

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

September 3, 2013

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:02 p.m., on Tuesday, September 3, 2013, in the Board Chambers, at the George L. Gordon, Jr. Government Center.

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

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

Presentation of the 31<sup>st</sup> Consecutive Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting for the 2012 Comprehensive Annual Financial Report (CAFR) Ms. Stimpson presented the award to Maria Perrotte, Shelley Carmichael, Mickey Kwiatkowski, and Carol Atkinson. Ms. Perrotte said that it was a team effort with the departments of Finance, Budget, and the Treasurer. Ms. Stimpson thanked Mr. Romanello for his due diligence in working with the Finance Department.

Presentation of the National Association of Counties (NACO) Award for the 311 Center Ms. Stimpson presented the award to Mr. Jeff Shover and Ms. Stephanie Priddy. Mr. Shover said that the 311 Center was a new program, developed with no new staff and no new resources. He thanked staff in the departments of Public Works, Utilities, and the Landfill for their cooperation and team effort.

Presentations by the Public No members of the public desired to speak.

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

- Mr. Schieber - Joint Board/School Board Working Committee meeting on 9/9/13 at 7:00 p.m. in the School Board chambers; the Joint Land Use Study (JLUS) Policy Committee will meet (along with its Technical Advisory Group) on 9/18/13 at 10:00 a.m. in the A/B/C Conference Room in the George L. Gordon, Jr. Government Center; JLUS public information meeting to be scheduled in October, 2013; Company 2/Ladies Auxiliary hosting a golf tournament on 10/18/13 to fund scholarships for Stafford youth.
- Mr. Snellings - Churches Remember, a tour of local churches, scheduled for 9/21/13, from 9:00 a.m. to 4:00 p.m.; register at Hartwood Presbyterian Church (there is a fee associated with the tour).
- Mr. Sterling - Finance, Audit and Budget Committee update; FY2013 Year-end Report; Preliminary audit results due in December, 2013 (expecting positive results); VRS Disability Hybrid Plan; Schools Health Services Fund; Staffing in Development Agencies; Implementation/issues with the Affordable Health Care Plan.
- Mr. Thomas - Gave presentation to the Legislative Committee of the Chamber of Commerce, overview of the past twelve months accomplishments in the County was well received with good questions and comments; Apologized for comments made at the 8/13/13 Board meeting regarding the Architectural Review Board (ARB), saying that the comments were in no way meant to undermine the abilities of the ARB and that the time and efforts of the ARB were highly valued. Mr. Thomas said he looked forward to working with the ARB in the future.
- Mr. Cavalier - Widewater Master Plan meeting at Hilldrup; thanked the General Assembly for supporting the Plan.
- Mr. Milde - Community and Economic Development Committee meeting update; Purchase of Development Rights with three candidates applying to the PDR program; Planning Commission passed Transfer of Development Rights, a great tool to put land in conservation.
- Ms. Stimpson - Thanked staff for working well with the Board and being very efficient in finding solutions for County citizens; Keith Bensten successfully represented the County in Court; Condolences to Scott Hirons on the death of his father.

Report of the County Attorney Mr. Shumate noted that the low-backed chair normally at his place on the dais had been exchanged for a high-backed chair, normally reserved for members of the Board of Supervisors. Aside from the “chair dilemma,” Mr. Shumate deferred his report.

Report of the County Administrator Mr. Anthony Romanello introduced Budget Division Director, Nancy Collins. Ms. Collins presented the FY2013 Preliminary Year-End Report. Ms. Collins said that following audit results, expected in December, 2013, \$2.0 million positive results of operations would be transferred to the Capital Reserve Fund. The Stafford Value Index continued to show that Stafford County was the lowest in spending among its peers in General Government and General Government Administration.

Ms. Stimpson said that the Budget and Finance offices did incredible work and thanked staff, saying that the good results were not by accident.

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

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Thomas, to adopt the Consent Agenda consisting of Items 4 through 12.

The Voting Board tally was:

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

Item 4. Legislative; Approve Minutes of the August 13, 2013 Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R13-268 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED AUGUST 13, 2013 THROUGH SEPTEMBER 2, 2013

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September 2013, that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize a Public Hearing to Amend the Schools' Health Services Fund

Resolution R13-270 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO AMEND THE FY2014  
SCHOOLS' HEALTH SERVICES FUND BUDGET

WHEREAS, Virginia Code § 15.2-2507 requires that the Board shall cause to be published in a newspaper having general circulation in the County, the Board's intent to amend the adopted budget and a brief synopsis of the proposed budget amendment, and notices of a public hearing, at which any citizen of the County shall have the right to attend and state his/her views thereon;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing on the proposed amendment to the FY2014 Schools' Health Services Fund budget for public hearing.

Item 7. Sheriff; Authorize a Public Hearing on Proposed Revisions to the County's Towing Policy

Resolution R13-278 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO (1) AMEND AND  
REORDAIN STAFFORD COUNTY CODE CHAPTER 15, "MOTOR  
VEHICLES AND TRAFFIC," REGARDING LAW-ENFORCEMENT  
REQUESTED TOWING; AND (2) AMEND THE STAFFORD  
COUNTY SHERIFF'S OFFICE TOWING POLICY

WHEREAS, the Board is authorized to regulate law-enforcement requested towing in the County; and

WHEREAS, the County Code and the Sheriff's Office Towing Policy establish the requirements and regulations regarding law-enforcement requested towing in the County; and

WHEREAS, the Sheriff's Office and the County's Law-Enforcement Towing Advisory Board recommended changes to the Sheriff's Office Towing Policy, including to incorporate recent significant Virginia Code amendments; and

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

WHEREAS, the Board is required and desires to consider public comments concerning the proposed changes to the County Code and the Sheriff's Office Towing Policy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing for the purpose of amending Stafford County Code Chapter 15, “Motor Vehicles and Traffic,” regarding law-enforcement requested towing, and the Sheriff’s Office Towing Policy.

Item 8. Public Information; Recognize Hull’s Memorial Baptist Church on its 125<sup>th</sup> Anniversary

Proclamation P13-25 reads as follows:

A PROCLAMATION TO RECOGNIZE HULL’S MEMORIAL BAPTIST CHURCH ON ITS 125<sup>TH</sup> ANNIVERSARY

WHEREAS, in 1888, Paul Hull and his wife Sallie, built a brush arbor, which was used for a community Sunday school, marking the beginning of the mission of Hull’s Memorial Baptist Church; and

WHEREAS, on November 11, 1888, Hull’s Memorial Baptist Church was formally organized by Maurice Truslow and W. Sutton Jackson, along with 14 members from Ramoth Baptist Church; and

WHEREAS, over 125 years, through the Depression, multiple wars, and other major events in our Nation’s history, Hull’s Memorial Baptist Church has been a steadfast light of Christian love to its members and to Stafford County; and

WHEREAS, Hull’s Memorial Baptist Church provides persons of all ages the opportunity for spiritual growth through small group Bible studies for adults and Sunday School for children; and

WHEREAS, Hull’s Memorial Baptist Church provides a sports ministry for the young people of the community through the Upward Flag Football and Cheerleading ministry, with a goal of building individuals with strong character, confidence, and spirit, along with athletic ability; and

WHEREAS, Hull’s Memorial Baptist Church enriches the lives of its members as well as that of the greater Fredericksburg area by contributing to SERVE, the Thurman Brisben Center, Benevolent Ministries, Stafford Junction, and others; and

WHEREAS, the Hull’s Memorial Baptist Church shared with the public the gifts and talents of the church’s members through its vibrant and well-known music ministry;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the day 3<sup>rd</sup> of September, 2013, that it be and hereby does honor Hull’s Memorial Baptist Church and its members for their spiritual guidance and community service to its members and to Stafford County for the last 125 years.

Item 9. Public Information; Recognize the “Pink Heels 5K Color Rush” Event in Stafford County

Proclamation P13-27 reads as follows:

A PROCLAMATION TO RECOGNIZE THE ‘FAIRY GODMOTHER PROJECT’ AND ‘PINK HEALS’ NONPROFIT ORGANIZATIONS FOR THEIR WORK IN AIDING FAMILIES STRUGGLING WITH CANCER

WHEREAS, each year, approximately 13,400 children in the United States between the ages of birth and 19 years of age are diagnosed with cancer; and

WHEREAS, September is National Childhood Cancer Awareness Month; and

WHEREAS, statistics show that cancer is the number one cause of disease-related death for children; and

WHEREAS, the Fairy Godmother Project is a local nonprofit organization whose mission is to ease the burden of everyday life for local families who have a child in treatment for a form of pediatric cancer; and

WHEREAS, the Fairy Godmother Project is hosting a Color Rush 5K race at Curtis Park to further their assistance to those families in need, with services to include organizing, making meals, cleaning and offering professional photography; and

WHEREAS, the “Pink Heels Tour” began in 2007, encouraging public safety professionals, local leaders and citizens throughout the community to wear pink in honor of all women and to join forces to help them in their fight against cancer; and

WHEREAS, the Color Rush 5K race at Curtis Park on Saturday, September 7, 2013, is a stop on the 2013 Pink Heels tour of more than 90 cities; and

WHEREAS, one hundred percent of the proceeds from the Color Rush 5K race will be used to assist the Fairy Godmother Project to serve local families struggling with cancer; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that it be and hereby does recognize the ‘Fairy Godmother Project’ and ‘Pink Heels’ for their continual efforts in the fight against cancer and for their abundant compassion for all those affected by cancer.

Item 10. Public Information; Authorize a Public Hearing to Consider Allocation of Public Access Channel to Central Virginia Public Access Television Corporation

Resolution R13-279 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO CONSIDER ALLOCATION  
OF A PUBLIC ACCESS CHANNEL TO CENTRAL VIRGINIA PUBLIC  
ACCESS TELEVISION CORPORATION

WHEREAS, Central Virginia Public Access Television Corporation (CVTV), a 501(c)(3) corporation, is requesting the allocation of one Public, Educational, and Governmental (PEG) access channel for public access programming; and

WHEREAS, CVTV will produce its own programs and has targeted the Counties of Stafford and Spotsylvania, and the City of Fredericksburg, with the goal of providing programming that consists of the following content: family programs, educational programs, sports, local news, community affairs, and the arts; and

WHEREAS, the County's cable franchise agreements with each of its cable television providers, Comcast, Cox, Verizon, and Cavalier, requires the providers to give two channels to the County to air non-commercial PEG access programming; and

WHEREAS, one of these two channels is currently being used to broadcast County government information, including the live broadcast of Board and Planning Commission meetings, and the second channel is used by the County schools for educational programs, including the broadcast of School Board meetings; and

WHEREAS, the cable franchise agreements provide for a third PEG channel, upon request, to be programmed at the County's sole discretion; and

WHEREAS, currently, there is no programming being broadcast on the third PEG channel; and

WHEREAS, in order to use the third PEG channel, the cable franchise agreements require that the County conduct a public hearing, and if the Board votes in favor of the third PEG channel, the Board must provide six-months advance, written notice to the cable providers requesting the third channel; and

WHEREAS, if the Board requests a third PEG channel, the cable company provider may then provide the third PEG channel on any tier of their service available to subscribers in the County, but it does not need to be provided on the Basic Cable Service tier, which could result in cable providers charging subscribers to view the programming; and

WHEREAS, on August 22, 2013, the Telecommunications Commission (TCC) reviewed a presentation by CVTV, and gave its qualified endorsement to the allocation of a third PEG channel to CVTV, and advised the Board of TCC concerns; and

WHEREAS, a third PEG channel would allow coverage of local news, people, issues, and events that would inform and entertain viewers; and

WHEREAS, the Board requires CVTV to meet all the requirements and restrictions of a PEG channel as outlined in the County's cable franchise agreements with its cable providers; and

WHEREAS, the Board requires CVTV to meet all additional federal and state regulations for operation of PEG for public access programming; and

WHEREAS, the Board is not required to provide any capital or operational funding to CVTV for the PEG channel; and

WHEREAS, the Board must review and approve any transfer of management or oversight of the PEG channel that is allocated to CVTV; and

WHEREAS, the Board requires CVTV to operate the PEG channel as a separate entity; and

WHEREAS, the Board reserves the right to, at any time, revoke CVTV's allocation of the PEG channel; and

WHEREAS, the Board desires and is required to hold a public hearing prior to requesting the third PEG channel for CVTV;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September 2013, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider allocation of a PEG channel to CVTV.

Item 11. Parks, Recreation and Community Facilities; Request the Parks and Recreation Commission Endorse a Facilities Utilization Assessment

Resolution R13-281 reads as follows:

A RESOLUTION TO REQUEST THE PARKS AND RECREATION  
COMMISSION TO ENDORSE A FACILITIES UTILIZATION ASSESSMENT

WHEREAS, the Department of Parks, Recreation and Community Facilities desires to conduct a facilities utilization study; and

WHEREAS, a facilities utilization assessment will determine current and near-term field requirements, obtain field utilization projections, and evaluate current field locations; and

WHEREAS, this assessment will evaluate the County's current field locations in the community to better plan for the future, so that the County will be in a position to understand its needs in terms of the type, number, and location of fields so it can take full advantage of opportunities as they arise over the next decade; and



WHEREAS, this assessment will include a plan to assess and consider the highest and best use of property, condition, and utilization of existing County and School fields as well as currently-owned land or property with the potential to be used as fields; and

WHEREAS, this assessment will result in recommendations for the number of fields required to support forecasted population growth and investment prioritization, with an effort to ensure that sport program offerings are located conveniently to residential communities and throughout the County; and

WHEREAS, the Board desires the input and support of the Parks and Recreation Commission regarding this assessment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that it be and hereby does request that the Parks and Recreation Commission endorse the Department of Parks, Recreation, and Community Facilities in efforts to conduct a facilities utilization assessment by late 2013, to enable the findings to be taken into consideration in developing the next Capital Improvements Program.

Item 12. Economic Development; Approval and Concurrence with the Proposed Issuance of Revenue Bonds by the Fredericksburg Economic Development Authority on Behalf of Mary Washington Healthcare and Affiliates

Resolution R13-269 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA, APPROVING AND CONCURRING WITH THE RESOLUTION OF THE ECONOMIC DEVELOPMENT AUTHORITY OF THE COUNTY OF STAFFORD, VIRGINIA, ON THE PROPOSED ISSUANCE OF REVENUE BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF FREDERICKSBURG, VIRGINIA, ON BEHALF OF MARY WASHINGTON HEALTHCARE AND AFFILIATES

WHEREAS, the Board of Supervisors of the County of Stafford, Virginia (the Board), has been advised that there has been described to the Economic Development Authority of the County of Stafford, Virginia (the "Authority"), the plan of Mary Washington Healthcare, a Virginia non-stock corporation (the "Corporation"), and affiliates, for the issuance by the Economic Development Authority of the City of Fredericksburg, Virginia (the "Fredericksburg Authority"), of Revenue Bonds in one or more series, in an aggregate principal amount not to exceed \$101,000,000 (the "Bonds"), to assist the Corporation to (a) pay the cost of refunding the Fredericksburg Authority's (i) Revenue Bonds (MediCorp Health System Obligated Group), Series 2002B, which financed capital improvements at Mary Washington Hospital, located at 1001 Sam Perry Boulevard, in the City of Fredericksburg, Virginia (the "City"), and (ii) Revenue Bond (Mary Washington Healthcare Obligated Group), Series 2011, which

financed capital improvements at Mary Washington Hospital in the City and at Stafford Hospital, located at 101 Hospital Center Boulevard, in the County of Stafford, Virginia (the "County"); and (b) finance costs of issuance, and fund any reasonably required reserve fund, for the Bonds (collectively, the "Refinancing Plan"); and

WHEREAS, the Board has been advised the Corporation, in its appearance before the Authority, has described the benefits to be derived by residents of the County from the Fredericksburg Authority's issuance of the Bonds, including in respect of medical facilities located in the County at Stafford Hospital, and has requested that the Authority recommend to the Board that it concur with the issuance of the Bonds by the Fredericksburg Authority in accordance with Section 15.2-4905 of the Virginia Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"); and

WHEREAS, the Board has been advised a that public hearing regarding the Bonds and the Refinancing Plan was properly noticed pursuant to the Act and the Internal Revenue Code of 1986, as amended (the "Code"), and was held by the Authority on August 23, 2013; and

WHEREAS, after holding the public hearing, the Authority adopted a Resolution, which among other things, recommended that the Board concurs with the issuance of the Bonds by the Fredericksburg Authority as required by the Act and approve the issuance as required by the Code; and

WHEREAS, the Board has been advised that Section 147(f) of the Code provides that the highest elected governmental officials of the governmental units having jurisdiction over (a) the issuer of the private activity bonds and (b) the area where any facility financed with the proceeds of such bonds is located, shall approve the issuance of such bonds; and

WHEREAS, the Board has been advised that the Bonds will constitute private activity bonds; certain of the facilities to be refinanced with proceeds of the Bonds are located in the County; and the members of the Board constitute the highest elected government officials of the County; and

WHEREAS, a reasonably detailed summary of the comments expressed at the Authority's public hearing, if any, was promptly conveyed to the Board together with the Authority's recommendation regarding the Bonds and the Refinancing Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of September 3, 2013, that it be and hereby does adopt the following:

1. It is hereby found and determined by the Board that the issuance of the Bonds by the Fredericksburg Authority and the loan of the proceeds thereof to the Corporation for the purposes described above will promote the health and welfare of the inhabitants of

the County and the Commonwealth of Virginia and otherwise serve the purposes of the Act.

2. The Board concurs with the issuance of the Bonds by the Fredericksburg Authority, as required by the Act, and approves the issuance of the Bonds, as required by the Code.

3. All costs and expenses in connection with the Refinancing Plan, including the fees and expenses of the Authority and the fees and expenses of Bond Counsel, counsel to the Authority, counsel to the Corporation and counsel to the initial purchasers of the Bonds, shall be paid promptly from the proceeds of the Bonds (to the extent permitted by law) or from funds provided by the Corporation or its affiliates. If for any reason the Bonds are not issued, it is understood that all such fees and expenses shall be paid promptly by the Corporation upon presentation of an invoice and that the Authority shall have no responsibility therefor. If the Bonds are issued, the Corporation shall pay to the Authority a portion of the Fredericksburg Authority's annual administrative fee upon the Bonds (which is 1/10<sup>th</sup> of 1% of the outstanding principal balance of the Bonds on each anniversary of the date of issuance of the Bonds), such portion to be calculated by multiplying the gross amount of each such annual fee by the percentage derived by dividing \$5,600,000 by the initial aggregate principal amount of the Bonds.

4. The Board and the Authority, including its directors, officers, employees, agents, and counsel, shall not be liable for and hereby disclaims all liability with respect to the Bonds or the Fredericksburg Authority's failure to issue or sell the Bonds for any reason. The principal and purchase price of, premium, if any, and interest on the Bonds shall not be deemed to constitute a debt or a pledge of the faith or credit of the Commonwealth of Virginia or any political subdivision thereof, including the Authority and the County. Neither the Authority nor the County shall be obligated to pay the principal or purchase price of, premium, if any, or interest on the Bonds or any other costs incident thereto.

5. Neither the Authority nor the Board has endorsed the creditworthiness of the Corporation, or its affiliates, or the ability of the Corporation, or its affiliates, to repay the Bonds.

6. All other acts of the officers and agents of the Board that are in conformity with the purposes and intent of this Resolution are hereby authorized, approved, and ratified.

7. This resolution shall take effect immediately upon its adoption.

Planning and Zoning; Authorize a Joint Public Hearing with the Planning Commission Regarding a Reclassification, Conditional Use Permit, and Zoning Text Amendment for Apartments in Celebrate Virginia North Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Senator Richard Stuart and Mr. Chris Hornung, with Silver Co., applicant, were also in attendance.

Mr. Snellings said that while he did not normally like joint public hearings, he felt that in the unique case of this application for Celebrate Virginia North, a joint public hearing was necessary.

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-272.

Mr. Sterling made a friendly amendment that voting on the item at the joint public hearing (scheduled for 10/1/13) be deferred to the next meetings of the Board (10/15/13) and Planning Commission (10/9/13) respectively. Mr. Snellings accepted the friendly amendment.

The Voting Board tally was:

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

Resolution R13-272 reads as follows:

A RESOLUTION TO REQUEST THE PLANNING COMMISSION'S PARTICIPATION IN A JOINT PUBLIC HEARING ON OCTOBER 1, 2013 TO CONSIDER REQUESTS FOR A ZONING RECLASSIFICATION, A CONDITIONAL USE PERMIT, AND A ZONING ORDINANCE AMENDMENT TO ALLOW MULTI-FAMILY DWELLINGS IN THE RBC RECREATIONAL BUSINESS CAMPUS ZONING DISTRICT WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, previously submitted application RC1100261 requesting (1) an amendment to proffered conditions on Assessor's Parcel 52-1 (portion) consisting of 36.79 acres, zoned RBC, Recreational Business Campus Zoning District; and (2) a reclassification from M-2, Heavy Industrial Zoning District, to RBC, Recreational Business Campus Zoning District, on Assessor's Parcels 44-90 (portion), 44W-2 (portion), 44W-2A, 44W-2B, and 44W-5E, consisting of 91.56 acres located within the Hartwood Election District; and

WHEREAS, the Board, after carefully considering the recommendations of the Planning Commission and staff, and the testimony at a public hearing, adopted Resolution R13-137 on July 2, 2013, denying the applicant's proffer amendment and zoning reclassification request; and

WHEREAS, on August 8, 2013, Silver Companies, applicant, submitted three requests including: (1) a request to reclassify 18.19 acres from the M-2, Heavy Industrial Zoning District to the RBC Recreational Business Campus Zoning District on Assessor's Parcels 44W-2 (portion) and 44W-2B; (2) a request for a conditional use permit (CUP) on 12.25 acres to allow multi-family dwellings in the RBC Recreational Business Campus Zoning District on Assessor's Parcel 44W-2B; and (3) a request to

amend Stafford County Code, Sec. 28-35, Table 3.1, and Sec. 28-39, to allow multi-family dwellings to be permitted with a CUP in the RBC Zoning District; and

WHEREAS, as part of the request, Silver Companies requested the Board consider scheduling a joint public hearing with the Planning Commission to consider these requests; and

WHEREAS, under the Virginia Code, the Board and Planning Commission are permitted to hold a joint public hearing; and

WHEREAS, the Board desires the scheduling of a joint public hearing with the Planning Commission to consider the applicant's requests, which are associated with the law-enforcement housing in Celebrate Virginia North;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that it be and hereby requests the Planning Commission's participation in a joint public hearing to be held on October 1, 2013; and

BE IT FURTHER RESOLVED that the Board requests that voting on this issue be deferred to the following respective meetings of the Board and Planning Commission.

Utilities; Amend and Readopt Fees Charged for Providing Public Water and Sewer Service; Authorize Issuance of a Water and Sewer System Revenue Bond Financing Program; and Adopt the Department of Utilities FY2014-2023 Capital Improvement Program with Intent to Reimburse Certain Capital Improvement Expenditures Mr. Harry Critzer, Director of Utilities, and Ms. Deidre Jett, Utilities' Financial Analyst, gave presentations and answered Board members questions.

Mr. Schieber said that he originally asked for deferral of the Utilities item to have time to do additional research on the requested rate increase and the timeframe/need for items listed on the Capital Improvement Program (CIP). He added that the financial impact was not trivial, especially to those residents on a fixed-income. Mr. Schieber also wanted an answer to the question, "Why are we in this position?" He said he did a lot of homework, met with staff and with two members of the Utilities Commission, and read the Malcolm Pierney Risk Analysis report.

Following his review, Mr. Schieber said he became aware of the need to keep pace with growth and new development, as well as an aging infrastructure and instances of deferred maintenance that went well beyond the desired timeframe. He added that a reactive approach was always more costly than a proactive one, and that there was a financial and operational risk in waiting to make the much needed updates to County facilities.

Mr. Schieber said that current rates were below peer localities, and the requested increase was based upon an aggregate need; that the list of projects included in the CIP was reasonable; adding that it was an issue of risk tolerance, and that doing nothing was not an option.

Of the alternatives presented by Mr. Critzer, Mr. Schieber said that he preferred Alternative 1, which proposed rate increases of 8.0% in FY2014; 7.0% in FY2015; and 6.0% in FY2016, FY2017, and FY2018. He added that he felt that Alternative 1 best met the near and long-term needs of the County and was an affordable alternative for its citizens.

Mr. Schieber motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O13-28 with Alternative 1.

The Voting Board tally was:

Yea: (5) Cavalier, Schieber, Snellings, Stimpson, Thomas  
Nay: (2) Milde, Sterling

Ordinance O13-28 reads as follows:

AN ORDINANCE TO AMEND AND READOPT THE FEES FOR  
PROVIDING PUBLIC WATER AND SEWER SERVICE

WHEREAS, the Board is authorized to set reasonable fees and charges for public water and sewer service; and

WHEREAS, such authority may be found in Virginia Code §§ 15.2-2111, 15.2-2119, 15.2-2122, and 15.2-2143; and

WHEREAS, the Board desires to set the fees for these services commensurate with the services provided by the County, and

WHEREAS, County Code, Chapter 25, authorizes the establishment of public water and sewer service fees; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the fees for providing public water and sewer service be amended and are hereby readopted as follows:

**The rest of this page intentionally left blank. O13-28 continues on Page 16.**

<b>USER</b>					<b>FEES</b>
<i>Effective for water usage on or after October 1, 2013 and reflected on bills on or after November 1, 2013</i>					
<b>User Category</b>	<b>CONSUMPTION CHARGES, per 1,000 gallons</b>				
	<b>WATER</b>		<b>SEWER</b>		<b>Code Section</b>
<b>RESIDENTIAL (including Apartments)</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	25-96 (b)
<b>0 - 2,000 gallons</b>	n/a	<u>\$1.86</u>	\$4.65	<u>\$4.99</u>	25-98 (b, c)
<b>3,000 - 4,000 gallons</b>	n/a	<u>\$2.68</u>	per 1,000 gallons	per 1,000 gallons	
<b>0 - 4,000 gallons</b>	\$2.21	n/a			
<b>5,000 - 8,000 gallons</b>	\$3.35	<u>\$3.66</u>	for all usage up to non- seasonal average + 20%	for all usage up to non- seasonal average + 20%	
<b>9,000 - 12,000 gallons</b>	\$6.57	<u>\$7.37</u>			
<b>13,000 - 25,000 gallons</b>	\$9.35	<u>\$9.35</u>			
<b>26,000 gallons and over</b>	\$13.00	\$13.00			
<b>NON-RESIDENTIAL (Commercial, Industrial, Multi-Family, Public Semi-Public and Mobile Homes)</b>					25-96 (b) and 25-98 (b, c)
<b>All Consumption</b>	\$3.36	<u>\$3.59</u>	\$4.65	<u>\$4.99</u>	
<b>Water-Dependent, Home-Based Business</b>	\$8.40	<u>\$8.98</u>	\$4.65	<u>\$4.99</u>	25-96 (b) and 25-98 (b, c)
<b>Irrigation, Bulk, Construction and Hydrant Meters</b>	\$13.00	\$13.00	n/a	n/a	25-96 (e)
<b>Monthly Customer Service Charge (per account)</b>	\$2.07	<u>\$1.66</u>	\$2.20	<u>\$1.86</u>	25-96 (c) and 25-98 (d)
<b>Monthly Demand Charge (per Meter Equivalent per account)</b>	\$2.11	<u>\$4.53</u>	\$6.53	<u>\$6.49</u>	25-96 (d) and 25-98 (e)
<b>TYPE OF SERVICE</b>					
<b>Advance Payment</b>	<b>WATER</b>		<b>SEWER</b>		
<b>Size of Meter</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	
<b>5/8 inch (1 EDU)</b>	\$30	<u>\$37</u>	\$30	<u>\$37</u>	
<b>3/4 inch (1.5 EDUs)</b>	\$30	<u>\$56</u>	\$30	<u>\$56</u>	



<b>1 inch (2.5 EDUs)</b>	\$75	<u>\$93</u>	\$75	<u>\$93</u>	25-101 (a)
<b>1 1/2 inch (5 EDUs)</b>	\$75	<u>\$185</u>	\$75	<u>\$185</u>	
<b>2 inch (8 EDUs)</b>	\$75	<u>\$296</u>	\$75	<u>\$296</u>	
<b>3 inch (16 EDUs)</b>	\$75	<u>\$592</u>	\$75	<u>\$592</u>	
<b>4 inch (25 EDUs)</b>	\$75	<u>\$925</u>	\$75	<u>\$925</u>	
<b>6 inch (50 EDUs)</b>	\$75	<u>\$1,850</u>	\$75	<u>\$1,850</u>	
<b>8 inch (100 EDUs)</b>	\$75	<u>\$2,960</u>	\$75	<u>\$2,960</u>	
<b>User Category</b>	<b>CONSUMPTION CHARGES, per 1,000 gallons</b>				
<b>Fire Hydrant Meters - Deposit</b>	<b>WATER</b>		<b>SEWER</b>		<b>Code Section</b>
	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	25-108 (a)
<b>5/8" Meter</b>	\$500	\$500	n/a	n/a	
<b>3" Meter</b>	\$1,000	<u>actual cost</u>	n/a	n/a	
<b>Pump and Haul Fees Monthly Service Charge (per 100 gallons)</b>					25-98 (c)
<b>0 - 6000 gallons</b>	n/a	n/a	0.32	<u>\$0.499</u>	
<b>6,001 - 10,000 gallons</b>	n/a	n/a	\$1.00	\$1.00	
<b>Over 10,000 gallons</b>	n/a	n/a	\$7.00	\$7.00	
<b>USER FEES</b>					
<i>Effective for water usage on or after June 1, 2014 and reflected on bills on or after July 1, 2014</i>					
<b>User Category</b>	<b>CONSUMPTION CHARGES, per 1,000 gallons</b>				
	<b>WATER</b>		<b>SEWER</b>		25-96 (b) 25-98 (b,c)
<b>RESIDENTIAL (including Apartments)</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	
<b>0 - 2,000 gallons</b>	\$1.86	<u>\$2.12</u>	\$4.99	<u>\$5.19</u>	
<b>3,000 - 4,000 gallons</b>	\$2.68	<u>\$2.95</u>	per 1,000 gallons for all usage up to non- seasonal average + 20%	per 1,000 gallons for all usage up to non- seasonal average + 20%	
<b>5,000 - 8,000 gallons</b>	\$3.66	<u>\$4.04</u>			
<b>9,000 - 12,000 gallons</b>	\$7.37	<u>\$8.13</u>			
<b>13,000 - 25,000 gallons</b>	\$9.35	<u>\$10.31</u>			
<b>26,000 gallons and over</b>	\$13.00	<u>\$14.33</u>			
<b>NON-RESIDENTIAL (Commercial, Industrial, Multi Family, Public, Semi-Public and Mobile</b>	\$3.59	<u>\$3.96</u>	\$4.99	<u>\$5.19</u>	25-96 (b) and

Homes) All Consumption					25-98 (b,c)
Water-Dependent, Home-Based Business	\$8.98	<u>\$9.90</u>	\$4.99	<u>\$5.19</u>	25-96 (b) and 25-98 (b,c)
Irrigation, Bulk, Construction and Hydrant Meters	\$13.00	<u>\$14.33</u>	n/a	n/a	25-96 (e)
Monthly Customer Service Charge (per account)	\$1.66	<u>\$1.90</u>	\$1.86	<u>\$1.96</u>	25-96 (c) and 25-98 (d)
Monthly Demand Charge (per Meter Equivalent per account)	\$4.53	<u>\$4.82</u>	\$6.49	<u>\$6.83</u>	25-96 (d) and 25-98 (e)
User Category	<b>CONSUMPTION CHARGES, per 1,000 gallons</b>				
Pump and Haul Fees Monthly Service Charge (per 100 gallons)	<b>WATER</b>		<b>SEWER</b>		<b>Code Section</b>
	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	
0 - 6000 gallons	n/a	n/a	0.499	<u>\$0.519</u>	25-98 (c)
6,001 - 10,000 gallons	n/a	n/a	\$1.00	\$1.00	
Over 10,000 gallons	n/a	n/a	\$7.00	\$7.00	
<b>USER FEES</b>					
<i>Effective for water usage on or after June 1, 2015 and reflected on bills on or after July 1, 2015</i>					
User Category	<b>CONSUMPTION CHARGES, per 1,000 gallons</b>				
	<b>WATER</b>		<b>SEWER</b>		
<b>RESIDENTIAL (including Apartments)</b>	<b>Current</b>	<b>Proposed</b>	<b>Current</b>	<b>Proposed</b>	25-96 (b)
0 - 2,000	\$2.12	<u>\$2.29</u>	\$5.19	<u>\$5.42</u>	25-98 (b,c)
3,000 - 4,000	\$2.95	<u>\$3.18</u>	per 1,000 gallons for all usage up to non- seasonal average + 20%	per 1,000 gallons for all usage up to non- seasonal average + 20%	
5,000 - 8,000	\$4.04	<u>\$4.36</u>			
9,000 - 12,000	\$8.13	<u>\$8.76</u>			
13,000 - 25,000	\$10.31	<u>\$11.11</u>			
26,000 gallons and over	\$14.33	<u>\$15.45</u>			

<b>NON-RESIDENTIAL (Commercial, Industrial, Multi-Family, Public Semi-Public and Mobile Homes)</b>					25-96 (b) and 25-98 (b,c)
<b>All Consumption</b>	\$3.96	<u>\$4.27</u>	\$5.19	<u>\$5.42</u>	
<b>Water-Dependent, Home-Based Business</b>	\$9.90	<u>\$10.67</u>	\$5.19	<u>\$5.42</u>	25-96 (b) and 25-98 (b,c)
<b>Irrigation, Bulk, Construction and Hydrant Meters</b>	\$14.33	<u>\$15.45</u>	n/a	n/a	25-96 (e)
<b>Monthly Customer Service Charge (per account)</b>	\$1.90	<u>\$2.06</u>	\$1.96	<u>\$2.10</u>	25-96 (c) and 25-98 (d)
<b>Monthly Demand Charge (per Meter Equivalent per account)</b>	\$4.82	<u>\$5.19</u>	\$6.83	<u>\$7.08</u>	25-96 (d) and 25-98 (e)
<b>Pump and Haul Fees Monthly Service Charge (per 100 gallons)</b>					
<b>0 - 6000 gallons</b>	n/a	n/a	\$0.519	<u>\$0.542</u>	
<b>6,001 - 10,000 gallons</b>	n/a	n/a	\$1.00	\$1.00	25-98 (c)
<b>Over 10,000 gallons</b>	n/a	n/a	\$7.00	\$7.00	

BE IT FURTHER ORDAINED that, except as otherwise stipulated, the effective date of this Ordinance shall be October 1, 2013 for water consumption, reflected on bills dated November 1, 2013.

Mr. Schieber motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R13-163.

The Voting Board tally was:

Yea: (5) Cavalier, Schieber, Snellings, Stimpson, Thomas

Nay: (2) Milde, Sterling

Resolution R13-163 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF WATER AND  
SEWER SYSTEM REVENUE BOND FINANCING PROGRAM

WHEREAS, the Board determined that it is necessary and desirable to contract a debt and to issue water and sewer system revenue bonds (the “Bonds”) for the County in an estimated maximum principal amount not to exceed \$51,500,000, which includes an amount sufficient to fund \$45,000,000 in project costs, plus the cost of issuance, possible discounts, and required reserves, to finance some, or all, of the costs of projects associated with the Department of Utilities’ Capital Improvement Program (“Projects”); and

WHEREAS, the Board determined that it is necessary and desirable to advance funds to pay the costs of the Projects and to reimburse such advances with proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that:

1. The Board adopts this declaration of official intent under Treasury Regulation Section 1.150-2. The Board reasonably expects to reimburse advances made, or to be made, by the County to pay the costs of the Projects from the proceeds of the Bonds to be issued in an estimated maximum principal amount not to exceed \$51,500,000, which includes an amount sufficient to fund \$45,000,000 of Project costs, plus the cost of issuance, possible discounts, and required reserves.

Mr. Schieber motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R13-164.

The Voting Board tally was:

Yea: (5) Cavalier, Schieber, Snellings, Stimpson, Thomas  
Nay: (2) Milde, Sterling

Resolution R13-164 reads as follows:

**A RESOLUTION TO ADOPT THE DEPARTMENT OF UTILITIES’  
FY2014-2023 CAPITAL IMPROVEMENT PROGRAM WITH INTENT TO  
REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES**

WHEREAS, a public hearing on the proposed FY2014-2023 Department of Utilities’ Capital Improvement Program was held on June 18, 2013, in the Board Chambers at the Stafford County Administration Center, located at 1300 Courthouse Road, Stafford, VA; and

WHEREAS, the Board considered the recommendations of the Utilities Commission and County staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board finds that it is necessary to identify needed capital improvements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the Department of Utilities' FY2014-2023 Capital Improvement Program be and it hereby is adopted; and

BE IT FURTHER RESOLVED that Intent to Reimburse certain capital improvement expenditures for projects indicated in the FY2014-2023 Capital Improvement Program be and it hereby is adopted as follows:

### **Department of Utilities**

342 Zone Water System Improvements – Phase I	LF Run WWTF – 3 <sup>rd</sup> Treatment Train
342 Zone Water System Improvements – Phase 2	Moncure Water Booster Pump Station
Abel Lake Water Treatment Facility (WTF) Upgrades	Oaks of Stafford PS Replacement
Austin Run Pump Stations (PS) Replacement	Old Route 3 PS Replacement
Claiborne Run Gravity Sewer Replacement	Potomac Creek PS & Force Main Replacement
Claiborne Run PS Force Main Replacement	Regional Water Interconnection
Claiborne Run PS Generator Replacement	Route 1 North Sewer
Claiborne Run PS Replacement	Small Sewer Projects
Country Ridge PS Replacement	Small Water Projects
Courthouse Area Water Improvements	Smith Lake Distribution PS Upgrade
Courthouse Area Water Tank	Stafford County Complex
Ebenezer Church PS Replacement	Sweetbriar Woods PS Force Main Replacement
Aquia Wastewater Treatment Facility (WWTF) Equip.	Vehicles and Equipment Replacements
Little Falls Run WWTF Equipment Replacement	Wastewater Collection System Rehab Projects
Falls Run PS Force Main Replacement	Wastewater Pump Station Rehab Program
Falls Run Pump Station Replacement	Wastewater Pump Station Replacements
Falls Run Sewer Interceptor Replacement – Phase 2	Water Distribution System Rehab Program
Gravity Sewer Along Austin Run	

### **NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES**

Section 1: Statement of Intent. The County presently intends at one time or from time-to-time, to finance projects in the FY2014-2023 Capital Improvement Program (“Projects”) with tax-exempt or taxable bonds, or other obligations (“the Bonds”), and to reimburse capital expenditures paid by the County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Projects before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. The County expects to pay the capital expenditures related to the Projects, and incurred before the issuance of the Bonds, with an interfund loan from the General Fund. The County expects to pay debt service on the Bonds from Water and Sewer Revenues for the projects to be financed in the FY2014-2023 Capital Improvement Program. The maximum amount of the Bonds expected to be issued for the Projects is \$51,500,000.

Section 3: Effective Date; Public Inspection. This Resolution is adopted for the purposes of complying with Treasury Regulation Section 1.150-2 or any successor regulation, and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy

of this resolution in the records of the County, available for inspection by the general public during the County's normal business hours.

Fire and Rescue; Authorize the County Administrator to Execute Mutual Aid Agreements for Fire and Emergency Medical Services Mr. Mark Lockhart, Fire Chief, gave a presentation and answered Board members questions.

Mr. Sterling asked Chief Lockhart if the recent incident in Spotsylvania County, involving two Stafford deputies, was considered mutual aid. Chief Lockhart said yes, adding that the majority of mutual aid incidents involved Fire and Rescue. Mr. Sterling asked about the number of responses from Stafford County v. to Stafford County. Chief Lockhart said that there were a larger number of responses from Quantico to Stafford than from Stafford to Quantico; that it was a nearly equal number between Stafford and the City of Fredericksburg. He added that Colonel Maxwell, Commander of MCB Quantico, was very supportive of all mutual aid medical and fire suppression efforts.

Ms. Stimpson asked about the counties included in mutual aid agreements. Chief Lockhart responded that the County currently had mutual aid agreements in place with the counties of Fauquier, King George, Prince William, and Spotsylvania, the City of Fredericksburg, and MCB Quantico. He added that the County was a signatory to the Northern Virginia Emergency Services Mutual Response Agreement, which included the cities of Alexandria, Fairfax, Manassas, Manassas Park, and the counties of Arlington, Fairfax, Fauquier, Loudoun, and Prince William, as well as Ft. Belvoir, Ft. Myer, and the Metropolitan Washington Airports Authority.

Ms. Stimpson asked Chief Lockhart why there was a need to expand what already existed with mutual aid agreements. Chief Lockhart said that proposed Resolution R13-194 gave authority to the County Administrator to sign future mutual aid agreements. He added that it did not expand anything, nor was there any planned expansion of mutual aid agreements.

Ms. Stimpson asked if Stafford County went more frequently to the City of Fredericksburg or (for example) to Loudoun County and, did Stafford County have to pay over-time for its crews that were dispatched. Chief Lockhart responded that whenever possible, on-duty crews are dispatched. He cited the recent six-alarm fire in Alexandria, where fire suppression was hampered by a water main break, saying that while Stafford did not respond to that emergency, if it had, on-duty crews would have been dispatched. If a dispatched crew was required to be on-site at an incident for more than eight to ten hours, over-time hours would be used to backfill Stafford stations. Ms. Stimpson said

she was concerned about the money that could be spent and was uncomfortable with the expansion of mutual aid agreements.

Mr. Thomas said that the authority for the County Administrator to execute mutual aid agreements was still in draft form, and compared it to the Board's giving authority to the County Administrator to sign the Waste-to-Energy lease before it was presented to the Board in final form. Mr. Romanello said that each future agreement could be brought to the Board for its approval prior to his signing each document.

Ms. Stimpson asked that Chief Lockhart clarify the timeframe in which existing mutual aid agreements were formed. Chief Lockhart said that most dated back to the late 1980's and early 1990's. Ms. Stimpson asked why there was a change being recommended after all that time. Chief Lockhart explained that King George County had a new County Administrator, and a new Fire Chief, and requested that the mutual aid agreement with Stafford County be updated.

Ms. Stimpson asked why the scope was being expanded. Mr. Schieber said that there was no expansion of the scope; that the expansion of mutual aid agreements was situational and that localities had to work together providing mutual support, and mutual aid agreements provided the overarching framework for that cooperation.

Chief Lockhart said that the Board was being asked to renew an existing agreement; the County had not been approached by, nor had any localities sought expansion of, any mutual aid agreements. He said that with large scale incidents, such as the bus crash last year in Caroline County, surrounding localities responded if needed with, or without, a mutual aid agreement in place.

Mr. Cavalier said that the subject of mutual aid agreements was reviewed by the Public Safety Committee and the request of the Board was not carte blanche, or intended to give the County Administrator a blank check. The item came up following the request by King George County for an updated mutual aid agreement between King George and Stafford County. Mr. Schieber said that the original agreement was dated and there was a need to correctly identify procedures for service(s).

Ms. Stimpson said that she saw it as an expansion of the footprint into northern Virginia, adding that there were a lot of associated costs. Mr. Cavalier noted that Aquia Harbour had a mutual aid agreement in place with the County. Mr. Thomas said that without the benefit of additional background information, it appeared to him as though the proposed Resolution may provide the County Administrator with a blank check. Ms. Stimpson

noted that there was a difference between Aquia Harbour and northern Virginia, adding that she did not approve and was very concerned that it offered a blank check.

Mr. Snellings asked how long the Northern Virginia Agreement was in place. Chief Lockhart said that he believed it was eight or nine years. Mr. Cavalier said that members of the Public Safety Committee saw the list and that most of the Agreements were very old. Mr. Snellings said that he was concerned about the County Administrator having the authority to sign an agreement with anyone or any locality in Virginia.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-194.

Mr. Snellings made a friendly amendment that any future mutual aid agreements be brought before the Public Safety Committee first, and then to the full Board for approval. The friendly amendment was accepted.

The Voting Board tally was:

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

Nay: (1) Stimpson

Resolution R13-194 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE MUTUAL AID AGREEMENTS FOR FIRE AND  
EMERGENCY MEDICAL SERVICES**

WHEREAS, Virginia Code § 15.2-1300.1, adopted by the General Assembly in 2011, authorizes chief administrative officers in Virginia localities to arrange for the provision of aid to other localities, and receipt of aid from other localities, in situations where there is no State or local declaration of emergency; and

WHEREAS, Virginia Code § 15.2-1300.1 also authorizes the chief administrator to enter into agreements with other localities, including deployment of volunteers, and employees of Constitutional Officers (with the concurrence of the Constitutional Officer), subject to the availability of staff and resources; and

WHEREAS, Virginia Code § 15.2-1300.1 further grants the same authority and immunity for deployed personnel acting pursuant to a resolution adopted by the Board, as they would have in the locality where they are employed or volunteer; and

WHEREAS, Virginia Code § 27-1 *et seq.* authorizes neighboring counties to enter into agreements for joint and mutual aid in the provision of fire protection and emergency medical services, and authorizes the County to provide fire protection and emergency medical services to federal or state property; and



WHEREAS the Board desires to authorize the County Administrator to make arrangements for provision and receipt of such mutual aid to Marine Corps Base Quantico and other federal departments and agencies; the Commonwealth of Virginia and its departments and agencies; and other localities in the Commonwealth of Virginia, including execution of mutual aid agreements; and

WHEREAS, the Board finds that providing and receiving such mutual aid promotes the public health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the County Administrator, Constitutional Officers, volunteers, and employees, be and they hereby are authorized to participate in granting and receipt of inter-jurisdictional mutual aid; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to make any necessary arrangements for mutual aid, including executing the renewal of any specific current agreements, or requests, to provide or receive aid, subject to lawful appropriations and availability of resources; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to execute mutual aid agreements for this purpose with Marine Corps Base Quantico, the Counties of Prince William, Fauquier, Spotsylvania, and King George; the City of Fredericksburg; and the Northern Virginia Emergency Services Mutual Response localities. New requests including other federal departments and agencies; the Commonwealth of Virginia and its departments and agencies; and other localities in the Commonwealth of Virginia will be submitted to the Public Safety Committee and the full Board for review and approval.

Fire and Rescue; Authorize Adoption of the Revised Emergency Operations Plan Mr. Mark Lockhart, Fire Chief, gave a presentation and answered Board members questions.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-271.

The Voting Board tally was:

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

Resolution R13-271 reads as follows:

A RESOLUTION TO AUTHORIZE ADOPTION OF THE  
STAFFORD COUNTY EMERGENCY OPERATIONS PLAN

WHEREAS, the Virginia Emergency Services and Disaster Law of 2000, Virginia Code § 44-146.13 et seq., requires that state and local governments develop and maintain an emergency operations plan (EOP) in order to be prepared for disaster situations; and

WHEREAS, on August 7, 2013, a draft of the County's revised EOP was presented to, and referred by, the Board's Public Safety Committee; and

WHEREAS, at the Board's August 13, 2013 meeting, a draft of the County's revised EOP was presented to the Board, which directed that the finalized EOP be brought forth for adoption at its next regularly scheduled meeting; and

WHEREAS, the Board finds that adoption of the revised EOP promotes the health, safety, and general welfare of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that it be and hereby does adopt the revised Stafford County Emergency Operations Plan.

County Administration; Staffing in Development Agencies Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. Mr. Thomas asked for clarification of the staff equivalent in 2012 to 2013. Mr. Dayton said there was no change in 2012 to 2013. Mr. Schieber asked if the numbers for Public Works was the only component. Mr. Dayton said that it included permit activity but did not include stormwater management, transportation, etc.

Mr. Sterling said that he did not doubt the activity levels that were presented but was concerned whether those numbers were sustainable and if not, would lay-offs be necessary if the numbers fell off. He said that he felt that, in the near term, it would be more effective to use outside contractors and to deal with hiring additional staff as a part of the FY2015 budget process. Mr. Sterling added that the Finance, Audit, and Budget Committee voted 3 – 0 to recommend deferral of the request until the FY2015 budget deliberations.

Mr. Cavalier asked how many inspections were currently being held over due to lack of adequate staff to complete inspections according to state or County guidelines. Mr. Dayton replied that approximately eight per day were carried-over. Mr. Thomas and Mr. Schieber talked about seasonality and how going into the fall and winter season could result in a drop in inspections. Mr. Dayton said that there was a tendency for a slight drop-off in the winter but that many times, it picked up as people wanted inspections on pools, decks, etc., so they were ready for spring use.

Mr. Sterling motioned, seconded by Mr. Thomas, to defer the request until the FY2015 budget deliberations. Mr. Romanello suggested that the Board budget and appropriate the \$132k for hiring outside contractors, if needed.

Mr. Cavalier offered a substitute motion, seconded by Mr. Milde, to revise the request to hire only one building inspector.

The Voting Board tally on the substitute motion was:

Yea: (2) Cavalier, Milde

Nay: (2) Schieber, Snellings, Sterling, Stimpson, Thomas

Mr. Sterling expanded his original motion, again seconded by Mr. Thomas, to defer the request until the FY2015 budget deliberations and to budget and appropriate \$132k funds from development fee revenue to hire outside contractors, if necessary. In addition, the Board should be notified if/when it became necessary to employ outside contracts to do building inspections.

The Voting Board tally was:

Yea: (5) Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (2) Cavalier, Milde

Resolution R13-204 reads as follows:

**A RESOLUTION TO BUDGET AND APPROPRIATE \$132,000 TO  
FUND CONTRACTOR SUPPORT OF BUILDING INSPECTIONS**

WHEREAS, new residential building permit activity in Calendar Year (CY) 2013 has increased by 257, or 64% over the same period in CY2012; and

WHEREAS, the number of County staff assigned to the processing, review, and inspection of building permit activity has decreased by 8, or 32% since 2005; and

WHEREAS, the combination of increased building activity and fewer staff members has begun to affect customer service levels and could, if the trend continues, effect the County's ability to meet statutory requirements related to the timely completion of commercial and/or residential building inspections; and

WHEREAS, the Board desires, only if necessary to maintain statutory requirements and high levels of customer service, the outsourcing of commercial and/or residential building inspections;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of 3<sup>rd</sup> day of September, 2013, that it be and hereby does budget and appropriate FY2014 development fee revenue in the amount of One Hundred Thirty-two Thousand Dollars (\$132,000) to fund private contractors to perform building inspections; and

BE IT FURTHER RESOLVED that staff will notify the Board at such time that it becomes necessary to use private contractors to perform building inspections.

Planning and Zoning; Authorize Application for an Outdoor Musical and Entertainment Permit for an Open Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. Discussion ensued.

Mr. Schieber motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-296.

The Voting Board tally was:

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

Nay: (0)

Resolution R13-296 reads as follows:

A RESOLUTION TO APPROVE AN APPLICATION FOR A PERMIT FOR AN OUTDOOR ENTERTAINMENT EVENT AT EMBREY MILL, TAX MAP PARCEL 29-44Y (PORTION)

WHEREAS, County Code requires approval by the Board, following the submittal of an application for a permit, to conduct an outdoor musical or entertainment event; and

WHEREAS, the permit application requires plans for adequate sanitary facilities, trash disposal, medical treatment facilities and services, parking facilities, and fire protection for attendees of the event, that comply with all applicable state and County laws, ordinances, and regulations; and

WHEREAS, Newland Communities submitted an application for an outdoor musical and entertainment permit for open house activities at Embrey Mill on September 26, 2013, and September 28, 2013; and

WHEREAS, staff reviewed the application and recommends approval; and

WHEREAS, the Board reviewed the application and finds that it complies with the applicable state and County laws, ordinances, and regulations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of September, 2013, that it be and hereby does approve the application for an outdoor music and entertainment permit for the open house activities at Embrey Mill on September 26, 2013 and September 28, 2013.

Recess At 5:02 p.m., the Chairman declared a recess.

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 recitation of the Pledge of Allegiance to the Flag of the United States of America.

Presentation Recognizing Stafford County’s Participation in “National Night Out” Ms. Stimpson and Sheriff Charles Jett recognized the following people for their participation in a very successful and well attended “National Night Out:”

First Sergeant Darrell English and Lisa Logan, Stafford Sheriff’s Office; Patricia Copeland, Aquia Harbour Volunteer Rescue Squad; Steve parsons; Autumn Ridge Neighborhood; and Kay Stevens, Austin Ridge Neighborhood; Mary DeWulf, Hampton Oaks Neighborhood.

Ms. Stimpson expressed the Board’s condolences to Sheriff Dempsey on the loss of his daughter and granddaughter in a tragic automobile accident.

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

- Dean Fetterolf - Rate increase; Landfill lease discrepancies
- Marcia Luckett - Extension Office services

Planning and Zoning; Amend Proffered Conditions at Leeland Station Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Clark Leming, for the applicant, also addressed the Board.

Mr. Milde asked for a definition of congregate. Mr. Harvey replied that it was an assisted living facility with a common dining area, multi-story, etc.

Mr. Sterling asked about traffic warrants. Mr. Harvey said that it did not currently meet VDOT warrants but that as the area was developed, it may then meet the criteria for a new traffic light at the intersection of Leeland Road and Primmer House Road.

Mr. Cavalier asked about the proffered “temporary” turf field and about the time frame for its construction. Ms. Stimpson said that the word “temporary” should be removed. Mr. Cavalier said that it was originally thought that the field at Stafford High School could not be used during construction of the new facility. He added that was not the case and the field at Stafford High School was being used. Mr. Sterling said that the amount proffered, \$400k for a new turf field, would only fund a portion of the field; he added that the full cost of a new turf field was closer to \$1 million. Ms. Stimpson said that it cost

\$750k to build a new turf field. Mr. Thomas talked about a new field being used as a practice field, not competition, that could be pulled up and the turf re-used in other parks and facilities. Mr. Sterling noted that the original proffers were for three fields, but the current proffers brought that down to funding fifty-five percent of the cost of one field. Ms. Stimpson said that the original area suggested for placement of the field was across the CSX Bridge and involved a dangerous stretch of road for children walking from the Leeland Station neighborhood.

Mr. Sterling questioned why the proffers came down from three fields to one field. Ms. Stimpson said that the County was not wedded to turf fields and was open to moving the site of the proffered field. Mr. Cavalier asked how many fields the County was short and said that he did not understand deleting fields from the proffers when there was a shortfall in the County. Ms. Stimpson repeated that the word “temporary” should be removed from the proffers.

Mr. Sterling said that the County was being “shorted” three acres with the newly presented proffers if three acres in ball fields and three acres for the proposed library site went away. With no library and only one field, the applicant picked up three acres for their use.

Mr. Milde asked why the commercial requirement was eliminated. Mr. Harvey said that in the new proffers, commercial was no longer tied to residential building permits; that initially the developer was to have had commercial development under construction by the time the 500<sup>th</sup> building permit was issued. Mr. Milde said that there was a reason why that requirement was included; that commercial development did not happen otherwise. Mr. Sterling said that commercial development was what paid the County’s costs. Mr. Harvey said that the property was zoned and taxed for commercial use, whether or not it was built.

Mr. Sterling spoke about the Leeland Station train platform and VRE’s concern that it would over-fill. He asked if that was a valid concern. Mr. Milde said that he never heard that it was a concern of VRE, adding that it was necessary to capture additional parking spaces, or look at vertical parking, at Leeland Station. Mr. Harvey said that staff spoke with VRE about the proposed additional parking at the Leeland Station, and it was VRE that posed the problem of over-crowding the station’s platform when loading and off-loading passengers. Mr. Sterling stated that he never saw that as a concern and in his time at the Brooke VRE Station, he never saw a problem with crowding on the platform.

Mr. Milde asked for a history of the ownership of the property and if the current owners were aware of the proffered conditions before they made the purchase. Mr. Leming said

that the original owner was R F & P, and the zoning (at that time) was industrial. The next owner, Harry Leach, was responsible for building the new CSX Bridge. Subsequently, the property was owned by a Maryland developer that went bankrupt. The current owners were K. Hovnanian Homes.

In discussing the “temporary” turf field proffer, Mr. Leming said that it was governed by an August 23, 2007 determination by the (then) Zoning Administrator, as to the location and design of the field. He added that while the overall cost for the County to build a new turf field may be more than \$400k; that was the cost to K. Hovnanian Homes to meet the proffer requirement. Mr. Leming added that it cost the County more due to the applicable nature and standards, whereas the current developer did not have to conform to those standards. He added that the reference to “temporary” meant that the artificial turf may be used for other Parks applications.

Ms. Stimpson reiterated that the turf field may not be built on the proposed site due to its unsafe location. Mr. Leming said that the Parks & Recreation Department was not enamored with it as it did not meet County standards. Mr. Sterling said that the bottom line was that in the original proffers, there was three, one-acre, 100’ x 380’ fields with specific design standards that coordinated with the County’s standards. He went on to say that the new proffers included a substandard field, in a substandard location. Mr. Sterling suggested a new turf field at Stafford High School, and two fields at Chichester Park.

Mr. Milde talked about the lease on the commuter lot and the extension of a water line included in the total of \$700k being proffered. Mr. Leming said that a three-acre lot, adjacent to the commuter lot, was being offered as temporary parking or for use as passive recreation until such time that a site plan would be submitted that would terminate the lease. He said, regarding commercial phasing, there would be a total of 45,000 square feet of commercial planned for the intersection of Leeland and Primmer House Road. 7,500 square feet was required to be under construction by the application for 500<sup>th</sup> building permit, but there were no commercial prospects at present. Ms. Stimpson suggested that Mr. Leming’s client work with Economic Development on the commercial element of the project.

Ms. Stimpson said that she met with current residents in Leeland Station. She said that the traffic light was needed, especially at the time when the trains come into the station. Mr. Leming said the area was close to meeting VDOT’s traffic warrants. Mr. Sterling said that commercial pays for residential and he was concerned about the proceeding without phasing-in commercial development requirements.

The Chairman opened the public hearing.

The following persons desired to speak:

Alane Callander

Joe Brito

Ondra Marshall Connelly

The Chairman closed the public hearing.

Following the public hearing, Mr. Leming said that the applicant's current offer was \$400k for a turf field, the library swap, eliminating commercial phasing, and no age-restricted housing element in the development. His client approved reducing the number of units from 709 to 686, and to provide funds for the traffic signal and for the water line expansion.

Recess: At 8:21 the Chairman declared a recess.

Call to Order At 8:38 p.m., the Chairman called the meeting back to order.

Mr. Leming said that he met with his client, who was willing to contribute close to the \$750k amount for a turf field in exchange for not funding the traffic signal. In addition, his client was willing to agree to commercial phasing of 7,500 square feet to be under construction at the time of the application for the 600<sup>th</sup> building permit, and to remove the word "temporary" from the turf field.

Ms. Stimpson asked if there were other options for the traffic signal. Mr. Sterling said that if traffic warrants, there may be funding through a safety program, with VDOT as the funding source.

Mr. Shumate asked about other items/concerns that were brought forth. Mr. Leming said there were no other proposed changes. Mr. Shumate asked about the library site. Mr. Leming replied that it was still on the table. Mr. Shumate said that he would have to see the revised proffers in writing before the Board voted. Ms. Stimpson suggested that Mr. Harvey, Mr. Leming, and Mr. Bensten (Assistant County Attorney) work on the revisions, which would be brought back to the Board later in the meeting.

Mr. Milde noted that he would not support the changes. Ms. Stimpson said that Mr. Milde's concerns would be addressed when the motion was on the floor.

Planning and Zoning; Amend Stafford County Code Section 28-25 "Definition of Specific Terms" Regarding Microbreweries Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.



Mr. Milde inquired about distance requirements. Mr. Harvey said that as it was written, the distance was 500' from residential, places of worship, day care centers, etc. Mr. Sterling asked if a church moved into a commercial center where a microbrewery was located, would the microbrewery be non-compliant, and how would the County fairly enforce that scenario. Mr. Harvey replied that it was a staff concern; that as it was written, the microbrewery would be non-compliant.

Mr. Milde talked about industrial zoning and by-right development. Mr. Harvey said that in-house sales at microbreweries were not a concern but those microbreweries that distributed its product, or that included a restaurant, would generate more vehicle traffic, which may not be compatible with neighboring businesses. Mr. Milde said that he was not sure about the 500' requirement.

Mr. Schieber asked about the *under twenty-five* (25) person limit and how that number was calculated. Mr. Harvey said he was unsure how the *under twenty-five* number was decided upon. Mr. Schieber suggested that fifty (50) might be more logical with a special exception required for numbers exceeding fifty. He added that from an economic development perspective, “grapes and grains” and “brew tours” would always hope to exceed twenty-five participants.

The Chairman opened the public hearing.

Aquia Pines Campground Owner (name inaudible)

Cindy Shelton

Stanley Johnson

John Viarello

Perry Darley

Barry Boyd

The Chairman closed the public hearing.

Mr. Sterling asked if there was any reason why microbreweries would have greater restrictions than ABC stores. He said that microbreweries were good economic development prospects and he felt there was no reason to not go forward with it.

Mr. Snellings stated that he agreed with Mr. Sterling, that he saw no difference in a microbrewery and a winery and questioned why a conditional use permit was necessary for occupancy at a microbrewery when it was not a requirement at a winery. He also clarified, based on an earlier comment about microbreweries being an “adult business” that a microbrewery (or a winery) was not considered an “adult business.”

Mr. Shumate cautioned that while he fully supported the Board’s desire to approve proposed Ordinance O13-36, he wished to caution the Board that if changes were made without the benefit of another advertisement (and subsequent public hearing), the Board may open itself to a lawsuit by a member of the public not in agreement with the proposed revisions, that may not have attended the meeting because he/she was in agreement with the initial, advertised proposed ordinance.

Mr. Milde suggested that the Board adopt the proposed ordinance, then amend the proposed Ordinance at a later time. Mr. Milde asked Mr. Harvey if it was possible to get everything done by the end of October. Mr. Harvey said that it would more likely be early 2014 as no land-use matters would be discussed by the Board after October 31, 2013 due to it being an election year.

Mr. Milde said that he wished to keep the special exception in place, but not at a fee of \$1,400, and suggested a smaller amount, \$150.00. He wished to raise the number of people to 200 (from 25) after which a conditional use permit would be required, and he thought that a distance of 100’ (rather than 500’) was acceptable. Mr. Schieber said that he thought that the number of people permitted should be based on Fire Code. Mr. Milde said it could be revisited and asked Mr. Schieber if he agreed with a starting number of 200. Mr. Schieber agreed, saying that it was definitely better than twenty-five. Mr. Thomas agreed with striking the 500’ requirement.

Mr. Sterling said that he wished to direct the County Attorney to research the matter but that, in the meantime, he supported Mr. Milde’s suggestions and wanted to go forward with a vote.

Mr. Milde motioned, seconded by Mr. Thomas, to approve proposed Ordinance O13-36 with the agreed upon changes. Ms. Stimpson said that she was excited about the prospect for microbreweries in the County and thanked Mr. Romanello for moving it along.

The Voting Board tally was:

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

Ordinance O13-36 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS;” SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS;” AND SECTION 28-39, “SPECIAL REGULATIONS” TO DEFINE BREWERIES, MICROBREWERIES, AND

DISTILLERIES; AND TO ALLOW THESE USES IN VARIOUS  
ZONING DISTRICTS WITH SPECIAL REGULATIONS

WHEREAS, Industrial Zoning Districts were established to provide areas within the County for the manufacturing and distribution of goods; and

WHEREAS, the Zoning Ordinance does not define or expressly provide for a brewery, microbrewery, or distillery; and

WHEREAS, the Board desires to amend the County Code Section 28-25 “Definitions of specific terms;” Section 28-35, Table 3.1, “District Uses and Standards;” and Section 28-39, “Special regulations” to include a definition for the terms beer, brewery, microbrewery, and distillery, and to allow such uses as permitted uses and conditional uses in various zoning districts with special regulations; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, received 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 3<sup>rd</sup> day of September, 2013, that Stafford County Code Section 28-25, “Definitions of specific terms;” Section 28-35, Table 3.1, “District Uses and Standards;” and Section 28-39, “Special regulations;” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

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

*Beer.* Any alcoholic beverage obtained by the fermentation of an infusion or decoction of barley, malt, and hops, or of any similar products, in drinkable water and containing one-half of one percent or more of alcohol by volume.

*Brewery.* A facility that produces and sells wholesale more than ten thousand (10,000) barrels of beer, malt liquor, or ale annually.

*Distillery.* A facility that produces any type of alcoholic beverage other than beer, malt liquor, or ale. This definition does not include wine or a winery.

*Microbrewery.* A facility that produces and sells no more than ten thousand (10,000) barrels of beer, malt liquor, or ale, annually, and as regulated by any applicable Virginia law.

**Sec. 28-35. Table of Uses and Standards.**

**Table 3.1. District Uses and Standards**

*B-2 Urban Commercial.*

(c) Special exception:

Microbrewery in accordance with Section 28-39(w).

~~(e)~~ (d) Requirements:

(1)

*Intensity: Ratio*

Maximum floor area ratio .....0.70

Open space ratio .....0.25

(2) *Minimum yards: Feet*

Front\* .....40

Side\*\* ..... 0

Back .....25

(3)

*Maximum height (in feet) .....65*

*M-1 Industrial Light.*

(a) *Uses permitted by right:*

Microbrewery, in accordance with Section 28-39(w).

(b) *Conditional use permit:*

Brewery.

Distillery.

Microbrewery, in accordance with Section 28-39(w), with facilities for events such as weddings, parties, and/or events with 200 or more attendees.

*M-2 Industrial, Heavy.*

(a) *Uses permitted by right:*

Brewery.

Distillery.

Microbrewery, in accordance with Section 28-39(w).

(b) *Conditional use permit:*

Microbrewery, in accordance with Section 28-39(w), Brewery, Distillery, and with facilities for events such as weddings, parties, and/or events with 200 or more attendees.

**Sec. 28-39. Special regulations.**

(w) Microbrewery.

1. Any microbrewery shall be licensed by the Virginia Department of Alcohol Beverage Control as a brewery.
2. Only beer products that are produced on the premises shall be sold by the facility. Any sales for on-premise and off-premise consumption shall be in accordance with the licensing requirements of the Virginia Department of Alcohol Beverage Control and any applicable Virginia law. Non-alcoholic beverages that are produced off-site may be sold at the facility.
3. Any part of the facility used for tasting beer products produced on-site shall be considered accessory to the brewing of beer.
4. To conduct events such as weddings, parties, and/or events with 200 or more attendees, a conditional use permit shall be required.

Planning and Zoning; Amend Stafford County Code Section 22-215 “Lighting” to Establish Lighting Design and Location Standards 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. Snellings, to adopt proposed Ordinance O13-34.

The Voting Board tally was:

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

Nay: (0)

Ordinance O13-34 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTIONS 22-215, “STREET LIGHTING;” 28-25, “DEFINITIONS OF SPECIFIC TERMS;” AND 28-87, “OUTDOOR LIGHTING STANDARDS”

WHEREAS, the Stafford County Code includes standards for design and location of lighting; and

WHEREAS, the Board desires to amend the lighting standards within the County Code; and

WHEREAS, the proposed amendments to the County Code will clarify and bolster current lighting standards; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, 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 3<sup>rd</sup> day of September, 2013, that Stafford County Code Sections 22-215, “Street lighting;” 28-25, “Definitions of Specific Terms;” and 28-87, “Outdoor Lighting Standards,” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

**Sec. 22-215. Street Lighting.**

(a) *Pedestrian Scale Lighting.*

For the purpose of this subsection, pedestrian scale lighting applies to sidewalks that are adjacent to rights-of-way, but are too far away to be lit by roadway lighting. This subsection does not apply to trails, greenways, or paths.

(1) In those subdivisions required by this chapter to provide curb, gutter and sidewalks, street lighting shall be installed which provides an average of 0.3 0.5 footcandles at road grade. The lighting provided may consist of street lights or individual lights located at the front of each lot. The location of required street pedestrian scale lighting and related information shall be shown on the construction plans.

(2) Refer to County Code Section 28-87(i), for pedestrian scale lighting standards.

(b) *Street Lighting.*

For the purpose of this subsection, street lighting applies to lights that are located within the VDOT right-of-way.

(1) The street lighting shall be installed by the subdivider prior to acceptance of the streets into the state secondary road system at the time of street construction.

(2) The cost of installation of the street lighting shall be borne by the developer.

(3) Operating costs shall be paid by the homeowners association or in accordance with the Stafford County Street Light Policy.

**Sec. 28-25. – Definitions of Specific Terms.**

Footcandle. The unit is defined as the amount of illumination on the inside surface of an imaginary one-foot radius sphere if there was uniform distribution of light from the exact center of the sphere. One footcandle is 10.76 lumens (lux).

*Footcandles, average.* The theoretical average amount of light falling on a surface when averaging the illuminance falling on all points of the surface.

*Footcandles, maximum.* The maximum amount of light falling on that point of a surface or anywhere on the area being lighted.

*Footcandles, minimum.* The least amount of light (illuminance) falling on that point of a surface or anywhere on the area being lighted.

*Glare.* The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility.

*Holiday Lighting.* Temporary strings of small individual lamps.

*Illuminance.* The amount of luminous flux per unit area in the Imperial system and is equal to one lumen per square foot, measured in footcandles. One footcandle equals approximately 0.1 (0.093) lux.

*Illuminating Engineering Society of North America (IES or IESNA).* An organization that establishes updated standards and illumination guidelines for the lighting industry.

*Lamp.* The generic term for an artificial light source, to be distinguished from the whole assembly (see "Lighting Fixture"); commonly referred to as the "light bulb."

*Lighting Fixture.* A complete lighting unit consisting of the lamp, lens, optical reflector, housing, and electrical components necessary for ignition and control of the lamp, which may include a ballast, starter, and/ or photo control.

*Lighting Fixture, Directionally Shielded.* A lighting fixture which emits a light distribution where some light is emitted at or above a horizontal plane located at the bottom of a fixture. Such fixtures may contain visors, louvers, or other types of shields or lenses which are designed to direct light onto a targeted area and to minimize stray light.

*Lighting Fixture, Full Cutoff or Fully Shielded.* Outdoor lighting fixture which emits 0% of its light above 90 degrees and 10% above 80 degrees from the horizontal.

*Lighting Fixture, Outdoor.* An outdoor illuminating device, or reflective surface, lamp or similar device, permanently installed, used for illumination or decoration. Such devices shall include, but are not limited to, lights used for: buildings and structures, recreational areas, parking lot lighting, landscaping, architectural lighting, street lighting, building overhangs, or open canopies, and security lighting.

*Lighting, Pedestrian Scale.* Light standards or placements not greater than 14 feet in height along walkways.

Lighting, Security. Lighting intended to reduce the risk of personal attack, discourage intruders, vandals, or burglars, and to facilitate active surveillance of an area by designated surveillance personal or by remote camera.

Lighting, Security Motion Sensing. Any fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching a lamp on when motion is detected inside the area or perimeter, and switching the lamp off when the detected motion ceases.

Light Loss Factor. Factor (between 0.0 and 1.0) describing light output of a luminaire after loss due to dirt accumulation and lamp lumen depreciation, relative to the output when the lamp and luminaire are new.  $LLF = LDD \times LLD$

Light Trespass. Light falling where it is not wanted or needed, typically across property boundaries.

Lumen. A quantitative unit measuring the amount of light emitted from a light source.

Luminaire Dirt Depreciation (LDD). Factor (between 0.0 and 1.0) used to describe how much light is produced by the lamp that is not lost to dirt accumulation and other changes in the optical characteristics of the luminaire, relative to the value when the luminaire is new.

Lamp Lumen Depreciation (LLD). Factor (between 0.0 and 1.0) used to describe how the lamp output changes with time compared to the initial output.

Maintained Illuminance Level. Level which is determined as a percentage of the initial illuminance level. The percentage is different for the various types of lamp sources. This number is reported as a part of the photometric plan.

Mounting Height. The distance from level ground to the lowest light-emitting part of the lighting fixture.

Photometric Plan. Locations of all pole mounted and building/wall mounted fixtures and a numerical 10 foot by 10 foot grid of lighting levels, in footcandles, that the fixtures will produce on the ground. The photometric plan will indicate the minimum and maximum footcandles within the lighted area of the site. The minimum (lowest number) is usually at the outer edge of the illuminated area to between two fixtures. The average light level is determined by adding the footcandle value of all the points on the grid and dividing by the total number of points.

Skyglow. The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.



Uniformity Level. Ratio of the minimal illuminance over the area weighted average illuminance

Uplight. Light projected above the horizontal.

### **Sec. 28-87. Outdoor lighting standards.**

(a) *Generally.* No structure or land shall be developed, used or occupied unless all outdoor lighting conforms to the requirements of this section.

(b) *Design and location.*

(1) *Mounting.* All outdoor lighting shall be designed, located and mounted at heights no greater than:

- a. Eighteen (18) feet above grade for non-cutoff lights;
- b. Thirty-five (35) feet above grade for cutoff lights.

(2) *Location.* All outdoor lighting shall be designed and located such that the maximum illumination, measured in footcandles at the property line, shall not exceed three tenths (0.3) footcandle for non-cutoff lights and one and five-tenths (1.5) footcandles for cutoff lights.

(3) *Glare.* All lighting from nonresidential uses shall be located, screened or shielded so that adjacent residential lots are not directly illuminated.

(a) *Purpose and intent.* The purpose and intent of this section is to establish outdoor lighting standards that will minimize glare, light trespass, overlighting, and skyglow, while improving safety and security, and conserving energy for businesses and residents of Stafford County.

(b) *Applicability.*

(1) All new commercial, industrial, and residential outdoor lighting installations or replacement of existing outdoor lighting fixtures shall meet the requirements of this chapter. Replacement of a fixture shall mean a change of fixture type, mounting height, or location of a fixture. Routine maintenance such as changing bulbs or lamps, lenses, housing, or similar components shall not constitute a replacement as long as the change does not result in a higher output.

(2) Outdoor lighting fixtures lawfully existing prior to the adoption of Section 28-87 that do not conform to this section will be considered nonconforming and may remain. A nonconforming light fixture that is modified must conform to the current outdoor lighting standards in Section 28-87(k).

(3) For existing vehicle fuel station canopies, convenience stores, motor vehicle sales, motor vehicle rentals, ATMs, or lighted playing fields/courts of public or private outdoor recreational facilities that do not comply with the applicable maintained lighting levels specified in Section 28-87(d), the addition of the new outdoor lighting fixtures may be permitted in accordance with the following:

a. There may be an addition of new outdoor lighting fixtures to existing vehicle fuel station canopies, convenience stores, motor vehicle sales, motor vehicle rentals, ATMs, or lighted playing fields/courts of public or private outdoor recreational facilities, only when the outdoor lighting meets the provisions of this Chapter and such replacement or

addition will not increase the noncompliance with the applicable maintained levels specified in Section 28-87(d).

(c) General Outdoor Lighting Standards.

(1) All outdoor lighting shall be designed, shielded, aimed, located, and maintained to protect adjacent properties and roadways from:

- a. Excessive illumination;
- b. Energy waste;
- c. Glare;
- d. Light trespass; and
- e. Unnecessary skyglow.

(2) Shielding:

Full Cut-Off or fully-shielded lighting fixtures shall be required. Exemptions shall be made for other acceptable outdoor light fixtures. Acceptable outdoor light fixtures shall include those which:

- a. Are provided with internal and/or external glare control louvers and installed so as to minimize uplight and offsite light trespass.
- b. Are installed and maintained with aiming angles that permit no greater than 5% of the light emitted by each fixture to project above the horizontal.
- c. All walkway/sidewalk, drive aisles, parking lot light fixtures, canopy, and building/wall mounted light fixtures shall be full cut-off or fully-shielded fixtures, mounted horizontal to the ground except for architectural and landscape lighting in Section 28-87(g).
- d. Flashing, revolving, or intermittent exterior lighting visible from a property line or street shall be prohibited. High intensity lights, such as, but not limited to, outdoor search lights, lasers or strobe lights shall be prohibited.
- e. Ancillary uses and areas where people congregate related to the primary use such as, but not limited to, refuse areas, delivery docks, loading spaces, drive-up windows, sidewalks, doors areas, and steps, shall be lit to have a minimum of three footcandles.
- f. Street Lighting shall be provided in accordance with the requirements of Section 22-215.
- g. Lighting levels shall be reduced to security lighting levels within 30 minutes after the close of business or the end of the business activities involving the public. Security lighting levels shall be achieved by extinguishing at least 50% of the total number of lights, by dimming lighting levels to no more than 50% of the levels used during business or activity hours, or some combination thereof. Business or activity hours are defined by any time when the business is open to the public.
- h. Maximum maintained illuminance levels.
  - 1. No outdoor lighting shall be installed to exceed the maximum maintained illuminance levels as recommended by the IES for the designated activity. When no maximum level is defined by the IES, no lighting shall be installed to exceed 175% of the minimum maintained illuminance levels as recommended by the IES.
  - 2. Exceptions may be granted under the provisions in Section 28-87(k).
- i. Measurements.
  - 1. Unless otherwise stated all luminance measurements for the purpose of Section 28-87 shall be made at waist height with the light meter oriented horizontally.

2. Height shall be measured from the grade or surface on which the light pole is mounted to the bottom of the lighting fixture.

(d) *Outdoor Lighting Standards for Nonresidential Uses.*

(1) The minimum maintained lighting levels for nonresidential uses shall meet the following standards:

a. Five footcandles along building fronts.

b. Fifteen footcandles for high security areas, such as, but not limited to, vehicle fuel sales canopy areas, vehicle display areas, and ATMs.

c. Parking lot lighting shall be in accordance with Section 28-87(h).

(2) Lighting levels shall not exceed five-tenths (0.5) footcandles to any adjacent residential or agricultural properties at the property line.

(3) Vehicle Fuel Sales Canopies.

a. Fifteen footcandles, measured horizontally at grade, shall be maintained during business hours. However, a lighting level, not to exceed thirty footcandles, may be specified by the Board with approval of a conditional use permit or proffered condition.

1. The outdoor lighting shall be recessed into the canopy ceiling with a flat lens so as to not produce glare.

2. Outdoor lighting fixtures shall not be mounted on the top or sides of a canopy, and the sides of the canopy cannot be illuminated unless part of the sign area.

3. As an alternative to recessed ceiling lights, indirect lighting may be used where light is directed upward and then reflected down from the underside of the canopy.

In this case, light fixtures shall be shielded so that direct illumination is focused exclusively on the underside of the canopy

4. Outdoor display areas used in concurrence with vehicle sale, rental, and ancillary service establishments.

i. Twenty footcandles measured horizontally at grade. However, a lighting level, not to exceed thirty footcandles, may be specified by the Board with approval of a conditional use permit or proffered condition. For purposes of this Section 28-87, outdoor display area shall include all display/storage areas for vehicles offered for sale or rent and the associated travel lanes.

(4) Public or Private Outdoor Recreational Facilities.

a. When an outdoor recreation facility has illuminated playing fields or courts, they shall be subject to the provisions in Section 28-87. Other parts of an outdoor recreation facility, such as parking lots, administrative offices, restrooms, concession stands, and spectator viewing areas, shall not be subject to the provisions in Section 28-87, but shall be subject to the general standards in Section 28-87(c).

b. The following shall apply to recreational photometric plans, other than professional sports teams:

1. Shall be submitted as part of a conditional use permit, site or construction plan, or rezoning application.

2. Shall be prepared by either a lighting professional that is certified by the National Council on Qualifications for the Lighting Professions (NCQLP) or a Commonwealth of Virginia licensed professional engineer, architect, landscape architect, or land surveyor with a Class A license.

3. Shall contain the following information:

- i. Boundaries, dimensions, and total land area of the outdoor recreation facility property, with graphic scale no less than one inch equals fifty-feet (1"=50') and north arrow.
- ii. Location and limits of the playing field, (Table 5.1), landscaping, and/or buffering to help assist in light control and protection of adjacent properties and roadways shall be included. Perimeters shall be included around recreation fields and shall be lit. For baseball/softball fields, the perimeter shall extend thirty feet perpendicular to the foul lines and away from the field. The perimeter for rectangular fields, such as but not limited to, football, lacrosse, and soccer, shall be twenty feet from the side lines and thirty feet from the end lines. The perimeter for all other recreation/fields shall be ten feet from the playing field boundary.
- iii. All light fixtures/light poles shall be set back a minimum of one foot for every foot in height from any residential property line, property line where residences are located, or any right-of-way.
- iv. Location, height, and specifications of the illuminating devices, lamps, supports, and other devices, including the designation as (IES) "cut off" fixtures. This description shall include, but is not limited to site, parking lot, parking canopies, walkways/sidewalks, building-mounted under canopies, architectural, landscaping, flagpole, and any other area where people congregate.
- v. Lighting levels shall not exceed five-tenths (0.5) footcandles at any common property line zoned, used as, or planned for residential units where residences may be located, agricultural, or mixed use.
- vi. All events on any playing field, court, track, or field shall be scheduled to be completed by 11:00 p.m. Lights may remain on after 11:00 p.m., only under unusual circumstances, to conclude an event started before 11:00 p.m. No event shall be permitted to start after 11:00 p.m.
- vii. All lighted playing field lights shall be turned off no later than one-hour after the games are over.
- viii. All newly lighted fields or existing fields being upgraded or retrofitted, public or private, shall be equipped with overriding timing devices which will automatically cut off the lights.
- c. Shielding.
  - 1. Full Cutoff or Fully Shielded lighting fixtures are required. If full cut-off or fully-shielded fixtures cannot be used, acceptable outdoor light fixtures shall include those which:
    - i. Are provided with internal and/or external glare control louvers and installed so as to minimize upright and offsite light trespass;
    - ii. Are installed and maintained with aiming angles that permit no greater than 5% of the light emitted by each fixture to project above the horizontal; and
    - iii. The fixtures shall be aimed only to illuminate the playing fields/courts.
  - 2. All lighting shall be dark sky compliant.

<b>Table 5.1</b>			
<b>Maximum Permitted Lighting Levels for Outdoor Recreation Facilities</b>			
<b>Recreation/Sport Facility</b>	<b>Lighted Area</b>	<b>Footcandles*</b>	<b>Height (feet)**</b>
<u>Archery Ranges</u>		<u>10</u>	<u>50</u>
<u>Baseball</u>	<u>Infield</u>	<u>50</u>	<u>70-80</u>
	<u>Outfield</u>	<u>50</u>	<u>70-80</u>
<u>Softball</u>	<u>Infield</u>	<u>50</u>	<u>60-80</u>
	<u>Outfield</u>	<u>50</u>	<u>60-80</u>
<u>Baseball Hitting Ranges</u>		<u>50</u>	<u>50</u>
<u>Basketball, Volleyball</u>		<u>50</u>	<u>50</u>
<u>Field Hockey</u>		<u>50</u>	<u>90-100</u>
<u>Football</u>		<u>50</u>	<u>90-100</u>
<u>Go-Kart Tracks</u>		<u>30</u>	<u>50</u>
<u>Golf Courses</u>	<u>Tee boxes,</u>		<u>50</u>
	<u>Greens</u>	<u>5</u>	
<u>Fairways</u>		<u>3</u>	<u>50</u>
<u>Golf Driving Ranges</u>	<u>Tee boxes</u>	<u>20</u>	<u>50</u>
	<u>Fairways</u>	<u>3</u>	<u>50</u>
	<u>Greens</u>	<u>5</u>	<u>50</u>
<u>Golf (miniature)</u>		<u>20</u>	<u>50</u>
<u>Horse Riding Rings/Show Areas</u>		<u>30</u>	<u>50</u>
<u>Ice Skating, Ice Hockey, Roller Skating Rinks</u>		<u>50</u>	<u>50</u>
<u>Lacrosse</u>		<u>50</u>	<u>90-100</u>
<u>Soccer</u>		<u>50</u>	<u>90-100</u>
<u>Swimming Pools</u>	<u>Pool Surface</u>	<u>10</u>	<u>50</u>
	<u>Pool Deck</u>	<u>30</u>	<u>50</u>
<u>Tennis Courts (College/High School)</u>		<u>50</u>	<u>50</u>
<u>Tennis Courts (Recreational)</u>		<u>50</u>	<u>50</u>
<u>Track &amp; Field</u>		<u>50</u>	<u>90-100</u>
<u>Other Uses</u>		<u>To be determined by zoning administrator</u>	
<u>*Average Maintained Lighting Level</u>			
<u>** Height Above Playing Surface</u>			

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(e) *Lighting Standards for Multi-family Residential Uses.*

(1) The maximum maintained lighting levels for multi-family residential uses shall not exceed the following standards:

- a. Five-tenths (0.5) footcandles at any common property line.
- (2) The minimum maintained lighting levels for multi-family residential uses shall meet the following standards:
  - a. Five footcandles for main drive aisles; and
  - b. Three footcandles for refuse areas, pedestrian areas, parking areas, and other areas where people congregate.
- (f) Construction Lighting.
  - (1) All exterior construction lighting shall be full cut-off or directionally shielded fixtures so as to only illuminate the desired objects.
  - (2) For the purposes of Section 28-87, a building is no longer considered under construction when exterior walls and windows are installed and permanent lighting replaces the temporary lighting.
- (g) Architectural and Landscape Lighting.
  - (1) Lighting used to illuminate statues, flags, signs, or other objects mounted on a pole, platform, or pedestal, or spotlighting or floodlighting used for architectural or landscape purposes, shall be full cut off and directionally shielded outdoor lighting fixtures that are designed, aimed, and controlled so the directed lights shall be confined to the object intended to be illuminated. Directional shields shall be used to limit stray light and prevent minimize glare, sky glow, and light trespass.
  - (2) The lighting shall not shine directly into the window of any residence or directly onto a roadway. Light fixtures attached to a building shall be directed downward.
- (h) Parking Lot Lighting.
  - (1) Parking lot lighting shall be located at vehicle entrances and exits, loading areas, parking spaces, and drive aisles.
  - (2) Lighting levels shall not exceed five-tenths (0.5) footcandles at any common property line, unless the adjacent property has a similar use or compatible zoning.
  - (3) Minimum maintained and along building fronts for businesses and commercial uses, three footcandles for main drive aisles and along building fronts for other uses.
  - (4) Minimum maintained two footcandles for refuse areas.
  - (5) Minimum maintained two footcandles for pedestrian areas located in parking lots.
  - (6) Minimum maintained three footcandles in parking areas for businesses and commercial uses.
  - (7) The location of lighting poles shall be placed in areas to reduce conflict with the ultimate growth of landscaping and tree canopies. Light poles shall not be placed within the ten-year canopy of any tree.
  - (8) Parking lot light fixtures poles shall not be more than 30 feet in height. The Board may modify the height requirements by review and approval of a CUP.
  - (9) Lots that have four or more parking lot light poles, parking lot lighting levels for ground surface parking lots shall be reduced to security levels within thirty-minutes after the close of business. Security lighting level shall be achieved by extinguishing at least 50% of the total number of pole mounted lights, by dimming lighting levels to no more than 50% of the levels used during business or activity hours, or some combination thereof.
  - (10) A photometric plan shall be submitted following Section 28-87(j).
- (i) Pedestrian Scale Lighting.

For the purpose of Section 28-87, pedestrian scale lighting applies to sidewalks that are adjacent to rights-of-way, but are too far away to be lit by roadway lighting. Section 28-87 does not apply to trails, greenways, or paths.

- (1) Minimum five-tenths (0.5) footcandles for residential uses.
- (2) Minimum one footcandle for non-residential uses and multi-family residential.
- (3) Maximum five-tenths (0.5) footcandles for conditions such as but not limited to, abrupt changes in elevation, curves, stairs, and bridges shall be adequately lit.
- (4) Securities shall be required for any lights located in homeowners association (HOA) maintained spaces that are not installed prior to recordation.
- (5) Pedestrian scale lighting in HOA-maintained spaces shall be installed throughout the subdivision section prior to the issuance of the first occupancy permit in that section.
- (6) Pedestrian scale lighting on individual lots that will be maintained by the owner must be installed prior to issuance of occupancy permit
- (7) Trails, greenways, and paths may be lit with a waiver. Waivers may be granted under Section 28-87(k).
- (j) *Site and Subdivision Plan Requirements for Outdoor Lighting.*
  - (1) As part of a submission for a site, subdivision, construction, or infrastructure plan to install outdoor lighting fixtures as part of the application, the applicant shall submit evidence that the proposed lighting plan shall meet the conditions set forth in this chapter.
  - (2) The photometric plan will be prepared by either: a lighting professional that is certified by the (NCQLP) or a Commonwealth of Virginia licensed professional engineer, architect, landscape architect, or land surveyor with a Class A license.
  - (3) The point-to-point photometric plan shall include the following:
    - a. A site plan drawn to scale showing the building(s), landscaping, parking areas, vehicle ingress and egress, and proposed outdoor lighting fixtures with graphic scale no less than one inch equal to fifty feet (1"=50'), and north arrow. Photometric plans shall be shown with the landscaping plan.
    - b. A vicinity map that shows adjacent properties and their zoning within 150 feet of the project.
    - c. Location of proposed outdoor luminaires including, but not limited to, site, parking lot, parking canopies, walkways/sidewalks, building-mounted under canopies, architectural, landscaping, flagpole, and any other areas where people congregate.
    - d. Illumination calculation showing:
      1. Light levels in footcandles at points located on 10' center grid;
      2. Maximum to minimum ratio;
      3. Average maximum to minimum ratio; and
      4. Uniformity level.
    - e. Fixture schedule that includes:
      1. Fixture design;
      2. Type of lamp;
      3. Wattage of each fixture;
      4. Luminaire and pole color/finish;
      5. Lamp quantity per luminaire;
      6. Lamp initial lumens;
      7. Lamp color temperature;
      8. Mounting height of the luminaire; and

9. Light loss factors /maintenance plan.

Maintenance Plan shall include:

- i. Immediate replacement of failed lamps, electrical components, photocells, and vandalized or damaged luminaires;
- ii. Regular cleaning of luminaires;
- iii. Shrubbery pruning; and
- iv. Inspections of all lamps to be performed at least monthly during hours of darkness to look for dirty or broken lenses, failed lamps or those not performing to specified standards, tree limbs blocking light paths, and evidence of vandalism. In the case of large properties where there are on-site security patrols or maintenance personnel, lamps should be checked nightly, and observed outages reported in patrol logs or maintenance request records.

10. Descriptions or comments.

f. Fixture type/marks for all luminaires.

g. Manufacturer's cut sheet.

h. Security levels.

1. Identify fixtures that will remain on all night for security purposes.

2. Note identifying the time the site will enter security lighting mode and description of the device that will automatically control the lighting.

3. Pole and base design (mounting) for each type of light fixture, including:

i. Mounting height of the luminaires as measured from the fixture lens to the finished grade;

ii. Fixture type of the luminaires mounted on the pole; and

iii. Colors/finishes of the luminaire and pole, and finish of the base.

4. Complete date for the current plan and complete dates for all prior versions of the lighting plans that were submitted to the county.

5. Contact name, phone number, signature, and seal of lighting design professional.

(k) Exemptions.

The following shall be exempt from the provisions of Chapter 28.

(1) Nonconforming Fixtures. Light fixtures installed prior to the effective date of Section 28-87 are exempt from the provision of this section, provided However no replacement or structural alteration of outdoor light fixtures shall be made unless it conforms to the provisions of Chapter 28. Any modification to a nonconforming fixture shall be required to meet all current standards.

(2) Outdoor lighting fixtures and standards required by federal, state, or other government agencies, including roads with lighting in the right-of-way.

(3) Construction or emergency lights used for construction, law enforcement, fire and rescue, emergency, or construction repair work to public facilities.

(4) Holiday outdoor lighting fixtures.

(5) Security lighting on single-family residences that is controlled and activated by motion sensors devices for a duration of fifteen minutes or less and is not aimed at any point outside of the property boundary.



(6) Flag lighting of the United States’ flag or Commonwealth of Virginia’s flag, flags, or other non-commercial flags where such activities is protected by the United States Constitution, the Virginia Constitution, or federal or state law, provided that shielded and directional fixtures are used. Fixtures must be installed and aimed so as to minimize glare, sky glow, and light trespass to adjacent properties, pedestrians, and motorists.

(7) Airport lighting.

(8) Any other uses determined by the Zoning Administrator.

a. A modification, waiver, or variation from the standards set forth in Section 28-87 may be granted by the zoning administrator or CPTED official.

b. The zoning administrator or CPTED official may modify or waive any standard set forth in Section 28-87 for an individual case, and he/she may impose conditions on such a modification or waiver which he/she deems appropriate to further the purposes of these lighting regulations, under the following circumstances:

1. Upon finding that the strict application of the standard would not further the purposes of Chapter 28, or that the alternatives proposed by the applicant would satisfy the purposes of these lighting regulations, at least to an equivalent degree;

2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and/or

3. The authorization of the modification, waiver, or variation will not be of substantial detriment to the adjacent property(ies) and the character of the zoning district will not be changed by granting the modification, waiver, or variation;

c. Prior to the granting of a modification, waiver, or variation from the standards set forth in Section 28, the zoning administrator or CPTED official shall give, or require the applicant to give, all adjacent property owners written notice of the request for the modification, waiver, or variation. Adjacent property owners shall have twenty-one days from the date of the notice to comment on the request for modification, waiver or variation.

d. The zoning administrator or CPTED official shall make a decision of the application for modification, waiver, or variation within thirty days of receipt of the application, and issue a written decision with a copy provided to the applicant and any other adjacent property owner who responded in writing to the notice sent pursuant to the section.

e. Decisions of the Zoning Administrator or CPTED official may be appealed within ten days of the decision to the board of zoning appeals.

f. Decisions of the Board of Zoning Appeals may be appealed to the Circuit Court as provided under the Virginia Code.

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

Planning and Zoning; Amend and Reordain Stafford County Code Section 28-58(d) “Historic Resource Overlay District Regulations” Regarding Certificate of Appropriateness Applications 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. Thomas motioned, seconded by Mr. Milde, to adopt proposed Ordinance O13-31.

The Voting Board tally was:

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

Nay: (0)

Ordinance O13-31 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-58(D), “HISTORIC RESOURCE OVERLAY DISTRICT REGULATIONS”

WHEREAS, County Code Sec. 28-58(d) currently requires that the Architectural Review Board (ARB) receive applications for Certificates of Appropriateness (COA) thirty (30) days, or more, prior to its meeting; and

WHEREAS, County Code Sec. 28-58(d) does not specify that the applications for COAs must be complete; and

WHEREAS, the ARB desires to encourage the restoration and preservation of the buildings and structures within the Historic Resource Overlay Districts; and

WHEREAS, the ARB believes that the requirement to have received COA applications thirty (30) days or more prior to a meeting is excessive and may unnecessarily impede projects requiring a COA; and

WHEREAS, in order to fully review a proposed project, the ARB must have completed applications for COAs; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission, the ARB, and staff, and the testimony, if any, 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 3<sup>rd</sup> day of September, 2013, that Stafford County Code, Section 28-58(d), “Historic resource overlay district regulations,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

**Sec. 28-58. – Historic Resource Overlay District (HR).**

*Historic resource overlay district regulations.*

- (2) Upon receipt of an complete application for a certificate of appropriateness, the agent shall forward to the ARB copies of the permit application, plat, site plan, and any other materials filed with such application. The complete application must be received by the ARB ~~thirty~~ (30) fourteen (14) days or more prior to its meeting.
- (3) The ARB may require the submission of the following information and other materials necessary for its review of the complete application: statement of proposed use; name of proposed user; design sketches showing exterior building configuration, topography, paving and grading; and, a plan showing exterior signs, graphics, and lighting to establish location, color, size, and type of materials.

BE IT FURTHER ORDAINED that this ordinance shall take effect on upon adoption.

Public Works; Abandon a Portion of Rocky Run Road, Berea Woods Drive, and Brookview Lane Mr. Mike Smith, Director of Public Works, gave a presentation and answered Board members questions.

Mr. Sterling asked if the County had permission to abandon a state road. Mr. Smith explained the process that staff followed regarding abandoning secondary roads.

Mr. Snellings said that he always had concerns about abandoning roads but that there was no choice as the roads discussed would be under 200' of water.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-172.

The Voting Board tally was:

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

Resolution R13-172 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO PROCEED WITH ABANDONMENT OF A PORTION OF ROCKY

RUN ROAD (SR-654); ALL OF BROOKVIEW LANE (SR-802); AND  
ALL OF BERA WOODS DRIVE (SR-803), AS PART OF THE ROCKY  
PEN RUN RESERVOIR PROJECT

WHEREAS, on February 21, 2012, the Board authorized the construction of the Rocky Pen Run Dam and Reservoir; and

WHEREAS, utilization of the new Rocky Pen Run Dam and Reservoir will result in a portion of Rocky Run Road and all of Brookview Lane and Berea Woods Drive being inundated by water; and

WHEREAS, written notification was provided to the Virginia Department of Transportation (VDOT) of the Board's intent to abandon the portion of Rocky Run Road and all of Brookview Lane and Berea Woods Drive, which will be inundated by water; and

WHEREAS, the Board carefully considered the recommendations the Utilities Commission, County staff and VDOT, and the testimony, if any, at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the County Administrator be and he hereby is authorized to proceed with abandonment of the portion of Rocky Run Road and all of Brookview Lane and Berea Woods Drive, which will be inundated by the new Rocky Pen Run Reservoir, with the actual abandonment occurring on or after December 1, 2013; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any documents necessary for this abandonment.

Public Works; Consider Condemnation and Exercise of Quick-Take Powers to Acquire Right-of-Way, Utility Easements, and Temporary Construction Easements for the Poplar Road (Phase II) Safety Improvements Project Mr. Mike Smith, Director of Public Works, 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. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-260.

The Voting Board tally was:

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

Nay: (0)

Resolution R13-260 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY, TEMPORARY CONSTRUCTION EASEMENT, AS WELL AS PROPERTY TO BE CONVEYED TO VERIZON AND DOMINION VIRGINIA POWER FOR USE AS A PERMANENT UTILITY EASEMENT, ON A PORTION OF TAX MAP PARCEL 36-19, IN CONNECTION WITH THE POPLAR ROAD PHASE II SAFETY IMPROVEMENTS PROJECT

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

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

WHEREAS, the Board determined that staff is unable to obtain certain right-of-way, permanent utility easements, and temporary construction easements on Tax Map Parcel 36-19, necessary for the completion of the project; and

WHEREAS, Tax Map Parcel 36-19 consists of approximately 9.65 acres of land owned by Edwin and Sandra Decker (the Property Owners); and

WHEREAS, the Board must acquire right-of-way and easements on Tax Map Parcel 36-19 because the design of the road improvements requires 0.232 acres of right-of-way, of which 0.158 acres is currently prescriptive right-of-way, 0.119 acres of temporary construction easement, 0.300 acres of easement to be conveyed to Dominion Virginia Power for use as a permanent utility easement, and 0.178 acres of easement to be conveyed to Verizon for use as a permanent utility easement, on Tax Map Parcel 36-19; and

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

WHEREAS, the Board, through its consulting negotiator, made a bona fide (but ineffectual) effort to purchase the affected areas of Tax Map Parcel 36-19 by offering said determination of value on behalf of the County to the Property Owners; and

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

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

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.232 acres of right-of-way, of which 0.158 acres is currently prescriptive right-of-way, 0.119 acres of temporary construction easement, 0.300 acres of easement to be conveyed to Dominion Virginia Power for use as a permanent utility easement, and 0.178 acres of easement to be conveyed to Verizon for use as a permanent utility easement, on Tax Map Parcel 36-19;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the Board be and it hereby does find that public necessity exists for the Board's ownership of the right-of-way, temporary construction easement, and easements to be conveyed to Verizon and Dominion Virginia Power for use as permanent utility easements, on Tax Map Parcel 36-19, to complete construction and begin operation of the Poplar Road Phase II Safety Improvements Project between Truslow Road and Cedar Crest Lane; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Four Thousand Three Hundred Dollars (\$4,300) as just compensation for the right-of-way, temporary construction easement, and easements to be conveyed to Verizon and Dominion Virginia Power for use as permanent utility easements, including damages, if any, to the remainder of the property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby does declare its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.232 acres of right-of-way, of which 0.158 acres is currently prescriptive right-of-way, 0.119 acres of temporary construction easement, 0.300 acres of easement to be conveyed to Dominion Virginia Power for use as a permanent utility easement, and 0.178 acres of easement to be conveyed to Verizon for use as a permanent utility easement, on Tax Map Parcel 36-19 for construction and operation of the Poplar Road Phase II Safety Improvements Project between Truslow Road and Cedar Crest Lane, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate of Take and to deposit Four Thousand Three Hundred Dollars (\$4,300) with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the right-of-way, easements to be conveyed to Dominion Virginia Power and Verizon for use as permanent utility

easements, and temporary construction easement in connection with the quick-take condemnation process on behalf of the Board in accordance with the law.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-261.

The Voting Board tally was:

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

Resolution R13-261 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE PROPERTY TO BE CONVEYED TO VERIZON FOR USE AS A PERMANENT UTILITY EASEMENT, ON A PORTION OF TAX MAP PARCEL 36-20A, IN CONNECTION WITH THE POPLAR ROAD PHASE II SAFETY IMPROVEMENTS PROJECT

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

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

WHEREAS, the Board determined that staff is unable to obtain a certain permanent utility easement on Tax Map Parcel 36-20A that is necessary for the completion of the project; and

WHEREAS, Tax Map Parcel 36-20A consists of approximately 2.94 acres of land owned by Heath and April Fernald (the Property Owners); and

WHEREAS, the Board must acquire an easement on Tax Map Parcel 36-20A because the design of the road improvements requires 0.038 acres of easement to be conveyed to Verizon for use as a permanent utility easement on Tax Map Parcel 36-20A; and

WHEREAS, the fair market value for the required portion of Tax Map Parcel 36-20A, together with damages, if any, to the remainder of the property is Five Hundred Dollars (\$500), based upon the 2012 assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide but ineffectual effort to purchase the affected area of Tax Map Parcel 36-20A by offering said determination of value on behalf of the County to the Property Owners; and

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

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

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.038 acres of easement to be conveyed to Verizon for use as a permanent utility easement on the property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the Board be and it hereby does find that public necessity exists for the Board's ownership of an easement to be conveyed to Verizon for use as a permanent utility easement on Tax Map Parcel 36-20A to complete construction and begin operation of the Poplar Road Phase II Safety Improvements between Truslow Road and Cedar Crest Lane; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Five Hundred Dollars (\$500) as just compensation for the easement to be conveyed to Verizon for use as a permanent utility easement, including damages, if any, to the remainder of the property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines that it is necessary to do so and hereby does exercise the County's quick-take powers to enter upon and immediately acquire 0.038 acres of easement to be conveyed to Verizon for use as a permanent utility easement on Tax Map Parcel 36-20A for construction and operation of the Poplar Road Phase II Safety Improvements Project between Truslow Road and Cedar Crest Lane, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate of Take and to deposit Five Hundred Dollars (\$500) with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the easement to be conveyed to Verizon for use as a permanent utility easement in connection with the quick-take condemnation process on behalf of the Board in accordance with the law.



Continued - Planning and Zoning; Amend Proffered Conditions at Leeland Station Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Clark Leming, for the Applicant also addressed the Board.

Regarding Proffer #3: Mr. Leming said that his client was willing to pay \$400k prior to the 500<sup>th</sup> residential building permit being issued plus an additional \$350k prior to issuance of the 50<sup>th</sup> building permit in Section 6A, 6B, and 6D. The money would be in escrow and disbursed to support an artificial turf field at Stafford High School or, if not there, at a site in the vicinity of Leeland Station.

Regarding Proffer #9A: Mr. Leming said that his client agreed to 5,000 square feet of commercial space on six acres with no vehicle fuel sales; and agreed to 7,500 square feet of office/commercial space by construction of the 600<sup>th</sup> residential unit.

Mr. Sterling asked about timing. Mr. Leming said March or April, 2014. Mr. Leming introduced Mr. David deMarco with K. Hovnanian Homes. Mr. deMarco said that plan approval took six to nine months and it took another year for permits. Mr. Sterling asked if reimbursement to the County was permissible in the proposed, revised proffers. He asked if the County put up \$350k from the General Fund, would that amount be reimbursable from the funds put in escrow by K. Hovnanian. Mr. Leming said that the word used was “support.” Ms. Stimpson suggested that the words, “possible reimbursement” be added to the language. Mr. Shumate suggested the words, “artificial turf field at Stafford High School or reimbursement for same.”

Mr. Cavalier said that he liked the deal better than the original proposal, adding that artificial turf fields should be the goal at each high school, which he said would be a topic of discussion at the upcoming meeting of the Joint Board of Supervisors/School Board Working Committee scheduled for September 9, 2013.

Ms. Stimpson said that while it had not been easy, there was outstanding work and negotiations done on the traffic light, the turf field, and the number of units. Mr. Milde said that he would not support it as he felt there were more discrepancies in the proffers.

Ms. Stimpson motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O13-44 with Proffer Statement dated September 3, 2013.

The Voting Board tally was:

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

Ordinance O13-44 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE PROFFERED CONDITIONS ON ASSESSOR’S PARCELS 46-92B, 46-93 (PORTION), AND 46-93E ZONED PD-1 PLANNED DEVELOPMENT 1 ZONING DISTRICT, WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, GTIS-HOV Leeland Station, LLC, applicant, submitted application RC1300138 requesting an amendment to proffered conditions on Assessor’s Parcels 46-92B, 46-93 (portion), and 46-93E, zoned PD-1 Planned Development 1 Zoning District located within the Falmouth Election District; and

WHEREAS, Assessor’s Parcels 46-92B, 46-93 (portion), and 46-93E, zoned PD-1 Planned Development 1 Zoning District, are subject to proffered conditions pursuant to Ordinance O04-15, adopted by the Board on March 2, 2004; and

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

WHEREAS, the Board determined that the requested amendment to proffered conditions is compatible with the surrounding land uses and zoning; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of September, 2013, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the proffered conditions on Assessor’s Parcels 46-92B, 46-93 (portion), and 46-93E, zoned PD-1 Planned Development 1 Zoning District, as specified in the proffer statement entitled, “Proffer Amendment,” dated September 3, 2013.

Adjournment: At 10:00 p.m. the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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Susan B. Stimpson  
Chairman