

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

August 13, 2013

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:03 p.m., on Tuesday, August 13, 2013, in the Board Chambers, at the George L. Gordon, Jr. Government Center.

Roll Call The following members were present: Susan B. Stimpson, Chairman; Robert “Bob” Thomas, Jr., Vice Chairman; Jack R. Cavalier; Paul V. Milde, III; Ty A. Schieber; Gary F. Snellings; and Cord A. Sterling.

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

Presentations by the Public The following members of the public desired to speak:

Ruth Carlone	-	Waste-to-Energy Proposal
Don Shelton	-	Waste-to-Energy Proposal
Robert Green	-	Marlborough Point/Indian Point
Gordon Silver	-	Marlborough Point/Indian Point
Joyce Arndt	-	Waste-to-Energy Proposal
Bill Johnson	-	Waste-to-Energy Proposal
Becky Guy	-	Marlborough Point/Indian Point
Becky Reed	-	Waste-to-Energy Proposal
Peter Kearney	-	Waste-to-Energy Proposal
Linda Muller	-	Waste-to-Energy Proposal
Margareta Williamson	-	Waste-to-Energy Proposal
James McMath	-	Waste-to-Energy Proposal
Dean Fetterolf	-	Waste-to-Energy Proposal
Barbara Piatt	-	Waste-to-Energy Proposal
Alane Callander	-	Waste-to-Energy Proposal
D. P. Newton	-	Marlborough Point/Indian Point
George Schwartz	-	Waste-to-Energy Proposal

Olivia Griffin - Waste-to-Energy Proposal

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

- Mr. Cavalier - Public Safety Committee update; School Resource Officers in all Middle Schools; Emergency Operations Plan; Mutual Aid Agreement; Proposed Changes to the Towing Policy
- Mr. Milde - As Chairman of R-Board, refuted several claims made during Public Presentations; Fredericksburg Landfill Lease expiring in 10 years; need solution to running out of space at the Landfill
- Mr. Schieber - Deferred
- Mr. Snellings - Wished “Uncle John” a Happy Birthday; \$573,242 received in 350th donations
- Mr. Sterling - Infrastructure Committee update; Rocky Pen Run update; Chichester Park funds/deficit; paved roads update
- Mr. Thomas - Reception for Acting School Superintendent, Dr. Symons
- Ms. Stimpson - Spoke about open government and “drilling deeper” on Waste-to-Energy Proposal/Lease

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Anthony Romanello congratulated Utilities Director, Harry Critzer, on the 35th anniversary of his employment with Stafford County. Mr. Romanello congratulated Deputy County Administrator, Keith Dayton, for receiving an award for Smith Lake, one of the top twenty-five dam projects in the Country. Mr. Dayton was in Seattle, WA, attending the convention of the International Commission on Large Dams.

Capital Project Manager, Chris Hoppe, gave an update on Parks projects. Ms. Stimpson asked about traffic coordination into and out of Chichester Park once classes resumed at Stafford High School. Mr. Hoppe responded that there would be no construction traffic permitted at peak school hours.

Public Works Director, Mike Smith, gave an update on Transportation projects.

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

Legislative; Consent Agenda Mr. Sterling motioned, seconded by Mr. Snellings, to adopt the Consent Agenda consisting of Items 3 through 26. Ms. Stimpson removed Items 7 and 19 from the Consent Agenda.

The Voting Board tally was:

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

Item 3. Legislative; Approve Minutes of the July 2, 2013 Meeting

Item 4. Finance and Budget; Approve Expenditure Listing

Resolution R13-237 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JULY 2, 2013 THROUGH AUGUST 12, 2013

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 13th day of August 2013, that the above-mentioned EL be and hereby is approved.

Item 5. County Administration; Authorize Application for a “Grant to Localities” for Public Boating Access Facilities at the Rocky Pen Run Reservoir

Resolution R13-230 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR A GRANT FROM THE “GRANTS TO LOCALITIES” PROGRAM FOR PUBLIC BOATING ACCESS FACILITIES AT ROCKY PEN RESERVOIR

WHEREAS, the Virginia Department of Game & Inland Fisheries (VDGIF) offers a “Grants to Localities” Program (Grants) for public boating access facilities that is available only to jurisdictions in Virginia; and

WHEREAS, the purpose of the program is to assist localities in providing public opportunities for boating access facilities; and

WHEREAS, boating access to the Rocky Pen Run Reservoir, for non-internal combustion powered boats, is envisioned in the area off of Greenbank Road; and

WHEREAS, awards from the Grants require a 25% local match; and

WHEREAS, the 25% local match for a Grant award of \$50,000 is \$16,700, which is available in the County’s Capital Reserve Fund; and

WHEREAS, in accordance with the VDGIF “Grants to Localities” Program for public boating access facilities application procedures, the Board must commit to supporting the project as reflected in a resolution;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to apply to the FY2014 Virginia Department of Game & Inland Fisheries (VDGIF) “Grants to Localities” Program for public boating access facilities for a grant in an amount not to exceed Fifty Thousand Dollars (\$50,000), for the design and construction of a public boating access facility at the Rocky Pen Run Reservoir; and

BE IT FURTHER RESOLVED that the Board supports the public boating access facility at Rocky Pen Reservoir; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he is hereby authorized to accept the Grant and to sign all documents associated with its acceptance.

Item 6. Public Works; Authorize the County Administrator to Send a Letter of Support for Transit Commuter Benefit Legislation

Resolution R13-236 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SEND LETTERS SUPPORTING THE COMMUTER PARITY ACT OF 2013

WHEREAS, on June 21, 2013, the Virginia Railroad Express (VRE) Operations Board adopted Resolution No. 13-07-14, calling for VRE member jurisdictions to support the federal Commuter Parity Act of 2013 (the Act); and

WHEREAS, the Potomac and Rappahannock Transportation Commission (PRTC) Board authorized its Chairman to send letters to the local Congressional Delegation expressing support for the Act; and

WHEREAS, the Act (H.R. 2288: Commuter Parity Act of 2013 and S. 1116: Commuter Benefits Equity Act of 2013, respectively) would permanently create parity between the transit and parking portions of Section 132(f) of the Transportation Fringe Benefit; and

WHEREAS, many County citizens receive commuter transit benefits;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to send letters to the Northern Virginia Congressional Delegation in support of the Commuter Parity Act of 2013, which creates permanent parity between the transit and parking portions of Section 132(f) of the Transportation Fringe Benefit.

Item 8. Public Works; Authorize Firms for On-Call Professional Stormwater Engineering Services

Resolution R13-247 reads as follows:

A RESOLUTION AUTHORIZING FIRMS TO PROVIDE ON-CALL PROFESSIONAL STORMWATER ENGINEERING SERVICES

WHEREAS, staff determined that it is efficient to have multiple engineering firms authorized to perform professional stormwater engineering services for various County projects; and

WHEREAS, the County solicited proposals from qualified firms for stormwater engineering services to be performed on an on-call (as needed) basis; and

WHEREAS, staff evaluated the seventeen proposals received, and selected nine firms to be interviewed; and

WHEREAS, staff determined that the following firms are the most-qualified and provided proposals that are reasonable for the scope of services proposed:

AMEC Earth and Environmental	Chantilly, VA
GKY and Associates	Chantilly, VA
Timmons Group	Richmond, VA
Williamsburg Environmental Group	Williamsburg, VA

; and

WHEREAS, the term of this authorization shall be for an initial one-year period, with an option to renew for two additional one-year periods, for a total of three years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the above-referenced firms be and they hereby are authorized to perform professional stormwater engineering services on an on-call (as needed) basis.

Item 9. Public Works; Authorize a Public Hearing to Consider Abandonment of Berea Woods Road and Brookview Lane

Resolution R13-252 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED ABANDONMENT OF BROOKVIEW LANE (SR-802), AND BERA WOODS DRIVE (SR-803), AS PART OF THE ROCKY PEN RUN RESERVOIR PROJECT; AND TO NOTIFY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OF THE BOARD'S INTENT TO ABANDON THESE ROADS

WHEREAS, on February 21, 2012, the Board approved Resolution R12-18, which authorized construction of the Rocky Pen Run Dam and Reservoir; and

WHEREAS, utilization of the new Rocky Pen Run Dam and Reservoir will result in Brookview Lane and Berea Woods Drive being inundated by water after December 1, 2013; and

WHEREAS, Virginia Department of Transportation (VDOT) regulations, prior to the public hearing, require that the Board must provide written notification to VDOT of its intent to abandon all of Brookview Lane and Berea Woods Drive because they will be inundated; and

WHEREAS, the Board desires to receive public comment on the proposed abandonments of Brookview Lane and Berea Woods Drive prior to proceeding with the abandonments;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing to receive public comments on the proposed abandonments of Brookview Lane and Berea Woods Drive; and

BE IT FURTHER RESOLVED that prior to the public hearing, the County Administrator or his designee shall notify VDOT of the Board's intent to abandon all of Brookview Lane and Berea Woods Drive.

Item 10. Public Works; Authorize the Installation of "Watch for Children" Signs on Algrace Boulevard (SR-1875) and Ripley Road (SR-1870) in the Apple Grove Subdivision

Resolution R13-253 reads as follows:

A RESOLUTION AUTHORIZING THE INSTALLATION OF WATCH FOR CHILDREN SIGNS ON ALGRACE BOULEVARD (SR-1875) AND RIPLEY ROAD (SR-1870) IN THE APPLE GROVE SUBDIVISION

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, on February 19, 2008, the Board adopted the Residential Traffic Management Plan (RTMP) to provide County citizens with various programs to address traffic-related concerns; and

WHEREAS, installation of Watch for Children signs is authorized under Virginia Code § 33.1-210.2; and

WHEREAS, the Apple Grove Homeowners Association requested the installation of Watch for Children signs in the Apple Grove Subdivision; and

WHEREAS, the Virginia Department of Transportation (VDOT) will permit the installation of these signs along Algrace Boulevard (SR-1875) and Ripley Road (SR-1870); and

WHEREAS, the proposed locations meet the definition of a residential, local road; and, therefore, meet the essential criteria for installation based on the current RTMP, Watch for Children Sign Program; and

WHEREAS, the Board finds that installing these signs promotes the health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the Board be and it hereby does authorize the installation of two Watch for Children signs at the following locations:

- 58 Algrace Boulevard (northbound); and
- Ripley Road (northbound) near 1 Daly Court.

Item 11. Public Works; Request VDOT to Administer the Design and Construction of the Improvements at Kings Highway (Route 3) and Ferry Road

Resolution R13-257 reads as follows:

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION ADMINISTER THE DESIGN AND CONSTRUCTION OF THE IMPROVEMENTS AT KINGS HIGHWAY (SR-3) AND FERRY ROAD (SR-606)

WHEREAS, the County previously executed a Project Administration Agreement to administer the design and construction of the improvements at Kings Highway (SR-3) and Ferry Road (SR-606) (the Project); and

WHEREAS, the County no longer desires to administer the Project due to the potential impacts on properties, environmental investigating and remediation, and required coordination with CSX; and

WHEREAS, the Board desires to have the Project completed for the public necessity, convenience, and general welfare of the County and its citizens; and

WHEREAS, the Board finds that it is in the County's best interest for VDOT to administer the Project with existing County Revenue Sharing funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the Board be and it hereby does request that VDOT administer the design and construction of the improvements at Kings Highway (SR-3) and Ferry Road (SR-606) project with Revenue Sharing funds previously authorized for the Project; and

BE IT FURTHER RESOLVED that the County Administrator or his designee forward a certified copy of this Resolution to the VDOT Fredericksburg District Administrator.

Item 12. Public Works; Authorize a Public Hearing to Exercise Condemnation and Quick-Take Powers to Acquire Property for the Poplar Road Phase II Project

Resolution R13-259 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHTS-OF-WAY, UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS ON PORTIONS OF TAX MAP PARCELS 36-19 AND 36-20A, IN CONNECTION WITH THE POPLAR ROAD PHASE II SAFETY IMPROVEMENTS PROJECT

WHEREAS, the Board identified the completion of road improvements on Poplar Road between Truslow Road and Cedar Crest Lane as a critical part of Stafford County's road improvement plan; and

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

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

WHEREAS, Tax Map Parcel 36-19 consists of approximately 9.65 acres of land owned by Edwin and Sandra Decker ("Property Owners"). The Board must acquire right-of-way and easements on Tax Map Parcel 36-19 because the design of the road improvements requires 0.232 acres of right-of-way, of which 0.158 acres is currently prescriptive right-of-way, 0.119 acres of temporary construction easement, 0.300 acres of

easement to be conveyed to Dominion Virginia Power for use as a permanent utility easement, and 0.178 acres of easement to be conveyed to Verizon for use as a permanent utility easement, on Tax Map Parcel 36-19; and

WHEREAS, the fair market value for the required portions of Tax Map Parcel 36-19, together with damages, if any, to the remainder of the property is \$4,300, based upon the 2012 assessed value; and

WHEREAS, Tax Map Parcel 36-20A consists of approximately 2.94 acres of land owned by Heath and April Fernald (“Property Owners”). The Board must acquire easement on Tax Map Parcel 36-20A because the design of the road improvements requires 0.038 acres of easement to be conveyed to Verizon for use as a permanent utility easement; and

WHEREAS, the fair market value for the required portion of Tax Map Parcel 36-20A, together with damages, if any, to the remainder of the property is \$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;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013 that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the condemnation and use of its quick-take power to acquire right-of-way, utility easements, and temporary construction easement on portions of the properties of Edwin and Sandra Decker, Tax Map Parcel 36-19, and Heath and April Fernald, Tax Map Parcel 36-20A, in connection with the Poplar Road Phase II Safety Improvements project between Truslow Road and Cedar Crest Lane, under the provisions of Virginia Code, §§ 15.2-1903(B) and 15.2-1905(C).

Item 13. Parks, Recreation and Community Facilities; Execute a Contract Renewal for Refuse and Recycling Services

Resolution R13-248 reads as follows:

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

WHEREAS, professional refuse and recycling services, beyond the capacity of County staff, are needed at various County facilities; and

WHEREAS, the County government may add a rider to the Waste Management of Virginia Schools' Contract #521094 from July 1, 2013 through June 30, 2014; and

WHEREAS, funds for these services are available in the FY2014 adopted budget; and

WHEREAS, staff determined that the proposed rider to the Waste Management of Virginia Schools' contract is reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract rider with Waste Management of Virginia, to Schools' Contract #521094, in an amount not to exceed One Hundred Eight Thousand Forty Dollars (\$108,040) for refuse collection and recycling services at various County facilities.

Item 14. Parks, Recreation and Community Facilities; Authorize Renewal of Contracts for Small Project Construction and Repair Services

Resolution R13-256 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE RENEWALS OF THE CONTRACTS FOR SMALL PROJECT CONSTRUCTION AND REPAIR SERVICES FOR THE DEPARTMENT OF PARKS, RECREATION AND COMMUNITY FACILITIES

WHEREAS, in 2011 contracts were awarded to Kruckenberg Service Company (Primary Responder), W.C. Spratt, Inc., (Secondary Responder), and Capital Contractors, Inc., (Secondary Responder), for various labor classifications and equipment to provide construction and repair services for the Department of Parks, Recreation and Community Facilities; and

WHEREAS, the contracts included a provision to renew the contract periods for up to four (4) additional one-year periods; and

WHEREAS, the current contracts are in need of renewal; and

WHEREAS, the County desires to renew these contracts for the second one-year renewal period; and

WHEREAS, staff determined that these contracts are reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute renewals of the contracts with Kruckenberg Service Company as the Primary Responder, and W.C. Spratt, Inc., and Capital Contractors, Inc., as the Secondary Responders, for small project construction and repair services for the Department of Parks, Recreation and Community Facilities for a period of one year in an aggregate amount not to exceed Five Hundred Thousand Dollars (\$500,000), unless amended by a duly-executed contract amendment.

Item 15. Utilities; Authorize Extension of a Contract and Contract Renewals for Purchase of Treatment Chemicals and Water Meters

Resolution R13-239 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT RENEWAL FOR THE PURCHASE OF WATER TREATMENT CHEMICALS

WHEREAS, the Board included funds in the FY2014 Operating Budget and appropriated funds for the purchase of water treatment chemicals for use at the Abel Lake and Smith Lake water treatment facilities; and

WHEREAS, the Board authorized the current contract for these chemicals to Univar Inc. USA, on May 4, 2010; and

WHEREAS, the contract with Univar USA, Inc. contains a provision for four (4) additional one-year contract renewals; and

WHEREAS, staff reviewed the renewal prices offered by Univar USA, Inc. for these chemicals and found them to be reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract renewal with Univar USA, Inc., to renew the current contract for these water treatment chemicals for an additional one-year period in an amount not to exceed Five Hundred Eleven Thousand Thirty-six Dollars (\$511,036), unless amended by a duly-executed contract amendment.

Resolution R13-240 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT RENEWAL FOR THE PURCHASE OF LIQUID ALUMINUM SULFATE AND ODOR CONTROL CHEMICALS

WHEREAS, the Board included and appropriated funds in the FY2014 Operating Budget for the purchase of liquid aluminum sulfate for use at the wastewater treatment facilities and for odor control chemicals used at the wastewater pump stations; and

WHEREAS, the current contracts with General Chemical Performance Products, LLC, and with Univar USA, Inc., awarded in October, 2012, provides for four additional one-year contract renewals; and

WHEREAS, staff reviewed the renewal prices offered by General Chemical Performance Products, LLC, and by Univar USA, Inc., and found them to be reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute contract renewals with General Chemical Performance Products, LLC, for liquid aluminum sulfate for an additional one-year period in an amount not to exceed Five Hundred Ninety-seven Thousand Six Hundred Dollars (\$597,600), unless amended by a duly-authorized contract amendment; and with Univar USA, Inc., for Custom Blended Alkaline Odor Control Chemical for a one-year period in an amount not to exceed Four Hundred Forty-two Thousand Five Hundred Dollars (\$442,500), unless amended by a duly-authorized contract amendment.

Resolution R13-241 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT RENEWAL FOR THE PURCHASE OF
WATER METERS AND ACCESSORIES

WHEREAS, the Department of Utilities needs to purchase water meters and accessories as part of its billing system; and

WHEREAS, the current contract with Sensus Metering Systems, Inc., awarded on July 1, 2011, provides for four additional one-year contract renewals; and

WHEREAS, Sensus Metering Systems, Inc., is the sole source supplier for the water meters and accessories used by the County for its automated water meter reading system, including a new meter model that was not included in the original contract; and

WHEREAS, the Board included funds in the FY2014 Operating Budget and appropriated funds for these purchases;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract renewal with Sensus Metering Systems, Inc., for water meters and accessories including the new iPERL meter, for a one-year period, in an amount not to exceed Four Hundred Fifty-six Thousand Five Hundred Thirty-six Dollars (\$456,536), unless amended by a duly-authorized contract amendment.

Item 16. Utilities; Execute a Contract Renewal for Waste Solids Management Services

Resolution R13-242 reads as follows:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT RENEWAL FOR EXTENSION OF
WASTE SOLIDS MANAGEMENT SERVICES**

WHEREAS, the County's water and wastewater treatment facilities produce waste solids which must be managed in accordance with the Virginia Department of Health and the Department of Environmental Quality regulations; and

WHEREAS, in 2012, a contract was awarded to Recyc Systems, Inc. for transporting and land-applying the biosolids from the water treatment facilities and the Little Falls Run Wastewater Facility; and

WHEREAS, the Board authorized a contract for these services in 2011 that provide for up to eight (8) one-year extensions; and

WHEREAS, funds for these services were included in the FY2014 adopted budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract amendment with Recyc Systems Inc. for one year of transportation and land application of waste solids from the County's water treatment facilities and the Little Falls Run Wastewater Treatment Facility in an amount not to exceed Two Hundred Ninety-nine Thousand Nine Hundred Fourteen Dollars (\$299,914), unless amended by a duly-authorized contract amendment.

Item 17. Utilities; Execute Contract Renewals for Water and Sewer Maintenance and Construction Projects

Resolution R13-243 reads as follows:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE CONTRACT RENEWALS FOR WATER AND SEWER
MAINTENANCE AND CONSTRUCTION SERVICES**

WHEREAS, the Department of Utilities periodically requires the services of outside contractors to perform water and sewer maintenance and construction projects that are beyond the capabilities of County staff; and

WHEREAS, funds have been appropriated in the FY2014 Operating and Capital Improvement budgets for this purpose; and

WHEREAS, the Board authorized contracts for these services in 2012 that provide for up to four (4) one-year extensions; and

WHEREAS, staff determined that these contracts are reasonable for the scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute contract renewals with Kruckenberg Service Company, the Primary Responder, in an amount not to exceed Three Hundred Thousand Five Hundred Dollars (\$300,500); and Rising Sun, Inc., and Corinthian Contractors, the Secondary Responders, in an amount not to exceed One Hundred Thousand Dollars (\$100,000) each, unless amended by a duly-executed contract amendment, to provide water and sewer maintenance and construction services for the County during FY2014.

Item 18. Execute an Agreement with VDOT Governing the Relocation of Water and Sewer Utilities at the Falmouth Intersection

Resolution R13-245 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION GOVERNING THE RELOCATION OF WATER AND SEWER UTILITIES AT THE FALMOUTH INTERSECTION

WHEREAS, the Virginia Department of Transportation (VDOT) is designing and constructing improvements to the Falmouth Intersection; and

WHEREAS, certain County water and sewer utilities must be relocated for VDOT to construct and complete the project; and

WHEREAS, the County will bear the cost for the water and sewer relocations, including betterments, with the estimated cost of \$346,808; and

WHEREAS, VDOT and the County must enter into an agreement regarding the relocation of, and betterments to, water and sewer utilities necessary for VDOT's proposed construction;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute an agreement with VDOT for the relocation of, and proposed betterments to, water and sewer utilities at the Falmouth Intersection, and the County Administrator is authorized to pay VDOT for the betterment improvements to the County water and sewer systems, in an amount not to exceed Three Hundred Forty-six Thousand Eight Hundred Eight Dollars (\$346,808), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the County Administrator or his designee be

authorized to execute any other necessary or appropriate documents related to the agreement.

Item 20. Public Information; Recognize International Service Dog Week in Stafford County

Proclamation P13-23 reads as follows:

A PROCLAMATION RECOGNIZING AUGUST 4-10, 2013 AS
INTERNATIONAL ASSISTANCE DOG WEEK IN STAFFORD COUNTY

WHEREAS, assistance dogs transform the lives of their human partners with physical and/or mental disabilities serving as devoted companions, helpers, aides, and best friends; and

WHEREAS, assistance dogs include service dogs, guide dogs, hearing alert dogs, and alert/seizure response dogs; and

WHEREAS, guide dogs assist people with vision loss, leading these individuals around physical obstacles and help with seating, crossing streets, entering or exiting doorways, elevators and stairways, etc.; and

WHEREAS, service dogs assist disabled people with walking, balance, dressing, mobility, retrieving and carrying items, opening doors and drawers, pushing buttons, pulling wheelchairs, and aiding with household chores such as laundry, etc.; and

WHEREAS, hearing alert dogs alert people with hearing loss to the presence of specific sounds such as doorbells, telephones, crying babies, sirens, visitors, buzzing timers or sensors, knocks at the door, and smoke, fire, and clock alarms; and

WHEREAS, seizure alert/seizure response dogs alert or respond to medical conditions, such as heart attacks, strokes, diabetes, epilepsy, panic attacks, anxiety attacks, post-traumatic stress and seizures; and

WHEREAS, medical alert/medical response dogs alert or respond to oncoming medical conditions, such as heart attacks, strokes, diabetes, epilepsy, panic attacks, anxiety attacks, post-traumatic stress disorder; and

WHEREAS, International Assistance Dog Week, August 4-10, 2013, provided an opportunity to raise awareness of the selfless way in which assistance dogs aid individuals by mitigating their disability-related limitations; and

WHEREAS, Stafford County joined forces with assistance dog partners, organizations, and concerned citizens throughout the County and America to raise awareness of assistance dogs and observed International Assistance Dog Week;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and hereby does recognize the week of August 4-10, 2013 as International Assistance Dog Week in Stafford County.

Item 21. Public Information; Recognize National Night Out in Stafford County

Proclamation P13-24 reads as follows:

A PROCLAMATION RECOGNIZING THE COORDINATORS AND SPONSORS OF NATIONAL NIGHT OUT 2013 IN STAFFORD COUNTY

WHEREAS, the National Association of Town Watch sponsored a nationwide crime, drug, and violence prevention program on August 6, 2013 called “National Night Out 2013”; and

WHEREAS, Sheriff Charles Jett urged citizens to turn on their porch lights the evening of Tuesday, August 6th, and encouraged citizens to hold block parties with their neighbors to discuss anti-crime strategies and form neighborhood watch groups; and

WHEREAS, Sheriff’s deputies and McGruff the Crime Dog visited neighborhoods to educate citizens about police-community partnerships and to emphasize the impact that their participation and vigilance can have on reducing crime, drugs, and violence in the County; and

WHEREAS, the Board recognizes the continuous efforts of the following subdivisions as participating communities in National Night Out: Austin Ridge; Autumn Ridge; Brentwood Estates; Celebrate by Del Webb; Falls Run; Garrison Woods; Hampton Oaks; Madison Falls Run; Park Ridge; Perry Farms; Potomac Hills; Settlers Landing; Spring Lake Farms; Stafford Lakes; Stafford Oaks; The Village at England Run; Widewater Village; Woodlawn and the many other subdivisions that have participated throughout the years; and

WHEREAS, Target and Best Buy are sponsors of National Night Out; and

WHEREAS, Stafford Marketplace and its many shops hosted a National Night Out event to help citizens learn more about keeping their families and neighborhoods safe; and

WHEREAS, the Board desires to give special thanks to Patricia Copeland with the Aquia Harbor Volunteer Rescue Squad, and Nick Zumwalt with Best Buy, for their service chairing the National Night Out event at Stafford Marketplace; and

WHEREAS, the Board appreciates the Aquia Harbour Volunteer Rescue Squad for their support as one of the main participants in National Night Out, and for their dedication to the citizens of Stafford County; and

WHEREAS, the Board commends the Sheriff’s Office staff for their dedication and commitment to ensure the security of each resident the County, and to provide a place where families and visitors alike can live, work, and play safely;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and it hereby does recognize the Sheriff’s Office, the Aquia Harbour Volunteer Rescue Squad, sponsors, and participating Stafford County neighborhoods for observing “National Night Out 2013.”

Item 22. Public Information; Recognize Fire and Rescue Department Personnel for Their Annual Participation in the Muscular Dystrophy Association’s “Fill the Boot” Campaign

Proclamation P13-26 read 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 59 years in the fight against neuromuscular diseases; and

WHEREAS, the Muscular Dystrophy Association and the families it serves are 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 \$500 million for the Muscular Dystrophy Association since 1954; and

WHEREAS, Stafford County Fire and Rescue Department personnel raised \$35,920 during its 2012 “Fill the Boot” campaign, with a goal of raising \$35,000 this year; and

WHEREAS, to continue their successful efforts to help discover cures for these devastating diseases, the Stafford County Professional Firefighters – 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 forty-two 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 13th day of August, 2013, that Stafford County Fire and Rescue Department Personnel be and they hereby are recognized and commended for sponsoring the 2013 Muscular Dystrophy Association “Fill the Boot” campaign.

Item 23. Human Services; Support Virginia’s “Day to Serve” Initiative, September 15-29, 2013

Resolution R13-249 reads as follows:

A RESOLUTION TO SUPPORT THE VIRGINIA “DAY TO SERVE INITIATIVE” ON SEPTEMBER 15-29, 2013

WHEREAS, the Governors of Virginia, Maryland, and West Virginia, and the Mayor of Washington, D.C., have come together to support the “Day to Serve” initiative; and

WHEREAS, “Day to Serve” is a unique event that inspired a diverse group of people, in the larger region, to set aside their political, religious, and cultural differences to strengthen our collective communities by coming together to “feed the hungry, protect and enhance the environment, and to strengthen our communities;” and

WHEREAS, the Governor of Virginia issued a proclamation encouraging all citizens of Virginia to participate in a “Day of Service,” between September 15-29, 2013; and

WHEREAS, since the inaugural “Day to Serve” in 2012, this remarkable and unprecedented event swept from the state capital to local churches, schools, neighborhoods, and families, and resulted in over 750 community events (with more than 14,000 volunteers) culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and participation in “Adopt a Road” campaigns; and

WHEREAS, Governor Robert “Bob” McDonnell requests that Virginians redouble our efforts of 2013;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and hereby does support the

Governor on his request to call upon Virginia and Stafford County residents to participate in the “Day to Serve” initiative.

Item 24. Fire and Rescue/Sheriff; Execute a Contract Renewal with Communication Specialists for Public Safety Radio Support Services

Resolution R13-254 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COMMUNICATION SPECIALISTS, INC., FOR PUBLIC SAFETY EMERGENCY VEHICLE ELECTRONICS SERVICES

WHEREAS, in 2010, the County entered into a contract for the purchase, installation, and maintenance services with Communication Specialists Inc., for all emergency vehicle lighting, sirens, mobile and portable radios, pagers, accessories, and related items; and

WHEREAS, the Stafford County Fire and Rescue Department and the Stafford County Sheriff’s Office desire to combine these services under one contract as Stafford County Public Safety; and

WHEREAS, the County reserves the right to renew the contract for these services in an amount not to exceed a 2% annual increase for four (4) additional years, expiring in July, 2018; and

WHEREAS, Communication Specialists, Inc., is a sole source provider of the service and maintenance of the emergency vehicle lighting systems, sirens, radios, and related items;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract for services with Communication Specialists, Inc., for the purchase, installation, repair, and maintenance of emergency vehicle electronics for the Fire and Rescue Department and Sheriff’s Office, in an amount not to exceed Two Hundred Thousand Dollars (\$200,000) for contract year 2013, unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the contract will provide for four additional one-year renewals at the Board’s discretion, and the total annual contract cost shall increase by no more than 2% year-over-year.

Item 25. Fire and Rescue; Execute a Contract renewal with Med3000 for Ambulatory Fee Billing Services

Resolution R13-255 reads as follows:

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

WHEREAS, the Stafford County Fire and Rescue Department desires to renew the existing contract with MED3000, Inc., to provide ambulance billing and collection services from July 1, 2013 through June 30, 2014; and

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

WHEREAS, staff reviewed the proposed contract and determined that it is reasonable for the proposed scope of services;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to execute a contract renewal with MED3000, Inc., for ambulance billing and collection services for the County at a rate of the 5.5% of revenue collected, in an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000), unless amended by a duly-executed contract amendment.

Item 26. Economic Development; Authorize Renewal of the Area Tourism Agreement

Resolution R13-262 reads as follows:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE THE REGIONAL TOURISM MARKETING PROGRAM
AGREEMENT WHICH AUTHORIZES THE ANNUAL FUNDING FOR
THE PROGRAM**

WHEREAS, Stafford County has participated in the regional tourism partnership since 1994; and

WHEREAS, the partnership has enhanced the County's ability to leverage resources to promote tourism in the region; and

WHEREAS, the Stafford County Tourism Fund supports the annual contribution of \$171,000 using the lodging tax revenue which must be reinvested in tourism marketing programs under Virginia law; and

WHEREAS, these funds and the cooperative marketing efforts of the region's localities are used to increase travel-related employment, taxable sales, and related economic benefits in each participating locality; and

WHEREAS, the Board finds that the partnership promotes the welfare of the County, its citizens, and businesses;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and hereby does authorize the County Administrator to execute the Regional Tourism Marketing Program Agreement and allocates the already budgeted and appropriated FY2014 funds in the amount of One Hundred Seventy-one Thousand Dollars (\$171,000) of tourism revenue be paid to the Greater Fredericksburg Regional Tourism Partnership for this three-year Agreement, pending approval of annual appropriation of funds.

Public Works; Authorize a Public Hearing to Amend and Reordain Chapter 13.5, “Transportation Impact Fees” to Remove Section 13.5-5(c)

After discussion, Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-246.

The Voting Board tally was:

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

Resolution R13-246 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 13.5-5 “ROAD IMPACT FEE SCHEDULE”

WHEREAS, on May 21, 2013, the Board adopted Ordinance O13-15, which amended Stafford County Code Section 13.5, Article I, “Road Impact Fees;” and

WHEREAS, with the adoption of Ordinance O13-15, the Board intended to impose impact fees on new development that has not reached the construction plan approval stage as of May 21, 2014; and

WHEREAS, the Board desires to further clarify those intentions adopted pursuant to Ordinance O13-15; and

WHEREAS, the Board desires and is required to hold a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider amendments to the Stafford County Code Section 13.5-5, “Road Impact Fee Schedule.”

Planning and Zoning; Refer a Zoning Text Amendment to the Planning Commission to Require Board of Supervisors Approval of a Master Plan for Heritage Interpretation (HI) District Zoned Property

Following discussion, Ms. Stimpson motioned, seconded by Mr. Snellings, to adopt proposed Resolution R13-251.

The Voting Board tally was:

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

Resolution R13-251 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION
AN AMENDMENT TO STAFFORD COUNTY CODE SECTION
28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS,” AND
SECTION 28-39(S)(2), “[MASTER PLAN.]”

WHEREAS, in 2008, the Board established the HI, Heritage Interpretation Zoning District, to reserve areas in all regions of the County for the interpretation of heritage sites; and

WHEREAS, the Board desires to amend County Code Section 28-35, Table 3.1, “District Uses and Standards,” to correct an error in a section number that was previously misidentified; and

WHEREAS, the Board desires to amend County Code Section 28-39(s)(2), “[Master plan.],” to require a review and recommendation of a master plan by the Planning Commission, and approval by the Board for development on properties in the HI Zoning District; and

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

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the amendment to Stafford County Code, Section 28-35, Table 3.1, “District Uses and Standards,” and Section 28-39(s)(2), pursuant to proposed Ordinance O13-46, be and it hereby is referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications as it deems appropriate to proposed Ordinance O13-46.

Utilities; Amend and Readopt Fees Charged for Providing Public Water and Sewer Service; Authorize the Issuance of a Water and Sewer System Revenue Bond Financing Program; and Adopt the Department of Utilities FY2014-2023 Capital Improvements Program (CIP) with Intent to Reimburse Certain Capital Improvement Expenditures

Mr. Schieber motioned, seconded by Mr. Sterling, to defer this item to the Board meeting scheduled for September 3, 2013.

The Voting Board tally was:

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

Discuss Waste-to-Energy Lease

Mr. Sterling noted that on a previous vote, taken on June 4, 2013, he abstained from voting on Resolution R13-159 due to a possible conflict of interest. Mr. Sterling read the following statement, based on an opinion given by the Commonwealth's Attorney:

“The nature of my personal interest affected by the transaction is that I am employed by the Aerospace Industries Association (Association) as the Vice President, Legislative Affairs. I report to the Association's Chief Executive Officer (CEO) and President. The Association is governed by a Board of Directors (BOD), which is comprised of CEOs from various aerospace companies. The Association is closely directed by the BOD's Executive Committee. One of the BOS and Executive Committee members is the President and CEO of General Electric (GE) Aviation. The Executive Committee's duties include, among other things, reviewing and recommending Association policies and budgets, including Association employee's salaries, to the BOD. GE Aviation manufactures an engine that Energy Extraction Partners, LLC (EEP) indicates will be a major part of its waste-to-energy facility.

In addition to my employment with the Association, I own approximately \$12,000 in GE stock. GE Aviation is an operating unit of GE. As an employee of the Association, I am a member of a business, profession, occupation, or group of members of which are affected by the transaction.

I am able to participate in the transaction fairly, objectively, and in the public interest.”

Following the statement (above), Mr. Sterling said that he had a genuine desire to relook at the Waste-to-Energy proposal, to get the full details of the proposal, and to receive assurance from staff that the County would be bringing in no outside trash, adding that tires were not considered trash. Mr. Sterling added that he wished to know the full range of what EEP would do, and that he wished to reconsider the approval granted to the County Administrator, Anthony J. Romanello, by the affirmative vote of R13-159, taken on June 4, 2013.

Mr. Cavalier noted that at the time, he thought that Mr. Sterling's abstention (on June 4, 2013) was unusual. He said that the term “reconsider” could not be used because the vote

was initially considered on June 4, 2013. Therefore, “reconsideration” could have taken place only at that meeting, and on that date and time. He suggested that the term “rescind” was in proper order, and that the Board should vote to suspend its Bylaws before a vote could be taken on Mr. Sterling’s motion (R13-276).

Mr. Sterling motioned, seconded by Mr. Thomas, to suspend the Bylaws to consider both proposed Resolution R13-276 and R13-277 (Mr. Milde’s resolution).

The Voting Board tally was:

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

Mr. Milde said that in eight years on the Board, there were attempts to undo work done by previous Boards but that it was never allowed. He was told that he could not do it.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-276.

Mr. Milde made a substitute motion, seconded by Mr. Thomas, to adopt proposed Resolution R13-277. Mr. Milde read proposed Resolution R13-277.

Mr. Sterling motioned to adopt proposed Resolution R13-276 with the addition of language in the 3rd “Resolved” clause that read: “the County Administrator is directed to conduct, or have conducted, an independent third-party environmental assessment of the proposed waste-to-energy facility at the expense of the most responsive bidder, and to provide the Board with the results of the assessment.”

Mr. Sterling said that proposed Resolution R13-277 was only presented to the Board as part of its Add-On folder, whereas proposed Resolution R13-276 was circulated well in advance of the Board meeting.

Mr. Milde said that proposed Resolution R13-277 was more specific than proposed Resolution R13-276. He said that it was irresponsible to “pull the plug” following a good faith agreement with EEP.

Mr. Cavalier suggested that the Board be given additional time to review both proposed Resolutions R13-276 and R13-277, and that it be brought up for a vote during the evening session.

Mr. Thomas noted that proposed Resolution R13-277 proposed that EEP pay for the environmental study, something that he agreed with.

Mr. Shumate made a point of order, stating that per the Board's Bylaws, Section 3.3G, that a discussion of Mr. Milde's substitute motion had priority over Mr. Sterling's motion. Ms. Stimpson directed the Board that the discussion should relate to Mr. Milde's substitute motion.

