

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

December 17, 2013

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 7:01 p.m., on Tuesday, December 17, 2013, in the Board Chambers, at the George L. Gordon, Jr. Government Center.

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

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

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 to Ms. Susan Stimpson, Falmouth District Supervisor; and Mr. Ty Schieber, Garrisonville District Supervisor Mr. Thomas read the proclamation and thanked Ms. Stimpson for her service to the citizens of Stafford County. He said that it was bittersweet and that Ms. Stimpson would be missed.

Ms. Stimpson thanked her husband, Dan, and her children, Caroline and William, saying that her time on the Board would not have been possible without the support of her family. She said that Board members know how hard working the County staff is and she honestly appreciated the time and attention paid to Board requests. She also thanked Public Safety staff. Ms. Stimpson thanked her fellow Board members for challenging her and helping her to grow and to become a different person (now) then she was four years ago. She mentioned each member of the Board specifically and thanked each for his talents.

Ms. Stimpson read the proclamation to Mr. Schieber and thanked him for his work, calling him the highest caliber of human being, a former Marine, and an elite athlete with a wonderful way of working with people.

Mr. Schieber echoed Ms. Stimpson's remarks about the hard working County staff, saying that it was a great four years. He said that he never expected to be in public life. He also thanked his family for their support; and thanked Board members for their camaraderie, saying that he learned so much from each of them. Mr. Schieber also thanked the citizens of the Garrisonville District for giving him the opportunity to serve.

Presentation of a Proclamation to Jimmy the Greek's Restaurant for the Military Friendly Business of the Year Award Mr. Schieber presented the proclamation to Demitrios "Jimmy" Zotos and his wife, Elani. Mr. Zotos thanked the Board for recognizing him and his wife and their restaurant.

Presentation to Posthumously Recognize Mr. Wilber F. Segar Mr. Milde presented the proclamation to the children and grandchildren of Mr. Segar. Mr. Segar's daughter said that her father would be very proud and that the family was happy to be citizens of Stafford County.

Presentation of a Proclamation to Ms. Shelley Carmichael on her Retirement and Service to Stafford County Ms. Stimpson presented the proclamation to Ms. Carmichael and thanked her for many years of service to the County. Ms. Carmichael thanked the Board and Mr. Romanello for having had the opportunity to work for the County.

Presentation of Appreciation from Germanna Community College Mr. Don Newlin, Chairman of the County's Economic Development Authority, addressed the Board, saying that it was a happy occasion and thanked the Board for its cooperation and support of a Stafford Campus for GCC. He said that five years ago, a small campus opened up on Route 1, near Garrisonville Road, and classes were filled within a week.

The developer, H.H. Hunt, proffered 25 acres, located off of Old Potomac Church Road and Jefferson Davis Highway, near the Stafford Hospital Center. The EDA made a \$1 Million commitment and was in the process of raising the funds. Mr. Newlin said that Dr. David Samm, President of GCC, was not present because the Board's meeting conflicted with GCC's winter graduation ceremony.

Mr. Beau Cook, with H.H. Hunt, addressed the Board, thanking them for supporting the Albion project. He thanked Planning Director, Mr. Jeff Harvey, and Senior Planner, Mike Zuraf, without whom the project would not have come together. Mr. Cook thanked the Board and County staff for its vision and understanding of GCC's mission, adding

that community colleges were beneficial to the entire community, and that H.H. Hunt was happy to play a small part.

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

- Mr. Cavalier - Happy Holidays!
- Mr. Milde - Attended R-Board meeting; back to the drawing board with Waste-to-Energy; Investiture; Merry Christmas!
- Mr. Schieber - JLUS public input meeting; Chairman of the JLUS Policy Committee; member of the QRESC; suggested that the Board appoint his replacement in a timely manner
- Mr. Snellings - Board's liaison to 350th Committee; Sunday booklet in the FL-S newspaper; FL-S partnered and gave a sizeable contribution; first event scheduled for Stafford Marketplace on January 4th at 12:00 Noon; Thanked Ms. Stimpson and Mr. Schieber for their service; wished everyone a Merry Christmas and a Happy New Year!
- Mr. Sterling - Update of the Infrastructure Committee meeting; CMAQ/RSTP funding; Butler Road project, east of the Falmouth Intersection; 2 turn-lanes on Rt. 1 at Garrisonville Road; I-95 upgrades at Courthouse Road; renamed the Park at Embrey Mill, "Embrey Mill Park"; Streetscape update; Finance, Audit, and Budget Committee update; full audit briefing scheduled for January; FY2015 budget drivers; Schools/Board Finance Committee Update; new venture, looked at Schools CIP; Colonial Forge High School expansion to begin in early 2014, not in 4-5 years as originally planned; Schools categorical funding; budget drivers and budget calendar challenging.
- Mr. Thomas - Private Day School Committee with Mr. Snellings; PRTC with Mr. Milde; influx of money/\$1.9 Million for southern localities, additional details to come.
- Ms. Stimpson - Recognized Scott Hirons, Meg Bohmke, and Scott Mayausky as wonderful friends with a passion for small government.

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

- Paul Waldowski- Parody on the song "American Pie;" lame duck session; water/sewer bills; Stafford Meadows rodents; gerrymandering; destruction of Stafford High School; UDAs; TDRs; cicadas.

Recess At 7:52 p.m., the Chairman declared a recess.

Call to Order At 8:00 p.m. the Chairman called the meeting back to order.

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

Report of the County Administrator Mr. Anthony Romanello introduced Commissioner of the Revenue, Mr. Scott Mayausky. Mr. Mayausky and Ms. Jane Conner, with the Stafford Museum and Cultural Center, gave presentations to the Board about Phase I of the County's virtual museum. Ms. Stimpson asked if it was on Twitter in addition to Facebook. Ms. Conner's said that it was not yet on Twitter. Phase II will concentrate on outreach and fundraising. Mr. Milde thanked Mr. Mayausky and Ms. Conner. Ms. Stimpson said that it was "out of the box thinking" and she was excited to see the results and looked forward to the future.

Ms. Cathy Vollbrecht presented the 2013 Year in Review. Ms. Stimpson thanked Ms. Vollbrecht for being there. Highlights included the Stafford Value Index; Public Safety; 4,220 new jobs created in Stafford County in the past five years; Parks; Roads; Human Services; County saved \$1 Million by utilizing volunteers; 350th events; Streetscape improvements, and others accomplishments were highlighted.

Fire and Rescue; Consider an Amendment to Stafford County Code Section 12-82, "Fees," for the Purpose of Amending Fees Charged for Ambulance Recovery Costs Mark Lockhart, Fire Chief, gave a presentation and answered Board members questions. Mr. Lockhart was asked to reaffirm that there would be no increase passed along to County citizens. Mr. Lockhart restated that there would be out-of-pocket expenses to residents of the County.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O13-57.

The Voting Board tally was:

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

Nay: (0)

Ordinance O13-57 reads as follows:

AN ORDINANCE TO AMEND THE COUNTY CODE, SECTION 12-82,
 “FEES,” CHARGED FOR AMBULANCE RECOVERY COSTS

WHEREAS, providing public safety services is a primary responsibility of the County; and

WHEREAS, the Ambulance Fee Cost Recovery program enhances fire and rescue service in the County; and

WHEREAS, the Board finds that the Ambulance Cost Recovery program is necessary and in the best interest of the public’s health, safety, and well-being; and

WHEREAS, the Board desires to increase the charges for the Ambulance Cost Recovery program to be consistent with those utilized by the Center for Medicare and Medicaid Services (CMS); and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that Stafford County Code § 12-82 be and it hereby is amended and reordained to read as follows, with all other portions remaining unchanged:

(c) Fees for emergency medical transport services rendered and transportation provided, as initially set and reviewed annually:

BLS	\$500.00 <u>\$ 505.00</u>
ALS-1	\$650.00 <u>\$ 656.50</u>
ALS-2	\$800.00 <u>\$ 808.00</u>

(d) Transportation fees: ~~Twelve dollars (\$12.00)~~ Twelve dollars and twelve cents (\$12.12) per GTM.

Public Works; Request VDOT Restrict Through-Truck Traffic on Spring Valley Drive (SR-1040) and Springknoll Circle (SR-1042) within the Spring Valley Subdivision Mr. Mike Smith, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Ms. Stimpson motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-384.

The Voting Board tally was:

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

Nay: (0)

Resolution R13-384 reads as follows:

A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION RESTRICT THROUGH- TRUCK TRAFFIC ON SPRING VALLEY DRIVE (SR-1040) AND SPRINGKNOLL CIRCLE (SR-1042) WITHIN THE SPRING VALLEY SUBDIVISION

WHEREAS, large trucks bypass traffic back-ups on Jefferson Davis Highway (US-1) using Spring Valley Drive (SR-1040) and Springknoll Circle (SR-1042), which are residential streets within the Spring Valley Subdivision; and

WHEREAS, large truck traffic using these residential streets creates a public safety concern for the residents of this residential area and the general community, as well as potential premature road maintenance issues; and

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

WHEREAS, in accordance with Virginia Code § 46.2-809, the County is required to conduct a public hearing for the proposed restrictions to restrict through-truck traffic on certain road segments; and

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

WHEREAS, the Board finds that this restriction promotes 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 17th day of December, 2013, that the Virginia Department of Transportation be and it hereby is requested to restrict through-truck traffic on Spring Valley Drive (SR-1040) and Springknoll Circle (SR-1042), within the Spring Valley Subdivision; and

BE IT FURTHER RESOLVED that Jefferson Davis Highway (US-1) from Spring Valley Drive (SR-1040) to Butler Road (SR-218) to Colonial Avenue (SR-1007) to Forbes Street (SR-627) to Springknoll Circle (SR-1042) be designated as the alternate route for said truck traffic; and

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

Legislative; Consent Agenda Mr. Thomas motioned, seconded by Mr. Schieber, to adopt the Consent Agenda consisting of Items 6 through 27, omitting Items 8, 12, 17, 21, and 23.

The Voting Board tally was:

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

Item 6. Legislative; Approve Minutes of the November 19, 2013 Meeting

Item 7. Finance and Budget; Approve Expenditure Listing

Resolution R13-397 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED NOVEMBER 19, 2013 THROUGH DECEMBER 16, 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 17th day of December 2013, that the above-mentioned EL be and hereby is approved.

Item 9. Utilities; Authorize a Public Hearing to Consider the Vacation of a Portion of a Sewer Easement on Tax Map Parcels 38F-1-A and 38F-2-3 at Taylor Bott Industrial Park

Resolution R13-392 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE VACATION OF A PORTION OF A SEWER EASEMENT ON TAX MAP PARCELS 38F-1A AND 38F-2-3, IN CONNECTION WITH FINAL ACCEPTANCE OF THE PLAT FOR TAYLOR BOTT INDUSTRIAL PARK LOCATED AT THE END OF BLACKJACK ROAD

WHEREAS, a plat was recorded with the Stafford County Circuit Court's office of Land Records at the close of the Taylor Bott Industrial Park Lot 6 project; and

WHEREAS, building design initially conceived was changed to as-built conditions with two separate buildings; and

WHEREAS, the County's Utilities Department no longer needs a portion of the 20-foot wide sanitary sewer easement on Tax Map Parcels 38F-1A and 38F-2-3; and

WHEREAS, in accordance with Virginia Code § 15.2-1800(B), the Board must hold a public hearing prior to the disposition of County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17th day of December 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider vacation of a portion sewer easement on Tax Map Parcels 38F-1A and 38F-2-3.

Item 10. Execute a Contract for an Emergency Generator and Equipment at the Austin Run Pump Station

Resolution R13-395 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CARTER MACHINERY COMPANY, INC., FOR ONE 300-KILOWATT CATERPILLAR, INC., EMERGENCY DIESEL GENERATOR, FUEL POLISHING SYSTEM, AUTOMATIC TRANSFER SWITCH, 150 GALLON PRYCO DAY TANK, AND A 3,000 GALLON GENERAL INDUSTRIES DIESEL FUEL TANK FOR THE AUSTIN RUN PUMP STATION

WHEREAS, the County is building Austin Run Pump Station, which requires an emergency generator when the station experiences power outages; and

WHEREAS, staff determined that utilizing a cooperative procurement agreement on a contract of the National Joint Powers Alliance provides the most efficient procurement, and most cost-effective pricing, of the required generator, including the related fuel polishing system, transfer switch, day tank, and diesel fuel tank; and

WHEREAS, the contract is with the vendor Carter Machinery Company, Inc., at a cost of One Hundred Eighteen Thousand Two Hundred Fifty-four Dollars (\$118,254); and

WHEREAS, staff determined that the cost is reasonable for the scope of supply;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Carter Machinery Company, Inc, for one 300-kilowatt Caterpillar, Inc., emergency diesel generator, fuel polishing system, automatic transfer switch, 150 gallon pryco day tank, and a 3,000 gallon general industries diesel fuel tank, for the Austin Run Pump Station, in an amount not to exceed One Hundred Eighteen Thousand Two Hundred Fifty-four Dollars (\$118,254), unless amended by a duly-authorized contract amendment.

Item 11. Execute a Contract for the Austin Run Sanitary Sewer and Austin Run Pump Station Replacement

Resolution R13-406 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH CROWDER CONSTRUCTION
COMPANY FOR THE AUSTIN RUN SANITARY SEWER AND AUSTIN
RUN PUMP STATION REPLACEMENT PROJECT

WHEREAS, replacing the Austin Run Sanitary Sewer and Austin Run Pump Station at the Aquia Wastewater Facility is included in the Utilities Department's FY2014 Capital Improvements Program; and

WHEREAS, the County solicited public bids for this project; and

WHEREAS, three bids were received, with the bid of \$4,176,000 received from Crowder Construction Company determined to be the lowest responsive and responsible bid; and

WHEREAS, staff determined that Crowder Construction Company's proposal is reasonable for the scope of services proposed; and

WHEREAS, funds are available for construction of this pump station and sewer line;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December 2013, that the County Administrator be and he hereby is authorized to execute a contract with Crowder Construction Company in an amount not to exceed Four Million One Hundred Seventy-six Thousand Dollars (\$4,176,000) for the Austin Run Sewer Line and Austin Run Pump Station Replacement Project, unless amended by a duly-authorized contract change order.

Item 13. Utilities; Execute Construction Contracts for Greenbank Road Waterline Extension; Rocky Run Road Cul-de-sac; Claiborne Run Fish Blockage Removal; and Stream Restoration (Dam Parcels)

Resolution R13-408 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH GARNEY COMPANIES, INC.,
FOR THE GREENBANK ROAD WATERLINE EXTENSION PROJECT**

WHEREAS, the Board included funds in the Utilities Department's FY2014 Capital Improvements Projects budget, and appropriated the funds for construction projects relating to Rocky Pen Run Dam, Reservoir, and Water Treatment Facility; and

WHEREAS, the Greenbank Road Waterline Extension Project is the distribution element of the overall project that conveys finished water from the Rocky Pen Run Water Treatment Facility into the County's existing water infrastructure system; and

WHEREAS, the County solicited public bids for the work; and

WHEREAS, seven bids were received, with the bid of \$3,923,581, received from Garney Companies, Inc., determined to be the lowest responsive and responsible bid; and

WHEREAS, staff determined that Garney Companies, Inc., bid is reasonable for the scope of services proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Garney Companies, Inc., in an amount not to exceed Three Million Nine Hundred Twenty-three Thousand Five Hundred Eighty-one Dollars (\$3,923,581), unless amended by a duly-approved change order, for the construction of the Greenbank Road Waterline Extension Project.

Resolution R13-409 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH HAYMES BROTHERS, INC.,
FOR THE ROCKY RUN ROAD CUL-DE-SACS PROJECT**

WHEREAS, the Board included funds in the Utilities Department's FY2014 Capital Improvements Projects budget, and appropriated the funds for construction projects relating to Rocky Pen Run Dam, Reservoir, and Water Treatment Facility; and

WHEREAS, filling of the Reservoir will sever Rocky Run Road, creating dead ends on the east and west sides of the Reservoir; and

WHEREAS, the County solicited public bids for the work; and

WHEREAS, eight bids were received, with the bid of \$190,000 received from Haymes Brothers, Inc., determined to be the lowest responsive and responsible bid; and

WHEREAS, staff determined that the Haymes Brothers, Inc., bid is reasonable for the scope of services proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Haymes Brothers, Inc., in an amount not to exceed One Hundred Ninety Thousand Dollars (\$190,000), unless amended by a duly-approved change order, for the construction of the Rocky Run Road Cul-de-sacs Project.

Resolution R13-410 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH RIVERWORKS RESTORATION,
INC., FOR THE CLAIBORNE RUN FISH BLOCKAGE REMOVAL PROJECT

WHEREAS, the Board included funds in the Utilities Department's FY2014 Capital Improvements Projects budget, and appropriated the funds for construction projects relating to Rocky Pen Run Dam, Reservoir, and Water Treatment Facility; and

WHEREAS, the Claiborne Run Fish Blockage Removal Project is an element of the Reservoir Project Comprehensive Riverine Mitigation Plan; and

WHEREAS, the County solicited public bids for the work and three bids were received; and

WHEREAS, the apparent low bidder for the project, W. C. Spratt, Inc., lacked the required minimum experience for this type of work; and

WHEREAS, when informed of this, W. C. Spratt, Inc., informed the County that they would not protest a decision not to award the project to them; and

WHEREAS, the second low bidder, Riverworks Resstoration, Inc., is a firm with extensive experience with this type of work; and

WHEREAS, Riverworks Restoration, Inc., has been determined to be the lowest responsive and responsible bidder, with a bid of \$473,000; and

WHEREAS, staff determined that Riverworks Restoration, Inc., bid is reasonable for the scope of services proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Riverworks Restoration Inc., in an amount not to exceed Four Hundred Seventy-three Thousand Dollars (\$473,000) unless amended by a duly-approved change order, for the construction of the Claiborne Run Fish Blockage Removal Project.

Resolution R13-411 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SYNCHRONIZED CONSTRUCTION SERVICES, INC., FOR THE STREAM RESTORATION (DAM PARCELS) PROJECT

WHEREAS, the Board included funds in the Utilities Department's FY2014 Capital Improvements Projects budget, and appropriated the funds for construction projects relating to Rocky Pen Run Dam, Reservoir, and Water Treatment Facility; and

WHEREAS, the Stream Restoration (Dam Parcels) is an element of the Reservoir Project Comprehensive Riverine Mitigation Plan; and

WHEREAS, the County solicited public bids for the work; and

WHEREAS, seven bids were received, with the bid of \$558,738 received from Synchronized Construction Services, Inc., determined to be the lowest responsive and responsible bid; and

WHEREAS, staff determined that Synchronized Construction Service's bid is reasonable for the scope of services proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Synchronized Construction Services Inc., in an amount not to exceed Five Hundred Fifty-eight Thousand Seven Hundred Thirty-eight Dollars (\$558,738) unless amended by a duly-approved change order, for the construction of the Stream Restoration (Dam Parcels) Project.

Item 14. Sheriff; Authorize a Public Hearing to Amend County Code Regarding the Removal and Disposition of Unattended and Immobile Vehicle

Resolution R13-398 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE CHAPTER 15, ARTICLE III, "PARKING"

WHEREAS, the Sheriff's Office desires to have the necessary and appropriate authority to address unattended and immobile vehicles; and

WHEREAS, the Board desires to ensure and protect the health, safety, and well-being of County citizens; and

WHEREAS, the Board is required and desires to consider public comments concerning the proposed changes to the County Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to advertise a public hearing for the purpose of amending Stafford County Code Chapter 15, Article III, “Parking.”

Item 15. Public Works; Authorize a Contract for the Design of Improvements to Enon Road

Resolution R13-401 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR THE DESIGN OF IMPROVEMENTS
TO ENON ROAD (SR-753)

WHEREAS, Enon Road (SR-753) has been identified as a problem area for transportation; and

WHEREAS, Bowman Consulting completed a transportation study of the area which recommended improvements to alleviate congestion in this area; and

WHEREAS, staff determined that The Engineering Groupe, Inc. is best qualified to provide the engineering services for this project; and

WHEREAS, The Engineering Groupe, Inc. delivered a proposal to design the proposed improvements at a cost of \$273,000; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with The Engineering Groupe, Inc. in an amount not to exceed Two Hundred Seventy-three Thousand Dollars (\$273,000) to design the improvements to Enon Road (SR-753); and

BE IT FURTHER RESOLVED, that the amount of Two Hundred Seventy-three Thousand Dollars (\$273,000) is budgeted and appropriated from the Transportation Fund for this project.

Item 16. Public Works; Authorize a Contract for the Construction of a Sidewalk Along a Portion of South Gateway Drive

Resolution R13-402 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR SIDEWALK CONSTRUCTION
ALONG A PORTION OF SOUTH GATEWAY DRIVE

WHEREAS, South Gateway Drive connects numerous neighborhoods with retail and restaurant locations; and

WHEREAS, there is a 900-foot section along this road which has no sidewalk; and

WHEREAS, the absence of this sidewalk is unsafe for pedestrians using this route; and

WHEREAS, a design of the proposed sidewalk improvements has been completed and a request for bids was advertised; and

WHEREAS, seven bids were received, and staff determined the lowest responsive bidder was Rising Sun, Inc., at \$151,369; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator be and he hereby is authorized to execute a contract with Rising Sun, Inc., in an amount not to exceed One Hundred Fifty-one Thousand Three Hundred Sixty-nine Dollars (\$151,369) to construct a sidewalk along a portion of South Gateway Drive between the two entrances of England Pointe Drive; and

BE IT FURTHER RESOLVED, that the amount of One Hundred Fifty-one Thousand Three Hundred Sixty-nine Dollars (\$151,369) is budgeted and appropriated from the Warrenton Road Service District for this project.

Item 18. Public Works; Execute a Contract for Improvement to Telegraph Road

Resolution R13-405 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A SOLE-SOURCE CONTRACT FOR THE
CONSTRUCTION OF IMPROVEMENTS TO TELEGRAPH ROAD

WHEREAS, the number of businesses in the Quantico Corporate Center (QCC), a commercially viable economic center, has increased, and the related traffic requires a second entrance to the QCC; and

WHEREAS, the preferred second entrance is from the Corporate Drive intersection with Telegraph Road between US-1 and the overpass across I-95, at the County's recently acquired parcel adjacent to QCC; and

WHEREAS, the work, as designed and approved, extends into the construction zone for the I-95 Express Lanes project currently under construction; and

WHEREAS, Branch Highways, Inc., (BHI) is constructing the adjacent I-95/ Telegraph Road overpass and has exclusive authority from the Virginia Department of Transportation (VDOT) to complete road construction on Telegraph Road in this area; and

WHEREAS, BHI provided a cost proposal to complete the second entrance off of Corporate Drive at Telegraph Road for the amount of \$240,000; and

WHEREAS, staff reviewed the proposal and determined that it is reasonable for the work required; and

WHEREAS, at its January 22, 2013 meeting, the Board budgeted and appropriated the funds for this work from the Transportation Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December 2013, that the County Administrator be and he hereby is authorized to execute a sole-source contract with Branch Highways, Inc., in an amount not to exceed Two Hundred Forty Thousand Dollars (\$240,000) to construct the improvements to Telegraph Road unless modified by a duly-executed change order.

Item 19. Public Works; Approve Appointment of Mr. Jack Kimmel to the Hidden Lake Service District Advisory Board

Item 20. Public Works; Petition VDOT to Include Brittany Manor Way and Dinas Way within Brittany Estates into the Secondary System of State Highways

Resolution R13-414 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BRITTANY MANOR WAY AND DINAS WAY WITHIN BRITTANY ESTATES INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.1-229, the Board desires to include Brittany Manor Way and Dinas Way within Brittany Estates 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 17th day of December, 2013 that VDOT be and it hereby is petitioned to include the following streets within Brittany Estates into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Brittany Manor Way (SR-2330)	From: Hamn Lane (SR-688) To: Intersection Dinas Way (SR-2331)	0.11 mi. ROW 50'
Brittany Manor Way (SR-2330)	From: Intersection Dinas Way (SR-2331) To: 0.65 miles North East from Dinas Way (SR-2331)	0.65 mi. ROW 50'
Dinas Way (SR-2331)	From: Intersection Brittany Manor Way (SR-2330) To: East 0.24 miles Brittany Manor Way (SR-2330)	0.24 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, Brittany Estates recorded in PM 060020513 with LR 06002516 on June 22, 2006; 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 22. County Administration; Request First Day Introduction by Members of the General Assembly for Bills with Local Fiscal Impacts

Resolution R13-415 reads as follows:

A RESOLUTION REQUESTING FIRST DAY INTRODUCTION BY MEMBERS OF THE GENERAL ASSEMBLY FOR BILLS WITH LOCAL FISCAL IMPACTS

WHEREAS, many local governing bodies in Virginia have an ever-growing concern about the impact of state mandates and cost shifting on localities; and

WHEREAS, Virginia Code § 30-19.03 states that the Commission on Local Government shall prepare and publish a statement of fiscal impact for “any bill requiring a net additional expenditure by any county, city, or town,” is filed during any General Assembly session; and

WHEREAS, numerous bills fitting this criteria have been submitted and gone through the legislative process without review for local fiscal impacts due to limited time and resources to review these bills during the General Assembly session; and

WHEREAS, it is also recognized that a need exists for additional time and resources to provide such information during the tight procedural confines of the current legislative process; and

WHEREAS, the Board believes that it is critical that lawmakers have better and timelier information on the fiscal impacts to localities when they consider bills and budget items;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does request that the General Assembly support measures that require its members to file bills with local fiscal impacts as early as possible and no later than the first day of the session.

Item 24. Public Information; Recognize and Commend Jimmy the Greek’s Restaurant for its Military Friendly Business of the Year Award

Proclamation P13-38 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND JIMMY
THE GREEK’S RESTAURANT, RECIPIENT OF THE MILITARY
AFFAIRS COUNCIL’S MILITARY FRIENDLY BUSINESS OF THE
YEAR AWARD

WHEREAS, Demitrios “Jimmy” Zotos and his wife, Elani, are the proprietors and owners of the Jimmy the Greek Family Restaurant on Garrisonville Road; and

WHEREAS, their restaurant recently received the “Military Friendly Business of the Year” award from the Fredericksburg Regional Chamber of Commerce’s Military Affairs Council; and

WHEREAS, the Zotos family has operated restaurants in Stafford County for more than 27 years, and eight years in their current location; and

WHEREAS, their restaurant provides special parking for combat wounded veterans and displays military memorabilia, and sells T-shirts to benefit “Homes For Our Troops,” a Massachusetts-based veterans housing organization; and

WHEREAS, Jimmy and Elani Zotos show their appreciation for members of the military in many ways in their restaurant every day; and

WHEREAS, the actions of Jimmy and Elani Zotos are much appreciated by the military community in Stafford County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does recognize and commend Demitrios “Jimmy” Zotos and his wife, Elani, for their outstanding hospitality and service to members of the Stafford County armed services community at Jimmy the Greek Family Restaurant.

Item 25. Public Information; Recognize and Commend Ms. Shelley K. Carmichael on her Retirement and her Service to Stafford County

Proclamation P13-37 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND MS. SHELLEY K. CARMICHAEL ON HER RETIREMENT AND FOR HER SERVICE TO STAFFORD COUNTY AND ITS CITIZENS

WHEREAS, Ms. Shelley K. Carmichael has been an instrumental member of Stafford County's financial management team for more than 15 years, and worked in local government in Virginia, serving the public, for more than 38 years; and

WHEREAS, Ms. Carmichael most recently served as Stafford County's Controller and Assistant Director of Finance; and

WHEREAS, each year during Ms. Carmichael's tenure in Stafford and under her guidance the County received the Government Finance Officers Association award for excellence in financial reporting, extending the County's streak to 31 consecutive years; and

WHEREAS, Ms. Carmichael served as the president of the Virginia Chapter of the Government Finance Officers Association and is an active participant in the organization; and

WHEREAS, Ms. Carmichael was recognized by Stafford County with nominations for the "Make a Difference" award in 2009 and the "Customer Service" award in 2008; and

WHEREAS, Ms. Carmichael was invited to make presentations on the enhanced use of Sunguard/HTE, the County's financial reporting system at the annual national Sunguard conference, and served as treasurer of that organization as well; and

WHEREAS, Ms. Carmichael is a charter member of the Virginia Chapter of the Women in Public Finance; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does recognize and commend Ms. Shelley K. Carmichael for her outstanding service in the field of finance to the citizens of Stafford County and the Commonwealth of Virginia.

Item 26. Public Information; Posthumously Recognize Mr. Russell G. Sullivan for his Contributions to Stafford County

Proclamation P13-39 reads as follows:

A PROCLAMATION TO POSTHUMOUSLY RECOGNIZE AND COMMEND MR. RUSSELL G. SULLIVAN FOR HIS CONTRIBUTIONS AND SERVICE TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, the late Mr. Russell G. Sullivan was a native of the White Oak area of Stafford County; went on to be an outfielder for the Detroit Tigers; and a larger-than-life figure who always remained down to earth; and

WHEREAS, Mr. Sullivan’s father and grandfather were homebuilders in the region, and by the time he was 8 years old, he began helping them with the family business; and

WHEREAS, by 1954, Mr. Sullivan had begun his own contracting business, doing much of the labor himself, and when his baseball career ended, he continued his contracting business on a full-time basis; and

WHEREAS, by 1988, Mr. Sullivan estimated that he had built more than 5,000 houses in the region and was listed as the No. 7 taxpayer in Stafford, behind only Virginia Power, Southland Corp., C&P Telephone Co., Continental Telephone Co., RF&P Railroad, and Aquia Harbour Inc.; and

WHEREAS, Mr. Sullivan also helped run a motocross track in White Oak and farmed 850 acres of corn, wheat, and beans, and was an appointed a member of the Board of Building Appeals for many years; and

WHEREAS, there is a mural of Mr. Sullivan as a ballplayer located in the Russell Sullivan Gymnasium at the Massad Family YMCA in Falmouth; and

WHEREAS, Mr. Sullivan’s kindness and generosity touched hundreds of members of the community through the decades, and his legacy extends from his willingness to help young families buy their first homes, to ensuring that the YMCA could continue to meet the needs of Stafford families for generations to come; and

WHEREAS, Mr. Sullivan cared deeply and served the needs of his fellow citizens with dignity, humility, and selflessness that exemplifies the purest meaning of the words “public servant”;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does recognize and commend Mr. Russell G. Sullivan for his contributions and service to the citizens of Stafford County.

Item 27. Public Information; Posthumously Recognize Mr. Russell G. Sullivan for his Contributions to Stafford County

Proclamation P13-40 reads as follows:

A PROCLAMATION TO POSTHUMOUSLY RECOGNIZE AND COMMEND
MR. WILBER F. SEGAR FOR HIS SERVICE AND CONTRIBUTIONS TO
THE CITIZENS OF STAFFORD COUNTY

WHEREAS, Mr. Segar was a native of Stafford County and among the approximate 40% of Americans who have never moved from the place in which they were born; and

WHEREAS, Mr. Segar served in the Navy during World War II and retired from the federal government as a fireman at Marine Corps Base Quantico; and

WHEREAS, Mr. Segar purchased family property and developed Willow Landing Marina on Aquia Creek; and

WHEREAS, Mr. Segar was also a founding and life-long member of the Stafford Volunteer Fire Department Company 2 and the Stafford Rescue Squad;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does recognize and commend Mr. Wilber F. Segar for his service and contributions to the citizens of Stafford County.

Item 8. Planning and Zoning; Approve Deeds of Easement for the Purchase of Development Rights on the Holsinger Property and the Shelton Property Mr. Milde talked about development rights and thanked the Board for supporting Purchase of Development Rights. He talked about Silver Farms receiving recognition in the Free Lance-Star; that the County's role was not mentioned in the article but that the County contributed to the success of the Silver Farm's conservation efforts.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolutions R13-390 and R13-391.

The Voting Board tally was:

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

Resolution R13-390 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON ASSESSOR'S PARCELS 47-66 AND 47-67 (HOLSINGER PROPERTY) WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, in 2007, the Board established County Code, Chapter 22A, Purchase of Development Rights (PDR), to enable the County to acquire conservation easements voluntarily offered by property owners to serve as one means of assuring that the County's open space, agricultural and forest lands, and natural and cultural resources are protected and efficiently used; and

WHEREAS, the Board established a PDR Administrator to administer and implement the PDR program; and

WHEREAS, the Board established a PDR Committee to promote the PDR program in cooperation with and under the guidance of the PDR Administrator; and

WHEREAS, a new program round for PDR applications was initiated in January, 2013; and

WHEREAS, the PDR Administrator and PDR Committee reviewed applications submitted under the PDR program and ranked the applications in accordance with the requirements and criteria established in the County Code, Chapter 22A; and

WHEREAS, the Board reviewed the recommendations of the PDR Administrator and PDR Committee and determined that Assessor's Parcels 47-66 and 47-67 (Holsinger Property) be considered for the purchase of development rights under the PDR program; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice required adoption of such a resolution;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the Board be and it hereby does authorize the County Administrator, or his designee, to execute a deed of easement for conservation purposes on Assessor's Parcels 47-66 and 47-67 (Holsinger Property) and to purchase development rights on the Holsinger Property for an amount not to exceed Five Hundred Thousand Dollars (\$500,000), with up to Two Hundred Fifty Thousand Dollars (\$250,000) reimbursable by the Commonwealth of Virginia; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to release payment to the land owner upon settlement.

Resolution R13-391 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON ASSESSOR'S PARCELS 56-120A, 56-122, 56-124, 56-125 AND 56-125A (SHELTON PROPERTY) WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, in 2007, the Board established County Code, Chapter 22A, Purchase of Development Rights (PDR), to enable the County to acquire conservation easements voluntarily offered by property owners to serve as one means of assuring that the County's open space, agricultural and forest lands, and natural and cultural resources are protected and efficiently used; and

WHEREAS, the Board established a PDR Administrator to administer and implement the PDR program; and

WHEREAS, the Board established a PDR Committee to promote the PDR program in cooperation with and under the guidance of the PDR Administrator; and

WHEREAS, a new program round for PDR applications was initiated in January, 2013; and

WHEREAS, the PDR Administrator and PDR Committee reviewed applications submitted under the PDR program and ranked the applications in accordance with the requirements and criteria established in the County Code, Chapter 22A; and

WHEREAS, the Board reviewed the recommendations of the PDR Administrator and PDR Committee and determined that Assessor's Parcels 56-120A, 56-122, 56-124, 56-125 and 56-125A (Shelton Property) be considered for the purchase of development rights under the PDR program; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice required adoption of such a resolution;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the Board be and it hereby does authorize the County Administrator or his designee to execute a deed of easement for conservation purposes Assessor's Parcels 56-120A, 56-122, 56-124, 56-125, and 56-125A (Shelton Property) and to purchase development rights on the Shelton Property, for an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000), with up to One Hundred Twenty Five Thousand Dollars (\$125,000) reimbursable by the Commonwealth of Virginia; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to release payment to the land owner upon settlement.

Item 12. Consider the Use of a Low Pressure Sewer System on Tax Map Parcel 28-8J
Mr. Sterling said that he was uncomfortable voting on the item as he felt that it should be considered a land-use issue.

Mr. Sterling motioned, seconded by Mr. Thomas, to defer this item to the January 21, 2014 Board meeting.

The Voting Board tally was:

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

Item 17. Public Works; Consider Approval of Congestion Mitigation Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) Project Funding Request for FY15-FY20
Mr. Sterling, as a member of the Commonwealth Transportation Board, abstained from voting on CMAQ and RSTP.

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolutions R13-403 and R13-404.

The Voting Board tally was:

Yea: (6) Cavalier, Milde, Schieber, Snellings, Stimpson, Thomas
 Nay: (0)
 Abstain: (1) Sterling

Resolution R13-403 reads as follows:

**A RESOLUTION APPROVING PROJECTS FOR FY2015-FY2020
 CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT
 PROGRAM FUNDING**

WHEREAS, the Board desires to take advantage of all available regional funding for transportation improvements in the County; and

WHEREAS, the County is eligible to receive federal Congestion Mitigation and Air Quality (CMAQ) Program funds; and

WHEREAS, the Virginia Department of Transportation (VDOT) and the Fredericksburg Area Metropolitan Planning Organization (FAMPO) recommend projects to the Commonwealth Transportation Board (CTB) for funding in this region; and

WHEREAS, approximately \$2 million in CMAQ funding is to be distributed to qualifying projects in the Fredericksburg District in FY2015-FY2020;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the Board be and it hereby does indicate its desire to have the below item reconsidered for additional CMAQ FY2015-FY2020 funding:

- Intersection improvements at Jefferson Davis Highway (US-1) and American Legion Road and Eskimo Hill Road (SR-628); and
- Intersection improvements at Jefferson Davis Highway (US-1) and Potomac Creek Drive (SR-761); and

BE IT FURTHER RESOLVED that the following projects be removed from the FAMPO project list for CMAQ funding:

- Intersection improvements at Jefferson Davis Highway (US-1) and Courthouse Road (SR-630);
- Intersection improvements at Kings Highway (SR-3) and Ferry Road (SR-606); and
- Intersection improvements at Jefferson Davis Highway (US-1) and Garrisonville Road (SR-610); and

BE IT STILL FURTHER RESOLVED, that the County Administrator or his designee shall forward a certified copy of this resolution to the FAMPO Administrator.

Resolution R13-404 reads as follows:

A RESOLUTION APPROVING PROJECTS FOR FY2015-FY2020 REGIONAL SURFACE TRANSPORTATION PROGRAM FUNDING

WHEREAS, the Board desires to take advantage of all available regional funding for transportation improvements in the County; and

WHEREAS, the County is eligible to receive federal Regional Surface Transportation Program (RSTP) funds; and

WHEREAS, the Virginia Department of Transportation (VDOT) and the Fredericksburg Area Metropolitan Planning Organization (FAMPO) recommend projects to the Commonwealth Transportation Board (CTB) for funding in this region; and

WHEREAS, approximately \$1 million in RSTP funding is to be distributed to qualifying projects in the Fredericksburg District in FY2015-FY2020;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the Board be and it hereby does indicate its desire to have the below item added to the project list for RSTP FY2015-FY2020 funding:

- Butler Road (SR-212) widening from Cambridge Street (US-1) to Chatham Heights Road (SR-218); and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall forward a certified copy of this resolution to the FAMPO Administrator.

Item 21. County Administration; Consider VACO Region 7 2014 Legislatives Issues Mr. Sterling said that while he was in favor of the majority of the VACo legislative initiatives, he did not favor the transportation initiatives and asked that transportation be removed from prior to the Board's vote on proposed Resolution R13-42.

Mr. Thomas motioned, seconded by Mr. Schieber, to adopt proposed Resolution R13-412, endorsing all but the Transportation Initiative.

Resolution R13-412 reads as follows:

A RESOLUTION IN SUPPORT OF THE VIRGINIA ASSOCIATION OF COUNTIES 2014 LEGISLATIVE ISSUES FOR REGION 7, NORTH CENTRAL VIRGINIA

WHEREAS, on November 21, 2013, the Virginia Association of Counties (VACo) issued its 2014 Legislative Issues report; and

WHEREAS, VACo’s legislative issues include the Comprehensive Services Act; Transportation; Chesapeake Bay Restoration; Stormwater Management; Alternative On-Site Septic Systems; and State Funding for Local and Regional Jails; and

WHEREAS, the above-referenced legislative issues outlined in the VACo report focus on issues of interest and concern to the Board and to the citizens of Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does offer its support for VACo’s 2014 Legislative Issues Report for Region 7, North Central Virginia.

Item 23. County Administration; Refer the Naming of the Park at Embrey Mill to the Parks and Recreation Commission Following discussion at the Infrastructure Committee meeting, it was decided to name the Park at Embrey Mill, “Embrey Mill Park.”

Mr. Sterling motioned, seconded by Mr. Schieber, to not refer this item to the Parks and Recreation Commission and to name the Park at Embrey Mill, “Embrey Mill Park.”

The Voting Board tally was:

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

County Administration; Amend 2014 Legislative Initiatives to Include Requesting State Funding to Assist with Rehabilitation of Existing Dams Mr. Romanello gave a presentation and answered Board members questions about an addition to the Board’s 2014 legislative initiatives regarding funding assistance for dam rehabilitation. Also added was a request for clarification regarding the ability to make an appropriation to schools that combine categorical and lump sum amounts, and if necessary, requests to be able to do so.

Mr. Sterling motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R13-420.

The Voting Board tally was:

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

Resolution R13-420 reads as follows:

A RESOLUTION AMENDING STAFFORD COUNTY’S PRIORITY LEGISLATIVE INITIATIVES FOR THE 2014 VIRGINIA GENERAL ASSEMBLY

WHEREAS, on October 15, 2013, the Board adopted Stafford County’s legislative initiatives for the 2014 Virginia General Assembly; and

WHEREAS, the Board opposes any new unfunded mandates or the expansion of any existing mandates upon local governments absent the associated state funding necessary to implement the mandates; and

WHEREAS, the Board desires to add an additional matter regarding the cost to private communities to upgrade existing dams due to revisions to state regulations; and

WHEREAS, the Board desires that the Virginia Association of Counties (VACo) support the legislative initiatives contained herein;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the members of the General Assembly representing Stafford County be and they hereby are requested to introduce and support the following priority initiatives:

1. **GERMANNA COMMUNITY COLLEGE FUNDING.** Pursue funding to advance establishment of a permanent Germanna presence in Stafford County.
2. **COMPREHENSIVE SERVICES ACT (CSA).** Authorize localities to access CSA pool funding for public day school programs created through collaborative partnerships between local governments and school boards.
3. **JAIL INMATE PER DIEM.** Increase the reimbursement rate for state-responsible inmates held in local and regional jails.
4. **TRANSFER OF DEVELOPMENT RIGHTS (TDR).** Provide localities with the authority to require development that is based on TDRs to comply with any locality-adopted architectural standards for the receiving area in which the development will occur. Provide localities with the flexibility to designate that a specific receiving area(s) may receive TDRs from a specific sending area(s). In addition, timbering in sending areas would be prevented.
5. **ESTABLISHMENT OF GROUP HOMES.** Authorize a locality to require group homes to participate in a public meeting held by a locality when established within the locality’s jurisdiction. Authorize a locality to require a group home with eight or fewer residents to install residential sprinklers within the home as a part of the permit process for occupancy.
6. **FUNDING SUPPORT FOR DAM MODIFICATION.** Provide state funding assistance for communities required to undertake dam modifications as a result of changes to Virginia Dam Safety Regulations.

; and

BE IT FURTHER RESOLVED that the Board will be kept apprised of legislative and budgetary changes in water quality and storm water management, the Virginia

Retirement System, and other matters that may adversely impact Stafford County, its residents, and businesses; and

BE IT FURTHER RESOLVED that the Board of Supervisors adds to its legislative agenda a request for clarification regarding the ability to make an appropriation to schools that combines categorical and lump sum amounts, and if necessary, requests to be able to do so; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this resolution to each member of the County's General Assembly delegation.

Mr. Snellings motioned, seconded by Mr. Sterling, to write a letter to the County's Congressional Delegation, and to the President of the United States, to object to one portion of the Affordable Care Act wherein fire and rescue departments with 50+ volunteers must provide health insurance benefits to persons that volunteer in excess of 30 hours per week. Ms. Stimpson abstained from voting on Mr. Snellings motion.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Thomas
 Nay: (0)
 Abstain: (1) Stimpson

Legislative; Closed Meeting. At 8:54 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM13-19.

The Voting Board tally was:

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

Resolution CM13-19 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding *D.R. Horton v. Stafford County, et al.*, CL12-1389, *D.R. Horton v. Stafford County, et al.*, CL13-103, and *D.R. Horton v. Stafford County, et al.*, CL13-261; (2) discussion and consideration of confidential proprietary records, voluntarily provided by private business pursuant to a promise of confidentiality from the County, for business retention, and County-prepared records related to a business that is considering locating in the County; and (3) consultation with legal counsel regarding *Brentsmill, LLC v. Stafford County, et al.*, CL10-305, *Andrew S. Garrett, et al. v. Stafford County, et al.*, CL10-306, *Poplar Road/Seven Lakes Estates, LLC v. Stafford County, et al.*, CL10-308, and *Stafford Commerce Park, LLC v. Stafford County, et al.*, CL10-307; and

WHEREAS, pursuant to Virginia Code Sections 2.2-3711(A)(7), (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 17th day of December, 2013, does hereby authorize discussion of the aforesated matters in Closed Meeting.

Call to Order At 9:22 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM13-19(a).

The Voting Board tally was:

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

Resolution CM13-19(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON DECEMBER 17, 2013

WHEREAS, the Board has, on this the 17th day of December, 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 17th day of December, 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.

Mr. Thomas motioned, seconded by Mr. Milde, to settle erroneous tax assessment cases in which the County is a defendant: *Brentsmill, LLC v. Stafford County, et al.*, CL10-305, *Andrew S. Garrett, et al. v. Stafford County, et al.*, CL10-306, *Poplar Road/Seven Lakes Estates, LLC v. Stafford County, et al.*, CL10-308, and *Stafford Commerce Park, LLC v. Stafford County, et al.*, CL10-307 (“Tax Cases”).

The Voting Board tally was:

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

Nay: (0)

Resolution R13-421 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ATTORNEY AND COUNTY ADMINISTRATOR TO EXECUTE SETTLEMENT AGREEMENTS WITH THE PLAINTIFFS IN THE FOLLOWING CASES: *BRENTSMILL, LLC V. STAFFORD COUNTY, ET AL.*, CL10-305, *ANDREW S. GARRETT, ET AL. V. STAFFORD COUNTY, ET AL.*, CL10-306, *POPLAR ROAD/SEVEN LAKES ESTATES, LLC V. STAFFORD COUNTY, ET AL.*, CL10-308, AND *STAFFORD COMMERCE PARK, LLC V. STAFFORD COUNTY, ET AL.*, CL10-307

WHEREAS, the County is a defendant in the following erroneous tax assessment cases: *Brentsmill, LLC v. Stafford County, et al.*, CL10-305, *Andrew S. Garrett, et al. v. Stafford County, et al.*, CL10-306, *Poplar Road/Seven Lakes Estates, LLC v. Stafford County, et al.*, CL10-308, and *Stafford Commerce Park, LLC v. Stafford County, et al.*, CL10-307 (“Tax Cases”); and

WHEREAS, given the nature of the Tax Cases and the cost to litigate them, including fees for outside expert witnesses and legal counsel, the cost to try the Tax Cases could exceed the settlement amount proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Attorney and the County Administrator, or their designees, be and they hereby are authorized to execute any and all documents that are necessary to settle the following erroneous tax assessment cases: *Brentsmill, LLC v. Stafford County, et al.*, CL10-305, *Andrew S. Garrett, et al. v. Stafford County, et al.*, CL10-306, *Poplar Road/Seven Lakes Estates, LLC v. Stafford County, et al.*, CL10-308, and *Stafford Commerce Park, LLC v. Stafford County, et al.*, CL10-307, under the terms and conditions discussed in closed session with the County Attorney.

Planning and Zoning: Consider the Planning Commission’s Decision to Deny Public Sewer to Clift Farm Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation and answered Board members questions. Mr. Clark Leming, for the Applicant, also gave a presentation.

Mr. Sterling asked for confirmation that, no matter the action taken by the Board, 145 remained the number of units permitted. Mr. Harvey concurred, saying that 145 was his estimate, which was based on acreage (+/-). Ms. Stimpson said that the number of units had nothing to do with the item in question; it had to do with compliance with the Comprehensive Plan.

Mr. Milde noted that in 2005, water/sewer was extended based on a smaller development; that was why a review was requested. Mr. Harvey said that the 2005 plan was different than the plan currently under submission.

Mr. Leming spoke for the Applicant, saying that an appeal was filed, with a 5/20/14 court date scheduled. He said that the issue was solely to extend sewer to the remaining parcels that are outside the Urban Services Area (USA). Mr. Leming stated that it was not good to have some parcels on sewer then a septic system on the parcel next to it. The 2005 plan did extend sewer, adding that it was common sense; that septic systems did not make good sense and in 2005, the Planning Commission and staff agreed with that position. Mr. Milde said that the USA was developed so that the County could control intensity of use and where services were located. Mr. Milde said that he did not agree with a “defacto” extension of the USA.

Ms. Stimpson said that it was about a larger issue and would set a precedent. Ms. Stimpson asked, if it was such an important issue, why Mr. Leming did not attend the Planning Commission meeting. Mr. Leming replied that he was not aware that the Planning Commission was discussing the item; that the Planning Commission had asked for an extension to January, 2014.

Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution R13-388, which upheld the Planning Commission’s decision to deny a request for extension of public sewer outside of the USA.

The Voting Board tally was:

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

Resolution R13-388 reads as follows:

A RESOLUTION TO AFFIRM A DECISION BY THE PLANNING COMMISSION TO DENY A REQUEST FOR THE EXTENSION OF PUBLIC SEWER OUTSIDE OF THE URBAN SERVICES AREA TO ASSESSOR’S PARCELS 38-123A AND 38-124 (PORTION)

WHEREAS, Clark Leming, on behalf of D.R. Horton (Applicant), submitted a request for the extension of public sewer outside of the Urban Services Area (USA) to Assessor’s Parcels 38-123A and 38-124 (portion); and

WHEREAS, at its meeting on October 23, 2013, the Planning Commission voted 6-1 to deny the request; and

WHEREAS, the Applicant appealed the Planning Commission’s decision pursuant to Virginia Code § 15.2-2232(B); and

WHEREAS, the Board finds that the proposed extension of public sewer outside of the Urban Service Area is not substantially in accord with the Comprehensive Plan; and

WHEREAS, the Board determines that the decision of the Planning Commission is correct;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the Board be and it hereby does affirm the decision of the Planning Commission to deny the Comprehensive Plan Compliance Review request for the extension of public sewer outside the USA, to Assessor's Parcels 38-123A and 38-124 (portion).

Finance and Budget; FY2015 Budget Preview This item was presented earlier to the Finance, Audit, and Budget Committee and therefore, was removed from the agenda.

Finance and Budget; Amend the School's FY2014 Operating Fund Appropriation

Mr. Sterling motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R13-379.

The Voting Board tally was:

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

Nay: (0)

Resolution R13-379 reads as follows:

**A RESOLUTION TO AMEND THE SCHOOL'S FY2014 OPERATING
FUND BUDGET AND APPROPRIATION**

WHEREAS, the Schools' FY2014 Operating Budget includes a per-pupil allocation for each school to be used at the principal's discretion in meeting the school's needs and priorities; and

WHEREAS, the Schools requested that these school site allocations be exempt from categorical funding, stating that this would result in the most efficient use of funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that it be and hereby does amend the budget and appropriation of the FY2014 School Operating Fund as follows:

	Adopted	Amended	
School Operating Fund	Budget Categories	Budget Categories	Uncategorized (Schools can move as needed)
Instruction	187,142,363	183,963,549	3,178,814
Administration Attendance and Health	10,972,960	10,956,996	15,964
Transportation	14,312,366	14,033,766	278,600
Operations and Maintenance	22,283,065	22,273,315	9,750
Instructional Technology and Information Services	15,160,689	14,685,744	474,945
Food Service	235,004	235,004	-
Facilities	98,558	98,558	-
Debt Service	461,909	461,909	-
Contingency	500,000	500,000	-
	251,166,914	247,208,841	3,958,073

County Administration; Authorize Solicitation for an Operator for the Indoor Recreation Facility at Embrey Mill Mr. Keith Dayton, Deputy County Administrator, gave a brief presentation and answered Board members questions. Mr. Schieber commended staff for doing a great job.

Mr. Schieber motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R13-400.

The Voting Board tally was:

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

Resolution R13-400 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE THE SOLICITATION OF PROPOSALS FOR A PRIVATE OPERATOR FOR THE INDOOR RECREATION CENTER AT THE PARK AT EMBREY MILL

WHEREAS, the Board authorized design of a 76,000 square foot indoor recreation center at the Park at Embrey Mill, with aerobics and resistance training workout areas, a gymnasium, a classroom, and aquatics amenities; and

WHEREAS, the Board desires that operation and maintenance of this facility, along the broad array of recreational programs it will offer, be the responsibility of a private firm with experience in managing similar facilities; and

WHEREAS, it is required and desired that a Request for Proposal be issued to solicit proposals from interested firms;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of December, 2013, that the County Administrator is authorized to solicit proposals from interested parties for a private operator for the indoor recreation center at the Park at Embrey Mill.

Planning and Zoning; Consider a Request for a Community Septic System for the Proposed Albion Community Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Sherman Patrick, for the Applicant, also addressed the Board.

Mr. Sterling motioned, seconded by Mr. Thomas, to defer this item to the January 21, 2014 Board meeting.

Discuss Recommending Appointment of the Fredericksburg District Representative to the Commonwealth Transportation Board

Mr. Snellings motioned, seconded by Mr. Thomas, to appoint Mr. Charlie Payne to replace Mr. Sterling in representing the Fredericksburg District when Mr. Sterling's term ended.

The Voting Board tally was:

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

Ms. Stimpson wished everyone a very Merry Christmas and a Happy New Year. She thanked everyone, saying that serving on the Board was an honor and a pleasure. She banged the gavel one last time in honor of Mr. Lloyd Chittum.

Adjournment: At 10:19 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman