BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting January 22, 2009

<u>Call to Order.</u> A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:03 P. M., Tuesday, January 22, 2009, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: M. S. "Joe" Brito; Harry E. Crisp, Vice Chairman; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; and Robert "Bob" Woodson.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

<u>Legislative</u>; <u>Presentation by Clifton Gunderson, LLP on the FY2008 Audit.</u> Mr. Douglas Nickerson and Greg Bussink III, Clifton Gunderson LLP gave a presentation and responded to Board members questions.

<u>Legislative</u>; 2008 – The Year in Review. Ms. Cathy Riddle, Public Information Manager, gave a presentation on 2008 accomplishments and responded to Board members questions.

<u>Legislative</u>; FY2009 Mid-Year Review. Ms. Nancy Collins, Budget Director, gave a presentation and responded to Board members questions.

Ms. Maria Perrotte, Chief Financial Officer, and Rob Brown, Fire Chief, commented further.

Discussion ensued.

<u>Legislative</u>; FY2010 Budget Scenarios. Mr. Anthony Romanello, County Administrator, and Nancy Collins, Budget Director, gave a presentation and responded to Board members questions.

Discussion ensued.

Recess. At 2:55 P.M., the Chairman declared a recess.

<u>Call to Order.</u> At 3:10 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Performance Audit Report Regarding Stafford County's Planning and Development Fees.</u> Ms. Anica Ashbourne, Chief Internal Auditor, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, a committee of Mr. Crisp and Mr. Milde were requested to further review and report back to the Board April 7, 2009.

<u>Legislative</u>; <u>Closed Meeting.</u> At 3:55 P.M., Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM09-02.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution CM09-02 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice regarding *R Income v. Board of Supervisors, et al, Airport Business Group v. Board of Supervisors, et al,* and *Sherwood Farm, et al v. Board of Supervisors, et al* pending litigation; Rowser Building construction contract issues; and Commercial Kennel legislation issues; and a personnel matter regarding Reduction in Force issues; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 22nd day of January, 2009, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order.</u> At 4:35 P. M. the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification.</u> Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM09-02a.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Resolution CM09-02a reads as follows:

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A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD

COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON

JANUARY 22, 2009

WHEREAS, the Board has, on this the 22nd day of January, 2009, 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 22nd day of January, 2009, 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. No member

dissents from the aforesaid certification.

Legislative; Authorize the County Administrator to Sign a Stay of Litigation Agreement

in the R Income Properties/Airport Business Group Litigation. Mr. Milde motioned,

seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-58.

The Voting Board tally was:

Yea:

(6) Milde, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay:

(1) Schwartz

Resolution R09-58 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A STAY OF LITIGATION AGREEMENT IN THE R INCOME PROPERTIES/AIRPORT BUSINESS GROUP LITIGATION

WHEREAS, the Board adopted a comprehensive rezoning of the Courthouse area, changing industrial zoned properties to a B-3 classification; and

WHEREAS, R Income Properties, LLC and Airport Business Group, LLC, (R Income and ABG) filed litigation against Stafford County challenging the rezoning action by the Board; and

WHEREAS, R Income and ABG have agreed to stay the pending litigation to permit the Board to consider a rezoning application to the B-2 classification; and

WHEREAS, the Board has agreed to waive the application fee for the rezoning of the R Income and ABG property from the current B-3 classification to a B-2 classification; and

WHEREAS, the stay of litigation agreement does not obligate or commit the Board to take any particular action with respect to the rezoning application by R Income and ABG;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2009, that it be and hereby does authorize the County Administrator to sign a Stay of Litigation Agreement in connection with the R Income Properties, LLC and the Airport Business Group, LLC litigation; and

BE IT FURTHER RESOLVED by the Board that it be and hereby does authorize the waiver of application fee for R Income to file the application seeking the change in classification of its property from B-3 zoning classification to B-2 zoning classification.

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Legal; Authorize the County Administrator to Sign a Settlement Agreement with Rector

Construction Company to Settle the Rowser Building Construction Contract Dispute;

Appropriation of Retainage Funds. Mr. Milde motioned, seconded by Mr. Dudenhefer,

to adopt proposed Resolution R08-59.

The Voting Board tally was:

Yea:

(6) Woodson, Brito, Crisp, Dudenhefer, Milde, Sterling

Nay:

(1) Schwartz

Resolution R08-59 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A SETTLEMENT AGREEMENT WITH RECTOR CONSTRUCTION

COMPANY TO SETTLE THE ROWSER BUILDING CONSTRUCTION

CONTRACT DISPUTE; APPROPRIATION OF RETAINAGE FUNDS

WHEREAS, Rector Construction Company was contracted to complete

renovation of the Rowser Building; and

WHEREAS, disputes have arisen concerning the failure of Rector Construction

Company to complete the work as required; and

WHEREAS, the Board desires to resolve the dispute and complete the work

through the use of another contractor who has bid on the scope of work necessary to

properly complete the Rowser Building renovations; and

WHEREAS, staff recommends entering into a Settlement and Release Agreement

with Rector Construction Company to prevent future litigation concerning the disputes

over the completion of the work at the Rowser Building; and

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WHEREAS, the Board desires to use the retainage to pay the agreed settlement

amount and to use the remaining retainage to complete the work;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 22nd day of January, 2009, that it be and hereby does authorize

the County Administrator to sign a Settlement and Release Agreement with Rector

Construction Company in connection with the Rowser Building construction disputes;

and

BE IT FURTHER RESOLVED by the Board that it be and hereby does authorize

the payment of Twenty-five Thousand Dollars (\$25,000) to Rector Construction's

representative from the retainage on this project to resolve this dispute; and

BE IT STILL FURTHER RESOLVED by the Board that it be and hereby does

budget and appropriate the remainder of the retainage for the purposes of completing the

necessary repairs to the Rowser Building in accordance with the scope of work the

County staff and its consultant have prepared and bid.

Recess. At 4:38 P.M., the Chairman declared a recess.

Call to Order. At 4:40 P.M., the Chairman called the meeting back to order.

Legislative; Consent Agenda. Mr. Crisp motioned, seconded by Mr. Milde, to adopt the

Consent Agenda, consisting of Items 8 thru 14, omitting Item 12.

The Voting Board tally was:

Yea:

Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

(7)

<u>Item 8. Legislative; Approve Minutes of Board Meeting</u>. Regular Meeting of December 16, 2008.

Item 9. Utilities; Authorize a Public Hearing to Consider a Water and Sewer System

Revenue Bond Financing for Nutrient Reduction and Other Upgrades at the Little Falls

Run Wastewater Treatment Facility.

Resolution R09-16 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER A WATER AND SEWER SYSTEM REVENUE BOND FINANCING

WHEREAS, the Board has determined that it may be necessary or desirable to contract a debt and to issue water and sewer system revenue bonds (the "Bonds") of the County in an aggregate principal amount not to exceed \$16,000,000 to finance some or all of the costs of the Little Falls Run Wastewater Treatment Facility Nutrient Removal Upgrade Project (the "Project"); and

WHEREAS, the Board has determined that it may be necessary or desirable to advance money to pay costs of the Project and to reimburse such advances with proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2009, that it be and hereby adopts this declaration of official intent under Treasury Regulations Section 1.150-2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of the Project from the proceeds of the Bonds to be issued in an aggregate principal amount not to exceed Sixteen Million Dollars (\$16,000,000); and

BE IT FURTHER RESOLVED that the County Administrator is authorized to advertise a public hearing on the issuance of the Bonds to be held on February 17, 2009.

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Item 10. Finance and Budget; Budget and Appropriate Proffer Funds for School

Construction Projects.

Resolution R09-24 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE PROFFER FUNDS FOR

SCHOOL CONSTRUCTION PROJECTS

WHEREAS, the School Board has requested \$14,516 of the appropriation of

proffer funds for School Construction Projects; and

WHEREAS, proffers totaling \$6,000 are available to install a Bio-Retention

ground cover at Anthony Burns Elementary; and

WHEREAS, proffers totaling \$8,516 are available to repair a baseball field fence

at Colonial Forge High School;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 22nd day of January, 2009, that the County Administrator be and

he hereby is authorized to budget and appropriate proffer funds as follows:

GENERAL FUND

Transfer to the School Construction Fund \$14,516

SCHOOL CONSTRUCTION FUND

\$14,516

Item 11. Human Resources; Extend Compensatory Time Accrual for Exempt

Employees.

Resolution R09-25 reads as follows:

A RESOLUTION TO EXTEND THE COMPENSATORY TIME ACCRUAL DATE FOR EXEMPT EMPLOYEES

WHEREAS, an exempt employee may only carry over the maximum of 80 hours of compensatory time to the next calendar year; and

WHEREAS, an exempt employee may be paid for the excess compensatory time over 180 hours; and

WHEREAS, due to budget constraints, the County is unable to pay for any compensatory time; and

WHEREAS, the County desires to have the accrual date for compensatory time extended from year end 2008 to year end 2009 for exempt employees only;

WHEREAS, this change in policy will be in effect until December 2009;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2009, that the County Administrator be and he hereby is authorized to extend the accrual date for exempt employees from December 2008 to December 2009.

Item 13. Legislative; Appoint Members to the Regional Landfill Civil War Site.

Resolution R09-56 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE REGIONAL LANDFILL CIVIL WAR SITE

WHEREAS, the Board has established that civil war sites and resources do exist on the property of the Rappahannock Regional Solid Waste Management Board (R-Board), the regional landfill operated by the County of Stafford and the City of Fredericksburg; and

WHEREAS, the Regional Landfill Civil War Site Steering Committee consists of at least one member from the Historical Commission, one member from the Planning Commission, two members from the Board of Supervisors, two members from the Friends of Stafford Civil War Sites, two members from the Stafford Historical Society and a member from the County Planning staff, Economic Development staff, and Parks and Recreation staff; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Harry Crisp	Pleasure of the Board
(Board of Supervisors)	
Paul Milde	Pleasure of the Board
(Board of Supervisors)	
	Pleasure of the Board
(Planning Commission)	
	Pleasure of the Board
(Stafford Historical Society)	
	Pleasure of the Board
(Stafford Historical Society)	

	Pleasure of the Board
(Historical Commission)	
	Pleasure of the Board
(Friends of Civil War Sites)	
	Pleasure of the Board
(Friends of Civil War Sites)	
NOW, THEREFORE, BE IT RESOLVE	ED by the Stafford County Board of
Supervisors on this the 22nd day of January 2009,	that
Archer DiPeppe	Pleasure of the Board
(Planning Commission)	
be and he hereby is appointed to the Region Committee.	nal Landfill Civil War Site Steering
Item 14. Administration; Ratify Declaration of Er	mergency for 2009 Inauguration.
Resolution R09-57 reads as follows:	
A RESOLUTION TO RATIFY THE DEC	
EMERGENCY IN STAFFORD COUNTY	7
WHEREAS, an extraordinary and unpre-	ecedented number of people were in
Stafford County or passing through Stafford Coun	ty to attend the 2009 Inauguration; and

WHEREAS, the events that happened in and around Stafford during this period

had significant national security implications; and

WHEREAS, there was a perpetual threat of unpredictable winter weather during this period; and

WHEREAS, many of the normal mutual aid assets from immediate jurisdictions were in use; and

WHEREAS, the conditions resulted in an unprecedented requirement for interagency and inter-governmental coordination; and

WHEREAS, intense coordinated governmental actions were required; and

WHEREAS, for the foregoing reasons, the County Administrator declared a local emergency on January 17, 2009 to be in effect through January 21, 2009; and

WHEREAS, this declaration is subject to confirmation by the governing body;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on the 22nd day of January, 2009, that a local emergency existed throughout Stafford County; and

BE IT FURTHER RESOLVED that during the existence of this emergency, the powers, functions and duties of the County Administrator as the Director of Emergency Services of the County of Stafford were and shall be those prescribed by Section 44-146.21 of the Code of Virginia (1950), as amended, and the ordinances, resolutions, and approved plans of the County of Stafford in order to mitigate the effects of said emergency.

<u>Utilities</u>; Approve Policy Allowing One-Time Conservation Rate Adjustments. Mr. Woodson commented.

Mr. Woodson motioned to adopt proposed Resolution R09-21 with a change.

Discussion ensued.

Mr. Woodson withdrew his motion.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R09-21 with a change.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R09-21 reads as follows:

A RESOLUTION TO APPROVE A POLICY FOR THE DEPARTMENT OF UTILITIES ALLOWING A ONE-TIME CONSERVATION RATE ADJUSTMENT TO CUSTOMERS REQUESTING IT

WHEREAS, the Board adopted new water conservation rates that went into effect on July 1, 2008; and

WHEREAS, some residential water customers who used over 20,000 gallons in a month, and were impacted by the new conservation rates, said they were unaware of the new rates;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2009, that the Department of Utilities can make conservation rate adjustments to customers' accounts if they provide a statement declaring that they were unaware of the new conservation rates or extenuating circumstances caused them to use more water than normal. Such adjustments shall be for 60 days only and shall reduce the rate for usage over 20,000 gallons in a month from

\$23.55 to \$7.85 per thousand gallons. The sewer charge for the same 60 days shall be adjusted to the customer's average monthly usage plus 20%.

Recess. At 4:45 P.M., the Chairman declared a recess until 7:00 P.M.

<u>Call to Order</u>. At 7:05 P.M., the Chairman called the meeting back to order.

<u>Invocation</u>. Mr. Crisp gave the Invocation.

<u>Pledge of Allegiance.</u> Mr. Crisp led in 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 the topics as identified:

Vivian Stanley - Roadside litter.

Madeline Tinsley - Senior citizens lunch program.

Peter Clemens - Woodlands Pool.

Heidi Simpson - Woodlands Pool.

Jeffrey Curry - Woodlands Pool.

Stephen Ballister - Woodlands Pool.

Tom Flats - Woodlands Pool

Joan E. Johnson - Woodlands Pool.

Caroline Simmons - Woodlands Pool.

Sean Halsey - Woodlands Pool.

<u>Parks and Recreation; Revise Certain Parks and Recreation Fees.</u> Mr. Chris Hoppe, Director of Parks and Recreation, gave a presentation and responded to Board members questions.

The following persons spoke:

Joan E. Johnson

Patricia	

Heidi Simpson

Mr. Milde motioned, seconded by Mr. Brito, to adopt proposed Ordinance O09-01.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Ordinance O09-01 reads as follows:

AN ORDINANCE TO AUTHORIZE THE COUNTY ADMINISTRATOR TO REVISE CERTAIN PARKS AND RECREATION FEES

WHEREAS, user fees are necessary to represent a fair and equitable method to finance the cost of operations and maintenance of park facilities; and

WHEREAS, increasing costs of providing services create a periodic need to increase the related fees; and

WHEREAS, staff has reviewed the fees and recommended increases be considered at this time; and

WHEREAS, at a meeting on November 20, 2008, the Parks and Recreation Commission unanimously recommended approval of the new fees; and

WHEREAS, these fees would take effect February 1, 2009, with all previously arranged rentals and commitments being grandfathered in using the existing rates;

WHEREAS, the Board has carefully considered the recommendation of staff and the testimony at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 22nd day of January 2009 that the County Administrator be and he hereby is authorized to implement the following Parks and Recreation fees effective February 1, 2009:

		Rates	
			Non-
		Resident	Res
FACILITY RENTALS			
Kitchen – Galley	Flat Rate	\$10	\$20
Kitchen – Commercial	Flat Rate	\$30	\$60
FIELDS			
	P&R co-sponsored groups		
Fee per person	only	\$5	n/a
Synthetic Fields	Per hour, with lights	\$100	n/a
Synthetic Fields	Per hour, without lights	\$70	n/a
Football/Soccer/Baseball Field	American Football League	\$25	n/a
Open Field/Grass	American Football League	\$15	n/a
POOLS			
Pool General Admission- Adult		\$5	\$7
Pool General Admission- Youth		\$4	\$5.50
Pool General Admission- Senior		\$4	\$5.50
Pool Year Pass – Adult		\$150	n/a
Pool Year Pass – Youth		\$110	n/a
Pool Year Pass – Senior		\$110	n/a
Pool Year Pass - Family of 4		\$350	n/a
Lane rental fees- High School	Per lane/hour: school in		
Teams	session	\$6.50	n/a

SHELTERS		
X-Small (Curtis) - capacity 12	\$25	\$50
Small - capacity 25	\$50	\$100
Medium - capacity 50	\$75	\$150
Large - capacity 150	\$125	\$250.00

Recess. At 8:10 P.M., the Chairman declared a recess.

<u>Call to Order.</u> At 8:19 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Additions/Deletions to the Regular Agenda</u>. Mr. Milde motioned, seconded by Mr. Brito, to delete item 17a. Legislative; Discuss Smith Lake Estates Road Status; and to add item 20. Legislative; Proposed Resolution R09-65 – Appoint a Member to the Fredericksburg-Stafford Park Authority.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Sterling, Woodson, Brito, Crisp

Nay: (0)

Absent: (1) Dudenhefer

<u>Finance and Budget; Adopt the Fiscal Year 2010-2015 Capital Improvements Program and Indicate Intent to Reimburse Certain Capital Improvement Expenditures.</u> Ms. Nancy Collins, Budget Director, and Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and responded to Board Members questions.

The Chairman opened the Public Hearing.

No one desires to speak.

The Chairman closed the Public Hearing.

Mr. Sterling motioned, seconded by Mr. Milde, to substitute the school portion of the proposed CIP with the new information provided.

Discussion ensued.

Mr. Schwartz offered a friendly amendment to mark the schools as Elementary School 1-2-3-4-5 without naming the specifics.

Discussion further ensued.

Mr. Sterling accepted the amendment to the motion. Mr. Milde accepted the amendment to the motion.

Mr. Sterling motioned to Call the Question, seconded by Mr. Milde.

The Voting Board tally on the motion to Call the Question was:

Yea: (5) Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (2) Woodson, Brito

The Voting Board tally on the amended motion was:

Yea: (5) Dudenhefer, Milde, Schwartz, Sterling, Crisp

Nay: (2) Woodson, Brito

Mr. Brito made a motion, seconded by Mr. Crisp, to defer proposed Resolution R09-13 to a work session in February.

Discussion ensued.

The County Administrator commented.

Mr. Sterling made a substitute motion, seconded by Mr. Dudenhefer, to strike the Utilities Administration and Operating Center at a cost of \$10 million and add funding to the water and wastewater extension projects.

The County Attorney commented.

The Voting Board tally on the deferred motion was:

Yea: (3) Woodson, Brito, Crisp

Nay: (4) Sterling, Dudenhefer, Milde, Schwartz

Mr. Sterling made a motion, seconded by Mr. Dudenhefer, to strike the Utilities Administration and Operating Center at a cost of \$10 million and add the funding to the water and wastewater extension projects.

Discussion ensued.

Mr. Harry Critzer, Director of Utilities, commented.

The County Administrator commented further.

Mr. Sterling amended the motion, seconded by Mr. Dudenhefer, to strike the Utilities Administration and Operating Center at a cost of \$10 Million.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Discussion further ensued.

Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution R09-13, as amended.

Discussion continued.

The Voting Board tally was:

Yea: (4) Crisp, Dudenhefer, Schwartz, Sterling

Nay: (3) Brito, Milde, Woodson

Resolution R09-13 reads as follows:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2010-2015 CAPITAL IMPROVEMENTS PROGRAM AND INDICATE INTENT TO

REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, the five-year Capital Improvements Program (CIP) is a significant

part of the Comprehensive Plan; and

WHEREAS, it is necessary to identify needed capital improvements; and

WHEREAS, financial constraints restrict the ability of the County to fully fund

the CIP; and

WHEREAS, the Board has considered the recommendation of the County

Administrator and the testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of

Supervisors on this the 22nd day of January, 2009, that the FY2010-2015 CIP as directed

by the Board of Supervisors be and it hereby is adopted as part of the Comprehensive

Plan; and

BE IT FURTHER RESOLVED that Intent to Reimburse Certain Capital

Improvement Expenditures for projects indicated in the FY2010-2015 CIP be and it

hereby is adopted as follows:

General Government

Government Ctr Renovations - Permit Ctr. Purchase of Development Rights (PDR)

Rescue Squad Renovations Communications System

J & DR Courthouse Fire & Rescue Training Center

Courthouse Renovations (First Floor) Fire Station #14

Computer Aided Dispatch Jeff Davis Intersection Improvement - turn lane

Land Information and Permitting System Brooke Road 2-Lane Reconstruction

Infrastructure Brooke Rd spot improvement-horizontal realignment

Improvements to Existing Parks

Poplar Road 2-lane reconstruction

Land Acquisition Poplar Rd spot improvement-horizontal realignment

Park @ Chichester Property Mountain View Rd 2-lane reconstruction
Park @ Musselman Property Mountain View Rd 2-lane reconstruction

Rectangular Athletic Field Complex Mountain View Rd intersection improvement

Trails Rock Hill Church Rd spot improvement

Autumn Ridge Park Warrenton Road widen to 6 and 8 lanes
Belmont-Ferry Farm Trail Phase 3 & 5
Garrisonville Road widen to 6 lanes

Curtis Park Improvements Ferry Road 2-lane reconstruction

Curtis Park Pool Courthouse Road widen to 4 lanes

Duff McDuff Green Park Improvements Courthouse Road widen to 4 lanes

Government Island Courthouse Road bridge replacement

Grizzle Center Replacement Telegraph Road spot improvements

Historic Port of Falmouth Improvements

Kellogg Mill Road new 2-lane road

Pratt Park Improvements Truslow Road 2 lane reconstruction

St. Clair Brooks Park Improvements

Truslow Road 2 lane reconstruction

Willowmere Park Improvements Pedestrian improvements

Schools

Land Bank Falmouth ES reconstruction

Grafton Village ES reconstruction School Site Improvements

Stafford ES reconstruction Environmental Equip. Upgrades

Moncure ES reconstruction Roof Repair/Replacement

Ferry Farm ES reconstruction

Rocky Pen Water Storage Reservoir

Water Extension Projects

Utilities

370N Water Booster Pump Station

Claiborne Run Gravity Sewer Replacement

342 Water Zone System Improvements

Falls Run Sewer Interceptor Replacement

Wayside Sewer Interceptor

Courthouse Area Water Tank

Austin Run PS and Force Main Upgrades

480 Zone Water System Improvements

Potomac Creek PS/FM Upgrades

Little Falls Run Expansion

Replace Claiborne Run Pump Station

370 Zone Water System Improvements Gravity Sewer along Austin Run

Courthouse Road Waterline Hickory Ridge Wastewater PS Replacement

Ramoth Church Rd Waterline Falls Run Gravity Sewer Replacement

Smith Lake BPS Upgrade Boscobel Woods PS Replacement
Upgrade Moncure BPS Oaks of Stafford PS Replacement

Water System Rehabilitation Program

Route 630 PS Replacement

Equip Replacement - Smith Lake WTF

Wastewater PS Rehabilitation

Nutrient Removal Upgrades- Aquia WWTF Wastewater System Rehabilitation Program
Nutrient Removal Upgrades- LFR WWTF Centrifuge Replacement - Aquia WWTF

WWTF Odor Control Upgrades Contingency

WWTF Solids Handling Upgrades

NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

<u>Section 1: Statement of Intent</u>. The County presently intends, at one time or from time to time, to finance projects in the FY2010-2015 Capital Improvements Program with tax-exempt or taxable bonds or other obligations (the "Bonds") and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Projects before the issuance of the Bonds.

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Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects

to pay the capital expenditures related to the Projects and incurred before the issuance of

the Bonds with an interfund loan or loans from the General Fund or from temporary

appropriations or loans from the General Capital Projects Fund. Stafford County expects

to pay debt service on the Bonds from the General Fund consisting of general tax

revenues for the projects to be financed in the FY2008-2012 Capital Improvements

Program. The maximum amount of Bonds expected to be issued for the Projects is

\$508,186,300.

Section 3: Effective Date; Public Inspection. This Resolution is adopted for the purposes

of complying with Treasury Regulation Section, 1.150-2 or any successor regulation and

shall be in full force and effect upon its adoption. The Clerk of the Board shall file a

copy of this Resolution in the records of Stafford County available for inspection by the

general public during Stafford County's normal business hours.

Code Administration; Consider Reducing Permit Fees for Home Renovations. Mr. Keith

Dayton, Director of Code Administration, gave a presentation and responded to Board

members questions.

Mr. Brito motioned, seconded by Mr. Sterling, to reduce permit fees for home

renovations for a limited time of April 1st through September 30th.

The Voting Board tally was:

Yea:

(2) Crisp, Brito

Nay: (5)

Dudenhefer, Milde, Schwartz, Sterling, Woodson

Planning and Zoning; Refer to the Planning Commission for its Recommendation

Proposed Ordinance O09-07 and Proposed Ordinance O09-09 Regarding Buildable

Areas. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and

responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-52.

Discussion ensued.

Mr. Woodson made a substitute motion, seconded by Mr. Schwartz, to adopt proposed Resolution R09-53.

Discussion further ensued.

Mr. Milde withdrew the motion to adopt proposed Resolution R09-52; Mr. Sterling withdrew the second to the motion.

Mr. Milde made a substitute motion, seconded by Mr. Dudenhefer, to defer proposed Resolution R09-53.

Discussion further ensued.

Mr. Sterling made a second substitute motion, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-52.

The Voting Board tally was:

Yea: (5) Brito, Crisp, Dudenhefer, Milde, Sterling

Nay: (2) Woodson, Schwartz

Mr. Schwartz motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-53.

Mr. Milde made a substitute motion, seconded by Mr. Sterling, to defer proposed Resolution R09-53 until we have funds available.

Discussion ensued.

Mr. Woodson motioned to Call the Question, seconded by Mr. Crisp.

The Voting Board tally on the Call the Question was:

Yea: (4) Schwartz, Woodson, Brito, Crisp

Nay: (3) Dudenhefer, Milde, Sterling

Discussion ensued.

The Voting Board tally on the substitute motion to defer was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Crisp, Schwartz. Woodson, Brito

Discussion continued.

Mr. Milde made a second degree amendment that before this goes to public hearing that the funding sources be identified other than exhausting the Planning Commission advertising budget.

Mr. Sterling made a substitute motion, seconded by Mr. Dudenhefer, that the remaining funding available be reserved for the Comprehensive Plan advertising.

Mr. Milde made a second substitute motion, seconded by Mr. Dudenhefer, to defer this issue indefinitely.

Discussion ensued.

Mr. Sterling amended the substitute motion, seconded by Mr. Dudenhefer, to defer this for two weeks and request that the County Administrator outline the spending plan with the remaining advertising dollars, the budget that we have to do, the tax rates that we

have to advertise, the comprehensive plan to advertise and how this would fit in, whether we can afford to do this together with those things that we know we have to advertise.

The Voting Board tally on the amended substitute motion was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Brito, Crisp, Schwartz, Woodson

Discussion ensued.

The Voting Board tally on the substitute motion to defer indefinitely was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Woodson, Brito, Crisp, Schwartz

The Voting Board tally on the original motion to adopt proposed Resolution R09-53 was:

Yea: (4) Woodson, Brito, Crisp, Schwartz

Nay: (3) Dudenhefer, Milde, Sterling

<u>Legislative</u>; <u>Discuss the Virginia Department of Transportation Six-Year Transportation Plan.</u> Mr. Sterling commented.

Mr. Schwartz motioned, seconded by Mr. Woodson, to recommend approval of the Fredericksburg Area Metropolitan Planning Organization Six-Year Transportation Plan.

The Voting Board tally was:

Yea: (5) Crisp, Dudenhefer, Milde, Schwartz, Woodson

Nay: (1) Brito

Abstain: (1) Sterling

<u>Legislative</u>; Appoint a Member to the Fredericksburg-Stafford Park Authority. Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-65.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Resolution R09-65 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE FREDERICKSBURG-STAFFORD PARK AUTHORITY

WHEREAS, Section 15.2-5703 of the Code of Virginia (1950), as amended, authorizes the Board to appoint members to serve on the Fredericksburg-Stafford Park Authority; and

WHEREAS, the Board has previously appointed the following:

NAME	EXPIRATION
Harry E. Crisp (Board of Supervisors)	December 31, 2011
Joe Brito (Board of Supervisors)	December 31, 2009
John A. Gray (Member-At-Large)	December 31, 2011
Randy Walther (Member-At-Large)	December 31, 2010

WHEREAS, Joe Brito has submitted his resignation; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the term of membership is four years; and

County Administrator

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 22nd day of January, 2009, that

NAME

Christopher Shelton

(Member-At-Large)

be and he hereby is appointed to the Fredericksburg-Stafford Park Authority.

Adjournment. At 10:45 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM

George H. Schwartz

Chairman