

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

August 18, 2009

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:03 P. M., Tuesday, August 18, 2009, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: George H. Schwartz, Chairman; Harry E. Crisp II, Vice Chairman; M. S. "Joe" Brito; Robert "Bob" Woodson; Mark Dudenhefer, and Paul V. Milde III. Cord A. Sterling arrived at 1:24 P. M.

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

Legislative; Presentations by the Public. The following persons spoke on topics as identified:

Terence Gleason - Subdivision Signs

Legislative; Report of the Superintendent of Schools. Dr. David Sawyer, Division Superintendent of Schools, gave a presentation on current issues and responded to Board members questions.

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

Mr. Crisp - Attended Technology Zone Ordinance committee

- Attended a Comprehensive Plan discussion
- Attended the final Fredericksburg/Stafford Parks Authority meeting
- Mr. Dudenhefer - Attended Several Eagle Scout ceremonies
- Mr. Milde - Attended the Rappahannock Transportation Committee meeting
- Attended the Potomac Watershed meeting
- Responded to several e-mails regarding the SPCA
- Attended Rotary and Lions Club meetings
- Attended the GWRC meeting
- Attended a meeting at the Landfill regarding Civil War sites
- Attended Germanna Community College ribbon-cutting in the Aquia District
- Attended National Night Out
- Worked on “Stuff a Truck” for S.E.R.V.E and “Partnering for the Future”
- Mr. Sterling - Attended a meeting with VDOT regarding the Falmouth Intersection design
- Mr. Woodson - Attended GWRC/FAMPO
- Attended BRAC meeting at Marine Corps Base Quantico
- Attended Germanna Community College ribbon-cutting
- Attended General Dynamics ribbon-cutting
- Attended Dept. of Social Services meeting
- Attended Sports Booth meeting
- Attended a county-wide church revival at Stafford High School
- Mr. Brito - Attended 18 meetings and events
- Attended Senior Center lunch

- Attended Curtis Park Swim Meet
 - Worked with the Sports Booth Athletic Center
 - Held a Town Hall meeting at Rocky Run Elementary School regarding the Parks & Recreation Bond Referendum
- Mr. Schwartz - Thanked Mr. Sterling for his work on the Falmouth Intersection

Legislative Report of the County Attorney. Mr. Joe Howard, County Attorney had no comments.

Legislative Report of the County Administrator. Mr. Anthony J. Romanello, County Administrator, commented on the following:

- Additions/Deletions: Delete Item #34d – Discussion of Swim Lane Allocations.
- 634 students have registered for 34 classes at Germanna Community College
- Parks/Recreation/Community Facilities Director, Chris Hoppe, gave a report on field allocations and an update on the Woodlands Park pool.

Legislative; Additions and Deletions to the Regular Agenda. Mr. Sterling motioned, seconded by Mr. Dudenhefer to delete Item #34d, Discussion of Swim Lane Allocations.

The Voting Board tally was:

- Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson
Nay: (0)

Legislative; Consent Agenda; Mr. Milde motioned, seconded by Mr. Dudenhefer to approve the Consent Agenda consisting of Items 2 through 20.

The Voting Board tally was:

- Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson
Nay: (0)

Item 2. Legislative, Approve Minutes of Board Meeting. Regular Meeting of July 7, 2009.

Item 3. Finance and Budget; Approve Expenditure Listing.

Resolution R09-297 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING
(EL) DATED JULY 08, 2009 THROUGH AUGUST 17, 2009

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 18th day of August 2009, that the above-mentioned EL be and it hereby is approved.

Item 4. Fire and Rescue; Award Contract for a Medical Support Unit.

Resolution R09-54 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
AWARD A CONTRACT FOR A MEDICAL CARE SUPPORT UNIT (MCSU)
FOR THE FIRE AND RESCUE DEPARTMENT AND TO DECLARE ITS
INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR
MORE FINANCINGS

WHEREAS, the purchase of a medical support unit will provide rapid care in the event of catastrophic incidents involving multiple patients in the County, as well as the ability to assist neighboring jurisdictions during a significant emergency medical emergency; and

WHEREAS, the cost of the medical support unit is \$320,000; and

WHEREAS, the Mary Washington Hospital Foundation will be partnering with the County to purchase the MCSU and will be contributing \$150,000 towards the purchase; and

WHEREAS, the total amount of the funding requested by the Fire and Rescue Department is \$170,000;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to execute a contract with C.W. Williams Hackney Medical Care Support Unit to purchase a medical care support unit in an amount not to exceed Three Hundred Twenty Thousand Dollars (\$320,000); and

BE IT FURTHER RESOLVED that:

1. The Board of Supervisors adopts this declaration of official intent under Treasury regulations Section 1.150-2.
2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of the MCSU from the proceeds of one or more financings. The maximum amount of financing expected to be issued for the MCSU is \$170,000.
3. This resolution shall take effect immediately upon its adoption.

BE IT STILL FURTHER RESOLVED that the Board be and it hereby does accept funding from the Mary Washington Hospital Foundation in the amount of One Hundred Fifty Thousand Dollars (\$150,000) to be used to assist in purchasing the MCSU.

Item 5. Public Works; Install Two (2) Multi-Way Stop Signs on Jason Lane (SR-1407) at the Intersections of Confederate Way (SR-1447) and Antietam Loop (SR-1446); and Kennesaw Drive (SR-1408) in the Stone River Subdivision.

Resolution R09-312 reads as follows:

A RESOLUTION TO INSTALL TWO (2) MULTI-WAY-STOPS ON JASON LANE (SR-1407) AT THE INTERSECTIONS OF CONFEDERATE WAY (SR-1447) AND ANTIETAM LOOP (SR-1446); AND KENNESAW DRIVE (SR-1408) IN STONE RIVER SUBDIVISION

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

WHEREAS, the Stone River Homeowner's Association has requested the installation of additional stop signs at the intersections of Jason Lane and Confederate Way/Antietam Loop, and Jason Lane and Kennesaw Drive; and

WHEREAS, the proposed locations meet all of the required criteria for installation, based on the current Residential Transportation Management Plan, Multi-Way Stop Program; and

WHEREAS, upon review of the intersections, the Virginia Department of Transportation (VDOT) approved the proposed locations for installation of a Multi-Way-Stop;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August 2009, that the Board be and it hereby does approve the installation of two (2) Multi-Way-Stop conditions along Jason Lane (SR-1407) at the intersections of Confederate Way (SR-1447) and Antietam Loop (SR-1446), and Kennesaw Drive (SR-1408) in Stone River Subdivision; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Residency Administrator of VDOT.

Item 6. Public Works; Transfer VDOT Revenue Sharing Program Funds from Juggins Road Connector Project to the Garrisonville Road Widening Project and Designate Funds in the Transportation Fund for the Garrisonville Road Improvement Project.

Resolution R09-301 reads and follows:

A RESOLUTION TO AUTHORIZE THE TRANSFER OF VIRGINIA DEPARTMENT OF TRANSPORTATION REVENUE SHARING PROGRAM FUNDS FROM THE JUGGINS ROAD CONNECTOR PROJECT (UPC 65551) TO THE GARRISONVILLE ROAD PROJECT (UPC 50794)

WHEREAS, the County entered into an agreement with the Commonwealth of Virginia to fund the widening of Garrisonville Road (SR-610) from Mine Road / Staffordboro Boulevard (SR-684) to Onville Road (SR-641); and

WHEREAS, expenditures for the Garrisonville Road project are greater than allocations; and

WHEREAS, an unspent amount of the Virginia Department of Transportation (VDOT) Revenue Sharing Program funds previously allocated to a project known as the Juggins Road Connector are available for the Garrisonville Road project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the Virginia Department of Transportation be and it hereby is authorized to transfer One Hundred Ninety-one Thousand Seven Hundred Twenty-six Dollars (\$191,726) in Revenue Sharing Program funds from the Juggins Road Connector project (UPC 65551) to the Garrisonville Road project (UPC 50794); and

BE IT FURTHER RESOLVED that the VDOT Residency Administrator receives a certified copy of this Resolution.

Resolution R09-302 reads as follows:

A RESOLUTION TO AUTHORIZE THE DESIGNATION OF UP TO \$375,800 IN THE TRANSPORTATION FUND IN FY2010 FOR THE GARRISONVILLE ROAD WIDENING PROJECT (VDOT UPC 50794)

WHEREAS, the County entered into an agreement with the Commonwealth of Virginia to fund the widening of Garrisonville Road (SR-610) from Mine Road / Staffordboro Boulevard (SR-684) to Onville Road (SR-641); and

WHEREAS, expenditures for the Garrisonville Road project are greater than allocations; the deficit anticipated to be no more than \$375,800; and

WHEREAS, previous County allocations for the Garrisonville Road project were derived from the Fuels Tax Fund; and

WHEREAS, \$805,451 is budgeted in FY2010 for Road Improvements in the Transportation Fund; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to designate up to Three Hundred Seventy-five Thousand Eight Hundred Dollars (\$375,800) in the Transportation Fund for the Garrisonville Road project (VDOT UPC 50794); and

BE IT FURTHER RESOLVED that the County Administrator remit these funds to VDOT only if other state funding is not available to cover the deficit; and

BE IT FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County for eligible expenditures from the Fuels Tax Fund.

BE IT STILL FURTHER RESOLVED that the Board has determined that it may be necessary or desirable to advance money to pay the project deficit:

- The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
- The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of the Garrisonville Road improvement project from the proceeds of its debt or other financings. The maximum amount of debt or other financing expected to be issued in one or more series is \$375,800.

Item 7. Public Works; Award Contract for Engineering Services for Mountain View Road and Poplar Road Improvements.

Resolution R09-309 reads as follows:

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR ENGINEERING AND LAND ACQUISITION SERVICES FOR
IMPROVEMENTS TO MOUNTAIN VIEW ROAD AND POPLAR ROAD

WHEREAS, the citizens of Stafford County approved the issuance of bonds to funds certain road improvements within Stafford County; and

WHEREAS, the Board desires to begin engineering work on Poplar Road in the vicinity of U. S. Route 17 and Truslow Road, and Mountain View Road in the vicinity of Joshua Road and Rose Hill Farm Road immediately; and

WHEREAS, improvements to Poplar Road will be funded through West Central Transportation Impact Service Area fees and the improvements to Mountain View Road will be funded initially by the Transportation Fund and ultimately by the sale of transportation bonds; and

WHEREAS, Stafford County issued a public solicitation for proposals from interested firms; and

WHEREAS, twelve proposals from interested firms were submitted; and

WHEREAS, staff has determined that Rinker Design Associates, P.C. was the most qualified firm to provide these services; and

WHEREAS, Rinker Design Associates, P.C. has submitted a cost proposal to perform engineering and right of way acquisition services for both projects for the estimated amount of \$771,900; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is, authorized to execute a contract with Rinker Design Associates, P.C. in an amount not to exceed Seven Hundred Seventy-one Thousand Nine Hundred Dollars (\$771,900) for professional services for the design and right of way acquisition for the Poplar Road and Mountain View Road improvements.

BE IT FURTHER RESOLVED that the amount of \$484,800 in Transportation Funds is authorized for this contract.

BE IT FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County for eligible expenditures from the Fuels Tax Fund.

BE IT FURTHER RESOLVED that the Board has determined that it may be necessary or desirable to advance money to pay the costs for engineering and land acquisition services for the improvements to Mountain View Road and Poplar Road thus:

- The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
- The Board of Supervisors reasonably expects to reimburse advances made or to be made to the County to pay the costs for engineering and land acquisition services for improvements to Mountain View Road and Poplar Road. The maximum amount of debt or other financing expected to be issued in one or more series for these services is \$771,900.

Item 8. Utilities; Authorize a Contract for Odor Control Chemicals.

Resolution R09-298 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 FY2010 Facilities Maintenance Operating Budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to execute a contract amendment with Basic Chemical Solutions to provide Custom Blended Alkali CBA-45 for odor control in an amount not to exceed Four Hundred Thirty Thousand One Hundred Seventy-five Dollars (\$430,175) in FY2010.

Item 9. Parks, Recreation and Community Services; Authorize a Contract for Custodial Services at County Facilities.

Resolution R09-290 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
AWARD A CONTRACT FOR CUSTODIAL SERVICES AT VARIOUS
COUNTY FACILITIES

WHEREAS, professional custodial services are needed at various County facilities; and

WHEREAS, the bidding process has been completed, resulting in C. C. Building Services submitting the most responsive bid; and

WHEREAS, funds are available in the FY 2010 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to award a contract to C. C. Building Services in an amount not to exceed Two Hundred Nineteen Thousand Three Hundred Three Dollars (\$219,303); and

BE IT FURTHER RESOLVED that subject to funds being appropriated each year for this purpose, the contract shall have an option to renew for up to four additional one-year terms, if mutually agreed upon.

Item 10. Parks, Recreation and Community Services; Accept the Audit and Approve Dissolution of the Fredericksburg/Stafford Park Authority.

Resolution R09-291 reads as follows:

A RESOLUTION TO ACCEPT THE AUDIT AND APPROVE
DISSOLUTION OF THE FREDERICKSBURG-STAFFORD PARK
AUTHORITY

WHEREAS, on May 5, 2009 the Stafford County Board of Supervisors approved an Agreement with the Fredericksburg-Stafford Park Authority (FSPA) and the Fredericksburg City Council to accept distribution of assets from the FSPA; and

WHEREAS, on July 7, 2009 the Stafford County Board of Supervisors approved extending the Agreement with the FSPA and the City of Fredericksburg for thirty days until July 30, 2009; and

WHEREAS, all actions required in the agreement have been completed including the distribution of FSPA assets; and

WHEREAS, FSPA has no outstanding financial obligations; and

WHEREAS, on July 22, 2009 the FSPA certified the audit and approved a Resolution to dissolve the Authority;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th of August 2009, that the Board be and hereby does accept the audit, withdraw its membership from the FSPA, and approve dissolution of the Fredericksburg-Stafford Park Authority.

Item 11. Parks, Recreation and Community Facilities; Budget and Appropriate Funds for the Audit of the Fredericksburg/Stafford Park Authority.

Resolution R09-292 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS FOR
PARKS, RECREATION AND COMMUNITY FACILITIES

WHEREAS, on May 5, 2009 the Board approved an Agreement with the Fredericksburg-Stafford Park Authority (FSPA) and the Fredericksburg City Council to accept distribution of assets from FSPA; and

WHEREAS, on July 7, 2009 the Board approved extending the Agreement with FSPA and the City of Fredericksburg for thirty days until July 30, 2009; and

WHEREAS, an audit of FSPA financial accounts to determine the assets to be divided between Stafford County and the City of Fredericksburg is complete; and

WHEREAS, Stafford County's portion of the financial assets is \$121,664.08 minus any final banking fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th of August 2009, that an additional One Hundred Twenty-one Thousand Six Hundred Sixty-four Dollars and Eight Cents (\$121,664.08) be and it hereby is budgeted and appropriated to the Department of Parks, Recreation and Community Facilities' budget for FY 2010 for purpose of capital improvements at the former FSPA properties in Stafford County.

Item 12. Public Works; Designate FY2010 Revenue Sharing Funds.

Resolution R09-305 reads as follows:

A RESOLUTION TO DESIGNATE FY2010 VIRGINIA DEPARTMENT OF
TRANSPORTATION REVENUE SHARING PROGRAM FUNDS

WHEREAS, the Board desires to participate in the FY2010 Revenue Sharing Program in the amount of \$1,000,000 in County funds to be matched dollar-for-dollar by the Virginia Department of Transportation (VDOT); and

WHEREAS, the Transportation Bond Program includes Youth Driver Task Force projects to be partially funded through the VDOT Revenue Sharing Program; and

WHEREAS, the Board designates Poplar Road (SR-616) from 0.20 miles north of Kellogg Mill Road (SR-651) to 0.77 miles north of Kellogg Mill Road as a Revenue Sharing Program project; and

WHEREAS, in the event Supplemental Revenue Sharing Program funds are made available, the Board designates two additional projects:

- 1) Poplar Road (SR-616) from Mountain View Road (SR-627) to 0.25 miles south of Mountain View Road
- 2) Mountain View Road (SR-627) and Kellogg Mill Road (SR-651) intersection improvement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the following projects be and they hereby are designated for the FY2010 VDOT Revenue Sharing Program:

- 1) Poplar Road (SR-616) near Kellogg Mill Road (SR-651); One Million Dollars (\$1,000,000) with One Hundred Thousand Dollars (\$100,000) in local unmatched funds;
- 2) Poplar Road (SR-616) near Mountain View Road (SR-627); Four Hundred Fifty Thousand Dollars (\$450,000); and
- 3) Mountain View Road (SR-627) near Kellogg Mill Road (SR-651); Six Hundred Fifty Thousand Dollars (\$650,000).

BE IT FURTHER RESOLVED that the VDOT Residency Administrator receives a certified copy of this Resolution.

Item 13. Public Works; Grant a Right-of-Way Easement to Dominion Virginia Power on Assessor's Parcel 45-14F, 806 Lyons Boulevard.

Resolution R09-306 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
CONVEY AN EASEMENT TO VIRGINIA DOMINION POWER ON PARCEL
45-14F LOCATED AT 806 LYONS BOULEVARD

WHEREAS, Virginia Dominion Power has requested a fifteen (15) foot wide easement on County-owned property located at 806 Lyons Boulevard; and

WHEREAS, this easement is necessary for Virginia Dominion Power to provide electrical service to the England Run Library; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is, authorized to execute the documents necessary to convey a fifteen (15) foot right-of-way easement to Virginia Dominion Power on Parcel 45-14F.

Item 14. Finance and Budget; Authorize a Public Hearing to Assess Funds for Law Library Fees.

Resolution R09-299 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 1, SECTION 1-12, ENTITLED “ASSESSMENT FOR LAW LIBRARY AS PART OF COSTS IN CIVIL ACTIONS”

WHEREAS, a recent change to state enabling legislation has increased the maximum assessment to be collected for law library from two dollars (\$2.00) to four dollars (\$4.00); and

WHEREAS, the Board desires to collect the maximum assessment allowable by the state; and

WHEREAS, the Board wishes to explore all available revenue sources to aid in the support of the Central Rappahannock Regional Library; 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 18th day of August, 2009, that the County Administrator be and hereby is authorized to advertise for a public hearing to allow for presentation and public comment for the purpose of amending and reordaining Stafford County Code, Section 1-12, entitled “Assessment for Law Library as Part of Costs in Civil Actions”.

Item 15. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees:

Resolution R09-300 reads as follows:

A RESOLUTION TO REAPPOINT 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
Mark Safferstone (Griffis-Widewater District)	June 10, 2009
John Rowley (Hartwood District)	June 10, 2009
Jo Knight (Aquia District)	June 10, 2010
Joel Griffin	June 10, 2012

(Garrisonville District)

WHEREAS, the term of Mark Safferstone and John Rowley expired on June 10, 2009; and

WHEREAS, the Board desires to fill these positions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
John Rowley (Hartwood District)	June 10, 2012

be and he 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, then 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.

Resolution R09-308 reads as follows:

A RESOLUTION TO REAPPOINT A MEMBER TO THE COMMUNITY POLICY AND MANAGEMENT TEAM FOR AT-RISK YOUTH AND FAMILIES

WHEREAS, Resolution R92-551, adopted by the Board on December 15, 1992, established a Community Policy and Management Team for At-Risk Youth and Families; and

WHEREAS, the Comprehensive Services Act requires that, at a minimum, the team consist of a representative of the Rappahannock Area Community Services Board, the Juvenile Court Services Unit, the Department of Health, the Department of Social Services, the local school division, a parent from the community, a private provider organization and at least one elected official or appointed official or his designee from the Governing Body; and

WHEREAS, the terms of agency heads are permanent, as long as the appointee serves as an agency head and the terms of private provider and parent representative are for three years; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Ronald W. Branscome (Community Services Board)	Virtue of Office
Michael Mastopaolo (Juvenile Court Services Unit)	Virtue of Office
Thomas Frank (Director of Health Department)	Virtue of Office
Michael Muse (Department of Social Services)	Virtue of Office
Dr. David Sawyer (Local School Division) (Or Designee)	Virtue of Office
Daniella Serven (Parent Representative)	December 31, 2008
Lynn McFaden (Private Provider Representative)	December 31, 2011
Harry E. Crisp (Board of Supervisors)	December 31, 2009

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Daniella Serven (Parent Representative)	December 31, 2012

be and she hereby is reappointed as a member of the Community Policy and Management Team for At-Risk Youth and Families.

Item 16. Public Works; FFY2009 Bonus Obligation Transportation Project Funding.

Resolution R09-322 reads as follows:

A RESOLUTION TO APPROVE FEDERAL FISCAL YEAR 2009
FEDERAL BONUS OBLIGATION PROGRAM PROJECTS

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

WHEREAS, the County is eligible to receive federal bonus obligation funds on a federal fiscal year (FFY) basis;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that it be and it hereby does indicate its desire to allocate FFY2009 federal bonus obligation program funds in the following manner: the Garrisonville Road (SR-610) widening project in the vicinity of Joshua Road (SR-643), VDOT UPC 51919, Five Million Six Hundred Seventy-eight Thousand One Hundred Seventy-one Dollars (\$5,678,171) and the new Interstate 95 interchange at Courthouse Road (SR-630), VDOT UPC 13558, Six Million One Hundred One Thousand One Hundred Thirty-nine Dollars (\$6,101,139); and

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

Item 17. Fire and Rescue; Acceptance of Financial Assistance for EMS (FAEMS) Grant.

Resolution R09-315 reads as follows:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF FUNDING FROM
THE FEDERAL GOVERNMENT FOR THE FINANCIAL ASSISTANCE FOR
EMERGENCY MEDICAL SERVICES GRANT (FAEMS)

WHEREAS, a no match (100%) funding from the Virginia Office of Emergency Medical Services, provided by the U. S. Department of Homeland Security, has been awarded to the Fire and Rescue Department in the amount of \$51,100; and

WHEREAS, the purpose of this grant is to increase the use of electronic patient care reporting in the pre-hospital setting and increase the availability of information technology available to expand upon in the future; and

WHEREAS, funding must be used to purchase ToughBook Computers for use in completing pre-hospital patient care reporting, a statewide, web-based data collection and reporting tool.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to budget and appropriate grant funding in the amount of Fifty-one Thousand One Hundred Dollars (\$51,100) from the U. S. Department of Homeland Security to the General Fund, Fire and Rescue Department.

Item 18. Economic Development; Appropriation of Grant Funds from the Department of Defense, Office of Economic Adjustment's Growth Management Planning Assistance Grant.

Resolution R09-317 reads as follows:

A RESOLUTION TO APPROPRIATE GRANT FUNDS FROM THE DEPARTMENT OF DEFENSE, OFFICE OF ECONOMIC ADJUSTMENT, FOR THE PURPOSES OF CONTINUING SUPPORT FOR THE QUANTICO GROWTH MANAGEMENT COMMITTEE'S OFFICE OF BRAC COODINATOR, UNDER THE DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, Stafford County was awarded \$220,572 in grant funds from the Department of Defense, Office of Economic Adjustment, for Growth Management Planning assistance; and

WHEREAS, all of the funds are designated for expenses in FY10; and

WHEREAS, these funds require a 10 percent local in kind match, which is accomplished by existing budgeted funds from the Department of Economic Development, to fund the BRAC Coordinator position and office; and

WHEREAS, the BRAC Coordinator serves as staff to the Quantico Growth Management Committee, a committee made up of three elected leaders each from Stafford County and Prince William County, and Quantico Marine Corps Base, and serves to facilitate communication between the U.S. Department of Defense, and other state and federal agencies on BRAC 2005 movements effecting our communities;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to budget and appropriate funds awarded to Stafford County, as the fiscal agent for the Quantico Growth Management Committee, by the federal office of Economic Adjustment in the amount of (\$220,572) Two Hundred Twenty Thousand Five Hundred Seventy-two Dollars to the General Fund, Economic Development category.

Item 19. Utilities; Execute a Contract for Replacement Equipment, Installation and Service for the Little Falls Run Wastewater Treatment Facility

Resolution R09-307 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR REPLACEMENT EQUIPMENT, INSTALLATION AND SERVICE FOR LITTLE FALLS WASTEWATER TREATMENT FACILITY

WHEREAS, Utilities staff has identified components of the wastewater treatment system that have deteriorated and are in need of replacement; and

WHEREAS, the Board has appropriated funds in the FY2010 Capital Budget to maintain the integrity of these components; and

WHEREAS, Schreiber, Inc. is the manufacturer and sole source for this equipment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to execute a contract with Schreiber, Inc., with an estimated expenditure of One Hundred Sixty-seven Thousand Four Hundred Fifty-six Dollars (\$167,456) for this purpose.

Item 20. Commonwealth's Attorney; Budget and Appropriate Grant Funds from the Department of Criminal Justice Services Violence Against Women (VAWS) Stimulus Grant and Authorize a Temporary Full-Time Domestic Violence Detective and Temporary Full-Time Victim/Witness Program Assistant

Resolution R09-318 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE GRANT FUNDS FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES VIOLENCE AGAINST WOMEN (VAWS) STIMULUS GRANT AND AUTHORIZE A TEMPORARY FULL-TIME DOMESTIC VIOLENCE DETECTIVE AND TEMPORARY FULL-TIME VICTIM/WITNESS PROGRAM ASSISTANT

WHEREAS, the County was awarded federal funds by the Department of Criminal Justice Services; and

WHEREAS, a local match of \$47,107 is required; and

WHEREAS, \$36,368 will be in-kind and \$10,739 will be a cash match from contingency; and

WHEREAS, this Domestic Violence Detective and Victim/Witness Program Assistant will develop a Domestic Violence Response Team dedicated to the investigation and prosecution of domestic violence and provide intervention and services to women victims of violent crimes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is authorized to budget and appropriate funds in the amount of One Hundred Forty-one Thousand Three Hundred Twenty-two Dollars (\$141,322) to the General Fund; and

BE IT FURTHER RESOLVED that a temporary full-time position as a Domestic Violence Detective and temporary full-time Victim/Witness Program Assistant to full-time be and it hereby is authorized for 18 months from the hire date.

Legislative; Discuss the Following:

Campaign Contribution By-Laws Amendment. Mr. Schwartz commented.

Discussion ensued.

Mr. Schwartz motioned, seconded by Mr. Brito to adopt the following By-Laws addition: “Members of the Board of Supervisors shall not accept campaign contributions from persons, groups, associations, partnerships, corporations, or other such entities that have submitted an application or applications for Rezoning, Proffer Amendment, Conditional Use Permit, Comprehensive Plan Amendment, or an Appeal before the Board of

Supervisors, during the period of time such matter is submitted to the County to six months following final action on the matter by the Board of Supervisors or when the matter is withdrawn. If a donation has been accepted, the Board member has the option of recusing himself from the matter or returning the donation.

Discussion ensued.

Mr. Sterling made a friendly amendment, seconded by Mr. Dudenhefer, for the following statement to be added to the original language “No candidate shall take an official action in exchange for a campaign contribution”.

Discussion ensued.

Mr. Milde made a substitute motion to add the language “Members of the Board of Supervisors shall not accept campaign contributions from Stafford County employees or volunteers; School Board members, employees, or volunteers; any unions, associations, political action committees or other support groups related to, consisting of, or sponsored by Stafford County employees or Stafford County School Board, or employees or volunteers of the Stafford County School Board for the period of six months prior to a primary election of the Board of Supervisors and six months following a Board of Supervisors election.

Discussion ensued.

Mr. Milde withdrew his motion

The Voting Board Tally on the substitute motion was:

Yea: (5) Sterling, Dudenhefer, Milde, Schwartz, Crisp
Nay: (2) Brito, Woodson

Society for the Prevention of Cruelty to Animals. Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling to hold a public hearing on September 15, 2009.

Discussion ensued.

Mr. Schwartz made a substitute motion to form a Board committee to revisit the portion of the CIP related to the animal shelter and meet with Sheriff Jett and Mike Null to look at Stafford County Animal Shelter possibilities and come back with recommendations on

the December 1, 2009 meeting. He added that the Board should rescind its motion of October 7, 2008 to become the applicant for the SPCA.

Discussion ensued.

Mr. Sterling made a second substitute motion to defer any Board action until after a September 15, 2009 public hearing and the Chairman appoint a committee to examine other possibilities.

The Voting Board Tally on the second substitute motion was:

Yea: (4) Milde, Sterling, Dudenhefer, Brito

Nay: (3) Schwartz, Crisp, Woodson

Senior Center. Mr. Brito commented.

Mr. Chris Hoppe, Director of Parks, Recreation and Community Facilities answered Board members questions.

Discussion ensued.

Commercial Parking Space Requirements in the Zoning Ordinance. Mr Brito commented.

Discussion ensued.

Mr. Brito and Mr. Milde were appointed to a committee to look at issues related to commercial parking space requirements in the Zoning Ordinance.

At 3:10 p.m., the Board adjourned for a recess.

At 3:30 p.m., the Board reconvened their meeting.

Discussion of the Draft Comprehensive Plan

Mr. Jeff Harvey, Director of Planning and Zoning gave an update and responded to Board members questions.

Discussion ensued.

Mr. Dudenhefer suggested that the Joint Public Hearing be moved to Tuesday, October 6, 2009 at 7:00 p.m.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to hold a joint public hearing with the Planning Commission at the October 6, 2009 Board meeting.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Transportation Impact Fee Report

Jon Riley of Silver Companies, presented an update of the Committee’s finding and was assisted by Sara Woolfenden, Transportation Department.

Discussion ensued.

Hearing no objection, the Board deferred this item to the work session at the September 15, 2009 meeting.

Authorize a Public Hearing to Amend the County Code regarding Chapter 15, “Motor

Vehicles and Traffic”. Mr. Joe Howard, County Attorney, gave a presentation and responded to Board members questions.

Discussion ensued.

Mr. Crisp motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R09-279.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Proposed Resolution R09-279 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 15, ENTITLED “MOTOR VEHICLES AND TRAFFIC”

WHEREAS, Section 46.2-1222.1 of the Code of Virginia (1950), as amended, authorizes Stafford County to regulate or prohibit the parking on any public highway in the County of any or all of the following: watercraft, boat trailers, motor homes, semitrailers, camping trailers, and commercial vehicles; and

WHEREAS, several localities regulate or prohibit parking on public highways within their localities; and

WHEREAS, the Board desires to amend the Stafford County Code to regulate or prohibit parking on public highways in the County; 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 18th day of August, 2009, that the County Administrator be and he hereby is authorized to advertise for a public hearing to allow for presentation and public comment for the purpose of (1) adopting and reordaining Stafford County Code, Chapter 15, entitled “Motor Vehicles and Traffic” and (2) establishing a comprehensive parking ordinance.

Refer an Ordinance to the Planning Commission concerning subdivision signs.

Mr. Jeff Harvey, Director of Planning and Zoning gave an update and responded to Board members questions.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R09-313.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson
Nay: (0)

Proposed Resolution R09-313 reads as follows:

A RESOLUTION TO REFER AN AMENDMENT TO THE ZONING ORDINANCE TO THE PLANNING COMMISSION REGARDING STAFFORD COUNTY CODE, SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS”

WHEREAS, the Zoning Ordinance provides for size and location of a subdivision sign; and

WHEREAS, the Zoning Ordinance does not require specific sign content on a subdivision sign; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the amendment to the Zoning Ordinance by proposed Ordinance O09-53 be and it hereby is referred to the Planning Commission for its consideration.

Refer to the Planning Commission an Amendment to the Zoning Ordinance Regarding Medical Clinics. Mr. Jeff Harvey, Director of Planning and Zoning gave an update and responded to Board members questions.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R09-293.

Mr. Brito made a friendly amendment to change the by-right or definition of a medical clinic.

The friendly amendment failed due to a lack of a second.

The Voting Board tally was:

Yea: (6) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz

Nay: (1) Woodson

Resolution R09-293 reads as follows:

A RESOLUTION TO REFER AN AMENDMENT TO THE ZONING ORDINANCE TO THE PLANNING COMMISSION REGARDING MEDICAL/DENTAL CLINICS

WHEREAS, a medical or dental clinic is defined as a building or group of rooms used by more than two (2) licensed professionals listed below practicing as a group, to conduct the normal operations associated with health care providers. Those professionals include: physician, dentist, orthodontist, optometrist, ophthalmologist, chiropractor, psychologist, psychiatrist, physical therapist, and any similar profession. Patients shall be treated on an out-patient basis only. There shall be no overnight stay or treatment; and

WHEREAS, under Stafford County Code, medical or dental clinics require the issuance of a Conditional Use Permit in the B-1, B-2 and PD-1 Zoning Districts, and a

medical clinic requires the issuance of a Conditional Use Permit in the RC Zoning District; and

WHEREAS, the Board desires to permit medical and dental clinics as a by-right use in the B-1, B-2, B-3, RC, SC, and PD-1 Zoning Districts; 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 18th day of August, 2009, that the amendment to the Zoning Ordinance by proposed ordinance O09-50 be and it hereby is referred to the Planning Commission for a public hearing and recommendation.

Legislative; Closed Meeting. At 5:20 p.m., Mr. Sterling motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution CM09-14.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Resolution CM09-14 reads as follows:

A RESOLUTION TO AUTHORIZE A CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to consult with counsel and discuss in Closed Meeting discussion regarding (1) legal advice regarding pending litigation in the *SYG Associates v. Board of Supervisors* matter concerning the Brooke Ridge Subdivision Road Issues; (2) legal advice regarding the Impact Fee Ordinance Legal Issues; (3) a Real Property Acquisition for Public Purpose regarding the VRE – Brooke Parking Lot Expansion; and (4) a Real Property Acquisition for Public Purpose regarding Fire Station No. 14; and

WHEREAS, pursuant to Section 2.2-3711 A.3 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 18th day of August, 2009, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 6:10 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Resolution CM09-14a.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Resolution CM09-14a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON AUGUST 18, 2009

WHEREAS, the Board has, on this the 18th day of August, 2009, 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 18th day of August, 2009, 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. No member dissents from the aforesaid certification.

Mr. Milde motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R09-325.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-325 reads as follows:

A RESOLUTION TO AUTHORIZE SETTLEMENT OF *SYG ASSOCIATES, INC. V. STAFFORD COUNTY, VIRGINIA, ET AL.*,
BROOKE RIDGE SUBDIVISION

WHEREAS, Stafford County is involved in litigation with SYG Associates, Inc. and Brooke Ridge 608, L.P. in connection with the development of Brooke Ridge I Subdivision; and

WHEREAS, the parties have been engaged in settlement negotiations in an effort to resolve the litigation; and

WHEREAS, the Board has determined that it is in the best interest of the County to resolve this litigation through settlement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that it does hereby authorize the County Attorney to negotiate a settlement of the *SYG Associates, Inc.* litigation in accordance with the terms discussed in closed meeting; and

BE IT FURTHER RESOLVED that the Board does hereby authorize the County Attorney and County Administrator to execute such documents as are necessary to finalize the settlement of this litigation on behalf of Stafford County.

Recess: At 6:15 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order: At 7:04 P.M., the Board called the meeting back to order.

Invocation: Mr. Crisp gave the Invocation

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

Legislative; Presentations by the Public. The following persons spoke on topics as identified:

Pastor Daniel Jones	-	Field Allocations
Paul Waldowski	-	Stafford Meadows Water/Sewer Billing
Cheryl Gray	-	Traffic Calming in Brentwood Subdivision
Geri Jones	-	Senior Citizen Facilities

Bob Hunt	-	Utilities Commission/Utilities Fund
Bill Hoyt	-	SPCA
Suzette Bandy	-	Field Allocations
Vincent Ellis	-	Tax Enough Already (TEA) Party
Donna Dawkins	-	SPCA
Robert Dreistadt	-	Stafford Baseball League
Lori Gardner	-	SPCA
Richard Kent Wilson	-	SPCA
Frank Withrow	-	SPCA
Merton Bunker	-	Baseball fields
Jon Williams	-	Baseball field allocations
Sterling Collins	-	VAYFA – Field Allocations
Bob Hopkins	-	Grass Cutting Ordinance
Ozzy Ramos	-	SPCA
Asani Smith	-	SPCA
Barry Hill	-	Field Allocations
Anne Sweet	-	SPCA
Juana Collins	-	Field Allocations
Reb Benson	-	Parks & Rec Programs
Rodney Thomas	-	SPCA
Mike Smith	-	SPCA
Rick Golden	-	Safe Fields for Children
Kandy Hilliard	-	SPCA
Chuck Feldbush	-	SPCA
Drue Braubach	-	SPCA
Clarence Haynes	-	SPCA

Recess. At 8:18 P.M., the Chairman declared a recess.

Call to Order. At 8:30P.M., the Chairman called the meeting back to order.

Publics Works; Request Virginia Department of Transportation (VDOT) to restrict through truck traffic on Parkway Boulevard (SR-1264); Flatford Road (SR-709); Hampton Park Road (SR-7571); Northampton Boulevard (SR-1482); Eustace Road (SR-741/SR-1618); Embrey Mill Road (SR-733); Winding Creek Road (SR-628) and Walpole Street (SR-709). Mr. Fulton deLamorton, Transportation Administrator, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following person spoke:

John Johnson

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-256.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-256 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RESTRICT THROUGH TRUCK TRAFFIC ON PARKWAY BOULEVARD (SR-1264); FLATFORD ROAD (SR-709); HAMPTON PARK ROAD (SR-751); NORTHAMPTON BOULEVARD (SR- 1482); EUSTACE ROAD (SR-751/SR-1618); EMBREY MILL ROAD (SR-733); WINDING CREEK ROAD (SR-628); AND WALPOLE STREET (SR-709)

WHEREAS, the Board is interested in promoting public health, safety, and welfare, including the prevention of accidents and injuries caused by large truck traffic in residential areas; and

WHEREAS, Parkway Boulevard (SR-1264), Flatford Road (SR-709), Hampton Park Road (SR-751), Northampton Boulevard (SR-1482), Eustace Road (SR-751/SR-1618), Embrey Mill Road (SR-733) Winding Creek Road (SR-628), and Walpole Street (SR-709) are located in Stafford County; and

WHEREAS, large trucks travel between Garrisonville Road (SR-610) and Courthouse Road (SR-630), using Parkway Boulevard (SR-1264), Flatford Road (SR-709), Hampton Park Road (SR-751), Northampton Boulevard (SR-1482), Eustace Road (SR-751/SR-1618), Embrey Mill Road (SR-733), Winding Creek Road (SR-628), and Walpole Street (SR-709), which are residential streets; and

WHEREAS, large truck traffic using these streets creates a safety concern for the residents of these dense residential areas; and

WHEREAS, pursuant to Section 46.2-809 of the Code of Virginia (1950), as amended, the County is required to submit a formal request after a public hearing, to restrict through truck traffic on certain road segments to the Virginia Department of Transportation (VDOT) for evaluation; and

WHEREAS, the County commits to enforcing this proposed restriction; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the Virginia Department of Transportation be and it hereby is requested to restrict through truck traffic on Parkway Boulevard (SR-1264), Flatford Road (SR-709), Hampton Park Road (SR-751), Northampton Boulevard (SR-1482), Eustace Road (SR-751/SR-1618), Embrey Mill Road (SR-733), Winding Creek Road (SR-628), and Walpole Street (SR-709); and

BE IT FURTHER RESOLVED that Garrisonville Road (SR-610) from Parkway Boulevard (SR-1264) to Shelton Shop Road (SR-648) to Courthouse Road (SR-630) to Walpole Street (SR-709); Garrisonville Road (SR-610) from Eustace Road (SR-751) to Shelton Shop Road (SR-648) to Courthouse Road (SR-630) to Winding Creek Road (SR-628); Shelton Shop Road (SR-648) from Winding Creek Road (SR-628) to Courthouse Road (SR-630) to Winding Creek Road (SR-628); and Garrisonville Road (SR-610) from Parkway Boulevard (SR-751) to Mine Road (SR-684) to Northampton Boulevard (SR-1482) be designated as the alternate routes for said truck traffic.

BE IT STILL FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator of the VDOT Fredericksburg Office.

Utilities; Vacate a Sanitary Sewer Easement on Parcel 38-34C, 1190 Ramoth Church Road. Mr. Harry Critzer, Utilities Director, 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. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-270.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-270 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
VACATE A SANITARY SEWER EASEMENT ON ASSESSOR’S PARCEL
38-34C, 1190 RAMOTH CHURCH ROAD

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

WHEREAS, the owner of Assessor’s Parcel 38-34C desires the easement for a sanitary sewer vacated; and

WHEREAS, staff has determined that there is no future need for this easement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August 2009, that the County Administrator be and he hereby is authorized to execute a vacation of a sanitary sewer easement on Assessor’s Parcel 38-34C, 1190 Ramoth Church Road.

Amend the County Code Regarding Chapter 24, “Vegetation”. Mr. Joe Howard, County Attorney 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. Dudenhefer, to adopt proposed Ordinance O09-33.

The Voting Board tally was:

Yea: (6) Brito, Crisp, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (1) Milde

Ordinance O09-33 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 24, ENTITLED “VEGETATION”

WHEREAS, the Board requested the General Assembly to grant Stafford County the authority to cut grass on occupied residential property, similar to the authority it has to cut grass on vacant property; and

WHEREAS, the General Assembly granted the County the authority to cut grass on occupied residential property through SB 881; and

WHEREAS, the Board desires to amend and reenact Stafford County Code, Chapter 24, entitled “Vegetation”, to allow Stafford County to cut grass on occupied, residential property that is 12 inches in height or taller; and

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

WHEREAS, the Board finds that public necessity, convenience, and general welfare requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that Stafford County Code, Chapter 24, be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

ARTICLE I. IN GENERAL

Sec. 24-1. Removing, damaging, etc., vegetation.

(a) It shall be unlawful for any person to pick, pull, pull up, tear, tear up, dig, dig up, cut, break, injure, burn or destroy, in whole or in part, any tree, shrub, vine, plant, flower or turf found growing or being upon the land of another, or upon any land reserved, set aside or maintained by the state or the county as a public park or as a refuge or sanctuary for wild animals, birds or fish, or upon any land reserved, set aside or maintained as a public park by a park authority created under the provisions of Code of Virginia, § 15.2-5702, without having previously obtained the permission in writing of such owner or his

agent, or of the superintendent or custodian of such park, refuge or sanctuary, so to do, unless the same be done under the personal direction of such owner, his agent, tenant or lessee, or superintendent or custodian of such park, refuge or sanctuary.

(b) Any person violating this section shall be guilty of a class 3 misdemeanor; provided, however, that the approval of the owner, his agent, tenant or lessee, or the superintendent or custodian of such park, refuge or sanctuary afterwards given in writing or in open court shall be a bar to further prosecution or suit.

(Code 1979, § 19-19)

Cross references: Penalty for class 3 misdemeanor, § 1-11; removing or damaging vegetation on church or cemetery property, § 17-17.

State law references: Similar provisions, Code of Virginia, § 18.2-140.

Secs. 24-2--24-15. Reserved.

ARTICLE II. WEEDS*

***Cross references:** Accumulations of solid waste on private property, Code of Virginia, § 21-51 et seq.

Sec. 24-16. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Director: The director of ~~code compliance~~ Planning and Zoning.

Sec. 24-17. Cutting ~~and removal~~ of grass, weeds and other foreign growth ~~from on~~ vacant property.

(a) The owners of all vacant developed or undeveloped property, ~~within the boundaries of platted subdivisions and other areas zoned for residential, business, commercial and industrial use in the county~~ including such property upon which buildings or other improvements are located, shall cut ~~and remove~~ the grass, weeds and other foreign growth ~~from on~~ on such property or any part thereof and maintain such growth to six (6) inches in height or less at all times.

(b) Reasonable notice by Stafford County for the cutting ~~and removal~~ of such grass, weeds and other foreign growth shall be given by ~~registered return receipt~~ first class mail

~~or personal delivery or by delivery of a written notice~~ to the owner of such vacant property. Upon the failure of the owner of such vacant ~~lot~~ property to cut such grass, weeds or other foreign growth, as provided in such notice, the county administrator may have such grass, weeds, and other foreign growth cut and ~~bill the owner for the work charge the cost and expense to the owner of the property and may collect these costs and expenses as taxes are collected.~~

~~(e) Upon the owner's failure to pay such bill, it shall be placed upon the tax bill of the owner and collected as taxes are collected.~~

(c) If an owner is unknown or cannot be found, the notice referred to in subsection (b) of this section shall be dispensed with.

~~(d) Owners of occupied residential real property (property zoned R 1, R 2, R 3, R 4, PD 1, PD 2 and A 2) shall cut the grass or lawn area of less than one half acre on such property or any part thereof when growth on such grass or lawn area exceeds twelve (12) inches in height; or may whenever the governing body deems it necessary, after reasonable notice, have such grass or lawn area cut by its agents or employees, in which event, the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the county as taxes and levies are collected. Violation of such ordinance may be punishable by a civil penalty of one hundred dollars (\$100.00).~~

~~(e)~~ (d) Subsection ~~(d)~~ (a) above shall not apply to land in active farming operation or land that has been reserved, set aside or maintained by the State, a park authority or the County as a public park, regardless of how such land is zoned.

State law references: Cutting and removal of grass, weeds and other foreign growth from vacant property, Code of Virginia, §§ ~~15.1-11~~ 15.2-901.

~~Sec. 24-18. Report of violation of section 24-17.~~

~~Any person aggrieved by the presence of weeds in violation of section 24-17 may report such presence of weeds to the director, which report shall be in writing and signed by the person aggrieved.~~

Sec. 24-18. Cutting of grass on occupied residential real property

(a) Owners of occupied residential real property shall cut the grass or lawn area of less than one-half acre on such property or any part thereof and maintain such growth on such grass or lawn area to twelve (12) inches in height or less at all times.

(b) Reasonable notice by Stafford County for the cutting of such grass, weeds and other foreign growth shall be given by first class mail or personal delivery to the owner of such occupied property. Upon the failure of the owner of such occupied lot to cut such grass, weeds or other foreign growth, as provided in such notice, the county administrator may have such grass, weeds, and other foreign growth cut; charge the cost and expense to the owner of the property; and may collect these costs and expenses as taxes are collected.

State law references: Authority to cut growth of grass or lawn area in certain counties, Code of Virginia, §§ 15.2-1215.

Sec. 24-19. Inspection and notice to cut. Penalties

~~(a) Upon receipt of a report pursuant to section 24-18, the director shall cause the site of the reported violation to be inspected. When the director has determined, from such report and inspection or otherwise, that a violation of section 24-17 exists, he shall notify the owner of the land or lot on which the violation exists to cut or cause to be cut the weeds complained of within such reasonable time as is specified in the notice. Such notice shall be in writing and given by certified mail to the last known address of the owner. It shall be unlawful and a Class 4 misdemeanor for any such owner to fail to comply with such notice.~~

(a) A violation of Section 24-17(a) herein may be subject to a civil penalty of \$50 for the first violation or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within 12 months of the first violation shall not exceed \$200. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no such event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of \$3,000 in a 12-month period.

~~(b) If an owner is unknown or cannot be found, the notice referred to in subsection (a) of this section shall be dispensed with and the director shall proceed as provided in section 24-20.~~

(b) A violation of Section 24-18(a) herein may be punishable by a civil penalty not to exceed \$100.

State law references: Authority to require cutting of weeds, Code of Virginia, § 15.1-41. 15.2-901 and 15.2-1215.

~~Sec. 24-20. Cutting by county.~~

~~(a) If weeds are not cut within the time required by the notice provided for in section 24-19, the director shall cause them to be cut and the cost and expense thereof assessed against the owner of such property. Such assessment shall be collected by the county as taxes and levies are collected.~~

~~(b) Every charge authorized by this section with which the owner of any property shall have been assessed and which remains unpaid shall constitute a lien against such property.~~

~~**State law references:** Authority for above section, Code of Virginia, § 15.1-11.~~

Utilities, Amend and Readopt Fees for Providing Public Water and Sewer Service.

Mr. Harry Critzer, Utilities Director, gave a presentation and answered Board members questions.

Discussion ensued.

The Chairman opened the public hearing.

The following persons spoke:

Dean Federoff

Lloyd Chittum

The Chairman closed the public hearing.

Further discussion ensued.

Mr. Sterling, motioned, seconded by Mr. Crisp, to defer action on proposed Ordinance O09-36 to the November 17, 2009 meeting.

The Voting Board tally was:

Yea: (6) Crisp, Dudenhefer, Milde, Sterling, Schwartz, Woodson

Nay: (1) Brito

Planning and Zoning: Amend Proffered Conditions on Assessor's Parcels 44FF-1 and 44FF-2, Zoned LC at 50 Brandywine Court. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. Bruce Hetrick, Applicant, also answered Board members questions.

Discussion ensued.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O09-35.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Ordinance O9-35 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE PROFFERED CONDITIONS ON ASSESSOR’S PARCELS 44FF-1 AND 44FF-2 (FORMERLY 44-119M), ZONED LC, LIFE CARE/RETIREMENT COMMUNITY, FALMOUTH ELECTION DISTRICT

WHEREAS, Stafford Residential I, LLC has submitted application RC2900127 requesting an amendment to proffered conditions on Assessor’s Parcels 44FF-1 and 44FF-2 zoned LC, Life Care/Retirement Community, consisting of 21.77 acres, located on the east side of Berea Church Road south of Falls Run, within the Falmouth Election District; and

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

WHEREAS, the Board has determined that the requested amendment to proffered conditions is appropriate; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to amend proffered conditions on Assessor’s Parcels 44FF-1 and 44FF-2, zoned LC, Life Care/Retirement Community, as shown in the proffers entitled “Proffer Amendment Statement – Stafford Nursing Home and Retirement Community”, and dated August 18, 2009.

Planning and Zoning; Reclassify Property at 75 Old Potomac Church Road from A-1, Agricultural, to B-2, Urban Commercial on Assessor’s Parcel 39-71A, Consisting of 52.83 Acres. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Discussion ensued.

The Chairman opened the public hearing.

The following person spoke:

Mike Fortin

The Chairman closed the public hearing.

Further discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, this item was deferred to the work session scheduled for September 15, 2009.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Report of the Transportation Bond Committee

A report of the Transportation Bond Committee was deferred to the September 1, 2009 Board of Supervisors meeting.

Hazard Risk Analysis

A report of the Hazard Risk Analysis was deferred to the September 1, 2009 Board of Supervisors meeting.

Award Contract for Construction of the Brooke Ridge Subdivision Road Improvements.

Mr. Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-310.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Sterling, Schwartz, Woodson

Absent: (1) Milde

Nay: (0)

Resolution R09-310 reads as follows:

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO COMPLETE PUBLIC IMPROVEMENTS FOR THE BROOKE RIDGE SUBDIVISION

WHEREAS, the developer of the Brooke Ridge Section 1 subdivision, Brooke Ridge 608 LP, has defaulted on their obligations leaving many required public improvements uncompleted; and

WHEREAS, the Board desires to have these public improvements completed; and

WHEREAS, the County solicited public bids to complete this work; and

WHEREAS, nine bids were received from interested firms with staff determining that Gator Paving Company was the lowest responsive bidder with a bid of \$219,000; and

WHEREAS, the County has collected security funds in the amount of \$57,695 for these improvements; and

WHEREAS, the balance of the funds required in the amount of \$161,305 shall be provided from the Transportation Fund; and

WHEREAS, the County will pursue compensation from the developer for the full amount of County funds expended for completion of these improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he

hereby is authorized to execute a contract with Gator Paving Company in an amount not to exceed Two Hundred Nineteen Thousand Dollars (\$219,000) for completion of the Brooke Ridge Section 1 subdivision public improvements; and

BE IT FURTHER RESOLVED that the balance required of \$161,305 in Transportation Funds is authorized for completion of this work; and

BE IT FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County for eligible expenditures from the Fuels Tax Fund.

Public Works; Award Contract for Construction of Deacon Hill Estates Road Improvements. Mr. Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions.

Discussion ensued.

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-311.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-311 reads as follows:

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO COMPLETE PUBLIC IMPROVEMENTS FOR THE DEACON HILL ESTATES SUBDIVISION

WHEREAS, the developer of the Deacon Hill Estates subdivision (formerly known as Deacon Road Estates), Somerset Deacon LLC, has defaulted on their obligations leaving many required public improvements uncompleted; and

WHEREAS, the Board desires to have these public improvements completed; and

WHEREAS, the County solicited public bids to complete this work; and

WHEREAS, ten bids were received from interested firms with staff determining that Jeffrey Stack, Inc. was the lowest responsive bidder with a bid of \$456,000; and

WHEREAS, the County has collected security funds in excess of the bid amount for these improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he hereby is, authorized to execute a contract with Jeffrey Stack, Inc. in an amount not to exceed Four Hundred Fifty-six Thousand Dollars (\$456,000) for completion of the Deacon Hill Estates subdivision public improvements.

Planning and Zoning: Appeal of Siler Properties Proffer Determination by the Zoning Administrator. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Discussion ensued.

Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R09-304.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-304 reads as follows:

A RESOLUTION TO OVERTURN THE PROFFER DETERMINATION OF ORDINANCE O08-66 BY THE ZONING ADMINISTRATOR REGARDING PAYNE, CORNERSTONE AND GROVE PROFFER STATEMENT #9

WHEREAS, MLR LLC, applicant, has submitted an appeal of the proffer determination of Ordinance O08-66, Proffer Statement #9; and

WHEREAS, Section 15.2-2299 of the Code of Virginia (1950), as amended, authorizes the Zoning Administrator to administer and enforce proffers attached to a rezoning; and

WHEREAS, the Zoning Administrator made such a determination; and

WHEREAS, the applicant has appealed the decision of the Zoning Administrator to the Board; and

WHEREAS, the Board believes that the Zoning Administrator's decision was incorrect;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the decision of the Zoning Administrator be overturned.

Public Works; Provide Comments to the Virginia Department of Conservation and Recreation on the Proposed Revisions to the State Stormwater Management Regulations

Mr. Steven Hubble, Environmental Programs Manager, gave a presentation and answered Board members questions.

Discussion ensued.

Mr. Crisp motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-321.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-321 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO PROVIDE COMMENTS TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION ON PROPOSED REVISIONS TO THE VIRGINIA STORMWATER MANAGEMENT REGULATIONS

WHEREAS, the County of Stafford is subject to the requirements Virginia Stormwater Management Law and Regulations; and

WHEREAS, the Virginia Department of Conservation and Recreation (DCR) has been tasked with promulgating revisions to the Virginia Stormwater Management Regulations; and

WHEREAS, a public notice of proposed regulatory action was advertised in the *Virginia Register*; and

WHEREAS, the time period for public comments on the proposed revisions to the Virginia Stormwater Management Regulations expires on August 21, 2009; and

WHEREAS, the Board has concerns with the administrative requirements of the proposed regulations and desires to provide comments to DCR;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that the County Administrator be and he

hereby is authorized to provide the following comments on proposed revisions to the Virginia Stormwater Management Regulations to the Virginia Department of Conservation and Recreation:

- The proposed regulations (4VAC-50-60-800 et seq.) establish prescriptive fees for localities that administer the Virginia Stormwater Management Program (VSMP) including stormwater plan review, program administration, and inspection activities. We recommend that the regulations do not prescribe specific fees for these services and that localities be allowed to establish their own fee schedules commensurate with the cost of providing the necessary services. If the regulations must provide prescriptive fees, we recommend that the proposed fees be increased.
- In addition to setting fee amounts, the proposed regulations (4VAC50-60-780) also specify that 28% of the fees that the County collects for administering the VSMP program shall be returned to DCR for program administration and oversight. We feel that remitting 28% of the collected fees to DCR for oversight is excessive. DCR currently provides oversight of our Erosion and Sediment Control program at no direct cost to the County. We feel that all of these funds should be kept by the County for our own stormwater program needs. If DCR must collect funds to support program administration and oversight, we recommend that their portion of the collected amount be much lower than 28%.
- The proposed regulations (4VAC50-60-800 and 4VAC 50-60-830) also propose an increase in fees for the County's VSMP Municipal Stormwater Discharge Permit (NPDES permit) from the current amount of \$600 to \$4,000. In addition, the proposed regulations also establish an annual "permit maintenance" fee of \$4000 per year. Effectively, this would increase the permit fees for the County's NPDES permit from \$600 to \$20,000 for the 5 year permit term. We believe that such a significant increase in municipal permit fees is excessive.
- A significant amount of "guidance" is being developed to support these regulations (i.e. State Stormwater Handbook, BMP Clearinghouse Database); however, this "guidance" is not widely available to be reviewed or in some cases has not yet been prepared. Since the regulations rely heavily on the "guidance" it

is difficult to fully evaluate them without also having the “guidance”. We feel that all “guidance” documents needed to support the regulations should be available for review and comment prior to adoption of the regulations.

- The proposed regulations (4VAC50-60-10 and 4VAC50-60-66) provide definitions for the terms “stable” and “unstable” in the context of natural or restored receiving stream channel. We believe that the terms, as currently defined, are vague and could allow for subjectivity during the stormwater plan preparation and review process. We recommend that the regulations provide more detailed definitions of these terms and, if necessary, that additional guidance on implementing this portion of the stormwater quantity control requirements be prepared.

Appoint a Member to the Germanna Community College Committee

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-324.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Milde, Dudenhefer, Sterling, Schwartz, Woodson

Nay: (0)

Resolution R09-324 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE
GERMANNA COMMUNITY COLLEGE BOARD

WHEREAS, the Virginia Community College System provides for the appointment of local citizens to the Germanna Community College Board; and

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Lyle Ray Smith (Member-At-Large)	June 30, 2009

WHEREAS, the term of Lyle Ray Smith has expired; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the term of appointment is four years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Catherine M. Washington (Member-At-Large)	June 30, 2013

be and hereby is appointed to the Germanna Community College Board.

Public Information; Parks Bond Referendum

Discussion of the Parks Bond Referendum was deferred to the September 1, 2009 meeting of the Board of Supervisors.

At 11:33 p.m., the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

George H. Schwartz
Chairman