Mr. Sterling said that if the Board was looking for consensus between the two proposed resolutions, he had no problem with incorporating into his motion a NEPA study and payment by EEP for the environmental study. Mr. Sterling said that he was also open to looking at additional providers, not just EEP.

Mr. Thomas asked if all respondents to the original RFP proposed using the same technology as EEP. Mr. Romanello said that each offered different technology. Mr. Thomas agreed that an environmental study was needed.

Mr. Milde said that the Fredericksburg City Council was waiting to see what action would be taken by the Board. He added that proposed Resolution R13-277 kept the structure in place until the Board made a final decision; whereas, Mr. Sterling's proposed Resolution (R13-276) stopped the agreement and puts it back on the street for other options. Mr. Milde noted that there were problems at the Landfill, that there was only ten years left on the lease held by the City of Fredericksburg, and that in twenty years, the Landfill would be at capacity. He said that landfills were not safe, that they were not sound. EEP's proposal provided a solution to problems that the County faced, or would face, in the not too distant future adding that there was a GE plant on-line in Tennessee; and that with EEP's proposal, there was no financial risk to the R-Board.

Mr. Snellings said that he agreed with Mr. Milde, that something had to be done with the Landfill but he felt that there was misinformation on both sides of the issue. He said that Fairfax County incinerates 1.5 million pounds of tires each year and the "sky did not fall." Mr. Snellings suggested that the County start over with a plan agreed upon by the Board.

Mr. Schieber stated that he agreed that something should be done, that he liked the potential but there were risks to be evaluated before implementation of the EEP (or another vendors) plan. He added that an environmental study was a good idea and that all proposals should provide full disclosure of the benefits and risks so that the Board could do a better job of assessing the project. Mr. Schieber said that he was in favor of Mr. Sterling's proposed Resolution (R13-276).

Recess At 4:52 p.m., the Chairman declared a recess.

Call to Order At 5:06 p.m. the Chairman called the meeting back to order.

Following the recess, the Board voted on Mr. Milde’s substitute motion to adopt proposed Resolution R13-277.

The Voting Board tally on the substitute motion was:

Yea: (3) Cavalier, Milde, Thomas

Nay: (4) Schieber, Snellings, Sterling, Stimpson

Mr. Sterling reiterated the additional language to be added to proposed Resolution R13-276, in the 3rd “Resolved” clause: “the County Administrator is directed to conduct, or have conducted, an independent third-party environmental assessment of the proposed waste-to-energy facility at the expense of the most responsive bidder, and to provide the Board with the results of the assessment.”

Mr. Thomas said that any new proposal should include an environmental impact study, paid for by the bidder. Mr. Sterling agreed, saying that the environmental study should be included in the initial request for proposal (RFP). Mr. Thomas said that it should be a part of the bid process. He added that the RFP should be instituted by the R-Board. Ms. Stimpson said that in deference to the R-Board, the Board should make very clear its intentions and what it expects to be included in a new RFP.

Mr. Milde said that there were three or four respondents to the initial RFP and that one dropped out prior to the bid opening. Mr. Sterling said that he wished to rescind the earlier vote but that EEP, even though there were not “locked in,” had every right to come back with another proposal that met all the Board’s requirements. Mr. Milde said that Dominion Virginia had an agreement with EEP, that it was not able to be extended. Mr. Romanello agreed with Mr. Milde, that Dominion Virginia Power did have an agreement with EEP but added that he was unaware of any explicit deadlines in the agreement. Mr. Milde said that EEP staff told him that the deadline was not expandable. Mr. Cavalier asked Mr. Romanello to look into whether EEP’s agreement with Dominion Virginia Power was extendable and to report that information back to the Board.

Mr. Schieber asked for clarification on the Board’s vote. Mr. Sterling said that a vote for proposed Resolution R13-276 rescinds the authority given to Mr. Romanello on June 4, 2013, R13-159, to enter in a lease with EEP; and gives authorization to come back to the Board with a new proposal, as well as advertising for another public hearing on any revised proposal(s). Mr. Schieber said that a new proposal must fill in the information gaps and that if EEP is responsive, an environmental study (at EEP’s expense) must be included in the proposal.

Mr. Sterling said that the next step was to take proposed Resolution R13-276, if approved, back to the R-Board for its review and ultimate decision, that any new

agreement was predicated upon lease approval by both the Fredericksburg City Council and the Board.

The Voting Board tally was:

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

Resolution R13-276 reads as follows:

A RESOLUTION (1) RESCINDING RESOLUTION R13-159, WHICH AUTHORIZED THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE WITH ENERGY EXTRACTION PARTNERS, LLC, TO CONSTRUCT AND OPERATE A WASTE-TO-ENERGY FACILITY AT THE RAPPAHANNOCK REGIONAL LANDFILL; (2) DIRECTING THE BOARD'S R-BOARD REPRESENTATIVES NOT TO VOTE IN FAVOR OF, OR TAKE ANY ACTION IN, FURTHERANCE OF THE WASTE-TO-ENERGY FACILITY; (3) DIRECTING THE COUNTY ADMINISTRATOR TO CONDUCT AN ENVIRONMENTAL ASSESSMENT; (4) DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE THE BOARD WITH ADDITIONAL INFORMATION; (5) DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE A FINAL LEASE PRIOR TO ANY FUTURE BOARD CONSIDERATION OF A LEASE; AND (6) DIRECTING THE COUNTY ADMINISTRATOR TO PROVIDE THIS RESOLUTION TO THE FREDERICKSBURG CITY MANAGER, R-BOARD, AND R-BOARD'S LEGAL COUNSEL

WHEREAS, at its June 4, 2013 meeting, the Board adopted Resolution R13-159 after conducting a public hearing as required by Virginia Code § 15.2-1800(B); and

WHEREAS, Resolution R13-159 authorized the County Administrator to execute a lease with Energy Extraction Partners, LLC, to construct and operate a waste-to-energy facility on 11 acres at the Rappahannock Regional Landfill (the Landfill), Tax Map Parcel 39-26D; and

WHEREAS, the Board desires to rescind Resolution R13-159; and

WHEREAS, the Board desires additional information and community input on the proposed waste-to-energy facility; and

WHEREAS, the Board desires additional time to review, discuss, and consider the proposed waste-to-energy facility; and

WHEREAS, the Board finds that adoption of this resolution promotes the health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that Resolution R13-159 is rescinded and shall have no further effect; and

BE IT FURTHER RESOLVED that the County Administrator is directed not to execute a lease with Energy Extraction Partners, LLC, for the construction and operation of a waste-to-energy facility at the Landfill; and

BE IT FURTHER RESOLVED that the Board's representatives on the Rappahannock Regional Solid Waste Management Board (R-Board) are directed not to cast any vote or take any action in furtherance of the construction and/or operation of a waste-to-energy facility at the Landfill; and

BE IT FURTHER RESOLVED that the County Administrator is directed to conduct, or have conducted, an independent third-party environmental assessment of the proposed waste-to-energy facility at the expense of the most responsive bidder, and to provide the Board with the results of the assessment; and

BE IT FURTHER RESOLVED that the County Administrator will provide the Board with additional background information regarding the proposed waste-to-energy facility; and

BE IT FURTHER RESOLVED that if the Board desires to consider any lease for the proposed waste-to-energy facility in the future, the County Administrator will provide the Board with a final version of any lease prior to the Board meeting at which the Board will discuss and consider the lease; and

BE IT FURTHER RESOLVED that the County Administrator is directed to provide a copy of this resolution to the Fredericksburg City Manager, the R-Board, and the R-Board's legal counsel; and

BE IT STILL FURTHER RESOLVED that this resolution shall become effective immediately upon adoption.

Presentation on the Proposed Spotsylvania County Outer Connector Ms. Michelle Trampe and Mr. Bill Milligan (Spotsylvania County representatives on FAMPO's Transportation Advisory Group), and Spotsylvania Deputy County Administrator, Mr. Mark Cole, gave a Power Point presentation and addressed the Board. Also present was Mr. Jim Joyce, a member of the Spotsylvania County Citizen Budget Review Process Board.

Mr. Snellings asked if the Spotsylvania Board of Supervisors endorsed the Plan that was presented. Mr. Cole said that the Spotsylvania Board, by a vote of 6 - 1 endorsed further study of the Plan. Mr. Snellings asked about a funding source to pay for a study. Mr.

Cole replied that it was Spotsylvania's hope that funding would be provided by FAMPO, the State, and impacted localities.

Ms. Stimpson asked if Spotsylvania representatives had given the presentation to all localities impacted by the proposed Plan. Ms. Trampe responded that Stafford County was the first presentation; that there were plans to meet next with Culpeper and Orange.

Mr. Snellings asked if the proposed plan touched anywhere in Spotsylvania County. Ms. Trampe responded that Phase I of the Plan did not enter into Spotsylvania County. Mr. Snellings asked about Phase II and if it was mapped out. Mr. Cole said that Phase I was an alternate to the originally proposed toll road/Route 3 partial bypass.

Mr. Snellings noted that there it was not feasibility for a truck driver to go west to Route 20 in Orange County, to then travel back in heavy Route 3 traffic only to reconnect with I-95 to continue heading south. He added that truck traffic on Route 17 was a big concern but that with the proposed Phase I, there was no incentive for using it unless a motorist was traveling to Lake of the Woods.

Mr. Milligan said that the proposal was intended as a relief valve to the I-95 corridor and would be highly beneficial for traffic heading to Charlottesville, Culpeper, and points west. Mr. Thomas said that there was a lot of discussion and that it would be an exciting concept only if a traveler was heading from Interstate 95 out to Lake of the Woods. Mr. Milligan said that traffic was "jammed" out there nearly all of the time. Mr. Thomas talked about the need for data points correlating to the need for basic traffic relief.

Mr. Milde said that he, Mr. Snellings, and Mr. Sterling were on FAMPO and saw the proposal prior to the current presentation. He added that it did not do what was needed. Mr. Sterling referred to a new Commonwealth Transportation Board member in Culpeper/Orange counties, asking if she had been given an opportunity to review the Plan. He also asked about the cost element and Spotsylvania Supervisor David Ross's suggestion that funding already in the 6-year plan for an additional Rappahannock River crossing be diverted to the Phase I proposed Plan. Mr. Cole said that Spotsylvania had no position on a funding mechanism. Mr. Sterling asked about Utility issues, saying that the Board would like to see a study that included numbers and a plan for seed money. He asked if Spotsylvania would contribute to a road planned for Orange and Culpeper counties. Mr. Cole said that the issue had not been raised with the Spotsylvania County Board but that Spotsylvania was willing to put up money for a study. Mr. Sterling said that there must be alternatives placed on the table to ensure that different scenarios could be reviewed and discussed. Mr. Cole said that the Spotsylvania Board had not discussed different scenarios at that point. He added that while they did not support the Outer Connector, they may support other alternatives.

Mr. Sterling pointed out that the situation was unique in that the proposal was outside FAMPO, it crossed into another MPO altogether, one for which the Stafford Board could not speak, nor had any jurisdiction. He added that the Orange/Culpeper MPO should be in agreement before any additional discussion took place and/or money was spent.

Ms. Stimpson asked when the Plan would be presented to Culpeper and Orange counties. Ms. Trampe responded that they were going there next, that Stafford County was the first “stop on the tour.” Ms. Stimpson asked Ms. Trampe what she (or Spotsylvania County) needed from the Stafford Board. Mr. Cole said they would look especially in the Hartwood District due to a possible connection with Berea Parkway.

Mr. Thomas said that community outreach was very important, adding that the Falmouth light was a long range problem, and saying that community buy-in was critical to the success (or failure) of any transportation project.

Mr. Jim Joyce shared there were no other alternatives on the table to get traffic back to I-95, that the Transportation Advisory Group (TAG) noted that truck traffic on Route 17 was one of the biggest traffic problems in the area. He agreed with Mr. Snellings’ point that no trucker would take a bypass out to Route 20 then use Route 3 to get back to I-95 but that the goal was to construct an I-95 bypass. Ms. Trampe said that staff would work with the TAG in hopes of getting the group’s support, feedback and buy-in.

Ms. Stimpson thanked Mr. Cole, Mr. Joyce, Mr. Milligan, and Ms. Trampe for their time.

Economic Development; Consider Patricio Enterprises’ Application for Technology Zone Incentives Mr. Tim Barody, Deputy County Administrator, gave a presentation and answered Board members questions. Mr. Milde confirmed that the Board’s Community and Economic Development Committee approved of the proposed incentive.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-208.

The Voting Board tally was:

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

Resolution R13-208 reads as follows:

A RESOLUTION APPROVING PATRICIO ENTERPRISES’
APPLICATION FOR TECHNOLOGY ZONE INCENTIVES

WHEREAS, a Technology Zone is a valuable tool used to encourage new businesses to locate, and existing businesses to expand, in Stafford County; and

WHEREAS, the establishment of a Technology Zone allows the County to create special incentives for qualified businesses locating or expanding operations within the Technology Zone; and

WHEREAS, on January 19, 2010, the Board adopted Ordinance O10-02, which amended the County Code, adding Chapter 23A, “Technology Zones”; and

WHEREAS, Patricio Enterprises submitted an application for Technology Zone incentives; and

WHEREAS, approval of Patricio Enterprises’ application will be the Board’s first incentive approved under the new program; and

WHEREAS, approval of Patricio Enterprises’ application will be used by staff to market the Technology Zone Incentives Program to additional businesses that may consider opening new, or expanding existing, facilities in the County; and

WHEREAS, funds are available in the Stafford Opportunity Fund for the incentive award;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that it be and hereby does approve Patricio Enterprises’ Technology Zone Incentive application in an amount not to exceed Fifty Thousand Seven Hundred Twenty-eight Dollars (\$50,728) from the Stafford Opportunity Fund; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to budget and appropriate the funds from the Stafford Opportunity Fund.

Sheriff; Authorize Acceptance of the School Resource Officers (SRO) Grant for Stafford County Middle Schools Sheriff Charles Jett made a presentation and answered Board members questions.

Ms. Stimpson asked if the State was trying to take credit for the SRO funding. Sheriff Jett replied that it depended on which press release was read. Ms. Stimpson asked about a shortage on regional jail funding. Mr. Romanello replied that he would research it and provide the number to the Board. He added that Stafford County had approximately 200 inmates for which it was responsible.

Mr. Cavalier told the Board that the Public Safety Committee reviewed the SRO Grant and was in full support of the Sheriff’s application. Mr. Thomas asked Sheriff Jett where

he would use it if his department had an extra \$400,000. Sheriff Jett replied “in the schools.”

Mr. Sterling said that middle school children were particularly impressionable and that it was the best place to use the money. Mr. Thomas noted that his father-in-law was a SRO for many years and that the DARE program and SRO’s in middle schools were invaluable.

Mr. Schieber said there were compelling aspects to the grant application and asked about the competition criteria. The Sheriff said that his staff did a commendable job in reporting the numbers “apples to apples,” using state monitors and due diligence in reporting accurate numbers.

Ms. Stimpson talked about positions granted to the Sheriff’s Office in the approved FY2014 budget, saying that the Board also supported hiring seven additional public safety staff using the SAFER Grant. She added that this was aggressive hiring on the part of the Board and suggested that a more measured approach would be to apply for the grant for three SRO’s, not six. Mr. Sterling said that if only three positions were applied for, the Sheriff would lose the opportunity for grant funding when all six positions were necessary, adding that the opportunity might not again present itself. Mr. Sterling said that he, personally, would sleep better with a law enforcement presence in each middle school.

Mr. Cavalier said that the Sheriff asked for additional staff going back as far as 2001, during Mr. Cavalier’s initial term on the Board. He said that it was a matter of economics and this Grant provided the opportunity to fill six, much-needed positions.

Ms. Stimpson said that she felt it was too aggressive but added that Sheriff Jett was the best sheriff in the Country and she was concerned that budget-wise, for the future, only applying for three positions was a better fit.

Sheriff Jett said that he did all he could to make the application palatable and that drug forfeiture money would be used for the \$350,000 County funds necessary to make it happen. Mr. Milde asked if SRO’s could be pulled to handle outside calls in the vicinity of their assigned schools. Sheriff Jett replied that they could be pulled if necessary, but only as a last resort, that it was not policy to do so.

Mr. Cavalier motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-250.

The Voting Board tally was:

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

Nay: (1) Stimpson

Resolution R13-250 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT; INCREASE AUTHORIZED STRENGTH BY SIX PUBLIC SAFETY POSITIONS; AND TO BUDGET AND APPROPRIATE FUNDS ASSOCIATED WITH THE GRANT

WHEREAS, the County was awarded the Virginia Department of Criminal Justice Service’s Edward Byrne Justice Assistance Grant to partially support hiring six full-time School Resource Officers (SRO); and

WHEREAS, the SROs will be assigned to County middle schools; and

WHEREAS, the Grant was awarded for a one-year period in the amount of \$200,850, with possible three years additional funding; and

WHEREAS, a first-year local match in the amount of \$198,216 is required to completely fund the hiring of six new Deputy Sheriff I–Field Ops positions; and

WHEREAS, because of the favorable interest rates on the County’s recently sold general obligation bonds, there is a debt service savings of \$100,000 available to partially cover the County’s share of the positions for the first year; and this action demonstrates that the Board’s priority of fiscal responsibility freed-up funds that can be used to support two of its other priorities – education and public safety; and

WHEREAS, the Sheriff is confident that there will be sufficient vacancy savings in the FY2014 Sheriff’s Office budget to fund the balance of the required local match;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that the County Administrator be and he hereby is authorized to accept the Edward Byrne Justice Assistance Grant with the Grant funding designated for hiring the six SRO’s; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to budget and appropriate funds in an amount not to exceed Two Hundred Thousand Eight Hundred Fifty Dollars (\$200,850) to the Sheriff’s Office budget; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to recruit and maintain a workforce that does not exceed the authorized full-time strength stated below:

General Fund	
Non-Public Safety	331
Public Safety	354 357
Utilities Fund	139

Capital Projects Fund	<u>3</u>
Total	824 <u>830</u>

Discuss Marlborough Point Development Mr. Milde asked that a discussion of possible Indian artifacts and human remains at Indian Point be brought before the Board. He requested that a letter be sent by the County Administrator to Atlantic Builders, the developer of Indian Point, requesting permission for a Phase I Archeological Study to be done on the property before any further development takes place. Mr. Baroody said that the State's Department of Historic Resources (DHR) volunteered to do a reconnaissance level survey, but not a full Phase I Study.

Mr. Milde said that what may be out there is some of the most important parts of Stafford County's history. Mr. Snellings said that artifacts, not just an ossuary, were most likely out on Marlborough Point.

Mr. Schieber asked about the significance of the property and what would be accomplished by asking the developer for permission to have a study done. Mr. Milde said that a Phase I Study could possibly lead to a Phase II or Phase III Study, depending on what was found on the site. He added that the County cannot make the builder comply, that it is A-2 zoning, but that it was (or could be) an amazing resource that bore further exploration before part of Stafford County's history was buried under the foundations of houses. Ms. Stimpson said that she had a conversation with Mr. D.P. Newton about the site and had issues with a Phase I Study, or the way it would be done.

Mr. Snellings said that he was concerned about setting a precedent, adding that it was impossible to step foot almost anywhere in Stafford County without stepping on a piece of history, and that County should not be in the business of paying for archeological studies. Mr. Milde said that staff would ask the State to provide a study for free on the site that was, some 400 years ago, a huge Indian village that may go back as far as 1000 years. He added that the roof is on the first house at Indian Point and that time was of the essence.

Mr. Schieber asked that a further discussion be brought forth at the next Board meeting to give full details about a Phase I Study as well as a draft letter to Atlantic Builders, for Board consideration.

Discuss Government Channel Programming Director of Communications, Cathy Vollbrecht gave a presentation and answered Board members questions. Mr. Thomas asked that the Telecommunications Commission review the proposal and provide its

recommendation at the September 3, 2013, Board meeting. Mr. Milde reminded the Board that there were some time constraints associated with the issue.

Ms. Stimpson directed that the presentation be given to the Telecommunications Commission at its next meeting. Mr. Thomas added, even if there was not a quorum, he wanted an opinion and/or recommendation from the Commission.

Recess At 6:36 p.m., the Chairman declared a recess.

Call to Order At 7:07 p.m. the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the invocation.

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

Presentation Recognizing International Service Dog Week Ms. Stimpson recognized the handlers and their dogs present to receive the proclamation. Mr. Jim Purton, a volunteer puppy raiser of service dogs, introduced Purcell, a yellow Labrador Retriever puppy, his seventh dog in training. Mr. Dan Owens introduced his dog, Piper, saying that it was his fifth “Leader Dog” that was provided to him by the Lions Club. A youth from the community, Matthew Hoois, was there with his parents and his service dog, Calder. Matthew’s mother said that Calder had been with the family for 6 ½ years and was invaluable to Matthew, Calder was Matthew’s best friend and constant companion.

Presentation Recognizing the Fire and Rescue Department for its Participation in the “Fill the Boot” Campaign Ms. Stimpson presented the proclamation to Baldwin Locher, II, the County’s “Fill the Boot” coordinator; to Ms. Rachel Trimble, the Muscular Dystrophy Association’s Regional Coordinator, and to Mr. Jon Hensen, President of the Stafford County Professional Firefighters Local 4012.

Presentations by the Public The following members of the public spoke:

Prior to presentations by the public, Ms. Stimpson alerted the audience that by previous Board action, a lease for Waste-to-Energy was rescinded and was going back out for further study.

- Bishop Mark Johnston - Day to Serve
- Mark Hill - Waste-to-Energy Lease
- Michael Easik - Waste-to-Energy Lease
- Sylvia Van Dyke - Waste-to-Energy Lease
- Paul Waldowski - UDAs; Station 14; Sidewalk to Nowhere;

		Embrey Mill; RPRR; Firefighters; Waste-to-Energy; Sheriff's cars
Dan Post	-	Game Management on the Widewater Peninsula
Ernest Pleur	-	Waste-to-Energy Lease
Glenn Trimmer	-	Marlborough Point/Indian Point
Nan Rollison	-	Waste-To-Energy Lease
Alane Callander	-	Marlborough Point/Indian Point
Steve Degrigerio	-	Marlborough Point/Indian Point/ Waste-to-Energy Lease
Joe Brito	-	Waste-to-Energy Lease
Jen Coolidge	-	Waste-to-Energy Lease
Don Shelton	-	Waste-to-Energy Lease
	-	Save Crow's Nest; Potomac Indians; Waste-to-Energy Lease
Lou Silver	-	Waste-to-Energy

Planning and Zoning; Consider Reclassification of 76.94 Acres to Remove the HR, Historic Resource Overlay District from Assessor's Parcels 54-93 and 54-93A, in the Heritage Interpretation (HI) Zoning District Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Bill Garner, President of the George Washington Foundation, and Mr. Charlie Payne, attorney for the Foundation also addressed the Board and answered Board members questions.

Mr. Sterling asked Ms. Baker about the number, or layers, of review before anything was done at Ferry Farm. Ms. Baker replied that it involved the Department of Historic Resources (DHR), the National Park Service (NPS), the Architectural Review Board (ARB), and Planning/Zoning staff. If the Overlay was removed, DHR and NPS would still be involved in oversight of the facility. Mr. Sterling asked if anything would be lacking if the County's oversight was removed. Ms. Baker said that nothing would be lacking, that the County was still a stakeholder. Mr. Sterling said that he was curious about Mount Vernon and whether/of the Fairfax ARB weighed in on decisions there. Ms. Baker said that there was no historic overlay district at Mount Vernon. Mr. Snellings asked about Kenmore. Ms. Baker replied that Kenmore was not within an historic district.

Mr. Charlie Payne said that the Foundation had no intent of trying to trump layers of government, but wished to protect the property (in perpetuity) from encroaching development. Mr. Bill Garner said that the Foundation owns the Ferry Farm property. The ARB denied the Foundation the right to build a utility/storage shed on sight. Mr.

Milde asked if George Washington considered his boyhood home to be in Fredericksburg or King George. Mr. Garner replied, “King George.”

Mr. Thomas talked about fulfilling the Master Plan for Ferry Farm. Mr. Garner said there was a 20 history of rigorous plans and discussion about its Master Plan. He added that copies were available for review. Mr. Thomas said that he never saw the application that was denied by the ARB for the proposed shed on the property. Mr. Garner said that it was “semantics.” Mr. Thomas refuted Mr. Garner’s suggestion that it was merely semantics, saying that the plan for the shed was never disapproved.

Mr. Thomas asked Mr. Garner what, if anything, the State would think about the proposed shed (if ARB oversight went away). Mr. Garner replied that there was not an application made to the State as the shed was not part of the Master Plan. Mr. Milde noted that the shed was needed for two to four months, and that a full year was lost. Mr. Thomas noted that the application process ought to have begun sooner.

The Chairman opened the public hearing.

The following persons desired to speak:

Lyle Ray Smith	Joe Brito
Alane Callander	Paul Waldowski
Glenn Trimmer	

The Chairman closed the public hearing.

Mr. Charlie Payne said that the Foundation was proud to be co-applicant with the County and that stated criticism was unfair, that the Foundation was trying to be non-adversarial on the subject. He added that the Foundation was trying to avoid conflict with the ARB, the NPS, etc. Mr. Payne said that as per Federal Code 106 and 110, the County would still have a say, and that what was planned must be in accord with the Master Plan.

Ms. Stimpson said that the Board was not being adversarial. She talked about the Mount Vernon Ladies Association purchasing the Mount Vernon site, and that Ferry Farm was purchased by Stafford County residents then given to the George Washington Foundation as a beloved treasure in the County. Ms. Stimpson added that the Foundation was entrusted to be good stewards of the property and that the Foundation was doing a good job. She said that serious checks and balances must be in place and asked for the actual Plan. Mr. Payne said that a 350 page document would be available in September, 2013. He added that this item was not time sensitive but that, with no disrespect to the ARB, its process took too long, and that Ferry Farm was possibly one of the most regulated sites in the Commonwealth of Virginia.

Ms. Stimpson said that the shed that was not approved due its being vinyl and not in keeping with the historic nature of the site. Mr. Garner said that he was not sure of the composition of the shed. He added that the property was not “given” by the County; that two checks in the amount of \$400,000 each were paid to the County for the property. Treasury bonds would mature on April 19, 2015 for a total of \$800,000 paid by the Foundation.

Ms. Stimpson asked about a site plan. Ms. Baker said that no site plan was submitted but that County regulations, set-backs, etc. would still apply even if the Overlay was removed. Mr. Thomas said that the ARB was not necessarily healthy, that it was perceived as being obstructionist. He met with the Chairman of the ARB, who is aware of that perception and had a list of goals for the ARB to make it more functional. Mr. Thomas said that Ferry Farm was an important historical asset and he wished for additional time to review the issue.

Mr. Thomas motioned, seconded by Mr. Milde, to defer this item to the October 1, 2013, Board meeting.

The Voting Board tally was:

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

Planning and Zoning: Consider a Conditional Use Permit to Allow Employee Dwellings in a Heritage Interpretation (HI) Zoning District on Assessor’s Parcels 54-92 and 54-92A
Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.
No persons desired to speak.
The Chairman closed the public hearing.

Mr. Thomas motioned, seconded by Mr. Milde, to approve proposed Resolution R13-150.

The Voting Board tally was:

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

Resolution R13-150 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT
PURSUANT TO APPLICATION CUP1300176 TO ALLOW
EMPLOYEE HOUSING WITHIN AN HI, HERITAGE

INTERPRETATION ZONING DISTRICT ON ASSESSOR'S
PARCELS 54-91 AND 54-92A, WITHIN THE GEORGE
WASHINGTON ELECTION DISTRICT

WHEREAS, the Board, applicant, on behalf of the George Washington Foundation, submitted Application CUP1300176 requesting a Conditional Use Permit (CUP) to allow employee-dwellings in an HI, Heritage Interpretation Zoning District, on Assessor's Parcels 54-91 and 54-92A, within the George Washington Election District; and

WHEREAS, the application was submitted pursuant to County Code Section 28-35, Table 3.1, which permits this use in a HI, Heritage Interpretation Zoning District, after a CUP is issued by the Board; 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 request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that a CUP, pursuant to Application CUP1300176, be and it hereby is approved with the following conditions:

1. This CUP is to allow two employee-dwellings within the HI, Heritage Interpretation Zoning District, on Assessor's Parcels 54-91 and 54-92A. The dwellings may be utilized as residences for employees (and their families) associated with the operation of Ferry Farm, George Washington's Boyhood Home site.
2. The Director of Planning and Zoning shall be notified of any changes to the exterior of the existing dwellings prior to any new construction. Any new construction shall be consistent with and complementary to the historical context of the properties.
3. In the event that either dwelling is removed or destroyed, new dwelling(s) may be reconstructed in the same location, or any other location on the property, provided that it is constructed in a style and manner designed to complement the activities associated with the visitor experience at Ferry Farm. Historic structure documentation, including measured drawings and photographs (exterior and interior), shall be submitted to the County's Historical Commission prior to the approval of a demolition permit for either dwelling.
4. No more than two (2) dwellings shall be permitted on the 12.6 acres that are the subject of this CUP. They shall remain as single-family dwellings.

5. This CUP may be revoked or its conditions amended by the Board for violation of these conditions or any applicable County, state, or federal ordinance, law, or regulation.

County Attorney; Amend and Reordain Stafford County Code Chapter 15, “Motor Vehicles and Traffic” Mr. Eric Olson, Commonwealth’s Attorney, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Ordinance O13-32.

The Voting Board tally was:

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

Nay: (0)

Ordinance O13-32 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY
CODE CHAPTER 15, “MOTOR VEHICLES AND TRAFFIC”

WHEREAS, the Sheriff’s Office handles motor vehicle incidents and accidents that result from driver inattention/improper driving; and

WHEREAS, the Virginia Code authorizes the courts to reduce a reckless driving charge to improper driving, but it does not allow for law enforcement to make an initial charge of improper driving; and

WHEREAS, the Board is authorized to adopt ordinances regulating the operation of motor vehicles on highways in the County that are consistent with the Virginia Code; and

WHEREAS, other Virginia jurisdictions have adopted local ordinances that make distracted driving a traffic infraction; and

WHEREAS, the Board desires to ensure and protect the health, safety, and well-being of County citizens and those visiting the County, including while they travel on County roads, streets, and highways; and

WHEREAS, the Board desires to regulate distracted driving in the County; and

WHEREAS, the Board carefully considered the recommendations of the Sheriff's Office, the Commonwealth's Attorney's Office, County staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board finds that this ordinance promotes the health, safety, and welfare of the County and its citizens, and all persons utilizing roads, streets, and highways in the County;

NOW, THEREFORE BE IT ORDAINED, that the Stafford County Board of Supervisors, on this the 13th day of August, 2013, that it be and hereby does amend and reordain Stafford County Code Chapter 15, "Motor Vehicles and Traffic," as follows, all other parts remaining unchanged:

Sec. 15-26. – Drivers shall devote their full time and attention to driving.

No person shall operate a motor vehicle upon any street, road, or highway in the county without giving their full time and attention to the operation of the motor vehicle. Any person violating this section shall be guilty of a traffic infraction. Any violation of this section shall be punishable by a fine of not more than Five Hundred Dollars (\$500.00).

State law references: Virginia Code §§ 46.2-1300, 46.2-113, and 18.2-11.

Cross reference: County Code Sec. 15-2.

Secs. 15-126 127—15-135. - Reserved.

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

Economic Development; Amend Stafford County Code Chapter 23A, "Technology Zones" Mr. Tim Barody, Deputy County Administrator, gave a presentation and answered Board members questions.

Mr. Sterling said that he thought, regarding placement of businesses within a technology zone inside the Urban Services Area (USA), that it was the intention to not restrict it to areas inside the USA. He cited the example of Mr. Tom Wack's business that was outside the USA, but had public utilities, and asked if it was limiting the technology zone by restricting it to locations within the USA. Mr. Milde agreed that Mr. Wack's business, off of Route 610, did have water and sewer. Mr. Sterling said that he did not object but questioned if it was not being too restrictive. Mr. Barody replied that technology zones could be County-wide from staff's perspective. Mr. Milde said that he did not believe that it was an issue.

Recess: At 9:34 the Chairman declared a recess.

Call to Order At 9:45 p.m. the Chairman called the meeting back to order.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O13-08.

The Voting Board tally was:

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

Nay: (1) Stimpson

Ordinance O13-08 reads as follows:

AN ORDINANCE TO AMEND STAFFORD COUNTY CODE CHAPTER 23A, "TECHNOLOGY ZONES"

WHEREAS, a technology zone can be a valuable tool for the encouragement of new and expanding technology business in the County; and

WHEREAS, establishment of a technology zone allows localities to create special incentives for qualified businesses locating or expanding operations in a zone; and

WHEREAS, the creation of a technology zone was recommended as part of the 2006 Economic Development Strategic Plan adopted by the Board; and

WHEREAS, on January 19, 2010, the Board amended the Stafford County Code to add Chapter 23A, entitled "Technology Zones," by Ordinance O10-02; and

WHEREAS, certain changes to Chapter 23A are necessary to further encourage investment within the County's Technology Zone; and

WHEREAS, the Board finds that this ordinance will foster the development, maintenance, and expansion of commercial and industrial businesses engaged in technological research, development, manufacturing, and training;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 13th day of August, 2013, that Stafford County Code Chapter 23A, be and it hereby is amended as follows, all other portions remaining unchanged:

Chapter 23A. Technology Zones

Sec. 23A-3. - Definitions.

For the purpose of this chapter, the following words and phrases shall have the following meanings, unless clearly indicated to the contrary:

Base year means the calendar year beginning from the date of the first capital investment claimed in association with the technology zone project. The base year is also the first calendar year in which incentives are awarded.

Existing business means one that ~~was~~ is actively engaged in the conduct of trade or business in the county prior to ~~an area being designated as a technology zone application.~~

Technology business includes, but is not limited to, research, development, manufacture, or associated training of: biotechnology, chemicals, computer hardware, computer security, computer software, data centers, energy, environmental, homeland security, manufacturing equipment, advanced materials, medical, finance related companies, pharmaceuticals, photonics, subassemblies and components, test and measurement, telecommunications, or transportation. In no case shall the use of computers or telecommunication services by a business in its administrative operations, by itself, qualify the business as a technology business.

Sec. 23A-4. - Qualifications.

- (a) *Existing business.* For an existing technology business to become a qualified technology business, the firm must add a minimum of ten (10) net new full-time employees whose combined average salary is at least ~~150%~~ 100% of the average annual wage countywide based on the most recent quarterly data as prepared by the Virginia Employment Commission. In addition, the firm must increase capital investment in the technology zone by at least five hundred thousand dollars (\$500,000).
- (b) *New business.* For a new technology business to become a qualified technology business, the firm must create a minimum of twenty (20) net new full-time job positions whose combined average salary is at least ~~150%~~ 100% of the average annual wage countywide based on the most recent quarterly data as prepared by the Virginia Employment Commission. In addition, the firm must increase capital investment in the technology zone by at least one million dollars (\$1,000,000).
- (c) *Existing and new businesses.* The following requirements shall apply to all businesses seeking the incentives provided in this chapter:
 - (1) Businesses ~~{must}~~ must be engaged in a technology business in section 23A-3.
 - (2) The increase in capital investment ~~and new or additional full-time job positions~~ required to qualify must occur within ~~the same twelve-month period~~ twelve (12) months of the date on which the board of supervisors approves the incentive(s) package. The base year shall be recorded as the date of the first capital investment claimed in association with the technology zone project.

- (3) Newly-created or additional full-time jobs required to qualify must be filled within eighteen (18) months of the start of the base year and must be maintained for the duration of the benefit which the board of supervisors approves in the incentives package.
- ~~(3)~~ (4) Any assets owned by a business which are moved into a technology zone from another location within the county shall not be included in the increased new investment.
- (5) Within thirty (30) days of submitting a technology zone application, the business shall furnish to the commissioner of the revenue company records, audits, and/or other pertinent documentation prepared by a certified public accountant to verify ownership of business equipment, as required by the commissioner of the revenue.
- (6) Prior to the acquisition of new business equipment for which the tangible personal property tax rebate will be sought, the commissioner of the revenue shall audit the existing business equipment of the company to ensure that such investment is in new, additional equipment and not replacement of existing business equipment.
- (7) The business must be current in its payment of all taxes assessed, levied, imposed and/or levied by the county.

Sec. 23A-5. - Boundary of technology zone.

There is hereby created one local technology zone within the County, to be named “The Stafford County Technology Zone.” The boundary of the technology zone is within the Urban Services Area as defined by the board in the adopted comprehensive plan.

Sec. 23A-6. - Technology zone incentive package.

- (b) A qualified technology business may also be eligible to receive ~~up to a full rebate, after receipt of final occupancy permit, of the fees~~ a waiver of certain fees associated with new construction, including, but not limited to building permit, plan review, and land disturbance fees, based upon the level of employment and capital investment generated by the business.
- (c) A qualified technology business may also be eligible, based upon the level of employment and investment generated by the business and at the discretion of the Board, for the following rebate in taxes:
- ~~(2)~~(1) *Tangible personal property taxes:*
- a. Up to a ~~thirty (30)~~ seventy (70) percent rebate for the first two (2) years;
 - b. Up to a fifty (50) percent rebate for the next two (2) years; and
 - c. Up to a ~~seventy (70)~~ thirty (30) percent rebate for the fifth (final) year.

~~(3)~~ (2) *Business-based taxes.* Up to a full rebate of any business-based taxes.

Fire and Rescue; Presentation of the Emergency Operations Plan (EOP) Fire Chief Mark Lockhart gave a presentation stating that a draft of the EOP was contained in the Board's agenda materials, that a 2013 revision was due for approval by the Board as the last adopted version of the EOP was in 2009. He stated that the final version of the EOP was slated to come back before the Board for a vote at its September 3, 2013, meeting. Chief Lockhart said that the document also went before the Public Safety Committee at its last meeting.

Adjournment: At 9:47 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman