

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

October 1, 2013

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:04 p.m., on Tuesday, October 1, 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; Ty A. Schieber; and Gary F. Snellings. Cord A. Sterling joined the meeting at 3:08 p.m. Paul V. Milde, III arrived at 3:21 p.m., having been delayed due to traffic congestion.

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.

Virginia Department of Transportation Quarterly Report Mr. Sean Nelson, VDOT’s Assistant Residency Administrator, provided the quarterly report to the Board. Ms. Stimpson inquired about a town hall meeting to address issues related to the Falmouth Intersection. Deputy County Administrator, Keith Dayton, replied that a “Pardon Our Dust” meeting was planned for February, 2014, at the Falmouth Volunteer Fire Department. Ms. Stimpson thanked Mr. Nelson for his report.

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

- | | | |
|----------------|---|---|
| Dana Luttrell | - | Pump and Haul in the Rock Hill District |
| Paul Waldowski | - | Planning Commission/Board of Zoning Appeals
Members conflict; water and sewer; HOT lanes;
stormwater management; HOAs, TDRs; schools;
Lame Duck legislative dinner |

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

- | | | |
|---------------|---|----------|
| Mr. Cavalier | - | Deferred |
| Mr. Milde | - | Absent |
| Mr. Schieber | - | Deferred |
| Mr. Snellings | - | Deferred |

- Mr. Sterling - Mr. Sterling, Mr. Schieber, and Mr. Cavalier attended the 9/24/13 School Board meeting re. student enrollment trends and capacity; FAB update; based on unaudited results, approximately \$3M in positive results of operations/residual funds; Legislative Committee meeting update; TDR land-use “tweaks” including architectural standards in receiving areas; Jail per diem; CSA funding; Germanna Community College land for campus and funding for facilities; state mandates; raising minimum driving age above 16 years of age
- Mr. Thomas - Rappahannock River Commission; rainfall gauges in stream upriver, lacks data for downstream, County may be asked to assist with funding additional gauges in the future
- Ms. Stimpson - Not running for reelection; the Board had struggles but was on a good track regarding growth and development; financial issues with high schools; next election is important; supported candidate Meg Bohmke to fill the Falmouth District position; congratulated new Eagle Scout, Brian Schieber.

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

Report of the County Administrator Mr. Anthony Romanello reminded the Board of the Employee Health Fair scheduled for 10/4/13 at Stafford Hospital; the roll-out of the 350th campaign to employees scheduled for 10/18/13; Virginia Day to Serve at Giant in South Stafford – gathered 1400 lbs. of food and \$200.00 cash donations for SERVE. Budget Division Director, Nancy Collins, proudly welcomed her third grandchild, Juliet.

Legislative; Additions and Deletions to the Agenda Mr. Sterling motioned, seconded by Mr. Schieber, to accept the agenda with the addition of an appointment to the Planning Commission to fill the George Washington District vacancy.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Thomas motioned, seconded by Mr. Cavalier, to adopt the Consent Agenda consisting of Items 4 through 11, omitting Item 6 at the request of Mr. Milde.

The Voting Board tally was:

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

Nay: (1) Milde

Item 4. Legislative; Approve Minutes of the September 17, 2013 Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R13-315 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED SEPTEMBER 18, 2013 THROUGH September 30, 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 1st day of October 2013, that the above-mentioned EL be and hereby is approved.

Item 7. Economic Development; Authorize the County Administrator to Submit a Grant Application to the Virginia Federal Action Contingency Fund (FACT) on Behalf of the Stafford Technology and Research Park

Resolution R13-322 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA FEDERAL
ACTION CONTINGENCY TRUST (FACT) FUND ON BEHALF OF, AND TO
ADVANCE, THE STAFFORD TECHNOLOGY AND RESEARCH PARK
INITIATIVE

WHEREAS, the Board authorized the County Administrator to execute a Memorandum of Agreement between the Board, George Mason University, University of Mary Washington, Germanna Community College, and MANTECH (formerly MTCSC) on October 28, 2010, to advance the creation of the Technology and Research Park in Stafford County; and

WHEREAS, the Board approved subsequent Memorandum of Agreements with other parties, including the Silver Companies to accommodate near-term space needs; the University of Mary Washington regarding academic affairs at the Park; and George Mason University on research pursuits at the Park; and

WHEREAS, the Board funded build-out expenses for and hosted a Stafford Technology and Research Center grand opening on September 6, 2012; and

WHEREAS, the Board approved seeking the designation of the Stafford Technology and Research Park effort a 501(c)(3) organization in order to attract and build relationships between technology start-ups, existing industry, and national security focused federal entities on December 18, 2012; and

WHEREAS, the Stafford Technology and Research Park 501(c)(3) organization desires that a formal strategic plan be crafted and adopted to assist in directing research and other activities of the Park to support job creation and combat insourcing; and

WHEREAS, the Stafford Technology and Research Park 501(c)(3) organization determined that \$250,000 is needed to complete this strategic plan, which will focus on better preparing the County to protect the continued mission of Marine Corps Base Quantico while working to promote job growth in the County and in the Commonwealth of Virginia; and

WHEREAS, in 2012, the Virginia General Assembly created the Federal Action Contingency Trust (FACT) Fund grant program to address actions taken by the federal government that may adversely impact the citizens and economy of the County and Virginia; and

WHEREAS, the intended uses for these limited state funds are: (1) to develop plans and implement strategies to prevent or limit the adverse economic impacts of closure, relocation, or realignment of federal military or security installations, or other federal agencies located in Virginia, including actions to evaluate military and command clusters to assess their vulnerability for closure, relocation or realignment; and, (2) to make remedial efforts to promote renewed economic growth in jurisdictions adversely affected by closure, relocation, or realignment decisions on the part of the federal government; and

WHEREAS, Virginia localities and State agencies that had or have pending identifiable or measurable negative impacts caused by announced federal budget reductions or sequestration actions are eligible to apply for these funds; and

WHEREAS, although private, for-profit or non-profit entities may be the beneficiary of FACT Fund allocations, the applicant must be a local government applying on behalf of the private entity; and

WHEREAS, all applicants, other than State agencies, must present and verify at least a 50% unconditionally available match for the amount of the FACT Fund grant requested;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that the County Administrator be and he hereby is authorized to submit a grant application to the Virginia Federal Action Contingency (FACT) Fund for a total amount not to exceed One Hundred Twenty-five Thousand Dollars (\$125,000) on behalf of, and to advance, the Stafford Technology and Research Park effort; and

BE IT FURTHER RESOLVED that the Board designates One Hundred Twenty-five Thousand Dollars (\$125,000) from the Stafford Opportunity Fund to be used as matching funds for this FACT grant, if awarded; and

BE IT FURTHER RESOLVED that the County Administrator be and hereby is authorized to budget and appropriate funds in amount of Two Hundred Fifty Thousand Dollars (\$250,000) to complete a strategic plan for the Stafford Technology and Research Park 501(c)(3) organization; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to accept the grant; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee is authorized to provide and/or execute any information or documentation necessary or appropriate for the FACT grant.

Item 8. Public Works; Request VDOT Consider Adding Pedestrian and Bicycle Accommodations Across I-95 on Garrisonville Road as Part of the Current HOT Lanes Project

Resolution R13-324 reads as follows:

A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION CONSIDER ADDING PEDESTRIAN AND BICYCLE ACCOMMODATIONS ACROSS INTERSTATE 95 ON GARRISONVILLE ROAD (SR-610) AS A PART OF THE EXPRESS LANES PROJECT

WHEREAS, current conditions do not provide for safe passage for non-vehicular traffic across Interstate 95 (I-95) on Garrisonville Road; and

WHEREAS, the Virginia Department of Transportation's (VDOT) policy for integrating bicycle and pedestrian accommodations recommends the development of a multimodal transportation system including pedestrian and bicycle accommodations in all development projects; and

WHEREAS, the Express Lanes project terminates at Garrisonville Road and will generate more possibilities for public transportation and the need for multimodal facilities; and

WHEREAS, multimodal accommodations across I-95 will provide a connection between employment, retail, recreation, public transportation, residential centers, and public facilities; and

WHEREAS, access between these areas is important to many of our citizens, including those residents with limited transportation opportunities;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that the Board requests that VDOT consider adding pedestrian and bicycle accommodations across I-95 on Garrisonville Road as a part of the current Express Lanes project.

BE IT FURTHER RESOLVED that the County Administrator or his designee shall provide a certified copy of this resolution to the Virginia Department of Transportation.

Item 9. Authorize a Public Hearing to Consider Conveyance of Easements to Dominion Virginia Power on County-owned Property Identified as Tax Map Parcels 43-81A and 43-22B in Connection with the Rocky Pen Run Water Treatment Facility and Rappahannock River Intake Pump Station

Resolution R13-312 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONVEYING TWO EASEMENTS ON A PORTION OF COUNTY-OWNED PROPERTY IDENTIFIED AS TAX MAP PARCELS 43-81A AND 43-22B TO DOMINION VIRGINIA POWER IN CONNECTION WITH THE ROCKY PEN RUN WATER TREATMENT FACILITY AND THE RAPPAHANNOCK RIVER INTAKE PUMP STATION

WHEREAS, the Board authorized construction of the Rocky Pen Run Water Treatment Facility and the Rappahannock River Intake Pump Station (Projects); and

WHEREAS, the designs for the Projects require the installation of electrical service, which requires the conveyance of easements; and

WHEREAS, the County owns Tax Map Parcels 43-81A and 43-22B; and

WHEREAS, the Board is required, pursuant to Virginia Code § 15.2-1800, to hold a public hearing to receive testimony prior to conveying these easements to Dominion Virginia Power;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider conveying two easements on County-owned property identified as Tax Map Parcels 43-81A and 43-22B to Dominion Virginia Power in connection with the Rocky Pen Run Water Treatment Facility and Rappahannock River Intake Pump Station.

Item 10. Public Information; Honoring the Life of Gwyneth Griffin and Those Who Established Her Enduring Legacy

Proclamation P13-31 reads as follows:

A PROCLAMATION TO HONOR THE LIFE OF GWYNETH GRIFFIN
AND THOSE WHO ESTABLISHED HER ENDURING LEGACY

WHEREAS, in memory of the life and tragic loss of 12-year-old Gwyneth Griffin, beloved daughter of Joel and Jennifer Griffin, the Griffins sought to honor Gwyneth and to help others; and

WHEREAS, the Griffins selflessly gave of their time and created a vision, which ultimately led to legislation that provides cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) training to school staff and students; and the Board established the Gwyneth's Law Working Group to aid and support the Griffins in turning their vision into law; and

WHEREAS, Senator Richard Stuart sponsored Senate Bill 986, and Delegate Mark Dudenhefer sponsored House Bill 2028, both of which called for standard and advanced diplomas to include a requirement to be trained in emergency first aid, CPR, and the use of AEDs, in addition to training all teachers and school staff; and

WHEREAS, Gwyneth's Law was enacted by the 2013 General Assembly and will be incorporated into school curriculum beginning with first-time ninth graders in the 2016-2017 school year; and

WHEREAS, members of the Gwyneth's Law Working Group included: Joel and Jennifer Griffin; Meg Bohmke, Patricia Healy, and Nanette Kidby from the Stafford School Board; Mike Justice, Coordinator of Health, Physical Education, and Driver Education for Stafford Public Schools; Dr. Lisa Martin, Assistant Superintendent of Education and Support Services for Stafford Public Schools; Tom Nichols, Principal, North Stafford High School; Linda Powell, Administrative Assistant for Safety, Security, and Risk Management for Stafford Public Schools; Mike Sidebotham, Principal of Grafton Village Elementary School; Theresa Thompson, President of the Stafford Education Association; Fire and Rescue Chief Mark Lockhart; Marcia Hollenberger, Clerk; and Supervisor Ty Schieber, who served as the Board's liaison to and coordinator of the Group; and

WHEREAS, the Gwyneth’s Law Working Group worked together to develop, budget, and implement the “Law” both in Stafford County and throughout the Commonwealth; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that it be and hereby does honor and recognize the life and legacy of Gwyneth Griffin and the selfless efforts of her parents and members of the Gwyneth’s Law Working Group to save the lives of citizens of Stafford County and the Commonwealth of Virginia.

Item 11. Planning and Zoning; Authorize a Public Hearing for Partial Vacation of a Plat to Eliminate an Emergency Access Easement in Meadowbrook Estates

Resolution R13-323 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER VACATING A PORTION OF A SUBDIVISION PLAT TO ELIMINATE A 30-FOOT WIDE EMERGENCY ACCESS EASEMENT IN MEADOWBROOK ESTATES SUBDIVISION, SECTION 2, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the owner of Assessor’s Parcel 39J-2-48 requested a partial vacation of a Subdivision Plat in Meadowbrook Estates, Section 2, to eliminate the 30-foot Emergency Access Easement, known as Hearst Lane, recorded in 2004 in the Land Records of Stafford County as Instrument Number 040022576 and Plat Map PM040000133, in the Aquia Election District; and

WHEREAS, Virginia Code § 15.2-2272(2), requires that a public hearing be held prior to vacating such an easement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider vacating a portion of a plat, specifically a 30-foot Emergency Access Easement known as Hearst Lane, in Meadowbrook Estates Subdivision, Section 2, recorded in 2004 in the Land Records of Stafford County at Instrument Number 040022576 and Plat Map PM040000133, in the Aquia Election District.

Item 6. Finance and Budget; Approve Issuance of General Obligation School Bonds in the Amount of \$30.9 Million to the Virginia Public School Authority Following discussion by Mr. Milde, Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R13-311.

The Voting Board tally was:

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

Resolution R13-311 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$30,960,000 GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF STAFFORD, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, on June 18, 2013, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") adopted a resolution (the "Original Resolution") authorizing the issuance and sale of general obligation school bonds in an amount not to exceed \$52,648,000 for the purpose of financing (i) renovation costs to Grafton Village Elementary School; (ii) the rebuilding of Stafford High School, (iii) infrastructure upgrades at North Stafford High School; A.G. Wright Middle School, Hampton Oaks Elementary School, Widewater Elementary School; and Garrisonville Elementary School; and (iv) other capital school improvement projects for public school purposes (collectively, the "Project"); and

WHEREAS, the County held a public hearing, duly noticed, on June 18, 2013, on the issuance of the Local School Bonds in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (the "Virginia Code"); and

WHEREAS, the Board has determined to move forward with the issuance and sale of one or more series of its general obligation school bonds (as more specifically defined below, the "Local School Bonds") and to set forth the terms of the issuance and sale of such Local School Bonds below, as required by the Original Resolution; and

WHEREAS, the School Board of the County has, by resolution, (i) requested that the Board authorize the issuance of the Local School Bonds and (ii) consented to the issuance of the Local School Bonds; and

WHEREAS, Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bonds along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA (the "VPSA Bonds"); and

WHEREAS, the County shall indicate in the Bond Sale Agreements (as defined below) the amount of proceeds requested (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bonds; provided, however, that the aggregate principal amount of the Proceeds Requested shall not exceed \$30,960,000; and

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bonds which, in VPSA's judgment, reflects the Local School Bonds' market value (the "VPSA Purchase Price Objective"), taking into consideration such factors as the amortization schedule the County has requested for the Local School Bonds relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds, and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bonds having a purchase price other than par and consequently (i) the County may have to issue the Local School Bonds in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bonds set forth in paragraph 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA:

Authorization of Local School Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds, in one or more series, in an aggregate principal amount not to exceed \$30,960,000 (the "Local School Bonds") for the purpose of financing the Project. The Board hereby authorizes the issuance and sale of the Local School Bonds in the form and upon the terms established pursuant to this resolution.

Sale of the Local School Bonds. The sale of the Local School Bonds, within the parameters set forth in paragraph 4 of this resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount on the Local School Bonds set forth in paragraph 1 of this resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bonds may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate") and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bonds to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form submitted to the Board at this meeting, which form is hereby approved.

Details of the Local School Bonds. Each Local School Bond shall be dated the date of its issuance and delivery; shall be designated "General Obligation School Bond, Series 20___" (or such designation as the County Administrator may approve); shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment

Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this resolution.

Interest Rates and Principal Installments. Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bonds established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bonds, and provided further that the true interest cost of the Local School Bonds does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bonds; provided, however, that the principal amount of the Local School Bonds shall not exceed the amount authorized by this resolution. The execution and delivery of the Local School Bonds as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bonds by the Delegate as authorized by this resolution.

Form of the Local School Bonds. The Local School Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Local School Bonds:

For as long as VPSA is the registered owner of the Local School Bonds, all payments of principal, premium, if any, and interest on the Local School Bonds shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date, or date fixed for prepayment or redemption.

All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bonds.

U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bonds.

Prepayment or Redemption. With respect to any Local School Bond sold to VPSA in the fall 2013 sale, the Principal Installments of the Local School Bonds held by VPSA coming due on or before July 15, 2023, and the definitive bond for which the Local School Bonds held by VPSA may be exchanged that mature on or before July 15, 2023, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bonds held by VPSA coming due on or after July 15,

2024, and the definitive bond(s) for which the Local School Bonds held by VPSA may be exchanged that mature on or after July 15, 2024, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2023, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2023 through July 14, 2024	101%
July 15, 2024 through July 14, 2025	100½
July 15, 2025 and thereafter	100

Provided, however, that the Local School Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

With respect to any Local School Bonds sold to VPSA in a subsequent sale, the Principal Installments of such Local School Bonds will be subject to similar prepayment or redemption provisions as may be set forth by VPSA at the time of such sale.

Execution of the Local School Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bonds and to affix the seal of the County thereto.

Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

Use of Proceeds Certificate and Tax Compliance Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bonds and containing such covenants as

may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Local School Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bonds will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein, and (ii) the County shall comply with the provisions of the Code so that interest on the Local School Bonds and on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bonds. The Chairman of the Board, the County Administrator, and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bonds by and among the County, the other participants in the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator, and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

Refunding. The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bonds, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bonds, revised debt service schedule, IRS Form 8038-G, or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bonds and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board is authorized to affix the County's seal on any such documents and attest or countersign the same.

Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this resolution to be filed with the Circuit Court of the County.

Election to Proceed under Public Finance Act. In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bonds pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

Further Actions. The members of the Board and all officers, employees, and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bonds and otherwise in furtherance of this resolution and any such action previously taken is hereby ratified and confirmed.

Effective Date. This resolution shall take effect immediately.

* * *

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on October 1, 2013, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: _____ Members absent from the meeting were: _____ Members voting in favor of the foregoing resolution were: _____ Members voting against the foregoing resolution were: _____ Members abstaining from voting on the foregoing resolution were: _____.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Stafford, Virginia, this 1st day of October, 2013.

Clerk, Board of Supervisors of
the County of Stafford, Virginia

[SEAL]

A Copy, teste:

Anthony J. Romanello, ICMA-CM
County Administrator

EXHIBIT A
(FORM OF TEMPORARY BOND)

NO. TR 1

\$ _____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF STAFFORD
General Obligation School Bond
Series 20__

The COUNTY OF STAFFORD, VIRGINIA (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC SCHOOL AUTHORITY the principal amount of _____ DOLLARS (\$_____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 20__ and annually on July 15 thereafter to and including July 15, 20__ (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on July 15, 20__ (each an "Interest Payment Date"; together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of, and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, U.S. Bank National Association, as bond registrar (the "Bond Registrar"), shall make all payments of the principal of and interest and premium, if any, on this Bond, without the presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption.

If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of the principal of and interest and premium, if any, on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next succeeding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended (the "Virginia Code"), requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal of and interest and premium, if any, on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2 of the Virginia Code, and resolutions duly adopted by the Board of County Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority, at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, and having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive bonds as hereinabove provided, such definitive bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 20__ and the definitive bonds for which this Bond may be exchanged that mature on or before July 15, 20__, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due on or after July 15, 20__, and the definitive bonds for which this Bond may be exchanged that mature on or after July 15, 20__, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 20__, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of this Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

Dates	Prices
July 15, 20__ through July 14, 20__	101%
July 15, 20__ through July 14, 20__	100½
July 15, 20__ and thereafter	100

Provided, however, that the principal installments on this Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of VPSA or other registered owner of this Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions, and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist, or be performed precedent to and in the issuance of this Bond have happened, exist, and have been performed in due time, form, and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Stafford, Virginia has caused this Bond to be issued in the name of the County of Stafford, Virginia, to be signed by its Chairman or Vice Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated _____, 20__.

COUNTY OF STAFFORD, VIRGINIA

(SEAL)
ATTEST:

Clerk, Board of
Supervisors of the County of
Stafford, Virginia

Chairman, Board of
Supervisors of the County of
Stafford, Virginia

ASSIGNMENT FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE: _____ within the Bond and irrevocably constitutes and appoints _____ attorney to exchange said Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer of such definitive bonds on the books kept for registration thereof, with full power of substitution in the premises.

Date:

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include Membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.

Registered Owner

(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.

Mr. Milde requested the Board reconsider the vote on approval of the Consent Agenda after voting in error.

Mr. Sterling motioned, seconded by Mr. Cavalier to reconsider approval of the Consent Agenda.

The Voting Board tally was:

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

Mr. Milde motioned, seconded by Mr. Thomas, to adopt the Consent Agenda consisting of Items 4 through 11, omitting Item 6.

The Voting Board tally was:

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

Discuss Request for Archaeological Study in Areas Adjacent to the Indian Point Development Mr. Milde recommended deferral for discussion at a later date (to be determined).

Discuss the Spotsylvania Bypass Proposal and Discuss Alternative Rappahannock River Crossing Mr. Snellings and Mr. Sterling agreed to discuss together the Bypass proposal and an alternate River crossing. Mr. Snellings asked that a Resolution be brought for the Board's vote at its October 15, 2013, meeting. The proposed Resolution would contain the County's opinion on the proposed Spotsylvania Bypass, as well as a second Resolution to VDOT and FAMPO indicating the County's preference for a future Rappahannock River crossing (as directed by the Commonwealth Transportation Board).

Mr. Sterling indicated that he did not have a problem with a study but not one that involved County finances if there was only one option for consideration. Mr. Sterling said that the Board's Infrastructure Committee would address the issue in depth at its meeting on October 15, 2013, and invited all members of the Board to attend the meeting in the A/B/C Conference Room at 1:00 p.m.

Mr. Thomas suggested that it be an item for discussion by the full Board, not just the Infrastructure Committee. Mr. Sterling said that it would come to the full Board following the initial discussion by the Infrastructure Committee. Mr. Thomas noted that the Orange County Resolution supported a study but at no cost to Orange County. Ms. Stimpson said that the Spotsylvania proposal had a significant impact on Stafford County; that was why the Board was paying close attention.

Mr. Thomas motioned, seconded by Mr. Milde, to appoint Mr. Tom Coen to the Planning Commission, filling the vacant George Washington District seat.

The Voting Board tally was:

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

Utilities; Consider Pump and Haul for 28 Boundary Drive in the Lake Arrowhead Subdivision Mr. Dale Allen, Assistant Director of Utilities/Engineering, gave a presentation and answered Board members questions. Mr. Sterling noted that because the property was not owner-occupied, it did not meet the criteria for subsidized pump and haul. Mr. Milde said that Stafford was the only county in Virginia that permitted pump and haul, at \$4000.00 per property, indefinitely (for subsidized pump and haul).

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-309.

The Voting Board tally was:

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

Resolution R13-309 reads as follows:

A RESOLUTION TO AUTHORIZE NON-RESIDENTIAL (NON-SUBSIDIZED) PUMP AND HAUL SERVICE AT 28 BOUNDARY DRIVE IN THE LAKE ARROWHEAD SUBDIVISION

WHEREAS, the County has a General Permit Agreement (Agreement) with the Virginia Department of Health for pump and haul services; and

WHEREAS, the owners of 28 Boundary Drive, in the Lake Arrowhead Subdivision, requested pump and haul service; and

WHEREAS, 28 Boundary Drive is certified by the Virginia Department of Health for sewer service and must be added to the Agreement pump and haul list; and

WHEREAS, the Board finds that 28 Boundary Drive meets the requirements of the County's non-residential (non-subsidized) pump and haul service last amended by the Board's adoption of Resolution R06-240 on September 5, 2006; and

WHEREAS, the Board finds that non-residential (non-subsidized) pump and haul service at 28 Boundary Drive 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 1st day of October, 2013, that the County Administrator be and he hereby is authorized to add 28 Boundary Drive in the Lake Arrowhead Subdivision to the Agreement with the Virginia Department of Health for non-residential (non-subsidized) pump and haul service at 28 Boundary Drive; and

BE IT FURTHER RESOLVED that this service will be discontinued and removed from the Agreement with the Virginia Department of Health when public sewer becomes available to 28 Boundary Drive in the Lake Arrowhead Subdivision; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial obligation and the property owners, Dana D. and Robert L. Lutrell, and any subsequent property owners, shall bear all costs associated with pump and haul service at 28 Boundary Drive in the Lake Arrowhead Subdivision.

Planning and Zoning; Refer to the Planning Commission Subdivision Amendments Regarding Cluster Provisions Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Harvey said that the proposed Resolution requested that the Planning Commission study Cluster provisions and return its recommendations to the Board within ninety days.

Mr. Harvey, in response to Ms. Stimpson's question about possible changes, responded that reducing the size could make it difficult to locate drainfield sites. Ms. Stimpson asked out it would affect Clift Farms. Mr. Harvey replied that it could possibly make it necessary for the Clift Farm developers to resubmit their application. Mr. Sterling clarified that it would not increase the number of lots; it would only reconfigure open space. Mr. Thomas restated Mr. Harvey's answer that it would not add additional lots to any developments. Mr. Milde repeated that it in no way increased density; it decreased lot size and increased open space.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-320.

The Voting Board tally was:

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

Resolution R13-320 reads as follows:

A RESOLUTION AUTHORIZING THE PLANNING COMMISSION
TO RESEARCH AMENDING THE CLUSTER PROVISIONS FOR
SUBDIVISIONS IN THE A-1, AGRICULTURAL ZONING DISTRICT

WHEREAS, Virginia Code § 15.2-2286.1 requires that the County provide for cluster-designed subdivisions in the A-1, Agricultural Zoning District; and

WHEREAS, the Board desires the Planning Commission to research and provide its findings and recommendations to the Board for increasing the percentage of open space required and reducing the minimum lot size in the cluster provisions in the A-1, Agricultural Zoning District; and

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that it be and hereby does authorize and direct that the Planning Commission research increasing the required open space and reducing the minimum lot size in the A-1, Agricultural Zoning District, and provide its findings and recommendations to the Board within ninety days.

Human Resources; Consider Opting Out of the Virginia Retirement Systems Virginia Local Disability Plan (VLDP); Authorize Enrollment in a Disability Plan Offered by The Standard Insurance Company Ms. Shannon Wagner, Human Resources Manager, gave a presentation and answered Board members questions. Ms. Stimpson thanked Ms. Wagner for doing an outstanding job of interpreting a very complex situation.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-326.

The Voting Board tally was:

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

Resolution R13-326 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY TO NOT TO PARTICIPATE IN THE VIRGINIA LOCAL DISABILITY PROGRAM

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the Code of Virginia, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the Code of Virginia, with the exception of long-term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of Stafford County, Employer Number 55189, to make this irrevocable election to request that its eligible employees not participate in VLDP;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of October, 2013, be and it hereby does irrevocably elect not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and

BE IT FURTHER RESOLVED that, as an integral part of making this irrevocable election, the Board certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-328.

The Voting Board tally was:

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

Resolution R13-328 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE STANDARD
INSURANCE COMPANY TO PROVIDE DISABILITY BENEFITS

WHEREAS, the General Assembly established the Virginia Local Disability Program for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code Section 51.1-168; and

WHEREAS, the Board adopted Resolution R13-326 on October 1, 2013, electing not to participate in VLDP; and

WHEREAS, by electing not to participate in the Virginia Local Disability Program, Stafford County must establish, and continue to maintain, comparable employer-paid disability coverage for employees covered under the Virginia Retirement System Hybrid Plan; and

WHEREAS, comparable plans offered through The Standard Insurance Company (aka The Standard) and Lincoln Financial Group were reviewed and considered; and

WHEREAS, coverage under The Standard is comparable to the Virginia Local Disability Plan while offering enhanced benefits at a reduced cost to the County; and

WHEREAS, the Board desires to obtain employer-paid disability coverage for employees covered under the Virginia Retirement System through The Standard; and

WHEREAS, staff determined The Standard's proposal is reasonable for proposed coverage; and

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of October, 2013, that it be and hereby does authorize the County Administrator to execute an agreement with The Standard Insurance Company to provide disability benefits to Hybrid Plan Employees.

Mr. Sterling asked that a “no shooting zones” briefing be scheduled for the November 19th Board meeting. Mr. Cavalier, Chairman of the Public Safety Committee, said that the Committee would schedule it for discussion. Mr. Snellings said that Sheriff Jett was updating the verbiage to include no shooting zones within 100 yards of a residence, including BB guns and bow shooting. Mr. Snellings recommended bringing it up before the Committee then back to the full Board for review and consideration.

Legislative; Closed Meeting. At 3:56 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM13-16.

The Voting Board tally was:

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

Resolution CM13-16 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consultation with legal counsel regarding *In re: June 25, 2013 Decision of the Board of Zoning Appeals for Stafford County, Virginia on Variance Application – V13-02/1300245*, CL13-843, and *In re: June 25, 2013 Decision of the Board of Zoning Appeals for Stafford County, Virginia on Appeal Application – A13-01-1300088*, CL13-844; (2) discussion and consultation with legal counsel regarding *North Stafford Associates, LC v. Stafford County, et al.*, Case Nos. CL09-1542, CL10-401, CL10-134, CL12-1427, and CL12-1426; and (3) discussion concerning a prospective business where no previous announcement has been made of the business’ interest in locating its facilities in the County; and

WHEREAS, pursuant to Virginia Code Section 2.2-3711(A)(5) and (A)(7), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of October, 2013, does hereby authorize discussion of the aforesated matters in Closed Meeting.

Call to Order At 5:08 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM13-16(a).

The Voting Board tally was:

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

Resolution CM13-16(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON OCTOBER 1, 2013

WHEREAS, the Board has, on this the 1st day of October, 2013, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 1st day of October, 2013, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 5:08 p.m., the Chairman declared a recess.

Call to Order At 7:04 p.m. the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the invocation.

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

Presentation of a Proclamation Honoring Gwyneth Griffin and Those Who Established Her Enduring Legacy Mr. Schieber presented an overview of the tragedy of Gwyneth Griffin's death, and her parents, Jennifer and Joel Griffin's, subsequent work with Senator Richard Stuart and Delegate Mark Dudenhefer to enact "Gwyneth's Law." Senator Stuart and Delegate Dudenhefer presented framed Resolutions from the Senate and House of Delegates.

Mr. Schieber introduced members of the Gwyneth’s Law Working Group and read the County’s proclamation. Mr. Griffin thanked Senator Stuart and Delegate Dudenhefer, the Board, and members of the Working Group for supporting “Gwyneth’s Law.”

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

- | | | |
|----------------|---|---|
| Mike Lovitt | - | Tri-City/ County offerings |
| Bill Johnson | - | Waste-to-Energy proposal |
| Paul Waldowski | - | Quoted Dr. Seuss; Planning Commission/Board of Zoning Appeals conflict; Paradise trailer park; water bill; Embrey Mill pool; HOAs; stormwater management; Crow’s Nest |

Ms. Stimpson noted that public hearing originally scheduled for October 1, 2013, Item 21 Planning and Zoning; Consider Amendment to Proffered Conditions on 93.11 Acres Zoned PD-2, Planned Development 2 on Assessor’s Parcel 29-53B, was postponed to an unspecified date.

Recess: At 7:36 the Chairman declared a recess.

Call to Order At 7:39 p.m., the Chairman called the meeting back to order.

Joint Public Hearing - Planning and Zoning; Zoning Text Amendment; Reclassification; and Conditional Use Permit for Apartments in Celebrate Virginia North Ms. Stimpson read the rules of order for a joint public hearing. Mr. Michael Rhodes, Planning Commission Chairman, called the Planning Commission to order. Mr. Steve Apicella called roll for the Planning Commission and announced that a quorum was present. Ms. Rysheda McClendon, Assistant County Attorney, was present on the dais, replacing County Attorney, Mr. Charles Shumate, for the duration of the joint public hearing.

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Richard Stuart, legal counsel for the applicant, also addressed the Board.

Mr. Rhodes questioned the \$7500 per dwelling unit fee, due if any of the units were converted to market-rate apartments. Mr. Harvey clarified that if any of the 192 units converted to market-rate, \$7500 was due on all 192 units.

Mr. Apicella inquired if all of the planned apartments were two-bedroom units. Mr. Harvey said that the cap was two bedrooms and deferred to the applicant the question of one-bedroom units.

Mr. English asked if the proposed storage units were similar to garages. Mr. Harvey replied that there were areas planned within the building to store tenant's personal items.

Mr. Apicella asked if the proposed apartments were considered Class A/upscale, or a lower standard of apartment. Mr. Harvey deferred Mr. Apicella's question to the applicant.

Mr. Hirons asked about the definition of a dormitory and if transitional use was specified in the proffers. Mr. Harvey said that the definition of dormitory had not been adopted. He added that the 192 units were planned for ninety-day (or less) occupancy, for trainees at the law enforcement academy. Mr. Hirons asked if all units would be used in that manner or if some units were reserved for staff at that law enforcement academy, and thus a longer rental term. He added that he did not feel that the proffers had enough structure, that the County was relying on trusting the applicant to notify the County if/when it converted the apartments to market-rate. Mr. Harvey said that the change would be advertised in the newspaper and that the applicant agreed to notify the County in advance of any market conversion.

Mr. Sterling asked if the development was subject to Transportation Impact Fees. Mr. Harvey said that he was unsure, but that if it converted to multi-family it would be subject to Impact Fees. Mr. Sterling said that he looked in the proffers for the commitment to three years before the apartments could be converted to market-rate. Mr. Harvey said he did not recall that provision. Mr. Snellings said that Celebrate Virginia was exempt from Impact Fees due to the developer's construction of infrastructure in the area.

Mr. Gibbons asked if taxes were paid on the property. Mr. Harvey confirmed that property taxes were paid in full.

Mr. English asked if the location of the planned apartment was in close proximity to the law enforcement training facility. Mr. Harvey said that it was "catty-corner" to the facility.

Mr. Apicella said that he echoed Mr. Sterling's comment on Impact Fees. He added that if the construction had not begun within three years, the conditional use permit (CUP) expired. Mr. Harvey said that the CUP aligned with the zoning of the property; it did not have an expiration date. Mr. Apicella noted that the applicant included the three-year expiration date in the proffers.

Mr. Apicella talked about the traffic count shown as “zero” with trainees at the site. Mr. Harvey said that there would be some traffic; not “zero” but less than was typical for M-2 zoning. Mr. Apicella noted that the proposed development was more desirable than other M-2 permitted uses. He added that it may help economic development growth in the area. Mr. Harvey agreed, saying that it would add to the customer base.

Mr. Apicella noted that while the Planning Commission was not in favor of the larger, original proposal, it did favor the current planned 192 unit proposal, adding that if the two developments were originally presented separately, it may have been supported earlier. He asked Mr. Harvey for the differences presented at the joint public hearing. Mr. Harvey replied that a smaller area was being rezoned (18 acres v. 90 acres in the original proposal).

Mr. Richard Stuart, representing the applicant, said that the project had been vetted for 2½ years; that the current proposal was much smaller than the original project. He thanked staff for doing a great job. Mr. Stuart noted that there was a missed proffer (in the revised proffers). The applicant proffered a three-year time limit before the proposed units could be converted to market-rate apartments. If (or when) that happened, the applicant would owe the County \$7500 per unit. Mr. Stuart said that his client understood that the units were subject to Transportation Impact Fees and proffered \$2500 per unit. Also included in the proffers was immediate notification to the County of the applicant’s intent to switch the units to market-rate apartments.

Mr. English asked about the contract for the law enforcement training facility. Mr. Stuart said the proposal was to expand the facility from 50,000 s.f. to 100,000 s.f., that it would be a competitive bid process, one that his client would pursue if the Board ruled favorably on the 192 unit proposal.

In response to an earlier question, Mr. Stuarts said that the units would definitely be Class A/upscale apartments, all two-bedroom units with a kitchenette and bedrooms on either side of a living area. He added that it was set-up for law enforcement trainees, not families. Mr. Stuart said that real estate taxes were projected to be approximately \$170,000; the Sales and Lodging tax was estimated at \$695,000 per year, for a total annual income to the County of approximately \$865,000.

Mr. Thomas asked when Transportation Impact Fees would be paid. Mr. Stuart said they would be paid prior to the issuance of the first Certificate of Occupancy. Mr. Hirons asked about proffered amenities and if there was any consideration given to opening them for public use, if (or when) the apartments were converted to market-rate. Mr. Stuart said that public use of the planned amenities was not anticipated, or planned, by his client.

Mr. Schieber asked about the term of the lease of the law enforcement training facility. Mr. Hornung replied that the training facility held a 50-year lease.

Mr. Stuart reminded everyone present that he was in attendance as a private citizen, legal counsel for the applicant, not acting in his position as a state senator.

Mr. Hirons asked if the applicant was willing to include in the proffers the previously discussed conditions, and to ensure that no families would move into the complex, and that residents would not occupy the facilities for more than six months (for students with a six-month rotation at the training facility); adding that he did not wish to see full-time employees offered a lease. Mr. Hornung said that the facility was not conducive to families and families of persons either employed by or training at the facility would not be permitted in the units. He added that ninety per cent of the renters would be there less than thirty days. Mr. Hornung compared the proposed units to an extended stay hotel.

The Chairman opened the joint public hearing.

The following persons desired to speak:

Leon Rose

Kathy O'Halloran

Paul Waldowski

Carl Durgan

The Chairman closed the public hearing.

Mr. Stuart was given an opportunity to rebut comments and questions made by staff or the public. Mr. Stuart declined to give a rebuttal. Mr. Harvey summarized the proffer revisions.

Mr. Coen said that he was not privy to earlier conversations about the application but suggested that, to him, two-bedroom units were more family friendly and he wished that there was a provision for (at least) some one-bedroom apartments. Mr. Stuart said that the development was designed for two-bedroom units; that a one-bedroom unit defeated the purpose of the development, and the applicant would rather not undertake that revision to the plans.

Mr. Rhodes talked about the logic of the possible conversion to market-rate apartments and the County's established proffer guidelines which, if the units were converted, would not equal, monetarily, the money being proffered by the applicant. Mr. Rhodes said that proffer guidelines were very carefully thought out and dollar amounts assigned using very specific reasoning, among that reasoning was to deflect development's cost to the County for public safety, services, schools, etc.

Recess: At 8:37 p.m. the Chairman declared a recess.

Call to Order At 8:45 p.m., the Chairman called the meeting back to order.

Mr. English motioned, seconded by Mr. Gibson, and passed by a vote of 7-0, to defer the item to the next scheduled Planning Commission meeting to be held on October 9th.

The Board deferred its vote to the October 15, 2013 meeting. Ms. Stimpson closed the joint public hearing.

Recess: At 8:37 the Chairman declared a recess.

Call to Order At 8:46 p.m., the Chairman called the meeting back to order.

Planning and Zoning; Consider Requests to: (1) Reclassify 22.70 Acres from the B-2, Urban Commercial and B-3, Office Zoning Districts to the UD, Urban Development, Subdistrict UD-4 Zoning District on Assessor's Parcel 39-16L and Portions of Assessor's Parcels 39-16, 39-16B, 39-16H, and 39-16J; (2) Amend the Zoning Ordinance to Establish Processes for Waivers and Technical Modifications of Master Plans and Modifications of Development Standards in the UD, Urban Development Zoning District; and (3) Deviated from Zoning Ordinance Section 28-39(u)(1), Siting and Configuration for the Abberly at Stafford Courthouse Reclassification Mr. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. Mr. Sherman Patrick, for the applicant, also addressed the Board and gave a Power Point presentation. Dr. David Sam, President of Germanna Community College, and Dr. Stephen Fuller, professor at University of Mary Washington, were also in attendance.

Ms. Stimpson asked about a Community Development Authority (CDA), saying that she was not aware of a CDA being considered to fund infrastructure for the Abberly project. Mr. Zuraf said that there was the potential for the applicant to come back and request a CDA, but that it would be a separate action and would require Board approval.

Mr. Thomas talked about the realignment of Jumping Branch Road, asking if it was in the applicant's proffers or in the General Development Plan (GDP). Mr. Zuraf responded that it was not in the proffers but that VDOT would ensure that necessary safety upgrades were included in the realignment.

Mr. Snellings asked if the applicant had been in contact with the family regarding the cemetery that was located in the area of the development. He added that he was concerned with the phrase, "reasonable efforts to incorporate field stone markers..." and wanted assurance from the developer that proper care would be taken and new markers provided. Mr. Zuraf responded that the applicant would address Mr. Snellings' concerns.

Mr. Zuraf noted that \$11,385 was proffered for each apartment, which was less than the recommended amount within the Courthouse UDA. The land use was higher than the recommended density for a mixed-use development but was generally consistent with the recommendations of the Courthouse UDA Small Area Plan.

Mr. Milde spoke about using a portion of the \$1.8 Million proffered toward the expansion of Brooke Point High School, and the possibility of that money being reimbursed by Revenue Sharing funds. Mr. Sterling noted that it was very complex and he would have to work with the Commonwealth Transportation Board and VDOT before he could vote affirmatively to do that, adding that it may not even be a possibility since it was not County money, rather funds proffered by the developer to pay for the expansion. Mr. Milde said that it was the Board's discretion to direct \$950,000 toward the expansion of Brooke Point High School.

Mr. Cavalier talked about combining two of the proffered amounts, approximately \$400,000 each, to pay for an artificial turf field at Brooke Point High School, which would work toward accomplishing the Board's goal of having an artificial turf field at each County high school. Mr. Cavalier said that he was asking for concurrence by the Board on combining the two proffers, that it would be a "wash" monetarily.

Mr. Milde talked about connecting the site with a trail to Potomac Creek, which was close to the Civil War Park. It would provide a walking trail from the Courthouse area all the way to the Civil War Park.

Mr. Sherman Patrick, for the applicant, responded to Board questions and comments. He said that \$30,000 was proffered for historic preservation projects in the Courthouse area, and \$20,000 was proffered for trails, and that his client, H.H. Hunt was agreeable to combining the two proffers. Mr. Patrick noted that a possible CDA was included in the proffered conditions but was not in the current plans. He said that 51% of the property owners had to be in agreement before a CDA could be developed.

Mr. Patrick said that the planned apartments were Class A/upscale residential units. The four-story buildings would have an elevator; the two-story buildings would be walk-up apartments. The stormwater pond would be a passive recreation destination point. The targeted tenants were young, urban-professionals and/or retired professionals. One-half of the units would be one-bedroom apartments; six, three-bedroom units were planned and the remainder of the units; two-bedroom apartments.

Mr. Snellings asked, if there was a CDA, how it would be paid – by a portion of the tenant’s rent or by a separate charge like in the Del Webb community. Mr. Patrick responded that payoff specifications would be included in the draft CDA Ordinance, which would be presented to the Board for approval. He added that H.H. Hunt would own the buildings, that there was no plan to sell the buildings after the development was complete. Mr. Snellings said that the land-holder was typically responsible.

Mr. Patrick detailed the value of the land being deeded to Germanna Community College at \$1 Million. \$11,385 was proffered for each unit, due at the time of construction, also the value to the area of the infrastructure; that twelve properties would gain access to a newly built sewer pump station, which he valued at approximately \$5 Million. He added that the value of Abberly to the County was not just monetary.

The Chairman opened the public hearing.

The following persons desired to speak:

Jo Knight	Tony Salla
Cathy Yablonski	Douglas Brown
David Sam	Don Newlin
Bob Bishop	Dean Fetterolf
Joe Brito	Glenn Trimmer
Alane Callander	Paul Waldowski

The Chairman closed the public hearing.

Mr. Patrick, giving the applicant’s response, said that Abberly would actually reduce the amount of traffic vs. the amount of traffic if it were developed in line with existing zoning on the property. He said that if the property allocated to Germanna Community College did not end up being developed as a GCC campus, it would revert back to the County and already have in place full access to utilities and roads. Mr. Patrick said that there would be no vinyl siding on any of the buildings; it would be a fiber cement lap-joint siding called Hardy Plank. The community would offer a ride-sharing program, a shuttle bus to the Brooke commuter lot, and if discussions worked out with FRED, a bus shelter would be provided on-site.

Mr. Milde asked if Germanna Community College representatives looked at the site and approved it as a location for a future campus. Mr. Patrick said that they did evaluate the site and approved of its location and topography. A soils analysis was done on the site. Mr. Milde asked about the Economic Development Authority matching \$1 Million. Mr. Romanello said that the EDA pledged the money towards building Germanna Community College’s infrastructure. Mr. Sterling said that the EDA did not have \$1 Million in the bank. He talked about flexibility and leveraging state revenue funds and the complexity of working it through the proffers.

Mr. Sterling suggested a deferral to October 15th to enable the process to be worked out. Mr. Milde questioned the complexity of the process. Mr. Sterling replied that the County must be able to leverage funds. Mr. Milde talked about reworking the County's list saying that it was not complex; rather, it was just unknown. Mr. Sterling said that the complexity was in knowing the County's options within the parameters of the Revenue Sharing program. Mr. Milde noted that it had been done before. Mr. Sterling said that previously, it always involved cash, not proffers. Mr. Thomas noted that Revenue Sharing was already maxed out. Mr. Sterling said it was necessary to identify funds for the high school expansion, that the Capital Improvement Program was very tight. Mr. Milde said that the way to accommodate growth was, according to the Free Lance-Star, "clever redistricting." Mr. Milde said it was important to keep options open. Mr. Sterling agreed, saying that it was important to draft the request in a way to keep open the County's options and that he needed Revenue Sharing specifications in order to do that. Mr. Milde said he wished to move the request forward. Mr. Sterling said that it was a good project and two weeks would not make a difference.

Mr. Snellings said that before he would vote affirmatively on the application, he had serious questions about the cemetery and that he wished to meet with the applicant to get stronger language included in the proffers regarding the re-interment of graves on the site. He added that he had no problem with a two-week deferral.

Mr. Schieber said that Mr. Cavalier had a good idea about combine proffers.

Mr. Sterling motioned, seconded by Mr. Mr. Snellings, to defer this item to the October 15th meeting.

The Voting Board tally was:

Yea: (3) Schieber, Snellings, Sterling

Nay: (4) Cavalier, Milde, Stimpson, Thomas

Mr. Milde noted that there were no neighbors in opposition to the development; that it was good from the perspective of the Stafford Historical Committee; Germanna Community College, the Civil War Park, and the Economic Development Authority. He was very familiar with the topography; Mr. Milde said he walked the site earlier that day. He added that he liked the proffer amendments and thought that Revenue Sharing could be worked out. Mr. Sterling said he had to speak with VDOT staff (and others); that he did not have a problem with the project, it was all good, just complex.

Mr. Milde said that he was happy to ask the County Attorney to work with the applicant to make the proffer changes at a later date. Mr. Shumate asked Mr. Milde to outline the changes one at a time.

Mr. Milde said the first change was to combine the \$20k and \$30k proffers and that the combined amount be dedicated to the Civil War Park. Mr. Shumate asked Mr. Patrick if his client consented to the change. Mr. Patrick confirmed that his client was okay with combining those proffers, saying that as the proffers were written, it was already an option before the Board to do as they wished. Mr. Harvey said that the two proffers, combined, required an agreement between the Zoning Administrator and the applicant as to whether the Civil War Park was considered to be in proximity of the Courthouse Area (as was stipulated in the proffers). Mr. Shumate noted that a two-week deferral would permit time to clarify the issues related to the proffers. He reminded the Board that the proffers could not change following a vote that evening. Mr. Milde pointed out that it had been done before without there being a problem. Ms. Stimpson said that she wished to continue the discussion but would consider a two-week deferral in order to get the proffers right. Mr. Shumate said that if the Board wished to resolve the issue then, it may be a mistake restating that the proffers could not be changed after the Board's vote.

Mr. Milde said that the second change to the proffers involved combining the two \$400k proffers in order to allocate enough money to build an artificial turf field at Brooke Point High School. Referencing the third change to the proffers, Mr. Milde said that there must be a 15' right-of-way for a trail along Potomac Church Road. Mr. Sterling said that the flexible language was already in the proffers in the Credit section. Mr. Patrick noted that pedestrian connectivity was outlined on Page 9 of the proffers, but that it did not describe a 15' easement, it only reflected connectivity to adjacent properties. Mr. Milde said that it was important to him that the trail went roughly along Old Potomac Church Road. Mr. Patrick said it would be added at the site plan phase, that the applicant's engineer said there was room for a 15' easement in the location requested by Mr. Milde.

Mr. Milde motioned, seconded by Mr. Thomas, to reconsider the vote.

The Voting Board tally was:

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

Mr. Sterling motioned, seconded Mr. Milde, to defer this item to the October 15th meeting to allow time for proffer amendments.

The Voting Board tally was:

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

Planning and Zoning; Consider a Conditional Use Permit to Permit a Drive-Through with the Highway Corridor Overlay District in a B-2, Urban Commercial Zoning District Located at 388 Garrisonville Road Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Charlie Payne, legal counsel for the applicant, also addressed the Board.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-283.

The Voting Board tally was:

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

Nay: (0)

Resolution R13-283 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1300293 ALLOWING A DRIVE-THROUGH IN A HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON ASSESSOR'S PARCELS 20-83, 20-84, 20-85, AND 20-92A, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, The Rebkee Company, applicant, submitted application CUP1300293 requesting a conditional use permit (CUP) to allow a drive-through in a Highway Corridor Overlay Zoning District (HCOD), on Assessor's Parcels 20-83, 20-84, 20-85, and 20-92A located within the Griffis-Widewater Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Section 28-35, Table 3.1, which permits this use in an HCOD, after a CUP has been issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that a conditional use permit (CUP), pursuant to application CUP1300293, be and it hereby is approved with the following conditions:

1. This CUP is to allow a drive-through within a Highway Corridor Overlay Zoning District (HCOD) on Assessor’s Parcels 20-83, 20-84, 20-85, and 20-92A.
2. The building shall be constructed in general conformance with the four page architectural rendering, entitled, “New Store 01423 VA, 388 Garrisonville Rd Stafford VA 22554.”
3. The location of the drive-through window and stacking lanes shall be in conformance with the submitted Generalized Development Plan (GDP), prepared by Kimley-Horn and Associates Inc., dated August 13, 2013.
4. All drive-through facilities shall include a by-pass lane for vehicles that are not utilizing the drive-through area.
5. The drive-through canopy shall be in conformance with the four-page architectural rendering, entitled “New Store 01423 VA, 388 Garrisonville Rd Stafford VA – 22554.”
6. No carnival style, signs, banner, lights, balloons, or windsocks shall be utilized on the property, except for the grand opening of the store. The property may utilize such banners, flags, and balloons on a strictly temporary basis related to special events. The use of temporary and portable electronic or variable message signs and flashing signs shall be prohibited at all times.
7. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, or regulation after the applicant has been notified in writing by the County of said violation(s) and applicant is given an opportunity to correct said violation(s).

Planning and Zoning Consider a Reclassification from M-2, Heavy Industrial to B-2, Urban Commercial Zoning District; and Approve a Conditional Use Permit to Allow a Drive-Through Facility within a Highway Corridor Overlay District Located at 4 Commerce Parkway Mr. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. Mr. Charlie Payne, legal counsel for the applicant, also addressed the Board.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O13-47.

The Voting Board tally was:

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

Ordinance O13-47 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM M-2, HEAVY INDUSTRIAL ZONING DISTRICT, TO B-2, URBAN COMMERCIAL ZONING DISTRICT ASSESSOR'S PARCEL 44N-1-5 WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Walgreens Co., applicant, has submitted application RC1300191 requesting a reclassification from M-2, Heavy Industrial to B-2, Urban Commercial Zoning District, on Assessor's Parcel 44N-1-5, within the Hartwood Election District; and

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

WHEREAS, the Board has determined that the requested zoning is compatible with the surrounding land uses and zoning; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from M-2, Heavy Industrial Zoning District, to B-2, Urban Commercial Zoning District on Assessor's Parcel 44N-1-5, as depicted on the plat prepared by Jenning Stephenson P.C., dated July 7, 2011, with proffers entitled, "Proffer Statement," dated September 17, 2013.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Resolution R13-264.

The Voting Board tally was:

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

Resolution R13-264 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP13000192 TO ALLOW A DRIVE-THROUGH IN A HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON ASSESSOR’S PARCEL 44N-1-5, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Walgreens, Co., applicant, submitted application CUP1300192 requesting a Conditional Use Permit (CUP) to allow a drive-through in an HC, Highway Corridor Overlay Zoning District (HCOZ), on Assessor’s Parcel 44N-1-5, within the Hartwood Election District; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that a Conditional Use Permit pursuant to application CUP1300192 be and it hereby is approved with the following conditions:

1. This CUP is to allow one drive-through within an HC, Highway Corridor Overlay District an Assessor’s Parcel 44N-1-5.
2. Access to the subject property from Warrenton Road shall be limited to one right-in only entrance, in the approximate location designated on the Generalized Development Plan (GDP), dated July 12, 2013.
3. The building shall be constructed in general conformance with the architectural rendering in Exhibit A, dated September 16, 2013.
4. All rooftop mechanical equipment shall be completely screened from view from Warrenton Road.
5. The location of the drive-through window shall be in conformance with the GDP dated July 12, 2013.
6. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state-maintained roadways. Where orienting the drive-through away from the HCOZ is not feasible, applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate headlight glare onto the state-maintained highway.

7. Stacking lanes for the drive-through facility shall be designed so as to not impede traffic circulation.
8. All drive-through facilities shall include a by-pass lane for vehicles that are not utilizing the drive-through area.
9. All drive-through canopies shall be of coordinated color and materials as the primary structure on the Property.
10. Loading spaces and truck delivery spaces shall be located outside of any required travel lane. Such spaces shall be designed to allow for adequate turning radius to accommodate free-flowing turning movements to prevent temporary obstruction of travel lanes.
11. Loading areas, dumpster pads, and trash compactors shall be located in a manner to be completely screened from view from Warrenton Road.
12. No carnival style, signs, banner, lights, balloons, or windsocks shall be utilized on the Property, except for the grand opening of the store. This business may utilize such banners, flags, and balloons on a strictly temporary basis related to special events. The use of temporary and portable electronic or variable message signs and flashing signs shall be prohibited at all times.
13. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state or County Code, law, ordinance, or regulation after the applicant has been notified in writing by the County of said violation(s) and applicant is given an opportunity to cure said violation(s).

Public Works; Amend Stafford County Code Regarding Section 13.5-5 (C), Transportation Impact Fees Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

Mr. Milde motioned, seconded by Mr. Schieber, to adopt proposed Ordinance O13-45.

The Voting Board tally was:

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

Ordinance O13-45 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY
CODE SECTION 13.5-5, "ROAD IMPACT FEE SCHEDULE"

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

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

WHEREAS, the Board desires to further clarify its intention regarding Ordinance O13-15 and;

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of October, 2013, that Stafford County Code Section 13.5-5 “Road impact fee schedule,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 13.5-5. Road impact fee schedule.

(a) The amount of the road impact fee shall be determined by the schedule attached to this article as Exhibit B (“Road Improvements Plan and Road Impact Fees”), dated January 2013, which is incorporated herein by reference.

(b) The road impact fee schedule has been calculated using the road impact fee project list identified in Chapter 4 of the Comprehensive Plan and attached as Exhibit A (Road Impact Fee Project List), dated June 2012, which is incorporated herein by reference.

~~(c) The amount of road impact fees to be imposed for a specific project, development, or subdivision shall be determined as provided by the schedule before or at the time the subdivision plat or site plan/construction plan is approved.~~

BE IT FURTHER ORDAINED that this ordinance shall become effective on May 21, 2014.

Adjournment: At 11:40 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman