# BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

#### **MINUTES**

Regular Meeting January 17, 2012

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:03 P. M., Tuesday, January 17, 2012, in the Board Chambers, Stafford County Administration Center.

<u>Swearing-in Ceremony</u> Mr. Ty Schieber was sworn in by the Honorable Sarah L. Deneke, Judge, as the newly appointed Garrisonville District Supervisor.

Roll Call. The following members were present: Susan B. Stimpson, Chairman; Jack R. Cavalier; Paul V. Milde, III; Ty A. Schieber; Gary F. Snellings; and Robert "Bob" Thomas, Jr. Cord A. Sterling, Vice Chairman, arrived at 4:14 p.m.

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

National Traffic Safety Challenge Award Stafford County Sheriff's Office was recognized by Sheriff Mark Marshall on behalf of the International Association of Chiefs of Police for excellence in two areas. The Sheriff's Office was presented a trophy for being a finalist for the international Webber Seavey Award, which recognizes agencies for promoting a standard of excellence that exemplifies law enforcement's contribution and dedication to the quality of life in a community. Agencies that receive this award have their programs shared with the entire law enforcement community. The Sheriff's Office also received a first place award in

the Law Enforcement Chief Challenge, a traffic safety award given to law enforcement agencies that have an outstanding traffic safety program. They received first place in their division with law enforcement agencies that have 126 - 300 sworn employees. Stafford presented their initiatives that include the Survive the Drive Program, the 3-D Drunk and Drugged Driving Program, the School's Open Program and the Youth YOVASO program

Standing Committee Reports by Board Members Ms. Stimpson announced that the Finance, Audit, and Budget Committee meeting was cancelled then gave an update on the Community and Economic Development Committee meeting held earlier in the day. Topics included the 2012 Communications Plan; options for signage at the Falmouth Intersection; a quarterly magazine done (or reviewed by) the Public Information Office as an inexpensive way to provide information to Stafford citizens; the Memorandum of Agreement with partners in the Science and Technology Center; rebranding/the selection of an official name for the Science and Technology Center; the Retail Study; and cleaning up the Gateway with litter removal, street sweeping, mowing and planting.

Presentation of the FY2011 Audit and Comprehensive Annual Financial Report by Cherry, Bekaert and Holland, LLP Mr. Kurt Miller, Ms. Sara Coelho, and Mr. Ryan Holman presented the results of the recently completed audit stating that it was an unqualified audit, with no management letter. In response to a question about the timeliness of the School's response to auditor requests, County Administrator, Mr. Romanello, replied that an audit calendar was provided in April to School staff with deadlines clearly indicated. Ms. Stimpson requested that the topic of the lateness of the Schools response be added to the next agenda of the Joint Board of Supervisors/School Board Committee. Mr. Miller said that his firm enjoyed working with the County. Ms. Stimpson thanked Mr. Miller, Ms. Coelho, and Mr. Holman for their presentation saying that she was pleased that the audit results were such good news. Mr. Snellings inquired if the School Division used the same auditing firm as the County. Mr. Miller responded that the School Division used the firm of Robinson and Cox. Mr. Schieber asked how late the Schools were in their responses. Mr. Miller responded that they were unable to meet the November 30<sup>th</sup> filing deadline, that School responses were not received until mid-December.

<u>Eagle Scout Presentation</u> Ms. Stimpson presented a letter, certificate, and County flag to Eagle Scout Eddie Crockett, Troop 1410.

Presentation of the Mid-Year Review and Preview of FY2013 Budget Division Director, Ms. Nancy Collins, presented the FY2012 Mid-Year Review as well as a preview of FY2013. Mr. Snellings inquired about the error made by the State sending Stafford County gas tax proceeds to the City of Fredericksburg. Mr. Romanello noted that Mr. Mayausky's presentation would address that issue. Ms. Stimpson inquired about the Schools budget and also asked about the inclusion of the anticipated Virginia Retirement Systems (VRS) increase. Chief Financial Officer, Maria Perrotte, responded to Board member's questions regarding anticipated mandated increases. Mr. Schieber said that the "cliff" is in front of the Schools and that the upcoming budget was going to be a real challenge. Mr. Romanello said that staff would present an FY2013 balanced budget on March 6, 2012, and that the budget would be a topic for discussion at the Board's upcoming retreat scheduled for Saturday, February 11, 2012. Consent Agenda items releasing the FY2012 appropriation hold for the County and for the School Division were deferred to the February 7, 2012, meeting.

Mr. Thomas inquired about monies being set aside for Moncure Elementary School. Mr. Romanello said that staff is waiting for information from School staff regarding the Memorandum of Agreement, adding that the cost of the land has been set aside out of the \$6.6M FY2011 surplus.

Commissioner of the Revenue, Mr. Scott Mayausky, gave a presentation on the 2012 General Reassessment. He began by addressing Mr. Snellings' question about the problem of the gas tax being paid (in error) to the City of Fredericksburg. Mr. Mayausky said that it is a zip code problem. He gave full credit to the City for doing a tremendous job tracking it, letting Stafford County know and promptly paying funds owed to the County. Mr. Mayausky then talked about the reassessment process, the timeline involved, and the mailing date for tax bills. Mr. Milde said that residential properties fared better than commercial. Mr. Cavalier asked about waterfront property values. Mr. Mayausky said that while the market has been soft, waterfront properties tended to hold their value better than most.

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Mr. Romanello, County Administrator, introduced the County's new Zoning Administrator,

Ms. Susan Blackburn. Ms. Vollbrecht, Public Information Administrator, introduced the

County's new Public Information Officer, Ms. Susan Howell.

Presentation of the 2011 Year in Review Ms. Cathy Vollbrecht, Public Information

Administrator, presented the 2011 Year in Review.

iPad Demonstration With the assistance of Mr. John Palmer and Ms. Pam Timmons, Ms.

Jane Sutherland gave an overview and demonstration of the iPads being used by staff and

Board members for delivery of a 'paperless' agenda.

Presentation by Eric Olsen, Commonwealth's Attorney Newly-elected Commonwealth's

Attorney, Eric Olsen, gave a presentation to the Board talking about new initiatives such as

the dog being trained for use with witnesses needing support and comfort during difficult

testimonies. He talked about the need to hire additional, part-time, support staff and

responded to Board member's comments and questions.

Chesapeake Bay Total Maximum Daily Load (TMDL) and Watershed Implementation Plan

(WIP) Phase II Update Mr. Steve Hubble, Environmental Program Manager, gave a

presentation and answered Board member's questions.

Legislative; Closed Meeting. At 5:28 p.m., Mr. Sterling motioned, seconded by Mr. Milde,

to adopt proposed Resolution CM12-04.

The Voting tally was:

Yea:

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

Nay:

(0)

Resolution CM12-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to Westlake Development, LLC v. Stafford County, et al. (Case Nos. CL08-1372 and CL10-

1181); (2) consultation with legal counsel regarding the cluster subdivision ordinance; (3) discussion, consideration, and consultation with legal counsel regarding the potential acquisition of real property for a public purpose, including parks and recreation, (4) discussion, consideration, and consultation with legal counsel regarding the potential acquisition of real property for a public purpose(s), including an academic presence and/or economic development, (5) consultation with legal counsel regarding the Board of Supervisors' By-Laws and Rules of Procedure; and (6) discussion and consideration of a personnel matter involving the County Administrator's Office; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17th day of January, 2012, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 6:18 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Sterling motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM12-04(a).

The Voting Board tally was:

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

Nay: (0)

### Resolution CM12-04(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 17, 2012

WHEREAS, the Board has, on this the 17th day of January, 2012 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 January, 2012, 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. Snellings motioned, seconded by Mr. Milde, to authorize the County Attorney to (i) settle the litigation known as "Westlake Development LLC v. County of Stafford, Virginia and Scott A. Mayausky, Commissioner of the Revenue" case number CL08-1372 and CL10-1181, and (ii) authorize the County Attorney and County Administrator to execute any documents that are necessary to settle and fully conclude the cases, including, but not limited to, final orders and settlement agreements.

## The Voting Board tally was:

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

Nay: (0)

Mr. Thomas motioned, seconded by Mr. Milde, to grant the Planning Commission an additional 90 days to review the current cluster development regulations, draft amendments to the Subdivision Ordinance and/or Zoning Ordinance, that it deems necessary, hold a public hearing on any proposed amendments, and provide its recommendations to the Board.

### The Voting Board tally was:

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

Nay: (0)

### Resolution R12-36 reads as follows:

A RESOLUTION TO EXTEND THE TIME LIMIT FOR THE PLANNING COMMISSION TO REVIEW THE CURRENT CLUSTER DEVELOPMENT REGULATIONS, DRAFT AMENDMENTS TO THE SUBDIVISION ORDINANCE AND/OR ZONING ORDINANCE, HOLD A PUBLIC HEARING, AND PROVIDE ITS RECOMMENDATIONS TO THE BOARD

WHEREAS, on December 13, 2011, the Board adopted Resolution R11-337 which requested the Planning Commission to review the current cluster development regulations, draft amendments to the subdivision ordinance and/or zoning ordinance, hold a public hearing, and provide its recommendations to the Board; and

WHEREAS, Resolution R11-337 provides that the Planning Commission will provide its recommendation to the Board by the end of February, 2012; and

WHEREAS, the Planning Commission requested an additional 90 days to provide its recommendations to the Board; and

WHEREAS, the Board believes that the Planning Commission's request is reasonable and should be granted;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January, 2012, that the time limit for the Planning Commission to complete its review of the current cluster development regulations, draft amendments to the subdivision ordinance and/or zoning ordinance, hold a public hearing, and provide it recommendations to the Board be and it hereby is extended an additional 90 days, until the end of May, 2012.

Recess At 6:19 p.m., the Chairman declared a recess until 7:00 p.m.

<u>Call to Order</u> At 7:03 p.m., the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the Invocation.

<u>Pledge of Allegiance</u> Mr. Milde led in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

<u>Legislative</u>; <u>Presentations by the Public</u> The following persons spoke on topics as identified:

Elizabeth Bajorek - Consider Citizen Traffic Safety Committee

Paul Jacobs - School Funding

William Hanrahan - At-Large Chairman

Theresa Welborn - School Budget

Andrew Hayes - School Funding

Frances Buyers - Poplar Road alignment

Jeannette Martin - School Funding

Paul Waldowski - BOS Appt/At-Large Chair/PC Appts/SWM/Water bills/Trash

Keith Angle - At-Large Chairman

<u>Schools Renovation Update</u> Assistant Superintendent of Facilities, Planning, Design, and Construction, Mr. Scott Horan, addressed the Board and introduced the principals of

Falmouth Elementary School, Ms. Gayle Thyrring; Stafford Middle School, Mr. Mark Smith; and Stafford Elementary School, Ms. Mary Foreman.

Mr. Horan talked about the process and gave a renovation update for Falmouth Elementary School. He outlined the procedure and timeline for moving Falmouth ES back to their own campus and moving Stafford Elementary School students onto the Stafford Middle School campus in the fall so that renovations may begin at Stafford ES. Mr. Thomas suggested that an update be provided on the School's website, noted that he was impressed that highway signs had already been modified and thanked Mr. Horan. Mr. Schieber said that it was a job well done and one that took a lot of hard work, planning, and precise execution to make it work. Mr. Cavalier said that it was good to know that the K-8 model is still workable as evidenced by the success of Falmouth ES transition to Stafford MS during renovation.

<u>Committee Appointments</u>: Ms. Stimpson announced the following standing committee appointments:

- Public Safety Committee: Jack Cavalier, Chairman; Ty Schieber; Gary Snellings
- Infrastructure Committee: Gary Snellings, Chairman; Paul Milde; Cord Sterling
- Community and Economic Development Committee: Paul Milde, Chairman; Susan Stimpson; Bob Thomas
- Finance, Audit and Budget Committee: Cord Sterling, Chairman; Susan Stimpson; Bob Thomas
- Joint Schools Working Committee: Ty Schieber, Chairman; Jack Cavalier; Cord Sterling

Planning and Zoning; Consider a Conditional Use Permit for a Telecommunications Facility at 494 Hollywood Farm Road Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Milde asked if this was the tallest tower (proposed) in the County. Mr. Harvey responded that cell phone towers are typically 250' and radio towers average 300'. Mr. Thomas asked about similar towers in the area. Mr. Harvey said that the WFLS tower was located in the White Oak area of the County. Applicant, Tom Cooper, and Joe Davis, Consultant, addressed the Board, answered questions and responded to concerns.

The Chairman opened the public hearing.

The following persons spoke:

Lawrence Patent

Katherine Soulis

**Bob Burrow** 

**Anthony Costo** 

Henri Perrotte

Keith Angle

Warren Lawrence

Frances Buyers

Paul Waldowski

Mr. Thomas motioned, seconded by Mr. Snellings, to leave the public hearing open and defer this item to the February 21<sup>st</sup> meeting. Following discussion, the applicant verbally agreed to a deferral to February 21, 2012.

The Voting Board tally was:

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

Nay: (0)

Recess At 8:57 p.m., the Chairman declared a recess.

Call to Order At 9:16 p.m., the Chairman called the meeting back to order.

Planning and Zoning; Adopt a Courthouse Urban Development Area Plan as a New Element of the Comprehensive Plan Mr. Mike Zuraf, Principle Planner, gave a presentation and answered Board members questions. Mr. Milde questioned density limits and Mr. Snellings asked why there was no maximum density limits contained in the Plan. Mr. Zuraf said that there is a limit of four dwelling units per acre included in the Comprehensive Plan. Mr. Thomas talked about setting a precedent for other UDAs in the County regarding maximum density limits. Mr. Zuraf said that UDA densities were a product of the State Code amendment.

The Chairman opened the public hearing.

The following persons spoke:

David Star

Mike Grant

Dean Fetterolf

Charlie Hansen

Doug Brown

Paul Waldowski

The Chairman closed the public hearing.

Following additional discussion, Mr. Milde motioned, seconded by Mr. Snellings, to defer this item to the February 21<sup>st</sup> meeting.

The Voting Board tally was:

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

Nay: (0)

<u>Planning and Zoning; Consider an Amendment to the Zoning Ordinance to Establish a New Zoning District, Entitled (UD) Urban Development</u> Mr. Mike Zuraf, Principle Planner, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons spoke:

Charlie Hansen

The Chairman closed the public hearing.

Following a discussion about this item (and it being referred to as a companion to the previously deferred item on the Courthouse UDA), Mr. Milde motioned, seconded by Mr. Snellings, to defer this item to the February 21<sup>st</sup> meeting.

The Voting Board tally was:

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

Nay: (0)

<u>Planning and Zoning; Consider Amending the Stafford County Comprehensive Plan 2010-2030 to Add an Implementation Plan as a New Chapter</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons spoke:

Charlie Hansen

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Milde to adopt proposed Resolution R12-12.

The Voting Board tally was:

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

Nay: (0)

## Resolution R12-12 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH VIRGINIA CODE SECTION 15.2-2229, BY ADOPTING THE PROPOSED AMENDMENTS, AS ADVERTISED, TO THE TEXTUAL DOCUMENT ENTITLED "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2010-2030," DATED DECEMBER 14, 2010 AND LAST AMENDED ON JUNE 7, 2011

WHEREAS, under Va. Code § 15.2-2229, the Board may amend its Comprehensive Plan; and

WHEREAS, under Va. Code § 15.2-2229 the Planning Commission ("Commission") has been directed by the Board pursuant to the Board's Resolution R11-243 to conduct a public hearing on, and provide recommendations to, the Board on certain Comprehensive Plan amendments proposed by the Board ("the proposed Comprehensive Plan Amendments"); and

WHEREAS, in accordance with Resolution R11-243, the proposed Comprehensive Plan Amendments propose to amend the Comprehensive Plan by amending the textual document entitled, "Stafford County, Virginia, Comprehensive Plan, 2010–2030," to adopt and incorporate an Implementation Plan as a new chapter (Chapter 7) in the Comprehensive Plan; and

WHEREAS, the Commission duly advertised and held a public hearing on October 5, 2011, on the proposed Comprehensive Plan Amendments, received a recommendation from County staff supporting approval of the proposed Comprehensive Plan Amendments, received public testimony, decided on a 5-1 vote to recommend approval of the proposed Comprehensive Plan Amendments, and forwarded its recommendation to the Board; and

WHEREAS, the Board duly advertised and held a public hearing on the proposed Comprehensive Plan Amendments on January 17, 2012, at which time public testimony was received and the proposed Comprehensive Plan Amendments were considered by the Board; and

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

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendments, as advertised, will guide and accomplish a coordinated, adjusted, and harmonious development of Stafford County, Virginia, which will, in accordance with the present and probable future needs and resources of Stafford County, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the citizens of Stafford County, Virginia, including the elderly and persons with disabilities; and

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendments, as advertised, is consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17th day of January, 2012, be and it hereby adopts the proposed Comprehensive Plan Amendments, as advertised.

<u>Legislative</u>; <u>Additions to the Regular Agenda</u> Mr. Sterling motioned, seconded by Mr. Snellings, to delete Items 14, 15, 27, and 28. These items were deferred to the February 7<sup>th</sup> meeting.

The Voting Board tally was:

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

Nay: (0)

<u>Legislative</u>; <u>Consent Agenda</u> Mr. Milde motioned, seconded by Mr. Snellings, to adopt the Consent Agenda consisting of Items 12 thru 22, omitting Items 14 and 15, deferred to 2/7/12.

The Voting Board tally was:

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

Nay: (0)

<u>Item 12.</u> <u>Legislative</u>; <u>Approve Minutes of Board Meeting</u> Regular Meeting of January 3, 2012 and Special Meeting of January 9, 2012.

Item 13. Finance and Budget; Approve Expenditure Listing

## Resolution R12-25 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED JANUARY 3, 2012 THROUGH JANUARY 16, 2012

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January 2012, that it be and hereby does approve the above-mentioned EL.

Item 16. Finance and Budget; Re-Appropriate FY2011 Incomplete Encumbrances and Commitments (County)

## Resolution R12-26 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY2011 TO FY2012 FOR OPERATING ENCUMBRANCES AND INCOMPLETE COMMITMENTS

WHEREAS, Virginia Code Section 15.2-2506, requires that appropriations be approved for a maximum period of one (1) fiscal year and that appropriations lapse at fiscal year-end; and

WHEREAS, the County executed orders or contracts for the purchase of goods and services that were not received by June 30, 2011, and for which funding was provided in prior fiscal years; and

WHEREAS, various projects approved and funded in prior fiscal years were not complete by June 30, 2011;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of January, 2012, that the amounts for outstanding encumbrances and incomplete projects as of June 30, 2011, be and they hereby are appropriated to Fiscal Year 2012 as follows:

General Fund	\$3,891,010
Transportation Fund	\$38,523
Tourism Fund	\$73,754
Asset Forfeiture Fund	\$6,415
<u>Utilities Fund</u>	\$594,003

Item 17. Finance and Budget; Re-Appropriate FY2011 Incomplete Encumbrances and Commitments (Schools)

# Resolution R12-27 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY2011 TO FY2012 FOR OPERATING ENCUMBRANCES

WHEREAS, Virginia Code Section 15.2-2506, requires that appropriations be approved for a maximum period of one (1) fiscal year and that appropriations lapse at fiscal year-end; and

WHEREAS, the School Board has executed orders or contracts for the purchase of goods and services that were not received by June 30, 2011, and for which funding was provided in prior fiscal years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of January, 2012, that the amounts for outstanding encumbrances as of June 30, 2011, be and they hereby are appropriated to Fiscal Year 2012 as follows:

School Operating Fund	\$7,967,973
School Nutrition Fund	120,993

Fleet Services Fund <u>16,147</u> Total \$8,105,113

Item 18. Sheriff; Approve Public Safety Radio Communication Maintenance Contract

### Resolution R12-23 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MOTOROLA SOLUTIONS, INC. FOR MAINTENANCE OF THE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM

WHEREAS, the Stafford County Public Safety Radio System requires support and maintenance in order for critical systems to be maintained in optimal working condition; and

WHEREAS, Motorola Solutions, Inc. proposed to provide maintenance services for the Public Safety Radio Communications System in the amount of \$256,780; and

WHEREAS, the Sheriff's Office and staff reviewed Motorola's proposal and determined that it is reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January, 2012, that the County Administrator be and he hereby is authorized to execute a contract for maintenance services with Motorola Solutions, Inc. for the Public Safety Radio Communications System, in an amount not to exceed Two Hundred Fifty-six Thousand, Seven Hundred Eighty Dollars (\$256,780), unless amended by a duly-executed contract amendment.

Item 19. Public Works; Petition VDOT to Include DeWitt Road, Gallery Road, Latham

Lane, Collingsworth Street and Tapestry Road, within Austin Ridge Subdivision Sections 6C

and 8B, into the Secondary System of State Highways

## Resolution R12-14 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE DEWITT ROAD, GALLERY ROAD, LATHAM LANE, COLLINGSWORTH STREET, AND TAPESTRY ROAD WITHIN AUSTIN RIDGE SUBDIVISION, SECTIONS 6C AND 8B, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to include DeWitt Road, Gallery Road, Latham Lane, Collingsworth Street, and Tapestry Road within Austin Ridge Subdivision, Sections 6C and 8B into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January, 2012 that VDOT be and it hereby is petitioned to include the following streets within Austin Ridge Subdivision, Sections 6C and 8B, into the Secondary System of State Highways:

Street Name/Route Num	<u>nber</u> <u>Station</u>	<u>Length</u>
DeWitt Rd. (SR-1930)	From: Austin Ridge Dr. (SR-1486) To: Inter. of Gallery Rd. (SR-1934)	0.04 mi. ROW 60'
DeWitt Rd. (SR-1930)	From: Inter. of Gallery Rd. (SR-1934) To: Inter. of Latham Ln. (SR-1974)	0.08 mi. ROW 60'
DeWitt Rd. (SR-1930)	From: Inter. of Latham Ln. (SR-1974) To: Inter. of Collingsworth St. (SR-1975)	0.06 mi. ROW 60'
	From: Inter. of Collingsworth St. (SR-1975) To: 0.03 mi. east of Inter. of Collingsworth St. (SR-1975)	0.03 mi. ROW 60'
Tapestry Rd. (SR-1931)	From: Inter. of Austin Ridge Dr. (SR-1486) To: Inter. of Gallery Rd. (SR-1934)	0.04 mi. ROW 52'
Gallery Rd. (SR-1934)	From: 0.06 mi. S. Inter. of DeWitt Rd. (SR-1930) To: Inter. of DeWitt Rd. (SR-1930)	0.06 mi. ROW 50'
Gallery Rd. (SR-1934)	From: Inter. of DeWitt Rd. (SR-1930) To: Inter. of Tapestry Rd. (SR-1931)	0.10 mi. ROW 50'
Gallery Rd. (SR-1934)	From: Inter. of Tapestry Rd. (SR-1931) To: Inter. of Latham Ln. (SR-1974)	0.07 mi. ROW 52'
Gallery Rd. (SR-1934)	From: Inter. Latham Ln. (SR-1974) To: Inter. of Collingsworth St. (SR-1975)	0.09 mi. ROW 55'
Gallery Rd. (SR-1934)	From: Inter. Collingsworth St. (SR-1975) To: 0.03 mi. east of Inter. of Collingsworth St. (SR-1975)	0.03 mi. ROW 55'
Latham Ln. (SR-1974)	From: Inter. Gallery Rd. (SR-1934) To: Inter. of DeWitt Rd. (SR-1930)	0.14 mi. ROW 50'
Collingsworth St. (SR-1975)	From: Inter. Gallery Rd. (SR-1934) To: Inter. of DeWitt Rd. (SR-1930)	0.12 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for each street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Section Six-C Austin Ridge recorded in PM040000152 with LR 040025242 on July 6, 2004 and Section Eight-B and Resubdivision of Lots 554, 558, 559, and 573 Section 6-C Austin Ridge, recorded in PM060000211 with LR 060034181 on October 27, 2006; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Developer and the Transportation & Land Use Director at the VDOT Fredericksburg District.

Item 20. Public Works; Authorize a Public Hearing to Restrict Through-Truck Traffic on Truslow Road from Berea Church Road to Enon Road and on Enon Road from Route 1 to Truslow Road

## Resolution R12-28 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER RESTRICTING THROUGH TRUCK TRAFFIC ON BEREA CHURCH ROAD (SR-654) FROM WARRENTON ROAD (US-17) TO TRUSLOW ROAD (SR-652), ON TRUSLOW ROAD FROM BEREA CHURCH ROAD TO ENON ROAD (SR-753), AND ON ENON ROAD FROM JEFFERSON DAVIS HIGHWAY (US-1) TO TRUSLOW ROAD

WHEREAS, the Board desires to promote the public health, safety, and general welfare of the County and its citizens, including the prevention of accidents and injuries caused by large truck traffic in residential areas; and

WHEREAS, Berea Church Road (SR-654), Truslow Road (SR-652), and Enon Road (SR-753) are both located in Stafford County; and

WHEREAS, large trucks travel on Berea Church Road, Truslow Road, and Enon Road between Warrenton Road and Jefferson Davis Highway, portions of which are mainly residential and on which Stafford High School is located; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January, 2012, that the County Administrator be and he hereby is authorized to advertise a public hearing for February 7, 2012, to consider restricting

through truck traffic on Berea Church Road (SR-654) from Warrenton Road (US-17) to Truslow Road (SR-652), on Truslow Road (SR-652) from Berea Church Road (SR-654) to Enon Road (SR-753), and on Enon Road (SR-753) from Jefferson Davis Highway (US-1) to Truslow Road (SR-652).

Item 21. Public Works; Request VDOT to Include the Poplar Road Extension Safety Project as a Part of the Secondary System Six-Year Plan

### Resolution R12-31 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION ADD THE POPLAR ROAD EXTENSION SAFETY PROJECT TO THE SECONDARY SIX YEAR PLAN

WHEREAS, the Board adopted Resolution R11-322 at its November 15, 2011 meeting, requesting the Virginia Department of Transportation (VDOT) transfer revenue sharing funds from UPC # 94827 to a newly identified Poplar Road extension safety project; and

WHEREAS, the new safety project must be added to the Secondary Six Year plan before the Commonwealth Transportation Board will approve a transfer of funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17<sup>th</sup> day of January, 2012, that VDOT be and hereby is requested to add the Poplar Road extension safety project to the Secondary Six Year Plan; and

BE IT FURTHERED RESOLVED that the VDOT District Administrator receives a certified copy of this resolution.

Item 22. County Administration; Authorize the County Administrator to Accept Easement from VDOT for Monitoring Wells on VDOT Property Located at the Landfill

# Resolution R12-24 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ACCEPT EASEMENTS FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR MONITORING WELLS RELATED TO THE LANDFILL

WHEREAS, in operating the landfill, the Rappahannock Regional Solid Waste Management Board (R-Board) must comply with, among other things, the Virginia Administrative Code; and

WHEREAS, the R-Board desires to acquire easements on property owned by the Virginia Department of Transportation to install, sample, and maintain one or more

monitoring wells to comply with, among other things, Virginia Administrative Code Section 9VAC20-81-260(C)(1)(a); and

WHEREAS, the easements for monitoring wells that the R-Board desires to acquire and utilize are shown on the plat entitled, "PLAT SHOWING EASEMENTS ACROSS THE LANDS OF COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, FKA 'DEPARTMENT OF HIGHWAYS', D.B. 82, PG. 130, TAX PARCEL NUMBER 38-132A, ROUTE 628 ESKIMO HILL ROAD, AQUIA DISTRICT, STAFFORD COUNTY, VIRGINIA," dated December 27, 2010, last revised March 2, 2011, prepared by Resource International, Ltd.; and

WHEREAS, the Board finds that these easements will serve and promote the public health, safety, and general welfare of Stafford County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of January, 2012, that it be and hereby does authorize the County Administrator to accept from the Virginia Department of Transportation (VDOT) (i) the easements for monitoring wells, as shown on the plat entitled, "PLAT SHOWING EASEMENTS ACROSS THE LANDS OF COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION, FKA 'DEPARTMENT OF HIGHWAYS', D.B. 82, PG. 130, TAX PARCEL NUMBER 38-132A, ROUTE 628 ESKIMO HILL ROAD, AQUIA DISTRICT, STAFFORD COUNTY, VIRGINIA," dated December 27, 2010, last revised March 2, 2011, prepared by Resource International, Ltd.," and (ii) any other easements from VDOT for monitoring wells related to the landfill that the County Administrator or his designee determines are necessary; and

BE IT FURTHER RESOLVED that the Board does authorize the County Administrator to execute (i) a deed of easement with the Virginia Department of Transportation (VDOT) to accept the easements for monitoring wells, (ii) any other document(s) with VDOT or any other party that are necessary and/or appropriate to acquire and utilize these easements for well monitoring, and (iii) any other document(s) with VDOT to acquire and utilize any other easements for well monitoring related to the landfill that the County Administrator or his designee determines are necessary.

<u>Utilities</u>; <u>Authorize Contracts and Contract Amendment for Rocky Pen Run Reservoir Dam</u> Mr. Harry Critzer, Director of Utilities, gave a presentation and answered Board members questions. Ms. Stimpson asked if the Utilities Commission had been brought up-to-date on this item and asked for their input. Mr. Critzer said they discussed it and that there was no negative input but that no formal vote was taken. Mr. Sterling said that the Board wanted a formal vote on the Commission's position and that the Board may want to look at the Commission's Charter, adding that this vote is relative to the largest project in County history, and the Commission's formal vote should be taken into consideration. Ms. Stimpson said that it should be sent back to the Commission for a formal vote and brought back to the

Board on February 21, 2012. Mr. Romanello said that while the Commission did vote, they did consider the item but in hindsight, there should have been a formal vote taken.

Mr. Sterling motioned, seconded by Mr. Milde, to defer this item to the February 21<sup>st</sup> meeting.

The Voting Board tally was:

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

Nay: (0)

<u>Utilities</u>; Consider Execution of a Lease for Office Space for the Department of Utilities Mr. Romanello, County Administrator, requested that this item be deferred.

Mr. Milde motioned, seconded by Mr. Sterling, to defer this item to the February 21<sup>st</sup> meeting.

The Voting Board tally was:

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

Nay: (0)

Legislative; Approve Appointments to Boards, Authorities, Committees and Commissions:

Mr. Thomas motioned, seconded by Mr. Snellings, to approve Scott Hirons appointment as the Planning Commission's representative to the Architectural Review Board.

The Voting Board tally was:

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

Nay: (0)

Mr. Milde motioned, seconded by Mr. Snellings, to appoint Ty Schieber as an alternate to the Fredericksburg Area Metropolitan Planning Organization (FAMPO).

The Voting Board tally was:

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

Nay: (0)

Mr. Sterling motioned, seconded by Mr. Milde, to appoint Mr. Gary Snellings to the George Washington Toll Road Authority.

The Voting Board tally was:

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

Nay: (0)

No vote was taken on the vacancy on the Industrial Authority of Stafford County and Staunton, VA.

Mr. Sterling motioned, seconded by Mr. Milde, to appoint Mr. Schieber as an alternate on the Potomac Rappahannock Transportation Commission (PRTC).

The Voting Board tally was:

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

Nay: (0)

Hearing no objections, the Board left the vacancy to the Stafford Museum and Cultural Center open.

Hearing no objections, the Board left the vacancy to the Telecommunications Commission open. Mr. Schieber said he would have an appointee for the Garrisonville District representative at the February 7, 2012 meeting of the Board.

At-Large Chairman Mr. Milde made a motion asking staff to further investigate the position of At Large Chairman in other localities and to prepare an action item for the February 7, 2012 meeting. Mr. Sterling seconded the motion for discussion purposes. Mr. Milde read a 2010 draft resolution. Mr. Cavalier spoke about his term on the Board in 2001 when Mr. Ferris Belman was an At-Large supervisor, adding that it was hard to run a County-wide race

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and it was then, following redistricting, that the County went to seven districts from six. Mr.

Thomas asked for more background information on the At-Large Chairman and said that he

believes that residents do have input into the selection process by virtue of who they elect to

represent the district in which they reside. Mr. Schieber said that it had been an eye-opening

day (and week) and he felt like the current system was working well. He inquired about

costs associated with making the change.

Mr. Milde said that allowing voters to decide about an At-Large Chairman was the fairest

way to handle the question, that all members on the Board made great points, which is why

he asked staff to provide additional information and bring it back to the Board on February

7<sup>th</sup>. Ms. Stimpson asked for the most compelling reason to make the change, saying that

every Stafford resident does have a voice and that Stafford is on the cutting edge in so many

areas and questioning why jeopardize that? Mr. Milde said that he withdrew his motion.

Adjournment At 11:27 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM

Susan B. Stimpson

**County Administrator** 

Chairman