

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

August 17, 2010

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 1:03 P. M., Tuesday, August 17, 2010, in the Board Chambers, Stafford County Administration Center.

Roll Call The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Harry E. Crisp II; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson; and Robert “Bob” Woodson.

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

Legislative; Presentation of a Proclamation to Recognize and Commend Fire and Rescue Personnel for Their Annual Participation on the Muscular Dystrophy Association’s “Fill the Boot” Campaign Mr. Dudenhefer presented the proclamation.

Legislative; Presentations by the Public

No persons desired to speak.

Legislative; Presentations and Committee Reports by Board Members Board members spoke on topics as identified:

- Mr. Milde
  - Potomac Watershed Roundtable
  - VRE meeting (and rode new express trains)
  - Eagle Scout ceremony
  - Boat Regatta
  - GWRC
  - VRE Locomotive Ribbon Cutting ceremony
  - Marine Corps Base Quantico Tabletop Exercise
  - American Defense Committee in San Francisco
  - Development Fees Review Committee
- Mr. Snellings
  - Hosting a Town Hall Meeting, August 31<sup>st</sup> at Rocky Run Elementary, 7-9 p.m., regarding the draft Comprehensive Plan.
  - Hartwood Days will be held on September 11<sup>th</sup>, at Hartwood Presbyterian Church
- Mr. Sterling
  - Deferred
- Ms. Stimpson
  - VRE
  - VACo Finance Steering Committee
- Mr. Woodson
  - Deferred
- Mr. Crisp
  - Hosting a Town Hall Meeting, August 28<sup>th</sup> at Falmouth Fire and Rescue, 10:00 a.m., regarding the draft Comprehensive Plan.
- Mr. Dudenhefer
  - Commented on the continuous hard work by all Board members and County staff.

Legislative; Report of the County Attorney Mr. Joe Howard, County Attorney, noted that there would be an additional item for discussion in Closed Meeting.

Legislative; Report of the County Administrator Mr. Anthony J. Romanello, County Administrator, reported that Joe Gilkerson, Human Resources Administrator, is now the president of the International Public Management Association for Human Resources, Virginia Chapter (IPMA-HR) as well as having been appointed to the ICMA Advisory Board on Graduate Education.

Mr. Romanello updated the Board on County revenues and reported that staff is currently working with Dr. Fuller on the Comprehensive Plan’s Economic and Fiscal Impact. Lastly, Mr. Romanello added Item 38 to the agenda; Discuss Correspondence from Colonel D. J. Choike, U.S. Marine Corps Commander – Marine Corps Base Quantico; and Item 39; Discuss UDA Calculations. Deleted from the agenda was Item 20; Sheriff; Authorize Public Hearing Regarding Traffic Enforcement on the Celebrate Virginia Parkway (Proposed Resolution R10-260).

Legislative; Additions and Deletions to the Regular Agenda Mr. Sterling motioned, seconded by Mr. Crisp, to accept the additions and deletion to the Regular Agenda.

The Voting Board tally was:

Yea: (7) Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson  
Nay: (0)

Legislative; Consent Agenda Mr. Sterling motioned, seconded by Ms. Stimpson, to approve the Consent Agenda consisting of Items 1 through 20, omitting Items 6, 15, 16 and 17.

The Voting Board tally was:

Yea: (7) Sterling, Stimpson, Crisp, Dudenhefer, Milde, Snellings, Woodson  
Nay: (0)

Item 1. Legislative; Approve Minutes of July 6, 2010 and July 28, 2010 Board Meetings

Item 2. Finance and Budget; Approve Expenditure Listing

Resolution R10-246 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING  
(EL) DATED JULY 7, 2010 THROUGH AUGUST 16, 2010

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

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August 2010 that the above-mentioned EL be and hereby is approved.

Item 3. Public Works; Authorize a Joint Public Hearing with VDOT Regarding the Proposed Secondary Six-Year Plan Funding

Resolution R10-244 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A JOINT PUBLIC HEARING TO CONSIDER THE VIRGINIA DEPARTMENT OF TRANSPORTATION FY2011-FY2016 SECONDARY SYSTEM SIX-YEAR IMPROVEMENT PROGRAM

WHEREAS, the Virginia Department of Transportation (VDOT) is responsible for the construction and maintenance of the Secondary System of State Highways in the County; and

WHEREAS, the Board sets priorities for the Secondary System Six-Year Improvement Program (SSYP); and

WHEREAS, the Board has received and considered the proposed FY2011-FY2016 SSYP; and

WHEREAS, pursuant to the Section 33.1-70.01 of the Code of Virginia (1950), as amended, the Board shall conduct a joint public hearing with the Virginia Department of Transportation prior to adopting the proposed FY2011-2016 SSYP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17 day of August 2010, that the County Administrator be and he hereby is authorized to advertise a public hearing for September 21, 2010 to consider the proposed FY2011-FY2016 Secondary System Six-Year Improvement Program.

Item 4. Utilities; Authorize Contract Amendment for Odor Control Chemicals

Resolution R10-219 reads as follows:

A RESOLUTION TO AUTHORIZE A CONTRACT AMENDMENT FOR AN ODOR CONTROL CHEMICAL

WHEREAS, the Department of Utilities uses an odor control chemical to eliminate hydrogen sulfide generation at a number of its wastewater pump stations and in the wastewater collection system; and

WHEREAS, the existing contract contains provisions for renewal for up to four (4) additional one-year periods; and

WHEREAS, funds have been appropriated in the FY2011 Facilities Maintenance Operating budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August, 2010, that the County Administrator be and he hereby is authorized to execute a contract amendment with Basic Chemical Solutions to provide Custom Blended Alkalai CBA-45 for odor control in an amount not to exceed Four Hundred Thirty-four Thousand Five Hundred Dollars (\$434,500) in FY2011.

Item 5. Utilities; Execute a Contract Extension for Biosolids Management Services

Resolution R10-220 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT TO EXTEND THE CONTRACT FOR BIOSOLIDS MANAGEMENT SERVICES

WHEREAS, by Resolution R02-269, the Board authorized a contract for biosolids management services for the Department of Utilities; and

WHEREAS, the contract provided for an initial contract period of three (3) years and up to six (6) additional one-year extensions; and

WHEREAS, a contract amendment is needed to extend the contract through June 30, 2011; and

WHEREAS, funds have been appropriated in the FY2011 budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August, 2010, that the County Administrator be and he hereby is authorized to execute a contract amendment with Synagro Mid-Atlantic to extend the current contract for Biosolids Management Services for an additional one-year period with an estimated expenditure of Four Hundred Fifty-eight Thousand Seven Hundred Sixty-seven Dollars (\$458,767).

Item 7. Utilities; Authorize Contract for Utility Billing Services

Resolution R10-227 reads as follows:

A RESOLUTION TO AUTHORIZE A CONTRACT AMENDMENT FOR UTILITIES BILLING SERVICES

WHEREAS, the Department of Utilities uses CSG Systems, Inc. for electronic utility bill printing and mailing services; and

WHEREAS, the existing contract contains provisions for renewal for up to nine (9) additional one-year periods; and

WHEREAS, funds have been appropriated in the FY2011 Utilities Administration Operating Budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the County Administrator be and he hereby is authorized to execute a contract amendment with CSG Systems, Inc. to provide utility bill printing and mailing services in an amount not to exceed One Hundred Eighty-seven Thousand Two Hundred Dollars (\$187,200) in FY2011.

Item 8. Sheriff; Authorize a Public Hearing to Amend Section 14.5, Salvage Vehicles

Resolution R10-230 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, TO ADD CHAPTER 14.5, ENTITLED “SALVAGE VEHICLES”

WHEREAS, during the 2010 session, the General Assembly passed SB 406 authorizing localities to require those dealing in salvage vehicles to report certain information to the Sheriff and establish a ten-day holding period before a vehicle can be crushed; and

WHEREAS, the Board desires to amend the County Code to require those dealing in salvage vehicles to report certain information to the Sheriff and establish a ten-day holding period before a vehicle can be crushed; and

WHEREAS, the Board finds that these amendments serve the public health, safety, and welfare of the County and its citizens; and

WHEREAS, the Board desires to consider public comments concerning the proposed changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Stafford County Code, to add Chapter 14.5, “Salvage Vehicles.”

Item 9. Economic Development; Authorize Reappointment of Ms. Jo Knight to the Economic Development Authority

Resolution R10-232 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE ECONOMIC DEVELOPMENT AUTHORITY

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

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

WHEREAS, the following members have been appointed:

<u>NAME</u>	<u>EXPIRATION</u>
Donald H. Newlin (George Washington District)	June 10, 2011
Wendy Surman (Rock Hill District)	June 10, 2011
David R. Beiler (Falmouth District)	June 10, 2012
Eric Cole (Griffis-Widewater District)	June 10, 2013
John Rowley (Hartwood District)	June 10, 2013
Jo Knight (Aquia District)	June 10, 2010
Joel Griffin (Garrisonville District)	June 10, 2012

WHEREAS, the term of Jo Knight expired on June 10, 2010; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that

<u>NAME</u>	<u>EXPIRATION</u>
Jo Knight (Aquia District)	June 10, 2014

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

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

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

Item 10. Public Information; Recognize and Commend:

Proclamation P10-22 reads as follows:

A PROCLAMATION TO RECOGNIZE THE SHERIFF’S OFFICE  
FOR OBSERVING “NATIONAL NIGHT OUT 2010” IN STAFFORD  
COUNTY

WHEREAS, the National Association of Town Watch sponsored a nationwide crime, drug and violence prevention program on August 3<sup>rd</sup> called “National Night Out 2010”; and

WHEREAS, Sheriff Charles Jett urged citizens to turn on their porch lights the evening of August 3<sup>rd</sup>, 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 each year of the following subdivisions as participating communities in National Night Out: Augustine North, Austin Ridge, Aventine at Courthouse Square Apartments, Brentwood Estates, Brookstone, Celebrate by Del Webb, Clearview Heights, Falls Run, Garrison Woods, Hampton Oaks, Harwill Acres, Highpoint, Stafford Meadows, Staffordboro Townhomes, Stone River, White Oak Volunteer Rescue Squad and Woodlawn, and the many other subdivisions that have participated throughout the years; and

WHEREAS, the Board especially thanks the members of the Aquia Harbour Volunteer Rescue Squad for their above and beyond support as a main participant in National Night Out; and

WHEREAS, the Board commends the Sheriff’s Office staff for their dedication and commitment to ensure the security of each resident of the County, and 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 17<sup>th</sup> day of August, 2010, that the Board be and hereby does recognize the Sheriff’s Office for observing “National Night Out 2010” in Stafford.

Proclamation P10-23 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND FIRE  
AND RESCUE DEPARTMENT PERSONNEL FOR THEIR ANNUAL



PARTICIPATION ON THE MUSCULAR DYSTROPHY ASSOCIATION’S  
“FILL THE BOOT” CAMPAIGN

WHEREAS, firefighters and paramedics, in addition to responding to “all hazards” incidents requiring physical strength and stamina, extensive training, courage and selfless concern for the welfare of citizens, spend countless hours involved in community service to inform and educate the public; and

WHEREAS, fire and rescue personnel throughout the Commonwealth and the country have worked with the Muscular Dystrophy Association (MDA) for the past 56 years in the fight against neuromuscular diseases; and

WHEREAS, Stafford County Fire and Rescue Department personnel raised more than \$42,000 during their 2009 “Fill the Boot” campaign, with a goal of raising \$50,000 this year; and

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

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

WHEREAS, these committed men and women hope to surpass the amount of money they collected during the 2009 campaign; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere, the outstanding community spirit exhibited by Stafford firefighters and emergency services personnel, and to urge residents to donate generously in support of their fundraising efforts on behalf of the MDA;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August 2010, that Fire and Rescue Department personnel be and they hereby are recognized and commended for sponsoring the 2010 Muscular Dystrophy Association’s “Fill the Boot” campaign.

Item 11. Economic Development; Accept the American Battlefield Protection Program (ABPP) Grant Award and Appropriation

Resolution R10-239 reads as follows:

A RESOLUTION TO ACCEPT THE AMERICAN BATTLEFIELD PROTECTION PROGRAM (ABPP) GRANT AND BUDGET AND APPROPRIATE GRANT FUNDS

WHEREAS, the Battle of Aquia Creek at Aquia Landing (May 29 – June 1, 1861) in Stafford, Virginia was one of the first naval engagements of the Civil War, which involved an exchange of fire between Union naval vessels and Confederate batteries, and was followed by the first use of underwater mines in the Civil War; and

WHEREAS, Aquia Landing was an extremely important naval and rail transportation site during the 19<sup>th</sup> century, and thus a critical logistical access point for occupying Union forces during the Civil War; and

WHEREAS, Aquia Landing was a pivotal 19<sup>th</sup> century gateway through which freedom-seeking slaves passed en route to points north, earning it a designation to the National Underground Railroad Network to Freedom; and

WHEREAS, the Departments of Economic Development and Parks, Recreation & Community Facilities wish to gain knowledge of the remaining cultural resources present at Aquia Landing and associated park property in order to ensure adequate preservation and improve interpretation of Stafford County's heritage, in keeping with the goals of the Comprehensive Plan; and

WHEREAS, the resulting information will allow Stafford County to better promote historic Aquia Landing and increase visitation and thus visitor-related spending in Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August 2010, that the County Administrator be and he hereby is authorized to accept the grant award of Seventy-seven Thousand Seven Hundred Dollars (\$77,700) from the American Battlefield Protection Program; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to budget and appropriate grant funds in the amount of Seventy-seven Thousand Seven Hundred Dollars (\$77,700) from the Tourism Fund; and

BE IT STILL FURTHER RESOLVED that the County Administrator and Economic Development staff are authorized to implement the grant, including drafting formal agreements with grant partners and releasing a Request for Proposals for qualified contractors to conduct the necessary surveys of this site.

Item 12. Parks, Recreation and Community Facilities; Authorize a Public Hearing for a Fiber Optic Easement on County-owned Property at St. Clair Brooks Park and River Road Park

Resolution R10-240 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING FOR A PRIVATE FIBER OPTIC EASEMENT ACROSS COUNTY-OWNED PROPERTY AT ST. CLAIR BROOKS PARK AND RIVER ROAD PARK

WHEREAS, Mary Washington Healthcare has requested a Private 20' Fiber Optic Easement across County-owned property at St. Clair Brooks Park and River Road Park;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August, 2010, that it be and hereby does authorize the County Administrator to advertise a public hearing for a private fiber optic easement across County-owned property at St. Clair Brooks Park and River Road Park.

Item 13. Utilities; Authorize a Public Hearing to Consider Condemnation and Exercise Quick-Take Powers to Acquire Easements on Multiple Properties in Connection with the Falls Run Phase I Sewer Project

Resolution R10-164 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE AN EASEMENTS ON TAX MAP PARCEL 45-15, IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement area of the Property, together with damages, if any, to the remainder of the Property is Five Hundred Dollars (\$500), based upon 2010 tax assessed value; and

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

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

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearings to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's

quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project, and

BE IT FURTHER RESOLVED that the public hearings be properly advertised for the foregoing purposes.

Resolution R10-263 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 45-97B IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement areas of the Property, together with damages, if any, to the remainder of the Property is Twelve Thousand Nine Hundred Dollars (\$12,900), based upon 2010 tax assessed value; and

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

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

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project, and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R10-264 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 45D-2A-10 IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement areas of the Property, together with damages, if any, to the remainder of the Property is One Thousand Four Hundred Dollars (\$1,400), based upon 2010 tax assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the easement area 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 Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the Property Owners, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R10-265 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 45D-2A-13 IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement areas of the Property, together with damages, if any, to the remainder of the Property is Five Hundred Dollars (\$500), based upon 2010 tax assessed value; and

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

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

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R10-266 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 45P-2 IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement areas of the Property, together with damages, if any, to the remainder of the Property is Eight Thousand Three Hundred Fifty Dollars (\$8,350), based upon 2010 tax assessed value and formal appraisal; and

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

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

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R10-267 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 53A-1-5B IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement area of the Property, together with damages, if any, to the remainder of the Property is One Thousand Six Hundred Dollars (\$1,600), based upon 2010 tax assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the easement area 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 Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R10-268 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON TAX MAP PARCEL 53D-1-84B IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, staff has determined that the fair market value for the easement area of the Property, together with damages, if any, to the remainder of the Property is One Thousand Eight Hundred Dollars (\$1,800), based upon 2010 tax assessed value; and

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



WHEREAS, the Board must conduct a public hearing in accordance with Sections 15 2-1903(B) and 15 2-1905(C), Va Code Ann, to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17<sup>th</sup> day of August, 2010, that it shall conduct public hearing to be scheduled under the provisions of Sections 15 2-1903(B) and 15 2.1905(C), Va Code Ann, to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Falls Run Sewer Interceptor replacement project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Item 14. Human Resources; Execute an Agreement with Virginia Retirement System (VRS) for Voluntary Group Long-Term Care Health Insurance

Resolution R10-254 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE VIRGINIA RETIREMENT SYSTEM (VRS) FOR THE VOLUNTARY LONG TERM CARE INSURANCE PROGRAM

WHEREAS, VRS has contracted with Genworth Life Insurance Company to administer the Commonwealth of Virginia's Voluntary Group Long Term Care Insurance Program; and

WHEREAS, the County desires to offer this benefit to full-time and regular part-time County employees; and

WHEREAS, premium costs for participation in the Voluntary Long Term Care Insurance Program are paid by the employee; and

WHEREAS, employee participation is completely voluntary; and

WHEREAS, participation in the Voluntary Long Term Care Insurance Program does not require any county funding;

NOW THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August, 2010, that the Board be and hereby does authorize the County Administrator to execute an agreement with VRS for the Voluntary Long Term Care Insurance Program.

Item 18. Information Technology; Authorize a Contract to Upgrade the County's Voiceover Internet Protocol (VoIP) Telephone System and Related Network Equipment

Resolution R10-255 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO  
EXECUTE A CONTRACT TO VERIZON NETWORK INTEGRATION CORP TO  
UPGRADE THE COUNTY VoIP TELEPHONE SYSTEM AND AUTHORIZE  
PROCUREMENT OF RELATED NETWORK UPGRADES

WHEREAS, the County VoIP telephone system is not up to date with current hardware and software needed to provide optimal services and reduced costs for the County; and

WHEREAS, all services and equipment needed to bring the system up to date are offered through Network VA Contract# cc-0696-BELL-ATL MOD 12;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August 2010, that the County Administrator be and hereby is authorized execute a contract with Verizon Network Integration Corp for upgrades to the County's VoIP telephone system and County network in an amount not to exceed One Million Three Hundred Forty-one Thousand Three Hundred Three Dollars (\$1,341,303) to be paid over a five-year period.

Item 19. Legislative; Drought Declaration in Stafford County

Resolution R10-259 reads as follows:

A RESOLUTION TO PETITION TO THE GOVERNOR OF VIRGINIA  
TO DECLARE STAFFORD COUNTY A DISASTER AREA  
DUE TO DROUGHT AND HEAT

WHEREAS, there was below normal rainfall and excessive heat in Stafford County causing widespread and significant losses to corn, soybean, hay, and pasture crops; and

WHEREAS, rainfall for May and June 2010 was less than 50% of the normal average; and

WHEREAS, temperatures for May and June 2010 were consistently above normal with more than 30 days above 90 F°; and

WHEREAS, the Stafford County Food and Agriculture Committee, made up of agricultural professionals from Virginia Cooperative Extension Office Stafford County and Fredericksburg regional offices of the USDA Farm Services Agency (FSA) and UDSA Natural Resources and Conservation Service (NRCS), have determined that irreversible crop losses have occurred in Stafford County; and

WHEREAS, any changes in the present conditions cannot reverse the sustained losses; and

WHEREAS, the reduction in anticipated yield will result in direct losses to those farmers who sell crops for cash and livestock producers who will need to buy feed that they would not have to purchase in a normal year; and

WHEREAS, many county farmers do not have the necessary capital on hand to purchase the required feed; and

WHEREAS, there is a program offered by the United States Department of Agriculture which may help some of these farmers to stay in business if the area has been designated a disaster area by the Governor or the President; and

WHEREAS, a request to the Governor to designate Stafford County, a disaster area is the first step in the process of qualifying for the federal program;

NOW THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that it be and hereby does petition the Honorable Robert F. McDonnell, Governor of the Commonwealth of Virginia, to declare Stafford County a disaster area due to drought and heat in order to provide the means for those affected to qualify for any available disaster relief assistance.

Human Resources; Authorize Recruitments

Mr. Snellings inquired about the cost to fill the Transportation Engineer position. Mr. Romanello replied that the (vacant) Purchasing Manager position has been transferred to the Department of Public Works and that due to the former Purchasing Manager's tenure with Stafford County, hiring a Transportation Engineer will cost less than replacing the retired Purchasing Manager.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R10-228.

The Voting Board tally was:

Yea: (7) Snellings, Milde, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Resolution R10-228 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF FIVE (5) POSITIONS

WHEREAS, funding is available in the FY 2011 budget to fill the vacant positions; and

WHEREAS, vacancies exist for the following positions:

Water Treatment Plant Senior Operator, Line Crew Worker II, Mechanic III, Transportation Project Manager, and Building Inspector; and

WHEREAS, the positions have been deemed critical to the operation of County services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the Board be and hereby does approve recruitment for the above mentioned positions.

Planning and Zoning; Refer an Amendment to the Zoning Ordinance to the Planning Commission Regarding Paving Waivers

Mr. Woodson asked staff to provide information regarding fees and waivers. Planning Director, Mr. Jeff Harvey, responded to Mr. Woodson’s questions. Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-257.

The Voting Board tally was:

Yea: (6) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson

Nay: (1) Woodson

Resolution R10-257 reads as follows:

A RESOLUTION TO REFER A COUNTY CODE AMENDMENT TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE SECTION 28-256, “REQUIRED STANDARDS AND IMPROVEMENTS GENERALLY”

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 28-256, entitled “Required Standards and Improvements Generally”; and

WHEREAS, currently the Board reviews applications for waivers of travel lane widths and paved parking requirements for site plans; and

WHEREAS, the Board believes that these waivers should be handled by an administrative review by the agent for the Board; and

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good zoning practices require adoption of the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the Planning Commission be and it hereby is requested to consider an amendment to Stafford County Code, Section 28-256, entitled “Required Standards and Improvements Generally”, by proposed Ordinance O10-47; and

BE IT FURTHER RESOLVED, that the Planning Commission be and it hereby is authorized to make modifications to the amendment as it deems necessary.

Planning and Zoning; Refer an Amendment to the Zoning Ordinance to the Planning Commission Regarding Preliminary Site Plans

Mr. Harvey responded to Board members questions concerning elimination of the request for preliminary site plans. Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-258.

The Voting Board tally was:

Yea: (6) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson

Nay: (1) Woodson

Resolution R10-258 reads as follows:

A RESOLUTION TO REFER A COUNTY CODE AMENDMENT TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE, SECTION 28-245, “WHEN REQUIRED”, SECTION 28-246, “FEES”, AND SECTION 28-249, “CONTENTS OF SITE DEVELOPMENT PLANS”

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 28-245, entitled “When required”, Section 28-246, “Fees”, and Section 28-249 entitled “Contents of site development plans”; and

WHEREAS, major developments with two or more buildings require submission and approval of a preliminary site plan; and

WHEREAS, general development plans are required for zoning reclassifications and conditional use permits and they meet many of the requirements of a preliminary site plan; and

WHEREAS, the Board believes that preliminary site plans are no longer necessary to ensure orderly development within the County; and

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good zoning practices require adoption of the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the Planning Commission be and it hereby is requested to consider an amendment to Stafford County Code, Section 28-245, entitled “When required”, Section 28-246, “Fees”, and Section 28-249, entitled “Contents of site development plans”, by proposed Ordinance O10-48.

BE IT FURTHER RESOLVED, that the Planning Commission be and it hereby is authorized to make modifications to the amendment as it deems necessary.

Planning and Zoning; Refer an Amendment of the Subdivision and Zoning Ordinances to the Planning Commission Regarding PAE Referrals

Mr. Harvey responded to Board members questions regarding site access easements. Discussion ensued.

Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R10-256.

The Voting Board tally was:

Yea: (6) Milde, Snellings, Crisp, Dudenhefer, Sterling, Stimpson

Nay: (1) Woodson

Resolution R10-256 reads as follows:

A RESOLUTION TO REFER CODE AMENDMENTS TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE, SECTIONS 22-4, “DEFINITIONS”, 22-176, “PRIVATE ACCESS EASEMENTS”, AND 28-25, “DEFINITIONS OF SPECIFIC TERMS”

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 22-4, entitled “Definitions”; 22-176, entitled “Private Access Easements”; and 28-25 entitled “Definitions of Specific Terms”; and

WHEREAS, currently an applicant for a private access easement must submit an application and fee for review and approval by the Planning Commission; and

WHEREAS, the Board believes that a private access easement should be administratively approved as part of a subdivision plat; and

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good subdivision practices require adoption of the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the Planning Commission be and it hereby is requested to consider amendments to Stafford County Code, Section 22-4, entitled “Definitions”, Section 22-176, entitled “Private Access Easements”, and Section 28-25, entitled “Definitions of Specific Terms”, by proposed Ordinance O10-46; and

BE IT FURTHER RESOLVED, that the Planning Commission be and it hereby is authorized to make modifications to the amendment as it deems necessary.

Sheriff; Authorize a Public Hearing to Amend the Noise Ordinance Joe Howard, County Attorney, gave a presentation. Sheriff Jett and Mr. Howard responded to Board members questions.

Mr. Milde motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-231.

The Voting Board tally was:

Yea: (7) Milde, Stimpson, Crisp, Dudenhefer, Snellings, Sterling, Woodson

Nay: (0)

Resolution R10-231 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 4, ENTITLED “AMUSEMENTS,” CHAPTER 5, ENTITLED “ANIMALS AND FOWL,” AND CHAPTER 16, ENTITLED “NOISE”

WHEREAS, the Virginia Supreme Court issued its decision in *Tanner v. City of Virginia Beach*, 277 Va. 432, 674 S.E.2d 848 (April 17, 2009), holding that the City of Virginia Beach noise ordinance was unconstitutionally vague; and

WHEREAS, the City of Virginia Beach noise ordinance employed a reasonable person standard for determining whether there was a violation of the noise ordinance; and

WHEREAS, the Stafford County noise ordinance employs a reasonable person standard that is similar to the reasonable person standard employed in the City of Virginia Beach noise ordinance that the Virginia Supreme Court held unconstitutional; and

WHEREAS, the reasonable person standard in the Stafford County noise ordinance would be held unconstitutionally vague if the County seeks to enforce it; and

WHEREAS, numerous other localities in the Commonwealth that employ a similar reasonable person standard have amended their noise ordinances or are in the process of amending their noise ordinances; and

WHEREAS, the Board finds that these amendments serve the public health, safety, and welfare of the County and its citizens; and

WHEREAS, the Board desires to consider public comments concerning the proposed changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Stafford County Code, Chapter 4, Entitled “Amusements,” Chapter 5, Entitled “Animals And Fowl,” and Chapter 16, Entitled “Noise.”

Planning and Zoning; Consider an Appeal Regarding a Technical Change for a Preliminary Subdivision Plan for Embrey Mill Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Snellings motioned, seconded by Mr. Woodson, to defer this item until the September 21<sup>st</sup> meeting.

The Voting Board tally was:

Yea: (7) Snellings, Woodson, Crisp, Dudenhefer, Milde, Sterling, Stimpson  
Nay: (0)

Discuss the George Washington Toll Authority / Discuss the Proposed Stafford County Parkway

Mr. Dudenhefer requested that staff determine if the County could establish a liaison with the George Washington Toll Road Authority to which Spotsylvania and the city of Fredericksburg already belong. He would like to know if the jurisdiction can be expanded into southern Stafford. Staff was also asked to develop an action plan to bring back to the Board at its September 21<sup>st</sup> meeting.

The Board further directed staff to look into construction of the proposed Stafford County Parkway that would link the Centerport interchange of Interstate 95 with U.S. 17 near Stafford Lakes Parkway. This was also requested to be brought back for discussion at the Board’s September 21<sup>st</sup> meeting.

Finance and Budget; Budget and Appropriate Asset Forfeiture Funds Mr. Anthony Romanello, County Administrator gave a presentation and answered Board members questions.



Mr. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Resolution R10-214.

The Voting Board tally was:

Yea: (7) Snellings, Sterling, Crisp, Dudenhefer, Milde, Stimpson, Woodson  
Nay: (0)

Resolution R10-214 reads as follows:

**A RESOLUTION TO BUDGET AND APPROPRIATE FY2011 ASSET  
FORFEITURE FUNDS**

WHEREAS, the Commonwealth's Attorney's Office has requested that Asset Forfeiture Fund balance be budgeted and appropriated; and

WHEREAS, funds in the amount of \$20,000 are available;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that it be and hereby does authorize that Twenty Thousand Dollars (\$20,000) be budgeted and appropriated from the Asset Forfeiture Fund balance.

Presentation of the Economic Development 10-Point Plan Board Committee Ms. Stimpson introduced this item. Mr. Tim Baroody, Deputy County Administrator; Mr. Rick Hurley, University of Mary Washington President; Dr. David Sam, Germanna Community College President; and Dr. Andre Nougaret, Acting School Superintendent; gave presentations and answered Board members questions.

Following questions about possible expansion, Mr. Hurley indicated that University of Mary Washington (UMW) owned an additional 475 acres adjacent to the existing Stafford campus and that a master plan for development of the property was currently in the early stages taking into account zoning considerations, etc. Mr. Hurley stated that UMW is not a research institute but they are working with George Mason University (GMU) and with Dahlgren for research and development projects.

Dr. Sam invited members of the Board to Germanna Fest which is scheduled for 10/9/10 and talked about dual enrollment classes being offered and the 650 students currently enrolled in the Stafford campus which is a leased center. There are hopes to build and

have a permanent presence in Stafford County with the goal being no more than a ½ hour distance from the general populous. Germanna Community College (GCC) has partnerships with Virginia Tech and the University of Virginia for engineering programs.

Mr. Sterling asked about full campus build-out. Dr. Sam talked about the possibility of using PPEA's and leasing additional space until a permanent campus can be built. Mr. Dudenhefer asked about the requirement to build in identified Urban Development Areas (UDAs). Mr. Milde stated that he felt that the area around the Aquia Town Center would be an ideal location for an urban campus.

Dr. Nougaret was accompanied by Ms. Kathy Burant, Director of Career and Technical Services. Ms. Burant talked about the School's strong technical program and partnership with GCC as well as the STEM (Science, Technology, Engineering and Math) program. At the request of the Board, Ms. Burant will provide an approximate number of Stafford County high school graduates who go onto an academic major in the "hard sciences" in college.

Ms. Stimpson talked about the vision for a science and technology center. Mr. Baroody noted that the dialog does not end there. Mr. Crisp said that, in reflecting on the presentation, he felt as though there was a general lack of awareness of the programs available. He reflected on the value of education as part of the Ten-Point Plan and stated that he was excited about what may be achieved in the upcoming years. Mr. Sterling asked if lack of awareness was a proximity issue or an advertisement issue. Mr. Baroody replied that he did not believe it to be a proximity issue but rather a lack of attention that is paid to information being made available to students and citizens.

R-Board / Landfill Update Mr. Milde introduced this item. Mr. Andrew Mikel, Landfill Superintendent, gave a presentation and answered Board members questions.

Mr. Milde talked about the reduced hours on weekends. Mr. Mikel said that the R-Board looked at all the possibilities and what was necessary to reduce expenses and a reduction in hours was the logical conclusion. Mr. Milde said that they need to find a way to extend weekend hours. Ms. Stimpson echoed Mr. Milde's comment about the need to

extend weekend hours. Mr. Mikel said that there was a possibility of adding one hour to Saturday and two hours to the Sunday schedule.

Mr. Dudenhefer stated that he would like to see a plan for longer hours of operation for the landfill and consider the option for charging a fee if necessary.

Mr. Snellings agreed that he would like to see longer operating hours, he does not support a fee, and stated that Fredericksburg is paying nothing but controls one-half of the R-Board and that doesn't make sense. Reducing hours increases the potential of private dumpsites which are illegal but will begin to show up around the County.

Mr. Crisp requested staff research the hours of operation issue and to present any findings at the next scheduled R-Board meeting. He added that this was a good discussion giving the R-Board a lot to think about and to discuss at the next meeting.

Recess At 3:38 p.m., the Chairman declared a 10-minute recess and requested a vote to enter into Closed Session.

Legislative; Closed Meeting At 3:38 p.m. Mr. Sterling motioned, seconded by Mr. Milde to adopt proposed Resolution CM10-19.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution CM10-19 reads as follows:

#### A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting (1) Legal Advice regarding Comprehensive Plan Matters; (2) and (3) two Economic Development matters regarding a Potential Business or Industry Prospect Where No Public Announcement Has Been Made of the Business' or Industry's interest in locating in Stafford County; (4) Potential Acquisition of Real Estate regarding the Site for the New Water Tank; (5) Legal Advice re Pending Litigation inn *DGF Land Co., et al v. Board of Zoning Appeals* and *Board of Supervisors et al v. DGF Land et al.*; (6) Legal Advice regarding Legal Issues regarding Increase in Utility Rates under Ordinance O10-

30; and (7) a Personnel Matter regarding Discussion and Interviewing of County Attorney Applicants; and

WHEREAS, pursuant to Section 2.2-3711 A.1, A.3, A.5, and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order At 6:41 p.m., the Chairman called the meeting to order

Legislative: Closed Meeting Certification Mr. Sterling motioned, seconded by Mr. Milde to adopt proposed Resolution CM10-19(a).

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson  
Nay: (0)

Resolution CM10-19(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON AUGUST 17, 2010

WHEREAS, the Board has, on this the 17<sup>th</sup> day of August, 2010 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 17<sup>th</sup> day of August, 2010, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 6:42 p.m., the Chairman declared a recess until 7:00 p.m.

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

Invocation Ms. Stimpson gave the invocation.

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

Ms. Stimpson presented Christopher Bornholtz with a letter and certificate for earning the rank of Eagle Scout. She had been unable to attend his ceremony which was held on June 20<sup>th</sup>.

Presentation of a Proclamation to Recognize and Commend Silver Ridge Farm as Recipient of the 2008 Bay Friendly Clean Water Award Mr. Milde presented the proclamation.

Presentation of a Proclamation to the Sheriff's Office for Observing National Night Out 2010 in Stafford Mr. Dudenhefer presented the proclamation.

Legislative; Presentations by the Public

Robert Gordon	-	Family Subdivisions
Deborah Gordon	-	Family Subdivisions
Jimmy Taylor	-	Family Subdivisions
Bonnie Taylor	-	Family Subdivisions
Robert Hopkins	-	Internet Service
Paul Waldowski	-	Dumpsters/Water Bill/Rescue 14 Land Purchase/ Aquia Towne Center/Commuter Parking
Patricia Kurpiel	-	Comprehensive Plan
Nan Rollison	-	Comprehensive Plan
Ruth Carlone	-	Zip Codes/Comprehensive Plan/Meeting Etiquette

Planning and Zoning; Authorize Amendment to a Conditional Use Permit at 40 Cool Spring Road Mr. Jeff Harvey, 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. Crisp motioned, seconded by Mr. Sterling to adopt proposed Resolution R10-261.

The Voting Board tally was:

Yea: (7) Crisp, Sterling, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-261 reads as follows:

A RESOLUTION TO AMEND A CONDITIONAL USE PERMIT, PURSUANT TO CUP1000133, TO CHANGE THE CONDITION RESTRICTING RETAIL ACTIVITY IN AN M-1, LIGHT INDUSTRIAL, ZONING DISTRICT ON ASSESSOR'S PARCEL 54-66, GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Stafford County Board of Supervisors, applicant, has submitted application CUP1000133 requesting an amendment to Conditional Use Permit CUP220637 to allow retail sales of motor vehicles in an M-1, Light Industrial, Zoning District on the above-described property; and

WHEREAS, the application has been submitted pursuant to Table 3.1 of the Zoning Ordinance which permits this use in an M-1, Light Industrial, Zoning District after a Conditional Use Permit has been issued by the Board; and

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

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that a Conditional Use Permit, pursuant to application CUP1000133, be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for a motor vehicle sales facility to be located on Assessor's Parcel 54-66.
2. The parking lot shall be improved in accordance with Section 28-102 of the Zoning Ordinance, which provides provisions for off-street parking.
3. There shall be no more than five vehicles display spaces on the site than the minimum number required by the Department of Motor Vehicles. This condition shall not be construed to limit the space available for other purposes such as wholesale vehicle storage, employee parking and customer parking.

4. No banners shall be installed on site.
5. No service activity shall take place on site. There shall be no retail sales of automobile parts.
6. The dumpster shall be shielded from the public’s view.
7. No vegetation shall be removed from the site.
8. This Conditional Use Permit may be revoked or conditions herein amended by the Board of Supervisors for violation of these conditions or any federal, state or local codes.

Planning and Zoning; Authorize Proposed Amendment to Section 28-273(a), “Non-Conforming Structures” of the Zoning Ordinance Mr. Jeff Harvey, 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. Milde motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O10-33.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Ordinance O10-33 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-273(a), “NONCONFORMING STRUCTURES”

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 28-273(a), entitled “Nonconforming Structures”; and

WHEREAS, currently the owner of a single family residential structure may apply to the board of zoning appeals for a special exception when the requested improvements, including any proposed increase in square footage, will not increase the nonconformity; and

WHEREAS, the Board desires to allow improvements to nonconforming single family structures as a by-right use; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that Stafford County Code, Section 28-273(a), be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

**Sec. 28-273. Nonconforming structures.**

(a) A nonconforming building or structure, except for general advertising signs which are subject to § 33.1-370.2 of the Code of Virginia (1950), as amended, shall conform to current zoning regulations whenever the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Virginia Uniform Statewide Building Code. The owner of a single family residential structure may apply to the board of zoning appeals (BZA) for a special exception when the requested improvements, enlarge or alter the structure including any proposed increase in square footage, will provided that structure shall not further encroach into the nonconforming area except as provided in this section not increase the nonconformity, and the comprehensive plan, as in existence at the time of application, does not envision a change in the character or use of the district in question. Under all other situations, an applicant will be required to apply to the BZA for a variance; however, any building or structure may be altered to decrease its nonconformity without the requirement for a special exception or variance.

Planning and Zoning; Authorize Amendment to the Zoning Ordinance Regarding Definitions of Minor Amendments to Proffer Amendments, Conditional Use Permits, Site Plans and Fee Schedule Mr. Jeff Harvey, 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. Crisp motioned, seconded by Mr. Milde to adopt proposed Ordinance O10-31.



The Voting Board tally was:

Yea: (6) Crisp, Milde, Dudenhefer, Snellings, Sterling, Stimpson

Nay: (1) Woodson

Ordinance O10-31 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-163, “REVIEW”; SECTION 28-185, “CONDITIONAL USE PERMITS”; SECTION 28-203, “SUBMISSION”; AND SECTION 28-254, “PLAN CHANGES AND REVISIONS” OF THE ZONING ORDINANCE

WHEREAS, the Zoning Ordinance allows for voluntary conditions proffered by the applicant for conditional zoning; and

WHEREAS, the Zoning Ordinance allows for the issuance of conditional use permits for those uses designated as conditional uses in Article III of the Zoning Ordinance; and

WHEREAS, the Zoning Ordinance allows changes and revisions to approved site development plans; and

WHEREAS, the Board desires to allow minor changes to proffer amendments, conditional use permits, and major site development plans; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the Stafford County Code Section 28-163, “Review”; Section 28-185, “Conditional Use Permits”; Section 28-203, “Submission”; and Section 28-254, “Plan Changes and Revisions” be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

**Sec. 28-163. Review.**

(a) Applicants for rezoning using proffers, major proffer amendments or minor proffer amendments shall make application on forms provided by the planning department to the director of planning or his designee and shall include the voluntarily proffered conditions, or a statement of intent to file written proffers, the required fee, an affidavit and required analysis of significant impact. The director of planning or his designee shall forward the application to the planning commission for a public hearing, after proper legal notice, who shall make its findings and recommendation to the board of supervisors. The board of supervisors shall advertise and hold a public hearing pursuant to the requirements of this article after which it shall vote on the application. The board may consider additional proffers, withdrawal of proffers, substantial changes the package of proffers, or

amendments to conditions, if the same have been voluntarily proffered in writing by the applicant and the owner.

(b) Minor amendments to approved proffers. In an approved conditional zoning, based upon approved proffers by the owner of the property, minor amendments to approved proffers shall be allowed subject to the following requirements:

1. No more than two proffered conditions can be changed at the time of request;
2. Changes do not materially affect site layout; and
3. Changes do not affect intensity, use, or functionality of the site.
4. Applications pursuant to this paragraph may be exempt from the requirements of County Code Section 28-203(e).

(c) Major amendments to approved proffers. Any amendment to proffered conditions other than that defined in County Code Section 28-163(b).

### **Sec. 28-185. Conditional use permits.**

(b) *General provisions.* The following provisions shall apply for all conditional use permits:

(5) Minor amendments to approved conditional use permit conditions. Any conditional use permit approved pursuant to this article may be revised by the board of supervisors, after notice and hearing pursuant to § 15.2-2204 of the Code of Virginia. Any minor amendment shall be allowed subject to the following requirements:

- a. No more than two permit conditions can be changed at the time of request;
- b. Changes do not materially affect site layout;
- c. Changes do not affect intensity, use or functionality of the site; and
- d. Applications pursuant to this paragraph may be exempt from County Code Section 28-185(c)(1)(b).

(6) Major amendments to approved conditional use permit conditions. Any amendment to a conditional use permit other than that defined in County Code Section 28-185(b)(5).

### **Sec. 28-203. Submission.**

(e) Unless this requirement is waived pursuant to County Code Section 28-163(b) or in accordance with section 28-223, each application for a rezoning shall also be accompanied by a generalized development plan, prepared and submitted in accordance with the requirements of Article XIII of this chapter.

### **Sec. 28-254. Plan changes and revisions.**

(c) Minor changes to approved major site development plans. Any major site development plan may be revised but such minor revision shall be accomplished in the same manner as originally approved and subject to the following requirements:

1. Changes do not materially affect site layout;
2. Changes do not affect intensity, use, or functionality of the site; and
3. Correct non-engineering errors.

Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Ordinance O10-32.

The Voting Board tally was:

Yea: (6) Milde, Crisp, Dudenhefer, Snellings, Sterling, Stimpson

Nay: (1) Woodson

Ordinance O10-32 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN DEVELOPMENT  
APPLICATION FEES FOR SERVICES PROVIDED BY THE DEPARTMENT  
OF PLANNING AND ZONING

WHEREAS, the Board is authorized by the Code of Virginia to set reasonable fees and charges for the development review services provided by the Department of Planning and Zoning; and

WHEREAS, the Board acknowledges that the fees for these services should be current with the costs for the services provided by the County in reviewing and processing such applications; and

WHEREAS, the Board desires to set the fees for these services to be commensurate with the services provided by the County in reviewing and processing such applications;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the schedule of fees for development review services listed below and provided by the Department of Planning and Zoning be and it hereby amended and reordained as follows:

<u>Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
<u>Erosion &amp; Sediment</u>		
<u>Control (E&amp;S) and Stormwater Management</u>		
<u>(SWM)</u>		
Preliminary Subdivision Plan	\$1,100	\$1,100
(Third and subsequent reviews)	\$550	\$550
Stormwater Management Concept Plan (Major Site		

Plan)	\$1,000	\$1,000
(Third and subsequent reviews)	\$500	\$500
Subdivision Construction Plan	\$2,200	\$2,200
(Third and subsequent reviews)	\$1,100	\$1,100
Preliminary Site Plan	\$1,000	\$1,000
Major Site Plan	\$2,200	\$2,200
(Third and subsequent reviews)	\$1,100	\$1,100
Grading Plan	\$1,100	\$1,100
(Third and subsequent reviews)	\$550	\$550
Infrastructure Plan	\$1,100	\$1,100
(Third and subsequent reviews)	\$550	\$550
Stormwater Management Exception Request	\$450	\$450
FEMA Floodplain Study Review	\$2,000	\$2,000
<b><u>Fire and Rescue</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Preliminary Subdivision Plan		
1-5 lot	\$75	\$75
6-30 lots	\$100	\$100
31-100 lots	\$175	\$175
101-300 lots	\$275	\$275
≥ 301 lots	\$275+\$1.50 per lot over 301 lots	\$275+\$1.50 per lot over 301 lots
(Third and subsequent Reviews)	\$125	\$125
Subdivision Construction Plan		
1-5 lots	\$200	\$200
6-30 lots	\$300	\$300
31-100 lots	\$400	\$400
101-300 lots	\$600	\$600
≥ 301 lots	\$600+\$2.50 per lot over 301 lots	\$600+\$2.50 per lot over 301 lots
(Third and subsequent reviews)	\$125	\$125

Major Site Plan		
< 1 disturbed acre	\$250	\$250
1-5 disturbed acres	\$350	\$350
> 5 disturbed acres	\$350+\$75 per disturbed acre or portion thereof above 5 acres	\$350+\$75 per disturbed acre or portion thereof above 5 acres
(Third and subsequent reviews)	\$125	\$125
Fire Lane Plan Review and Inspections	\$200	\$200
Conditional Use Permit	\$95	\$95
Rezoning	\$125	\$125
<b><u>Utilities Development</u></b>		
<b><u>Plan Review</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Major Site Plan	\$850	\$850
(Third and subsequent reviews)	\$240	\$240
Major Site Plan Revision	\$365	\$365
(Third and subsequent reviews)	\$180	\$180
Preliminary Site Plan	\$720	\$720
(Third and subsequent reviews)	\$180	\$180
Preliminary Subdivision Plan	\$550	\$550
(Third and subsequent reviews)	\$180	\$180
Subdivision Construction Plan	\$845	\$845
(Third and subsequent reviews)	\$305	\$305
Subdivision Construction Plan Revision	\$490	\$490
(Third and subsequent Reviews)	\$240	\$240
Infrastructure Plan	\$600	\$600
(Third and subsequent		

reviews)	\$160	\$160
Grading Plan (Third and subsequent reviews)	\$430	\$430
	\$180	\$180
Major Subdivision Plat (Third and subsequent reviews)	\$400	\$400
	\$95	\$95
Minor Subdivision Plat (Third and subsequent reviews)	\$220	\$220
	\$95	\$95
Family Subdivision Plat (Third and subsequent reviews)	\$180	\$180
	\$95	\$95
Boundary Line Adjustment Plat (Third and subsequent reviews)	\$160	\$160
	\$95	\$95
Dedication Plat (Third and subsequent reviews)	\$240	\$240
	\$95	\$95
Rezoning	\$215	\$215
Conditional Use Permit	\$95	\$95
<b><u>I.T. Review</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Major Subdivision Plat	\$34.00/lot	\$34.00/lot
Minor Subdivision Plat	\$34.00/lot	\$34.00/lot
Family Subdivision Plat	\$20.00/lot	\$20.00/lot
Boundary Line Adjustment Plat	\$20.00/lot	\$20.00/lot
<b><u>Planning and Zoning</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
Conditional Use Permit	\$9,750 + (\$125/Acre>5)+ \$6.48/adjacent property notification	\$9,750 + (\$125/Acre>5)+ \$6.48/adjacent property notification
<b><u>Minor Conditional Use Permit</u></b>		
<b><u>Condition Amendment</u></b>	<b><u>\$0</u></b>	<b><u>\$6,190 + \$6.48/adjacent property</u></b>

		<u>Notification</u>
Rezoning (Regular)	\$12,500 + (\$125/Acre>5) + \$6.48/adjacent property notification	\$12,500 + (\$125/Acre>5) + \$6.48/adjacent property notification
Rezoning (<5 acres)	\$4,375 + \$6.48/adjacent property notification	\$4,375 + \$6.48/adjacent property notification
Proffer Amendment	\$10,000 + (\$25/Acre>5) +\$6.48/adjacent property notification	\$10,000 + (\$25/Acre>5) +\$6.48/adjacent property notification
<u>Minor Proffer Amendment</u>	<u>\$0</u>	<u>\$6,190 + \$6.48/adjacent property notification</u>
Rezoning (Planned Development)	\$15,000 + (\$25/Acre>75) + \$6.48/adjacent property notification	\$15,000 + (\$25/Acre>75) + \$6.48/adjacent property notification
Proffer Amendment Planned Development	\$10,000 + (\$25/Acre>75) + \$6.48/adjacent property notification	\$10,000 + (\$25/Acre>75) + \$6.48/adjacent property notification
Comprehensive Plan Amendment (<100 acres) (100 acres or more)	\$500 \$1,000	\$500 \$1,000
Comprehensive Plan Compliance Review	\$300	\$300
Private Access Easement	\$2,700	\$2,700
Plat Vacation	\$150	\$150
Major Subdivision Plat (Third and subsequent reviews)	\$1,975 + (\$125/Lot) \$1,050 + (\$65/lot)	\$1,975 + (\$125/lot) \$1,050 + (\$65/lot)
Minor Subdivision Plat (Third and subsequent reviews)	\$1,500 + (\$125/Lot) \$600 + (\$65/lot)	\$1,500 + (\$125/lot) \$600 + (\$65/lot)
Family Subdivision Plat (Third and subsequent reviews)	\$1,150 \$550	\$1,150 \$550

Boundary Line Adjustment Plat	\$750	\$750
(Third and subsequent reviews)	\$350	\$350
Dedication Plat (Third and subsequent reviews)	\$1,150 \$500	\$1,150 \$500
Cluster Concept Plan	\$1,975 + (\$125/Lot)	\$1,975 + (\$125/lot)
Preliminary Subdivision Plan (Third and subsequent reviews)	\$8,250 + (\$125/Lot) \$3,200	\$8,250 + (\$125/lot) \$3,200
Preliminary Subdivision Plan (Technical revision)	\$500	\$500
Subdivision Construction Plan  (Third and subsequent review)	\$9,500 + (\$625/Impervious Acre) + (\$1000/Pump Station) \$3,200	\$9,500 + (\$625/Impervious Acre) + (\$1000/Pump Station) \$3,200
Infrastructure Plan (Third and subsequent reviews)	\$3,825 \$1,300	\$3,825 \$1,300
Major Site Plan  (Third and subsequent reviews)	\$7,400 + (\$625/Impervious Acre) \$3,100	\$7,400 + (\$625/Impervious Acre) \$3,100
Minor Site Plan (Third and subsequent reviews)	\$1,630 \$650	\$1,630 \$650
Preliminary Site Plan (Third and subsequent reviews)	\$1,875 + (\$250/Acre) \$900	\$1,875 + (\$250/Acre) \$900
Grading Plan (Third and subsequent reviews)	\$7,300 \$3,150	\$7,300 \$3,150



Minor Grading Plan (Third and subsequent reviews)	\$2,450 \$1,200	\$2,450 \$1,200
Major Plan/Plat Revision	\$4,500	\$4,500
<u>Major Plan/Plat Minor Revision</u>	<u>\$0</u>	<u>\$2,100</u>
Minor Plan/Plat Revision	\$900	\$900
Street Name Change	\$2,500	\$2,500
Certificate of Appropriateness	\$25	\$25
Wetlands Permit	\$675	\$675
Perennial Flow Review (<20 acres)	\$500	\$500
(20 acres or more)	\$750	\$750
Perennial Flow Analysis (Family)	\$500	\$500
Major Water Quality Impact Review	\$500	\$500
RPA Waiver Request	\$200	\$200
RPA Mitigation/Restoration Plan	\$200	\$200
Appeal to BOS	\$2,250	\$2,250
Subdivision Waivers	\$750 + (\$500/Provision)	\$750 + (\$500/Provision)
Waiver to BOS	\$2,250 + (\$850/Provision)	\$2,250 + (\$850/Provision)
Departure from Design Standards (Landscaping and Buffering)	\$2,250 + (\$850/Provision)	\$2,250 + (\$850/Provision)
Alternative Compliance (Landscaping and Buffering)	\$300	\$300
BZA Variance		
Individual Residential Property	\$600	\$600
Other	\$1,375	\$1,375

BZA Special Exception		
Individual Residential		
Property	\$600	\$600
Other	\$1,375	\$1,375
 BZA Appeal		
Individual Residential		
Property	\$600	\$600
Other	\$1,900	\$1,900
 Zoning Administrator Written		
Determination	\$390 + \$6.48/adjacent Property notification	\$390 + \$6.48/adjacent Property notification
 Zoning Verification Letter	\$100	\$100
 DMV Certification	\$50	\$50
 Site Plan As-Built	\$123	\$123
 <b><u>Public Works</u></b>	<b><u>Current Fee</u></b>	<b><u>Proposed Fee</u></b>
 Preliminary		
Subdivision Plan	\$450	\$450
(Third and subsequent		
reviews)	\$160	\$160
 Subdivision		
Construction Plan	\$500	\$500
 (Third and subsequent		
reviews)	\$160	\$160
 Infrastructure Plan	\$400	\$400
(Third and subsequent		
reviews)	\$160	\$160
 Major Site Plan	\$475	\$475
(Third and subsequent		
review)	\$160	\$160
 Preliminary Site Plan	\$140	\$140
(Third and subsequent		
review)	\$60	\$60
 Private Access Easement	\$120	\$120

Major Subdivision Plat (Third and subsequent reviews)	\$310	\$310
	\$100	\$100
Minor Subdivision Plat (Third and subsequent reviews)	\$310	\$310
	\$100	\$100
Dedication Plat (Third and subsequent reviews)	\$310	\$310
	\$100	\$100
Conditional Use Permit	\$120	\$120
Rezoning (Regular)	\$200	\$200
Rezoning (Planned Development)	\$200	\$200
R-O-W Abandonment	\$4,500	\$4,500
Traffic Safety Request	\$65	\$65
Traffic Impact Analysis		
Volume <1,000 VPD	\$200	\$200
Volume >1,000 VPD	\$400	\$400

### **Planning and Zoning Application Refunds**

Conditional Use Permits, Rezoning and BZA Variances, Special Exceptions and Appeals:

If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

If an application is withdrawn after the first public hearing, the application fee is non-refundable.

Plan and Plat Applications:

If an application is withdrawn prior to the completion of the first review, fifty (50) percent of the total fee amount paid will be refunded.

If an application is withdrawn after completion of the first review, the application fee is non-refundable.

BE IT FURTHER ORDAINED that this Ordinance shall take effect on September 1, 2010; and

BE IT STILL FURTHER ORDAINED that the fees included in this Ordinance were previously referenced in Ordinance O09-30, and such sections of that ordinance be and hereby are rescinded effective September 1, 2010.

Utilities; Authorize Vacation of a Sanitary Sewer Easement on Parcels 30TT 1-28, 30TT 1-29, and 30TT 1-D Mr. Harry Critzer, Director of Utilities, 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. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R10-202.

The Voting Board tally was:

Yea: (7) Milde, Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Resolution R10-202 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO VACATE A SANITARY SEWER EASEMENT ON PARCELS 30TT 1-28, 30TT 1-29 AND 30TT 1-D

WHEREAS, the Board has the authority to approve the vacation of public easements within Stafford County; and

WHEREAS, the owner of Parcels 30TT 1-28, 30TT 1-29 and 30TT 1-D desires that the easement for a sanitary sewer be vacated in the manner shown; and

WHEREAS, the easement is no longer needed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that the County Administrator be and he hereby is authorized to execute a deed of vacation of a sanitary sewer easement.

Planning and Zoning; Authorize Proposed Amendment to Section 28-25, “Definitions” of the Zoning Ordinance Mr. Jeff Harvey, 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. Milde motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O10-35.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Ordinance O10-35 reads as follows:

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

WHEREAS, Section 15.2-2307 of the Virginia Code was amended, making a written order, requirement, decision, or determination by the zoning administrator or other administrator regarding the permissibility of a specific use or density a significant affirmative governmental act for vesting purposes; and

WHEREAS, the Virginia Code does not define what constitutes a written order, requirement, decision, or determination; and

WHEREAS, the Virginia Code does not define who would constitute an administrative officer; and

WHEREAS, the Board desires to define these terms in Stafford County Code, Section 28-25, entitled “Definitions of specific terms”; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that Stafford County Code, Section 28-25, be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

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

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

Administrative Officer. Director of Planning and Zoning and Assistant Director of

Planning and Zoning.

Written order, requirement, decision, or determination. A letter written by the Zoning Administrator or Administrative Officer to an individual, sole proprietorship, partnership, corporation, or any other legal entity regarding the permissibility of a specific use or density. A zoning verification is not a written order, requirement, decision, or determination.

Planning and Zoning; Authorize Proposed Amendment to Section 28-295, “Zoning Administrator” of the Zoning Ordinance Mr. Jeff Harvey, 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. Dudenhefer asked staff for an example of where 75 days was necessary and what percentage of applications would require the full 75 days for consideration. Mr. Sterling asked where the timeframe of 75 days came from and Mr. Harvey replied that it was based on initial discussion with the Board. Mr. Dudenhefer replied that 75 days were an arbitrary number of days and that there is no indication of 30 days being inadequate. Mr. Milde noted that 45 days would be a compromise.

Mr. Milde motioned, seconded by Ms. Stimpson, to defer this item.

The Voting Board tally was:

Yea: (5) Milde, Stimpson, Dudenhefer, Snellings, Sterling

Nay: (2) Crisp, Woodson

Planning and Zoning; Amend and Reordain Stafford County Code, Section 22-4, “Definitions” and Section 22-5, “Family and Minor Subdivisions” Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation and answered Board members questions.

Mr. Crisp stated that he has mixed feeling about this change because there could be times when it might be taken advantage of and even if it does not pass, citizens may ask for a hardship waiver and therefore he was leaning towards leaving the ordinance as is.

Mr. Sterling said that when trying to refinance, the bank looks at all the rules and that 15 years is a long encumbrance and that he is in favor of the 5 year rule.

Mr. Milde asked how this would change the lot yield. Mr. Harvey responded that there would be no change. Mr. Woodson said that he would be voting against the change to the ordinance. Ms. Stimpson asked what reason or excuse is necessary to request a hardship waiver. Mr. Harvey said that the code is not clear or specific in hardship waivers but it could include things such as marital situations, military obligations, etc. but there is no set standard as to what constitutes a hardship waiver.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O10-17.

The Voting Board tally was:

Yea: (5) Snellings, Sterling, Dudenhefer, Milde, Stimpson

Nay: (2) Crisp, Woodson

Ordinance O10-17 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 22-4, “DEFINITIONS,” AND SECTION 22-5, “FAMILY AND MINOR SUBDIVISIONS”

WHEREAS, the Virginia Code was amended, changing the definition of “immediate family,” requiring the amendment of the definition of “immediate family member” in Stafford County Code, Section 22-4; and

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 22-5, entitled “Family and Minor Subdivisions,” to change the length of time that a parcel must be owned before it can be transferred as part of a family subdivision; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of August, 2010, that Stafford County Code, Section 22-4, entitled “Definitions,” and Section 22-5, entitled “Family and Minor Subdivisions,” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

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

*Family, immediate member:* Any person who is a natural or legally defined offspring, stepchild, spouse, sibling, grandchild, grandparent or parent of the owner of a parcel.

**Sec. 22-5. - Family and minor subdivisions.**

(a) *Family subdivisions.* A single division of a lot or parcel is permitted for the purpose of sale or gift to a member of the immediate family of the property owner, subject only to the express requirements contained in the Code of Virginia (1950), as amended, and the following provisions:

(1) The grantee is an immediate family member of the owner or owner(s), who is an immediate family member as defined in this chapter.

(2) The property has been owned for at least ~~fifteen (15)~~ five (5) consecutive years by the current owner or member of the immediate family prior to the transfer.

(3) No previous transfer under this provision has been granted to the grantee in this county.

(4) After the transfer of property to the grantee, the lot will not be voluntarily transferred to a nonmember of the immediate family for at least ~~fifteen (15)~~ five (5) years from the date of transfer, except that a transfer of a shared interest may subsequently or simultaneously be made to the spouse of the grantee. This restriction shall be noted in the deed.

(14) If the board finds that an extraordinary hardship is being caused by the ~~fifteen-year~~ five (5) year restriction, it shall reduce the time period to alleviate the hardship. This hardship provision shall be noted on the plat or in the deed.

**State law references:** Virginia Code §§ 15.2-2244 and 15.2-2244.1.

Planning and Zoning; Discuss Zoning Text Amendment Regarding Signage in A-2 and R-1 Districts Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation and answered Board members questions.

Mr. Milde motioned, seconded by Mr. Sterling, to defer this item to the Board’s September 7<sup>th</sup> meeting.



The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Utilities; Discuss Utilities Commission’s Water Conservation Rate Recommendation

Mr. Sterling motioned, seconded by Mr. Milde to adopt proposed Resolution R10-269.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R10-269 reads as follows:

A RESOLUTION TO FURTHER DEFINE “EXTENUATING CIRCUMSTANCES” IN RESOLUTION R09-21

WHEREAS, Ordinance O00-88 requires that sod be applied to all residential lots of less than 30,000 square feet; and

WHEREAS, in order to adequately establish the lawns on these lots requires daily watering for 4 to 6 weeks, or more; and

WHEREAS, Ordinance O08-40 established a water conservation rate of \$23.55 per thousand gallons for water usage in excess of 20,000 gallons in a month; and

WHEREAS, recently adopted Ordinance O10-30 includes the \$23.55 per thousand rate with a new threshold of 26,000 gallons or more in a month; and

WHEREAS, water customers complying with the requirements to get the newly laid sod established are negatively impacted by the need to irrigate the sod on a daily basis which causes them to exceed the 26,000 gallons threshold and be impacted by the water conservation rate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of August, 2010, that compliance with the terms of Ordinance O00-88, which requires the application and establishment of sod for certain residential lots be included in the definition of “extenuating circumstances” as stated in Resolution R09-21 which provides for a one-time conservation rate adjustment for up to a 60-day period.

Mr. Milde motioned, seconded by Ms. Stimpson, to refer to the Utilities Commission the rate of \$13.00 over 26,000 gallons.

The Voting Board tally was:

Yea: (7) Milde, Stimpson, Crisp, Dudenhefer, Snellings, Sterling, Woodson

Nay: (0)

Discuss Correspondence from Colonel D. J. Choike, U.S. Marine Corps Commander –  
Marine Corps Base Quantico

Mr. Dudenhefer expressed his desire for notification for home buyers and sellers within the sound area of the Base. Mr. Milde stated that there is no more rezoning in Virginia Beach due to issues with neighborhoods built in too close proximity to Oceana Naval Air Station.

Mr. Sterling asked that a joint commission work through issues with the Marines. Mr. Snellings said that he is getting more complaints about low flying helicopters. Mr. Dudenhefer replied that he had a discussion with the Base commander and that helicopters are flying within regulations and not too low.

UDA Calculations Mr. Crisp requested that the charts of UDA Countywide Acreage Needs and Land Allocation Needs be included in the Comprehensive Plan. He feels that the charts will give insight and credibility to the UDAs. He also requested this be referred to the combined committee.

Mr. Sterling noted that some of the commercial numbers were wrong and should be corrected before referring the document to the combined committee.

Adjournment At 8:55 p.m., the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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Mark Dudenhefer  
Chairman