

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

October 21, 2014

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 3:00 p.m., on Tuesday, October 21, 2014, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Jack R. Cavalier, Chairman; Gary F. Snellings, Vice Chairman; Meg Bohmke; Paul V. Milde, III; Laura A. Sellers; Cord A. Sterling; and Robert “Bob” Thomas, Jr.

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

Presentation of the Government Finance Officer’s Award, Certificate of Achievement for Excellence in Financial Reporting Mr. Sterling presented the award to Finance Office and Treasurer’s Office staff. Mickey Kwiatkowski, Assistant Director of Finance, shared that it was the 32nd consecutive year that the County received the GFOA. She said that it was truly a team effort between the Treasurer, Finance, and Schools, as well as guidance received from the County Administrator and the support of the Board.

Mr. Curry Roberts, President - Fredericksburg Regional Alliance Mr. Cavalier introduced Mr. Curry Roberts, newly appointed president of the Fredericksburg Regional Alliance (FRA). Mr. Roberts said that he’d been on the job for six weeks and had met with several County staff to find out where they want to take the County. The FRA enlisted the work of Chmura who performed a cluster analysis, which included three main areas: 1. raise visibility; 2. marketing approaches with the Virginia Economic Development Partnership (VEDP); and 3. The Federal Government - how the federal delegation was deployed (it was very important to work with the federal delegation to get in front of the Senate and House Committees and establish a constant presence on Capitol Hill).

Mr. Curry said that there was a significant increase in viewers to the FRA website; that it would be updated to present a fresh appearance and enhance the viewer’s experience as well as providing up-to-date information about the FRA. FRA staff was developing a metrics dashboard for the regional alliance and was enlisting the help of “cardinals” (retired economic development professionals) to audit best practices and best use of funding.

FRA’s annual meeting was scheduled for November 10, 2014, 11:30 a.m. to 1:30 p.m. at the University of Mary Washington’s Jepson Alumni Center. All Board members were invited to attend.

Mr. Milde thanked Mr. Roberts for attending and talked about FRA’s assistance with the Stafford Technology and Research Center, and the possibility for working together on that project. Ms. Bohmke thanked Mr. Roberts and said that she looked forward to working with him.

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

- | | | |
|----------------------|---|---|
| Adela Bertoldi | - | Opposition to Stafford Regional Airport expansion |
| Sharlene Jackson | - | Marion Manor facility; concerned that notice of violations would put Marion Manor out of business; Manor never housed “bedfast” residents; FRES demanding sprinklers when there was no access to public water (cost prohibitive); and asked for staff increase and 24/7 staff on-site presence. |
| Linda Fortin | - | Facility owner of Marion Manor, has an excellent reputation with very minor infractions noted in all past inspections. Why was staff trying to enforce the “4-minute rule” when it never applied in the past? An already-approved evacuation plan was being questioned; resident’s safety was her first priority |
| Peggy Stevens | - | Northern Virginia Conservation Trust/Crow’s Nest public walk 11/8/14, hosted by Mr. Mike Lott |
| Del. Michael Futrell | - | Thanked the Board for its hard work doing a difficult job; Exit 140/Route 630 Interchange/will do anything in his power to assist with transportation issues; Wants to work with the Board to put the \$150 million in transportation funds to its best use; Asked Board members to contact him on his cell phone, said he was always accessible to them. |

- Christine Davitt - RASCB Juvenile Services and Drug Court bullying her 16-year old son; guilty of gross misconduct and violating HIPPA; intimidation being used and her son was being singled-out; misinformation put out into the community about her son; called for a formal investigation into RACSB and Drug Court staff
- Cecilia Kirkman - Crow's Nest/TDR Ordinance, provided a hand-out to the Board; sole use of designated park land should be park land; supported Crow's Nest Harbor as initial sending area; 60 days not sufficient time for the Planning Commission to complete its work and provide input to the Board.

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

- Ms. Bohmke - Attended Wings & Wheels, thanked Rotary and staff for its hard work on the fabulous event; provided update of Public Safety Committee meeting including authorization to purchase 2 pumpers and 1 ladder truck replacing vehicles that are beyond recommended service levels.
- Mr. Cavalier - Attended dedication of new Fredericksburg courthouse and unveiling of the statue of Judge Scott (former Stafford County Attorney Alda White's late husband); Attended FRA meeting on Monday, 10/20/14.
- Mr. Milde - Attended R-Board meeting, was not in favor of charging residents a fee for dumping trash; Attended dedication of field at Patawomeck Park in honor of former 5-term Board member, Lindy Fritter; met with George Mason University re. Enterprise Center at the Stafford Technology and Research Park, said the Park was coming together; Ribbon cutting at new turf field, Brooke Point High School; Fredericksburg Courthouse dedication; Chaired VRE meeting with Mr. Thomas, worked on budget challenges; Attended FAMPO meeting, expressed displeasure with cuts to Exit 140, particularly the removal of access for residents of Red Oak Road, which was not only inconvenient but a public safety hazard.
- Ms. Sellers - Attended CPMT, will begin collecting delinquent accounts, which has not been done before; Co-chaired the Joint Schools/Board of Supervisors Working Committee meeting, discussed redistricting, proffers, student vaccination requirements; Ebola precautions; Attended North Stafford High School A. J. Slye field dedication;

attended Austin Ridge community meeting (thankful that rezoning application was pulled from the agenda).

- Mr. Snellings - Wings & Wheels was terrific event with approximate 5000 attendees; thanked Stafford Rotary and members of the 350th Committee.
- Mr. Sterling - Update of the Finance, Audit and Budget Committee meeting including proffer discussion; projected state revenues of \$2.4 billion shortfall some of which will fall to localities to make-up but K-12 schools were held harmless (so far); 1st quarter revenues were up, shortfall would not be insurmountable. Requested that proffer funding for the turf field at Mountain View High School and a review of Shelton Knoll proffers be placed on the Board's next meeting agenda.
- Mr. Thomas - 4th Annual Band to Fight Hunger on November 3, 2014, 7:00 p.m. @ Mountain View High School; bring non-perishable foods to help the Fredericksburg Area Food Bank; all 5 County high school bands will perform.

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

Report of the County Administrator Mr. Romanello introduced Mr. Chris Hoppe, Capital Projects Manager. Mr. Hoppe gave an update on Parks bond projects. Ms. Bohmke asked how pedestrians would get over the Chatham Bridge on the Belmont-Ferry Farm Trail. Mr. Hoppe replied that the pathway would be on River Road and go underneath the bridge and tie back into the Trail.

Mr. Steve Hubble, Assistant Director of Public Works, provided an update on transportation projects in the County. Mr. Snellings asked that the Board be kept up-to-date on the Poplar Road project. Mr. Cavalier asked for the proposed completion date of the Courthouse Streetscape. Mr. Hubble said that it should be completed in November, 2014.

Mr. Romanello informed the Board that in the most recent edition of the magazine "Fire Protection," staff member, Andrew Milliken was featured in an article. Mr. Romanello offered to obtain copies of the article for any Board member that wished to read it.

The following employees were recognized as having 20 to 40 years of service with Stafford County: Jeff Adams, Sandra Cannon, Donna Chasen, Steven Epple, Karl Hovey, Hugh Jones, Shawn Kimmitz, Lori Knowles, Martha Quann, Jason Smith, Brion Southall, Carol Atkinson, Kim Aylor, Kathy Baker, Ray Davis II, Keith Dayton, Timothy Hare, Jeff Harvey, Bruce Jett, Eric Olsen, Matthew Sauter, Karen Stidsen, Eddie Texler, Wanda Wine, Steve Carey, Bob Cisco, Karen Clark, Barbara Decatur, and Linda Gillispie.

Mr. Romanello noted that Item 20. Appointment to the Parks & Recreation Commission representing the George Washington District, was added to the agenda. Item 18, the condemnation public hearing was cancelled due to the issue being settled; and a hand-out for Item 16 was distributed to the Board.

Additions/Deletions to the Regular Agenda Mr. Sterling motioned, seconded by Mr. Thomas, to add to the agenda, Item 20. Approve Appointment of Ms. Susanna Ganninger to the Parks and Recreation Commission representing the George Washington District; and delete Item 18. Public Works; Consider Condemnation And Exercise Of Quick-Take Powers to Acquire Permanent Storm Drain Easement and Temporary Entrance Easement on Portions of TMP 35-92-1, for the Poplar Road Safety Improvements Project, Phase II, from the agenda.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Legislative; Consent Agenda Ms. Sellers motioned, seconded by Mr. Snellings, to adopt the Consent Agenda, which consisted of Items 4 through 11.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Item 4. Legislative; Approve Minutes of the October 7, 2014 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R14-260 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED OCTOBER 7, 2014 THROUGH OCTOBER 20, 2014

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 21st day of October, 2014 that the above-mentioned EL be and hereby is approved.

Item 6. Public Works; Petition VDOT to Include Anvil Road and Ironcasting Road within Rappahannock Landing Subdivision Section 1; Darden Court, Founders Way and Palisades Drive within The Hills of Aquia Subdivision Section 8; and Woodstream Boulevard within Woodstream Subdivision Section 3; into the Secondary System of State Highways

Resolution R14-244 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ANVIL ROAD AND IRONCASTING ROAD WITHIN RAPPAHANNOCK LANDING, SECTION 1, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to include Anvil Road and Ironcasting Road within Rappahannock Landing, Section 1, located on the northern side of Olde Forge Drive (SR-1580), approximately 0.45 miles south of Warrenton Road, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected these streets and found them satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that VDOT be and it hereby is petitioned to include the following streets within Rappahannock Landing, Section 1, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Anvil Road (SR-1078)	From: Intersection of Ironcasting Road (SR-1601) To: 0.17 mi. SE Intersection of Mussleman Road (SR-657)	0.15 mi. ROW 60'
Ironcasting Road (SR-1601)	From: Intersection of Anvil Road (SR-1078) To: Intersection of Olde Forge Drive (SR-1580)	0.09 mi. ROW 60'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Rappahannock Landing, Section 1, recorded in PM110000058 with Instrument # LR110012303 on July 20, 2011; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R14-248 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE DARDEN COURT, FOUNDERS WAY, AND PALISADES DRIVE, WITHIN THE HILLS OF AQUIA SECTION 8, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to include Darden Court, Founders Way, and Palisades Drive, within the Hills of Aquia, Section 8, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected these streets and found them satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that VDOT be and it hereby is petitioned to include the following street within the Hills of Aquia, Section 8, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Palisades Drive (SR-2201)	From: Intersection of Coachman Circle (SR-2200) To: Intersection with Darden Court (SR-2204)	0.04 mi. ROW 50'
Darden Court (SR 2204)	From: 0.07 mi. West of Palisades Drive (SR-2201) To: Intersection with Palisades Drive (SR-2201)	0.07 mi. ROW 50'
Darden Court (SR 2204)	From: Intersection with Palisades Drive (SR-2201) To: Intersection with Founders Way (SR-2205)	0.12 mi. ROW 50'
Darden Court (SR 2204)	From: Intersection with Founders Way (SR-2205) To: 0.03 mi. East of Founders Way (SR-2205)	0.03 mi. ROW 50'
Founders Way (SR-2205)	From: Intersection with Darden Court (SR-2204) To: 0.04 mi. North of Darden Court (SR-2204)	0.04 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Hills of Aquia, Section 8, recorded in PM110000088 with Instrument #LR110015941 on September 21, 2011; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R14-249 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE WOODSTREAM BOULEVARD WITHIN THE WOODSTREAM SUBDIVISION, SECTION 3, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to include Woodstream Boulevard within the Woodstream subdivision, Section 3, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected this street and found it satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that VDOT be and it hereby is petitioned to include the following street within the Woodstream subdivision, Section 3, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Woodstream Boulevard (SR-2277)	From: Intersection of Short Branch Road (SR-2279) To: 0.13 mile NE of Short Branch Road (SR-2279)	0.13 mi. ROW 54'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Woodstream, Section 3, recorded in PM110000034 with Instrument #LR110008937 on May 20, 2011; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 7. Public Works; Authorize the County Administrator to Request VDOT FY2015 Transportation Alternatives Program (MAP 21) Funding for the Continued Planning and Construction of the Belmont-Ferry Farm Trail System, Phase 6

Resolution R14-258 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO REQUEST FUNDING FOR FY2016 FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION, TRANSPORTATION ALTERNATIVES PROGRAM, FOR THE CONTINUED PLANNING AND CONSTRUCTION OF THE BELMONT-FERRY FARM TRAIL, PHASE 6

WHEREAS, the Transportation Alternatives Program (TAP) is a part of the Moving Ahead for Progress in the 21st Century Act (MAP-21), effective October 1, 2012, which replaced the Transportation Enhancement (TE) Program; and

WHEREAS, the Virginia Department of Transportation (VDOT) is accepting applications for the TAP, and will select applications to forward to the Fredericksburg Area Metropolitan Planning Organization (FAMPO) and to the Commonwealth Transportation Board (CTB) for project selection; and

WHEREAS, eligible projects include construction of pedestrian and bicycle facilities, safe routes for non-drivers to access daily needs, removal of outdoor advertising, rehabilitation of historic transportation facilities, vegetation management in transportation rights-of-way, and archeological and environmental activities related to transportation projects; and

WHEREAS, VDOT, FAMPO, and the CTB will consider only projects for FY2016 appropriation if a public hearing was held on the project prior to submission of an application; and

WHEREAS, the Belmont-Ferry Farm Trail project is an existing County project that is eligible for TAP funding, on which the Board held a public hearing on October 18, 2011; and

WHEREAS, the Belmont-Ferry Farm Trail, Phase 6, is ready for design and construction; and

WHEREAS, the County was awarded \$542,451 from the FY2015 TAP for Phase 6 of the Belmont-Ferry Farm Trail; and

WHEREAS, under VDOT's TAP application procedures, the Board must, by resolution, commit to the continued support of this project, and verify the availability of the 20% County match; and

WHEREAS, the Board desires to request TAP funding of \$458,000 for the remaining, estimated cost for planning and construction of the Belmont-Ferry Farm Trail, Phase 6, with a County-match of \$114,500;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that the County Administrator be and he hereby is authorized to request Four Hundred Fifty-eight Thousand Dollars (\$458,000) in FY2016 Virginia Department of Transportation, Transportation Alternatives Program funds for planning and construction of the Belmont-Ferry Farm Trail Phase 6, and to verify that the 20% County match of One Hundred Fourteen Thousand Five Hundred Dollars (\$114,500) is available should the funds be awarded to the County; and

BE IT FURTHER RESOLVED that the Board authorizes the County Administrator or his designee to execute all necessary and appropriate project administration agreements and documents for any approved funding associated with this project.

Item 8. Public Works; Authorize Submittal of Stormwater Local Assistance Fund Grant Application

Resolution R14-259 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION FOR A STORMWATER LOCAL ASSISTANCE FUND GRANT FOR DESIGN AND CONSTRUCTION OF STORMWATER IMPROVEMENTS AT THE GEORGE L. GORDON, JR., GOVERNMENT CENTER

WHEREAS, the County's Municipal Separate Storm Sewer System (MS4) stormwater discharge permit requires improvements to the County's existing stormwater system to reduce the pollution entering the Chesapeake Bay and its tributaries; and

WHEREAS, the Virginia General Assembly established the Stormwater Local Assistance Fund (SLAF) to provide grant funding to local governments for the planning, design, and implementation of stormwater best management practices related to reducing water quality pollution; and

WHEREAS, the Virginia Department of Environmental Quality (DEQ) announced the solicitation of applications for SLAF grants for stormwater projects, which would help to defray the cost of these State-mandated stormwater improvement; and

WHEREAS, the County proposes to use any SLAF grant to design and construction stormwater management improvements at the George L. Gordon, Jr., Government Center;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that it be and hereby does authorize the County Administrator or his designee to submit a grant application for a Stormwater Local Assistance Fund grant for stormwater improvements, in an amount not to exceed One Hundred Twenty-five Thousand Dollars (\$125,000), with a County-match not to exceed One Hundred Twenty-five Thousand Dollars (\$125,000); and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any documents related to the grant that he deems necessary or appropriate.

Item 9. Utilities; Authorize the County Administrator to Execute a Contract for the Truslow Road Neighborhood Sewer Project

Resolution R14-257 reads as follows:

A RESOLUTION AUTHORIZING THE DESIGN AND CONSTRUCTION OF
THE TRUSLOW ROAD NEIGHBORHOOD SEWER PROJECT

WHEREAS, the owners of seven properties on Truslow Road and in the surrounding, area applied for a Neighborhood Sewer Project to extend public sewer to their residences; and

WHEREAS, there is an existing eight-inch sewer main located in an easement west of Truslow Road that, in serving the seven properties, would extend 1,200 feet along an easement to Truslow Road, 650 feet along Truslow Road, and 280 feet along Melvin Drive; and

WHEREAS, the Virginia Department of Health (VDH) and a private soils company evaluated the site conditions and neither recommends conventional septic systems; and

WHEREAS, the VDH confirmed that existing septic issues on the seven properties caused sewage to be discharged above ground and created a severe exposure of septic material, which caused the VDH to declare the soil unsuitable; and

WHEREAS, the estimated cost to extend the sewer main is \$200,000, which is available in the Utilities Capital Improvement Program;

WHEREAS, on August 12, 2014, the Utilities Commission held a public hearing and considered comments from the public, if any, at the public hearing, and criteria contained in Resolution R04-217, which was adopted by the Board on July 13, 2004; and

WHEREAS, the Board carefully considered the recommendations of VDH, the Utilities Commission, and County staff; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that the Truslow Road Neighborhood Sewer Project be and it hereby is authorized for design and construction.

Item 10. Planning and Zoning; Authorize the County Administrator to Advertise a Public Hearing to Amend the Garrisonville Road Service District

Resolution R14-261 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO AMEND THE
GARRISONVILLE ROAD SERVICE DISTRICT

WHEREAS, on July 17, 2007, the Board adopted Ordinance O07-55, which created the Garrisonville Road Service District (GRSD) to provide transportation improvements in a more complete and timely manner, pursuant to Virginia Code §§ 15.2-2400, 15.2-2402, and 15.2-2403; and

WHEREAS, the GRSD is a funding mechanism that pays for improvements to Garrisonville Road; and

WHEREAS, since the creation of the GRSD, there have been several zoning reclassifications of properties within its boundaries; and

WHEREAS, the GRSD must be updated in order for the additional real estate tax levy to apply to those properties; and

WHEREAS, the Board desires to include Assessor's Parcels that have zoning classifications of B-1, Convenience Commercial; B-2, Urban Commercial; B-3, Office; RBC, Recreational Business Campus; RC, Rural Commercial; SC, Suburban Commercial; M-1, Light Industrial; and M-2, Heavy Industrial in the GRSD;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider amending the Garrisonville Road Service District pursuant to proposed Ordinance O14-41.

Item 11. County Administration; Approve Appointment of Mr. Jordan Hamilton to the Telecommunications Commission Representing the Falmouth District

County Administration; Request Additional Funding from VDOT for Transportation Improvements as a Result of Modifications to the Design of the Interstate 95 Interchange at Courthouse Road Mr. Anthony Romanello briefed the Board saying that proposed Resolution R14-250 requested that VDOT restore full funding for the I-95, Exit 140 interchange project. Mr. Sterling said that the project was in the pipeline for twenty-two years and that funding was reduced by \$35 million. Mr. Milde talked about Jason Mooney Drive and the impact that would have, both in convenience and from a public safety perspective, to the residents of Red Oak Road. Mr. Sterling noted that I-95 through Stafford County was among the most congested interstate highways on the east coast.

Ms. Sellers said that the changes impacted people's lives, in particular the reduction of parking spaces at the commuter lot, which was going to force workers commuting to the District to find another way to get to work. She added that Richmond was out of touch with its constituents in the Stafford area, and with anyone that commuted north. Mr. Sterling said that the fortunate ones get parking tickets; others have cars towed and it was cost prohibitive to get them back, even if the judge did dismiss the charge. Ms. Bohmke echoed Ms. Sellers' remarks, adding that a court appearance took at least ½ day and impacted the commuter's work schedule and travel time north to Washington D.C.

Mr. Thomas asked that more emphasis in the proposed resolution be placed on public safety response time; that a double response time was significant. Mr. Thomas noted that Sheriff Jett wrote a letter and that Fire Chief Lockhart also expressed concerns about response time if the cuts were implemented. Mr. Milde agreed with Mr. Thomas and asked that a defined response time be added to proposed Resolution R14-250. Mr. Cavalier said that all of the cuts were painful and that the commuter lot could not stand to lose capacity, nor could residents on Red Oak Road lose accessibility to the Interstate.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R14-250 with additional information added to the eighth “WHEREAS” clause regarding the approximate response time delay.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
 Nay: (0)

Resolution R14-250 reads as follows:

A RESOLUTION REQUESTING ADDITIONAL FUNDING FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION IMPROVEMENTS AS A RESULT OF MODIFICATIONS TO THE DESIGN OF THE INTERSTATE 95 INTERCHANGE AT COURTHOUSE ROAD

WHEREAS, the Exit 140 interchange on Interstate 95 was previously funded in the State Six-Year Improvement Program at \$184 million; and

WHEREAS, the design of this project was nearly complete, and right-of-way acquisition was authorized; and

WHEREAS, the state removed \$35 million in funding from this project, requiring changes to the project to reduce the scope and cost to match the \$149 million in available funding; and

WHEREAS, the Virginia Department of Transportation (VDOT) identified thirteen modifications to reduce the project cost to match the available funding as listed (in part) below:

- Shorten the improvements to Courthouse Road west of the Interstate, ending the improvements near Austin Ridge Drive, rather than Mine Road;
- Eliminate the Jason Mooney Drive extension between Courthouse Road and the extension of Hospital Center Boulevard;
- Eliminate the commuter lot east of the Interstate;
- Eliminate the relocation of Austin Ridge Drive;
- Reduce the size of the commuter lot west of the Interstate;

- Eliminate the commuter lot west of the interstate;
- Eliminate the access road (Rucker Drive) serving the commuter lot west of the interstate;
- Lower and reconstruct westbound Courthouse Road in the vicinity of the interstate;
- Reconstruct Courthouse Road east of the interstate;
- Eliminate the multi-use trail along Courthouse Road;
- Modify Ramp A1, which is the northbound I-95 ramp from eastbound Courthouse Road;
- Reduce the width of Hospital Center Boulevard; or
- Shift milling and repaving costs on I-95 from construction budget to the maintenance budget.

; and

WHEREAS, the County and VDOT dedicated approximately \$30 million for the widening of Courthouse Road west of the Interstate; and

WHEREAS, the proposed \$4.8 million in estimated savings to the interchange project by reducing the scope of modifications to Courthouse Road west of the Interchange will result in additional cost to the Courthouse Road widening project estimated at \$7 million, one-half of which must be funded by the County; and

WHEREAS, other changes to the Interchange project will negatively impact traffic circulation within the Courthouse area; and

WHEREAS, the elimination of the extension of Jason Mooney Drive between Courthouse Road and Hospital Center Boulevard **will increase response times by at least 2.5 minutes** for the Stafford County Sheriff's Office and Fire and Rescue personnel, which will negatively affect public safety; and

WHEREAS, the new Interchange is expected to support an estimated \$300 million in new mixed-use development in the Southeast Quadrant, and other significant new commercial development in the Courthouse Redevelopment Area, which will be inadequately served by the proposed modifications;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that the Board be and it hereby does request that VDOT apply Seven Million Dollars (\$7,000,000) in State funding to the Courthouse Road Widening Project (UPC 4632) to offset the reduction to the I-95 Interchange Project budget; and

BE IT FURTHER RESOLVED that the Board requests VDOT's assistance in obtaining sufficient funding to complete all other portions of the work that were removed from the I-95 Interchange Project; and

BE IT FURTHER RESOLVED that in addition to requesting the immediate replacement of the estimated Seven Million Dollars (\$7,000,000) for the modifications to the Courthouse Road Widening Project, the Board identifies the following projects as immediate priorities for additional funding, with the remaining projects to be funded in the near term:

- Construction of the Jason Mooney Drive extension between Courthouse Road and the extension of Hospital Center Boulevard;
- Construction of the commuter lot east of the Interstate; and
- Completion of the relocation of Austin Ridge Drive, along with the associated signal.

; and

BE IT FURTHER RESOLVED that the Board requests VDOT coordinate with the County regarding any additional changes to the I-95 Interchange Project; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall send a certified copy of this resolution to the VDOT District Administrator, the VDOT Commissioner, and the Secretary of Transportation.

County Administration; Discuss Telecommunications Facility Site Leasing Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. In October, 2012, the Board endorsed Milestone Communications, Inc., and the Board's Infrastructure Committee was tasked with paring down the list of possible sites. The amended list was presented to the School Board and to the Board of Supervisors in May, 2013, and in November, 2013, staff worked with the School Board and the County Attorney to craft a joint agreement. The Joint Schools/BOS Working Committee discussed the item at its August, 2014 meeting but no decision was made at that time. Therefore, it was the Board's prerogative to proceed on its own as the School Board had no strong desire to participate. Mr. Sterling said that the School Board did not weigh in one way or another and had not further pursued the agreement with Milestone, Inc. Mr. Sterling said that he did not want any school sites (in his District) to be included on the list.

Mr. Snellings asked if the agreement was approved and sites were identified, would a conditional use permit (CUP) still be required before the actual location of telecommunication tower at the site. Mr. Dayton responded that a CUP, a public hearing, and Board approval was still required. He added that there were currently no water tank sites on the list; that all proposed sites were monopole tower construction. Mr. Dayton asked for a motion to go forth with the agreement and to remove all references to school sites. Mr. Sterling said that he was concerned about marketing school sites, and did not want marketing to include any schools in the Rock Hill District as well as Winding Creek and Garrisonville Elementary Schools, and Colonia Forge High School.

Mr. Cavalier said that all schools should be removed from the agreement. Mr. Thomas said that it was ongoing for more than two years and that he was comfortable leaving schools out of the agreement.

Mr. Snellings motioned, seconded by Mr. Thomas, for staff to prepare an agreement for Board approval with Milestone Communications, Inc., removing all references to School properties.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Planning and Zoning; Authorize the Planning Commission's Request for a 60-Day Extension to Consider a Transfer of Development Rights (TDR) Amendment and to Authorize Consideration of Additional Amendments Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. He said that the Planning Commission was asking for more time to review all issues related to TDR including calculating sending areas and taking into consideration suggestions made by the Northern Virginia Conservation Trust (NVCT).

Mr. Thomas talked about common sense solutions and asked if legal issues were considered and had been worked through. Mr. Harvey replied that legal issues were worked through and that staff was drafting a proposed ordinance including how dwelling units would be characterized. Mr. Thomas said that the original goal involved land in the George Washington and Hartwood Districts and that he had no appetite to look at other sending areas.

Mr. Milde said that he had no problem with the requested time-extension; that he initiated TDR in 2006 and it went back and forth to the Planning Commission, with a considerable amount of money spent on advertising. He said that the Board gave the Planning Commission a lot of latitude to make changes. He added that it made no sense that the Planning Commission wanted to make more changes, re-advertise, and start the process all over again. Mr. Milde suggested that the Board move forward with its original TDR recommendations, but that he was happy to give the Planning Commission its requested 60 days if that was what it felt was needed. Senior Assistant County Attorney, Rysheda McClendon, said that the actual zoning text amendment would be initiated by the Board.

Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R14-264 with the 60-day extension.

Mr. Thomas said that the County had a TDR Ordinance but no map to go with it. He suggested considering another area besides Crow’s Nest for transferring development rights. Mr. Sterling talked about a possible Boy Scout camp and other suggestions, saying that he was not in favor of an additional 60 day extension, that the Planning Commission should quit spending tax payer’s money and holding up developer’s rights.

Ms. Bohmke asked about the hand-out given to the Board by Ms. Kirkman. Mr. Sterling said that things changed with each hand-out and each e-mail. Ms. Bohmke also asked about the NVCF. Mr. Milde said that NVCF owned the heron rookery. Ms. Bohmke agreed with giving the Planning Commission an additional 60 days then coming back to the Board with a viable program that could be moved forward. Mr. Snelling questioned the Planning Commission’s timetable and upcoming meeting schedule and if 60 days was enough time. Mr. Harvey said the Planning Commission would have to address the issue at its meeting on October 22nd, make its final recommendations on November 12th; and advertise a public hearing for its December meeting. Mr. Harvey said that while it was tight, 60 days was enough time.

Ms. Sellers said that she did not support Crow’s Nest as a special sending area, that it was a bad practice. Mr. Milde said the County was awaiting General Assembly changes, which they made, but the Planning Commission had more changes. Ms. Sellers said that if there was no state-mandated time limit, the 60 days should be removed and the Planning Commission given all the time it needed. Mr. Snellings noted that the deferred list was sent to the Planning Commission three years ago, with no time limit, and that it was proven that the Planning Commission needed a time limit to get it back to the Board. Mr. Snellings mentioned a 90 day extension.

Ms. Sellers made a substitute motion, seconded by Ms. Bohmke, to adopt proposed Resolution R14-264 with a 120-day extension.

The Voting Board tally on the substitute motion was:

Yea: (2) Bohmke, Sellers
Nay: (5) Cavalier, Milde, Snellings, Sterling, Thomas

The Voting Board tally on the original motion was:

Yea: (6) Bohmke, Cavalier, Milde, Sellers, Snellings, Thomas
Nay: (1) Sterling

Resolution R14-264 reads as follows:

A RESOLUTION GRANTING A 60-DAY TIME EXTENSION TO THE PLANNING COMMISSION TO CONSIDER AMENDMENTS TO THE ZONING ORDINANCE AND COMPREHENSIVE PLAN REGARDING TRANSFER OF DEVELOPMENT RIGHTS

WHEREAS, at its meeting on February 19, 2013, the Board adopted Ordinance O13-21, which established administrative procedures for a Transfer of Development Rights (TDR) program; and

WHEREAS, at its meeting on May 21, 2013, the Board adopted Ordinance O13-29, as a key component of a TDR program; and

WHEREAS, the TDR program is comprised of provisions in the County Code and the County's Comprehensive Plan; and

WHEREAS, pursuant to adopted Resolutions R14-140 and R14-147, the Board requested that the Planning Commission prepare amendments to the County Code and Comprehensive Plan for the TDR Program; and

WHEREAS, the Board requested that the Planning Commission conduct a public hearing on its proposed amendments, and make its recommendations on such amendments to the Board no later than October 30, 2014; and

WHEREAS, the Board requested that the Planning Commission consider the following during its preparation of the County Code and Comprehensive Plan amendments:

- Amendments to Virginia Code § 15.2-2316.2 (Referencing architectural design in Receiving Areas);
- Allow a minimum lot size for eligible sending properties of two acres in the area designated for Park Land Use on the Comprehensive Plan;
- Change the receiving zone densities to accommodate potentially severed development rights with options to change A-1, Agricultural, receiving zone densities to a maximum of 2.25 dwellings units per acre;
- Include the B-3, Office Zoning District as a receiving zone for mixed-use and commercial apartments;
- Expand the Receiving Areas to encompass the redevelopment area east of I-95; and
- Do not reduce the Sending Areas.

; and

WHEREAS, the Planning Commission requested additional time to consider the proposed amendments and additional amendments; and

WHEREAS, staff believes additional time is necessary to fully evaluate and consider the proposed amendments and additional amendments; and

WHEREAS, the Board desires to provide the Planning Commission with a reasonable time extension; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning and planning practice require that the Planning Commission be given additional time to consider the amendments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that the Planning Commission be and it hereby is granted a 60-day time extension, until December 30, 2014, to consider and hold a public hearing on the amendments to the County Code and the Comprehensive Plan, pursuant to proposed Ordinance O14-26 and proposed Resolution R14-141, as well as additional amendments proposed by the Planning Commission, if any, and provide its recommendations to the Board.

County Attorney; Consider Adoption of a Policy to Allow Board Members to Participate in Meetings Electronically Rysheda McClendon, Senior Assistant County Attorney, briefed the Board. Mr. Sterling said that this was critical, especially for the Legislative Committee, which was scheduled to meet each Friday once the General Assembly was in session. Mr. Snellings noted that the Spotsylvania County Board successfully adopted and implemented the proposed policy. Mr. Milde asked if all Board members could call in. Ms. McClendon said that a physical quorum was still required and that Board members could not call in more than two times due to a personal reason or family emergency.

Ms. Sellers motioned, seconded by Mr. Sterling to adopt proposed Resolution R14-262.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R14-262 reads as follows:

A RESOLUTION TO ADOPT A POLICY GOVERNING ELECTRONIC PARTICIPATION IN MEETINGS BY MEMBERS OF THE BOARD OF SUPERVISORS WHEN NOT UNDER A STATE OF EMERGENCY

WHEREAS, under Virginia Code § 2.2-3708.1, Board members may participate electronically in meetings from a remote location that is not open to the public upon adoption of a policy allowing such participation, so long as the policy is in conformance with the Virginia Code; and

WHEREAS, Board members desire to attend meetings in person and will continue to do so in the future whenever possible, however, unexpected emergencies, personal matters, and illnesses arise from time-to-time which may prevent members' physical attendance; and

WHEREAS, the Board desires for its members to still participate in meetings via electronic means when emergencies, personal matters, and illnesses prevent the member's physical attendance; and

WHEREAS, the Board desires to adopt such a policy to allow its member to participate in meetings electronically;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that it be and hereby does adopt a policy to allow members of the Board to participate in meetings electronically as provided in the “Stafford County Board of Supervisors Policy Governing Electronic Participation in Meeting by Members When Not Under a State of Emergency,” which is as attached to and incorporated into this Resolution.

**STAFFORD COUNTY BOARD OF SUPERVISORS
POLICY GOVERNING ELECTRONIC PARTICIPATION IN MEETINGS BY
MEMBERS WHEN NOT UNDER A STATE OF EMERGENCY**

Occasions may arise when a member of the Board is unable to be physically present at a meeting of the Board, or a Board committee or subcommittee. Under certain circumstances, Virginia law permits members to participate in meetings through electronic means such as telephone and video conferencing. The law limits the instances in which this may occur, prescribes procedures that must be followed, and requires that a written policy governing such participation be adopted prior to allowing participation by electronic means. This Policy sets forth the instances when a member may participate in a meeting electronically and the procedures that will apply.

This Policy will be applied strictly and uniformly, without exception, to the entire Board, without regard to the identity of the member requesting remote participation or the matters that will be considered or voted upon at the meeting. This Policy does not affect any other requirement imposed by the Virginia Freedom of Information Act or other applicable state law.

Circumstances When Electronic Participation Is Permitted

- A. A Board member may participate in a meeting through electronic means from a remote location, not open to the public, under the following circumstances:
 1. Emergency or Personal Matter—
 - a. A Board member must:
 - i. Notify the Chairman of the Board, committee, or subcommittee, on or before the day of the meeting, that she/he will be unable to attend the meeting due to an emergency or personal matter; and
 - ii. Specify to the Chairman the nature of the emergency or personal matter.
 - b. The Board, committee, or subcommittee must:
 - i. Record in its minutes the specific nature of the member’s emergency or personal matter; and
 - ii. Record in its minutes the remote location from which the member participated.
 - c. Electronic participation by a member due to an emergency or personal matter will be limited to two meetings or 25% of the meetings, whichever is fewer, that the Board, committee, or subcommittee has in a calendar year.
 2. Temporary or Permanent Disability/Other Medical Condition—
 - a. A Board member must notify the Chairman of the Board, committee, or subcommittee that she/he will be unable to attend the meeting due to a temporary or permanent disability, or other medical condition that prevents the member's physical attendance.

- b. The Board, committee, or subcommittee must:
 - i. Record in its minutes the fact that the member is absent due to disability or a medical condition; and
 - ii. Record in its minutes the remote location from which the member participated.
- B. Electronic participation by a Board member as provided in section A, will be allowed only when all the following conditions are met:
1. A quorum of the Board, committee, or subcommittee is physically assembled at the meeting location;
 2. The Board, committee, or subcommittee has made arrangements for the voice of the remote member to be heard by all persons at the meeting location; and
 3. A majority of the Board, committee, or subcommittee who are present and voting approve the motion to allow the member's participation in the meeting from a remote location via electronic means. If the motion to allow the member's participation from a remote location is denied because such participation would violate this Policy, such denial must be recorded in the minutes with specificity.

Finance and Budget; FY2015 First Quarter Review Ms. Nancy Collins, Budget Division Director, gave a presentation and answered Board members questions. Mr. Sterling asked if building permits were down 25%. Mr. Thomas said that Sales Tax was up 12%. Meals Tax was up 8% and Motels up 15% through August. Mr. Sterling asked that future budget projections we given to him.

Utilities; Authorize the County Administrator to Execute a Contract Amendment for Construction Management Services for Construction of the Lake Mooney Water Treatment Facility Mr. Mike Smith, Director of Utilities, briefed the Board. Mr. Sterling asked if the County had a contract officer. Mr. Smith explained the procedure with the County's procurement officer (Ms. Anita Perrow), as well as all contracts having been reviewed by the County Attorney's office.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Resolution R14-245.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
 Nay: (0)

Resolution R14-245 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CH2MHILL, INC., FOR CONSTRUCTION MANAGEMENT SERVICES AT THE LAKE MOONEY WATER TREATMENT FACILITY

WHEREAS, at its meeting on October 4, 2011, the Board authorized construction of the Lake Mooney Water Treatment Facility; and

WHEREAS, at its meeting on December 13, 2011, the Board approved a contract with CH2MHill, Inc., for construction management services; and

WHEREAS, at its meeting on October 15, 2013, the Board approved a contract amendment for additional funding for CH2MHill, Inc., for construction management services; and

WHEREAS, due to project delays, the funding is insufficient to complete the required work in accord with the contract documents; and

WHEREAS, CH2MHill, Inc., provided a proposal in the amount of \$532,094 to extend the required services to the proposed project completion date; and

WHEREAS, staff carefully reviewed the proposal and finds it reasonable for the scope of work required; and

WHEREAS, sufficient funds are budgeted, appropriated, and available in the Project budget for the these services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of October, 2014, that the County Administrator be and he hereby is authorized to execute a contract with CH2MHill, Inc., in an amount not to exceed Five Hundred Thirty-two Thousand Ninety-four Dollars (\$532,094) for construction management services at the Lake Mooney Water Treatment Facility.

Approve Appointment of Ms. Susanna Ganninger to the Parks and Recreation Commission representing the George Washington District Mr. Thomas motioned, seconded by Mr. Sterling, to approve Ms. Ganninger's appointment to the Parks and Recreation Commission.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas

Nay: (0)

At 4:58 p.m., Mr. Cavalier recessed the meeting.

Call to Order At 7:00 p.m., the Chairman called the meeting back to order.

Invocation Ms. Bohmke gave the invocation.

Pledge of Allegiance Mr. Thomas led the recitation of the Pledge of Allegiance.

Presentation Recognizing Stafford County’s 350th Anniversary Senator Richard Stuart and Delegate Mark Cole read a joint House/Senate Resolution presented to the County honoring its 350th anniversary. Members of the County’s 350th Blue Ribbon Committee were recognized including Dr. Harry Crisp, Mr. Mike Neuhard, Sheriff Charlie Jett, Mr. Bob Gibbons, Mr. Mike Lovitt, and Mr. Dan Chichester, all of whom were present to accept the Resolution.

Presentation of a Proclamation Recognizing Red Ribbon Week in Honor of the Young Marines Program Mr. Cavalier presented a proclamation to Mr. Cullean Corey and his father, David Corey, recognizing Red Ribbon Week in Stafford County. Mr. David Corey shared an overview of the Young Marines program.

Presentation by Empowerhouse Ms. Kathy Anderson and Dr. Jennifer Galatro gave a presentation about Empowerhouse, its benefit to the community and an overview of the services they provide to residents of Stafford County and neighboring localities. Ms. Anderson noted that Stafford County residents had the highest number of nights at Empowerhouse locations last year.

Mr. Snellings asked about the new shelter. Mr. Romanello had the information and provided it off camera to Board members. Mr. Snellings thanked Ms. Anderson and Dr. Galatro for their efforts on behalf of Empowerhouse and those individuals that needed its services.

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

- | | | |
|-----------------|---|---|
| Scott Clemens | - | Against airport expansion |
| Karen Bingham | - | Band Together to Fight Hunger along with Drum Majors Rebecca Carnmuse from Brooke Point High School; Elayna Youngson from Mountain View High School; and Emma Guy from Colonial Forge High School |
| David Beiler | - | Against airport expansion; better public information output |
| Paul Waldowski | - | Water/Sewer bill; 55 weeks to next election; too many School Board members; running in Rock Hill and Griffis-Widewater districts in 2019; more rooftops than treetops in Stafford County |
| Kevin Haimovici | - | Austin Ridge HOA president, thanked BOS for cancelling public hearing on redistricting; thanked Mike Rhodes and Bob Gibbons on the Planning Commission; wanted to |

ensure that developers remembers the impact on local residents and were committee to being good neighbors

Stafford Regional Airport Mr. Sterling re-emphasized the concerns of the public speakers, saying that the impacts of airport expansion were not fully known; that the Stafford Regional Airport Authority should pause and bring residents fully into the discussion before expansion plans went any further. He added that there was too little public dialogue about expansion and its effects on neighboring communities, schools, etc.

Mr. Sterling motioned to adopt proposed Resolution R14-223. The motion failed due to a lack of a second. Mr. Sterling said that it was a shame that the proposed resolution had no support.

Ms. Sellers motioned, seconded by Mr. Thomas, to make Wednesday, November 26, 2014 (the day prior to Thanksgiving and formerly a half-day holiday for County staff) a full-day holiday for County employees.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Legislative; Closed Meeting. At 7:48 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM14-20.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM14-20 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of confidential proprietary records, voluntarily provided by a private business pursuant to a promise of confidentiality from the County, used by the County for business, trade, and tourism development and retention, and County-prepared records related to a business that is considering locating in the County, where competition is involved and where, if such records are made public, the County's financial interest would be adversely affected; (2) consultation with legal counsel regarding the Board's authority to name public facilities and discussion or consideration of a special award; (3) consultation with legal counsel regarding R-Board funding and its operational agreement; and (4) discussion of the County Administrator's performance evaluation

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(1), (A)(7), (A)(10), (A)(40) and 2.2-3705.6(3), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 21st day of October, 2014, does hereby authorize discussion of the above matters in Closed Meeting.

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

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM14-20(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM14-20(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON OCTOBER 21, 2014

WHEREAS, the Board has, on this the 21st day of October, 2014, 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 21st day of October, 2014, 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.

Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution R14-267.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R14-267 reads as follows:

A RESOLUTION TO AUTHORIZE THE FOURTH AMENDMENT
TO THE EMPLOYMENT AGREEMENT BETWEEN THE STAFFORD
COUNTY BOARD OF SUPERVISORS AND ANTHONY J. ROMANELLO

WHEREAS, Anthony J. Romanello is employed as Stafford County Administrator by the Board; and

WHEREAS, Mr. Romanello and the Board have mutually agreed upon the terms and conditions of Mr. Romanello's continued employment as County Administrator; and

WHEREAS, Mr. Romanello and the Board previously entered into an Employment Agreement, dated August 21, 2007, which has been subsequently amended by mutual agreement;

NOW, THEREFORE, for the reasons stated above and in consideration of the mutual covenants and promises of the parties, Mr. Romanello and the Board agree to the following.

1. The recitals stated above are incorporated as if fully restated herein.
2. The Employment Agreement, dated August 21, 2007, and three subsequent amendments are incorporated into this Fourth Amendment as if fully restated herein.
3. The Employment Agreement is amended as follows, all other portions remaining unchanged:

SECTION SIX
Performance Evaluation

Employer shall annually review and evaluate the performance and salary of Employee. Said evaluations shall occur on or before June 30th of each year. ~~If Employer fails to conduct the performance evaluation by said date, Employee's salary shall be increased by the same percentage as the sum of cost of living and merit increases granted to other employees not at the top of their salary grade. Any increases in salary or other form of compensation as a result of the performance review will be effective July 1st of each year.~~

SECTION SEVEN
Benefits

Employer shall make an annual contribution to Employee's 457 Deferred Compensation Plan to the maximum amount allowed by law prior to January 31st of each year. Employee shall have the same health and dental insurance coverage, life insurance coverage, retirement coverage, and all other benefits, including any County-wide cost of living adjustments (COLA) or Board-authorized salary increases equal to the average increase provided to County employees that are not at the top of their pay grade, as other County employees.

IN WITNESS WHEREOF, the Stafford County Board of Supervisors has caused this Fourth Amendment to the Employment Agreement between the Board and Anthony J. Romanello to be signed and executed on its behalf by its Chairman, by adopting Resolution R14-267 on October 21, 2014, and Anthony J. Romanello has signed and executed this Fourth Amendment to the Employment Agreement, both in duplicate, the day and year first above written to become effective immediately.

Adjournment: At 8:45 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Jack R. Cavalier
Chairman