendment was:

Yea: (4) Cavalier, Sellers, Snellings, Sterling
Nay: (3) Bohmke, Milde, Thomas

Utilities; Authorize an Amendment to the Multi-Family Availability Fees Rate Structure

Mr. Mike Smith, Director of Utilities, gave a presentation and answered Board members questions.

Mr. Thomas said that “solvent” was not the word used but that in several charts, the assumed revenue included the current multi-family availability fees rate structure. Mr. Smith confirmed that revenues were based current multi-family availability fees.

Ms. Bohmke said she would be curious to see what peer localities were doing. Mr. Cavalier asked if there was a staff recommendation. Mr. Smith said there was no staff recommendation.

The Chairman opened the public hearing.

The following persons desired to speak:

Tylor Underwood

The Chairman closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Sterling, to deny proposed Ordinance O15-28.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Sellers, Snellings, Sterling, Thomas
Nay: (1) Milde

Adjournment At 10:51 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Gary F. Snellings
Chairman