

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES
Regular Meeting
June 15, 2010

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 1:02 P. M., Tuesday, June 15, 2010, in the Board Chambers, Stafford County Administration Center.

Roll Call The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Harry E. Crisp II; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson; and Robert “Bob” Woodson.

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

Presentation of a Proclamation to Recognize and Commend Citizen Volunteers Mr. Mark Dudenhefer presented the proclamation.

Work Session: Report by David Stanley, VDOT Area Maintenance Manager Mr. David Stanley and Ms. Michelle Shropshire, Acting Assistant District Administrator, Preliminary Engineering, gave a presentation on the Route 630/I-95 Interchange, and answered Board members questions.

Mr. Sterling requested price ranges for all of the interchange options. Mr. Dudenhefer inquired about the timeline and asked if the federal highway personnel have been involved. Ms. Shropshire said that they have been involved and responded that taking all steps into consideration, it could be approximately 3 years including the design phase, one year to acquire the rights-of-way, and construction will take approximately two years, if funding is available.

Mr. Stanley updated the Board on staff restructuring that has taken place at VDOT. He also provided an update about construction on Garrisonville Road, the CSX Bridge, and the Warrenton Road widening, with a meeting to be held on July 13th for citizens. He also advised the Board on projects including improvements on Harrell Road, the England Run area, and Juggins Road.

Ms. Stimpson inquired about the Falmouth Intersection, Butler Road access onto Route 1, and whether bike lanes were included in the design. Mr. Stanley answered that there would be no bike lanes included. In response to Mr. Dudenhefer's question about sidewalks, Mr. Stanley said that there would be pedestrian accommodation included in the design on the east side of Jefferson Davis Highway.

Mr. Woodson thanked VDOT for the work on roads in his district and inquired about run-off problems which Mr. Stanley said he would look into.

Mr. Stanley talked about VDOT still feeling the effects of the blizzards and related the cost for snow removal and repairing the impact to underlying roads. Safety concerns are being addressed first on the punch list and cosmetic repairs are on the bottom of the list. VDOT is working with FEMA but Mr. Stanley stated that at his level, he is not aware of any federally funded reimbursements.

Mr. Romanello noted that Stafford sent three reimbursement requests to FEMA and have received funds for the December weather event but are still waiting to hear regarding the other two requests.

Mr. Milde inquired about scoping 3/10 of a mile on Raven Road and asked about striping on Bell's Hill Road.

Mr. Crisp thanked VDOT for the repairs made on King's Highway westbound and asked about future plans to repair the eastbound lanes. Mr. Stanley said he would have to get back with Mr. Crisp to answer his question.

Mr. Snellings thanked VDOT for their work during the winter weather events and for the update on England Run.

Mr. Sterling asked for an update on BRAC projects including Telegraph Road and the Onville Road intersection. Ms. Shropshire responded that the survey is complete and the design will be forwarded to the consultant within thirty days.

Mr. Dudenhefer asked about the widening of Onville Road. Mr. Neuhard responded that the contract has not yet been awarded.

Work Session: Discuss Girls Softball Program (SBL) Robert Dreisdadt, President; Coach Matt Lafley; and Ken White, Director of Operations, gave presentations and answered Board members questions.

Discussion ensued. Mr. Milde asked for clarification of the fees being equal (\$105.00) for boys and girls. Mr. Crisp talked about the insurance fees that were included in the \$105.00 charge. Mr. Snellings asked for a breakdown of the fees being recommended by SBL and asked Mr. Tim Baroody if the County was in a position to provide fields for all of the games being planned by SBL. Mr. Baroody responded that Parks & Recreation will work with SBL and be creative in trying to accommodate any new programs including the possibility of using fields at the schools.

Ms. Stimpson talked about the necessity of background checks for all volunteers. Mr. Milde asked how payment of funds was handled for children whose families may not be able to pay the registration fee. Mr. Chris Hoppe, Director of Parks & Recreation said

that there are scholarships offered and that they are funded by donations. Mr. Milde asked SBL if they would be able to run a fall program only and Mr. Dreisdadt indicated that it would not be feasible for them to run a “fall only” program as SBL was going to spend \$10,000 purchasing equipment as needed for both spring and fall programs.

Mr. Woodson asked Mr. Baroody how many teams are fielded by Parks & Recreation. Mr. Hoppe responded that there are currently 42 teams.

Mr. Sterling noted that he has been trying to get an answer to the question of the actual number of fields that are necessary to run the program(s). Mr. Milde asked for more information about the program and if it is implemented, will it require taking adults off of their fields.

Hearing no objections from the Board, this item was deferred to the evening session of the July 6th meeting when public comment can be heard.

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

Call to Order At 3:07 P.M., the Chairman called the meeting back to order.

Work Session: Human Resources; Proposed Employee Incentive Program Ms. Tammi Ellis, Executive Director of Organizational Development, gave a presentation and answered Board members questions. Discussion ensued.

Ms. Stimpson complimented Ms. Ellis and Mr. Mayausky for their efforts on behalf of the Employee Incentive Program and noted that several other local governments and the federal government had programs similar in nature to the one being proposed in Stafford.

Mr. Dudenhefer asked if a reward of time off had been considered. Ms. Ellis responded that it is one of the options in the program. Mr. Milde asked Mr. Romanello for his comments on the program. Mr. Romanello said that in his opinion, it is a great program and one that he fully supports. He added that it gives the Board another way to

acknowledge and show appreciation for the hard work that staff demonstrates on behalf of the citizens of the County.

Hearing no objections from the Board, this item will be brought back to the Board for consideration as a Consent Agenda item at its July 6th meeting.

Work Session: Public Works; Discuss Government Center/Judicial Space Mr. Keith Dayton, Director of Public Works; and Ms. Maria Perrotte, Chief Financial Officer; gave a presentation and answered Board members questions.

Discussion ensued.

Mr. Sterling inquired about the life of the building vs. the life of the loan to construct it. Mr. Dayton responded that the average life of a building such as is being proposed is 50 years which is longer than the anticipated length of the borrow.

Mr. Snellings inquired about the footprint of the new construction and if there was adequate land in the area proposed. Mr. Crisp inquired about adequate parking for staff once the building was completed. Mr. Dayton replied that the building would go up, not out to accommodate the additional square footage and that the existing parking lot would be restriped to accommodate the additional vehicles that would be parking in the lot.

Mr. Sterling motioned, seconded by Mr. Milde to solicit bids for an 11,500 square foot building to be built at the site of the current Rescue One building to house the Commonwealth's Attorney's office and Court Services Unit.

The Voting Board tally was:

Yea: (7) Sterling, Milde, Crisp, Dudenhefer, Snellings, Stimpson, Woodson
Nay: (0)

Legislative; Closed Meeting At 3:27 p.m. Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM10-15.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Crisp, Dudenhefer, Milde, Snellings, Stimpson

Nay: (0)

Mr. Milde motioned, seconded by Mr. Snellings, to reconsider the motion.

The Voting Board tally was:

Yea: (7) Milde, Snellings, Crisp, Dudenhefer, Sterling, Stimpson, Woodson

Nay: (0)

Legislative; Consent Agenda

Mr. Milde motioned, seconded by Mr. Crisp, to adopt the Consent Agenda consisting of Items 11 thru 24.

The Voting Board tally was:

Yea: (7) Milde, Crisp, Dudenhefer, Snellings, Sterling, Stimpson, Woodson

Nay: (0)

Item 11. Approve Minutes of the June 1, 2010 Board Meeting

Item 12. Finance and Budget; Approve Expenditure Listing and Waive Approval of July and August Expenditure Listings

Resolution R10-190 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)

DATED JUNE 1, 2010 THROUGH JUNE 14, 2010

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 15th day of June 2010 that the above-mentioned EL be and hereby is approved.

Resolution R10-191 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO WAIVE BOARD APPROVAL OF JULY AND AUGUST 2010 INVOICES
IN EXCESS OF \$100,000

WHEREAS, accounts payable invoices in excess of \$100,000 are released only upon Board approval; and

WHEREAS, the Board has scheduled only one meeting each month during July and August 2010; and

WHEREAS, the Board meeting schedule may cause late payment and some vendor checks to be held for several weeks; and

WHEREAS, the Board will be provided with the expenditure listings for ratification at its August 17th meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June, 2010 that the County Administrator be and he hereby is authorized to waive Board approval of expenditures in excess of \$100,000 for the months of July and August, 2010.

Item 13. Finance and Budget; Renewal of Annual Insurance Contracts

Resolution R10-160 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE CONTRACT AMENDMENTS FOR LIABILITY, PROPERTY,
WORKERS' COMPENSATION, VOLUNTEER FIRE & RESCUE, AND THE
SHERIFF'S SPECIAL DEPUTIES INSURANCE COVERAGE FOR FY2011

WHEREAS, the County has reviewed its insurance coverage and related costs;
and

WHEREAS, the board has budgeted and appropriated funds for the County insurance needs for fiscal year 2011; and

WHEREAS, VACo Risk Management Programs has submitted a policy renewal proposal to the County for liability, property and workers' compensation insurance; and

WHEREAS, Volunteer Fire Insurance Services Company (VFIS) and Provident Insurance Company through Welch, Graham and Ogden Insurance Inc. have submitted policy renewal proposals to the County for liability, property, automobile, accident and sickness for the Volunteer Fire and Rescue personnel and the Sheriff's Special Deputies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that the County Administrator be and he hereby is authorized to:

1. Execute a contract amendment to VACo Risk Management Programs for liability, property and workers' compensation insurance for FY11.
2. Execute a contract amendment to Volunteer Fire Insurance Services (VFIS) for the Volunteer Fire and Rescue and Sheriff's Special Deputies for liability, property, and automobile insurance for FY11.
3. Execute a contract amendment to Provident Insurance Company for Volunteer Fire and Rescue and Special Deputies for accident and sickness insurance coverage for FY11.

Item 14. Utilities; Authorize Contract for Water Meters and Accessories

Resolution R10-175 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR WATER METERS AND ACCESSORIES

WHEREAS, the Department of Utilities needs to purchase water meters and accessories; and

WHEREAS, the Board has appropriated funds in the FY2011 Operating Budget for these purchases; and

WHEREAS, Sensus Metering Systems, Inc. is the sole supplier of the water meters and accessories used by the County for its automated meter reading system;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June 2010, that the County Administrator be and he hereby is authorized to execute a contract with Sensus Metering Systems, Inc. in an amount not to exceed Two Hundred Eighty-one Thousand Four Hundred Thirty Dollars (\$281,430) for the purchase of water meters and accessories through June 30, 2011.

Item 15. Utilities; Authorize Contract for Purchase of Aluminum Sulfate

Resolution R10-177 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF LIQUID ALUMINUM SULFATE

WHEREAS, the Board has appropriated funds to be expended in FY2011 for the purchase of Liquid Aluminum Sulfate for use at the Aquia and Little Falls Run Wastewater Treatment Facilities and at the Abel Lake Water Treatment Facility; and

WHEREAS, bids were solicited and received with General Chemical Performance Products, LLC having the lowest bid price; and

WHEREAS, staff has reviewed the bid prices and found them to be reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June 2010, that the County Administrator be and he hereby is authorized to execute a contract with General Chemical Performance Products, LLC for Liquid Aluminum Sulfate with an expected total expenditure in an amount not to exceed Five Hundred One Thousand Seven Hundred Twenty-five Dollars (\$501,725).

Item 16. Authorize Contract for Water/Sewer Maintenance, Construction, and Demolition Services for FY2011

Resolution R10-184 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT AMENDMENTS FOR WATER AND SEWER MAINTENANCE, CONSTRUCTION, AND DEMOLITION SERVICES

WHEREAS, the Department of Utilities periodically needs the services of outside contractors to perform water and sewer maintenance, construction, and demolition projects that are beyond the capabilities of County resources; and

WHEREAS, funds have been appropriated in the FY2011 Operating and Capital Improvements budgets for this purpose; and

WHEREAS, the current contracts for these services provide for up to four (4) one-year extensions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June 2010, that the County Administrator be and he hereby is authorized to execute contract amendments with Kruckenberg Service Company in an amount not to exceed Five Hundred Thousand Dollars (\$500,000), W. C. Spratt, Inc. in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000), and Patterson Construction Company in an amount not to exceed Two Hundred Fifty

Thousand Dollars (\$250,000) to continue to provide water and sewer maintenance, construction, and demolition services for the County during FY2011.

Item 17. Utilities; Authorize Contract Amendment for Soils Improvement at Aquia Wastewater Treatment Facility

Resolution R10-189 reads as follows:

A RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE CONTRACT WITH T.A. LOVING FOR SOILS IMPROVEMENT AT AQUIA WASTEWATER TREATMENT FACILITY

WHEREAS, the County is currently installing new structures as part of the upgrade of Aquia Wastewater Treatment Facility; and

WHEREAS, existing soils at the site for proposed aeration reactor 3B are too poor to support the structure thus requiring removal or enhancement; and

WHEREAS, evaluated options indicated the most advantageous alternative is the construction of consolidated aggregate piers along with an alternate foundation design for aeration reactor 3B;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June 2010, that the County Administrator be and he hereby is authorized to execute a contract amendment with T.A. Loving, Inc., in an amount not to exceed Three Hundred Twenty-two Thousand Dollars (\$322,000).

Item 18. Human Resources; Authorize Ongoing Contributions to Virginia Retirement System (VRS) for Plan 2 Employees

Resolution R10-181 reads as follows:

A RESOLUTION TO AUTHORIZE THE PICK-UP OF PLAN 2 EMPLOYEES' CONTRIBUTIONS TO VRS UNDER §414(H) OF THE INTERNAL REVENUE CODE

WHEREAS, the Virginia General Assembly, in its 2010 session, passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code §414(h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including Stafford County, to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 – June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent (5%) member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code §51.1-700 et seq. nor shall they be considered salary for purposes of VA Code §51.1-100 et seq.; and

WHEREAS, Stafford County desires to pick-up and pay its Plan 2 Employees' contributions to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation; and

WHEREAS, VRS tracks such pick-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that it be and hereby is effective the first day of July, that Stafford County shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation subject to the terms and condition described above; and

BE IT FURTHER RESOLVED that such contribution, although designated as member contributions, are to be made by Stafford County in lieu of member contributions; and

BE IT STILL FURTHER RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by Stafford County directly instead of having them paid to VRS.

Item 19. Public Works; Petition VDOT to Include Sequester Drive within Georgetown West Subdivision, Section Two, into the Secondary System of State Highways

Resolution R10-182 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SEQUESTER DRIVE WITHIN THE GEORGETOWN WEST SUBDIVISION, SECTION TWO 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 add Sequester Drive within Georgetown West Subdivision, Section Two into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June 2010 that VDOT be and it hereby is petitioned to include the following street into the Secondary System of State Highways:

<u>Street-State Route Number</u>	<u>Station</u>	<u>Length</u>
Sequester Dr. (SR-835) From:	Sequester Dr. (SR-835) Temporary Turnaround (vacated) 0.34 mi. south of Mountain View Road (SR-627)	0.37 mi.
To:	Sequester Dr. (SR-835) Cul-de-sac 0.71 mi. south of Mountain View Road (SR-627)	ROW: 50-120 Ft.

An unrestricted right-of-way (ROW), as indicated above, for this street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled: Georgetown West Subdivision LR # 990005249 on March 11, 1999; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Residency Administrator of VDOT.

Item 20. Planning and Zoning; Request Extension for a Planning Commission Recommendation of an Amendment to the Zoning Ordinance

Resolution R10-186 reads as follows:

A RESOLUTION TO EXTEND THE PLANNING COMMISSION'S TIME LIMIT TO RECOMMEND PROPOSED ORDINANCE O10-29

WHEREAS, on April 6, 2010, the Board referred proposed Ordinance O10-29 to the Planning Commission to make necessary changes and hold a public hearing; and

WHEREAS, Stafford County Code, Section 28-334, specifies that the Planning Commission has ninety (90) days to review and recommend changes to ordinances referred by the Board; and

WHEREAS, the Planning Commission deadline to forward a recommendation is July 6, 2010; and

WHEREAS, at its June 2, 2010 meeting, the Planning Commission requested additional time to make the requisite changes to the ordinance and conduct the necessary public hearing; and

WHEREAS, the Planning Commission requested an extension of the time limit for a recommendation for proposed Ordinance O10-29; 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 15th day of June, 2010, that it be and hereby does extend the Planning Commission's time limit to render a recommendation for proposed Ordinance O10-29 from July 6, 2010, to September 15, 2010.

Item 21. Planning and Zoning; Consider a Paving Waiver for Iglesia de Rios Pentecostal Cristo la Roca Church Located at 15 Butler Road

Resolution R10-187 reads as follows:

A RESOLUTION TO APPROVE A WAIVER OF THE ZONING ORDINANCE REQUIREMENT FOR PAVED PARKING AREAS AND TRAVELWAYS PURSUANT TO STAFFORD COUNTY CODE, SECTION 28-256(C)(5) FOR ASSESSOR'S PARCEL 53D-1-18 and 53D-1-19, FALMOUTH ELECTION DISTRICT

WHEREAS, Iglesia De Dios Pentecostal Cristo La Roca Church, applicant, plans to occupy a building on the north side of Butler Road, east of the intersection with Cambridge Street; and

WHEREAS, Iglesia De Dios Pentecostal Cristo La Roca Church has requested a waiver of the Zoning Ordinance requirements for paving the parking area and travelways; and

WHEREAS, Stafford County Code, Section 28-256(C)(5) permits a waiver of part or all of the paving requirements for churches, clubs, fraternal organizations, and other similar uses and minor development where a change of use is proposed, provided these areas are surfaced with crushed stone in an amount sufficient to prevent soil erosion, abate dust, and provide an adequate driving surface; and

WHEREAS, the Board has determined that a waiver of the requirement for paving of the parking area and travel way is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that a waiver of the requirements for paving the parking area and travel way for Iglesia De Dios Pentecostal Cristo La Roca Church be and it hereby is approved.

Item 22. Human Resources; Authorize Recruitment

Resolution R10-185 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF ONE POSITION
IN THE DEPARTMENT OF PUBLIC WORKS AND TWO POSITIONS
IN THE DEPARTMENT OF SOCIAL SERVICES (DSS)

WHEREAS, funding is available in the FY 2010 and in the FY 2011 Adopted
Budgets to fill the vacant positions; and

WHEREAS, vacancies exist for the following positions:

Residential/Commercial Building Inspector and two (2) Social Services Clerk II; and

WHEREAS, the positions have been deemed critical to the operation of County
services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of
Supervisors on this the 15th day of June, 2010, that the Board be and hereby does approve
recruitment for the above mentioned positions.

Item 23. Sheriff; Authorize the County Administrator to Enter into a Lease Agreement to
Facilitate Public Safety Radio Communication Systems

Resolution R10-193 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
ENTER INTO A LEASE AGREEMENT WITH 314 ASSOCIATES AND/OR
OWNER TO FACILITATE PUBLIC SAFETY RADIO COMMUNICATIONS
SYSTEM

WHEREAS, Stafford County is in the implementation and construction phase of
its public safety radio communications system as authorized by Resolution R07-487 and
subsequent contract between Motorola and the County of Stafford dated December 6,
2007; and

WHEREAS, as part of this public safety radio communications system, the need
exists to co-locate its infrastructure on existing ‘approved for construction’ or existing
towers throughout Stafford County; and

WHEREAS, Stafford County has negotiated a lease agreement with 314
Associates, to co-locate its public safety radio system infrastructure on the existing tower
and on the ground in and around the tower located at 220 Thorny Point Road, Stafford,
VA.;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that it be and hereby does authorize the County Administrator to enter into a lease agreement with 314 Associates and/or owner to facilitate the public safety radio communications installation.

Item 24. Planning and Zoning; Consider Endorsement of the Infrastructure Plan for Anne Moncure Elementary School

Resolution R10-194 reads as follows:

A RESOLUTION TO ENDORSE AN INFRASTRUCTURE PLAN FOR ANNE MONCURE ELEMENTARY SCHOOL ALLOWING BUS ACCESS THROUGH THE STAFFORDBORO COMMUTER LOT

WHEREAS, the School Board has submitted an infrastructure plan for Anne Moncure Elementary School for parking lot and bus loop improvements; and

WHEREAS, an agreement exists between the County and Virginia Department of Transportation (VDOT) for access between the commuter lot and the school; and

WHEREAS, at VDOT's request the Board must formally endorse this plan to allow for all bus traffic to access the commuter parking lot without accessing a (public) state maintained road;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day 15th of June 2010, that the Board be and it hereby does formally endorse the infrastructure plan for Anne Moncure Elementary School.

Legislative; Closed Meeting At 3:30 p.m. Mr. Woodson motioned, seconded by Ms. Stimpson, to adopt proposed Resolution CM10-15.

The Voting Board tally was:

Yea: (7) Woodson, Stimpson, Crisp, Dudenhefer, Milde, Snellings, Sterling
Nay: (0)

Resolution CM10-15 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to consult with counsel and discuss in Closed Meeting (1) Legal Advice regarding County and School

Board Annual Audit Issues; (2) Legal Advice regarding Pending Litigation in *DGF Land Co., et al v. Board of Zoning Appeals* and *Board of Supervisors et al v. DGF Land et al.*; (3) a Personnel Matter regarding Update of County Attorney Position Applicants and Discussion of County Attorney Office Personnel Issues; and (4) a Personnel Matter regarding the County Administrator Evaluation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 15th day of June, 2010, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order At 5:02 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Sterling motioned, seconded by Mr. Crisp to adopt proposed Resolution CM10-15a.

The Voting Board tally was:

Yea: (7) Sterling, Crisp, Snellings, Dudenhefer, Milde, Stimpson, Woodson

Nay: (0)

Resolution CM10-15(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 15, 2010

WHEREAS, the Board has, on this the 15th day of June, 2010 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 15th day of June, 2010, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 5:03 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order At 7:01 P.M., the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the Invocation.

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

Legislative; Presentation by the Utilities Commission to Winners of the Golden Tap Award Mr. Lloyd Chittum, Chairman of the Utilities Commission, presented an award to Mr. Harry Critzer, Director of Utilities; and Ms. Janet Spencer, Construction Project Administrator.

Mr. Gary Snellings presented an Eagle Scout award to Jimmy Fritz, whose ceremony was held on May 22, 2010 and Mr. Snellings had been unable to attend.

Presentation of a Proclamation to Recognize Marilyn Butters for her Thirty-one Years of Distinguished Service with Stafford County Public Schools and her Twenty-four Years as a School Principal Mr. Sterling presented the proclamation.

Mr. Dudenhefer offered congratulations to Mr. and Mrs. Lloyd Chittum on the occasion of their 53rd wedding anniversary.

Legislative; Presentations by the Public

The following person desired to speak:

Paul Waldowski - Stormwater/Utilities/Commuter Parking

Sheriff; Consider Amendment to the County Code Regarding Chapter 15, “Motor Vehicles and Traffic” Mr. Joe Howard, County Attorney, and Sheriff Charles Jett gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following person desired to speak:

Jennifer Dunn

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Ordinance O10-37.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Ordinance O10-37 reads as follows:

AN ORDINANCE TO ADOPT AND ORDAIN STAFFORD COUNTY CODE, CHAPTER 15, ARTICLE III, DIVISION 1, ENTITLED “GENERALLY,” AND DIVISION 2, ENTITLED “PARKING OF WATERCRAFT, BOAT TRAILERS, MOTOR HOMES, CAMPING TRAILERS, AND COMMERCIAL VEHICLES, AND PARKING FOR COMMERCIAL PURPOSES ON PUBLIC HIGHWAYS”

WHEREAS, Virginia Code §§ 46.2-1222.1 and 46.2-1224 authorize the County to regulate or prohibit the parking on any public highway in the County of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

WHEREAS, several localities regulate or prohibit parking on public highways within their localities; and

WHEREAS, the Board desires to amend the Stafford County Code to regulate or prohibit parking on public highways in the County; and

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

WHEREAS, the Board finds that regulating or prohibiting the parking of watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes on public highways serves the public health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that Stafford County Code, Chapter 15, Article III, Division 1, entitled “Generally,” and Division 2, entitled “Parking of Watercraft, Boat Trailers, Motor Homes, Camping Trailers, and Commercial Vehicles, and Parking for Commercial Purposes on Public Highways,” be and it hereby is adopted, ordained, and reordained as follows, all other portions remain unchanged:

CHAPTER 15 – MOTOR VEHICLES AND TRAFFIC

ARTICLE III. PARKING

Division 1. – Generally

Sec. 15-51. Unlawful parking generally.

(a) No person shall park a vehicle on (i) public property, including, but not limited to, any public street, road, or highway, or (ii) county-owned or county-leased property, in violation of any of the provisions of this subsection. Any person who receives written notice from a sheriff's deputy that he has committed any of the offenses listed in this subsection may waive his right to appear and be formally tried for the offense. The waiver shall be effective when the person (i) voluntarily pays thirty five dollars (\$35.00) to the county treasurer's office within 30 days after receipt of the notice, or (ii) voluntarily places payment in the amount of thirty five dollars (\$35.00) in the reply mail envelope on which the notice of violation is printed and mails it to the county treasurer's office so that it is postmarked within 30 days after receipt of the notice. Such person shall not thereafter be required to appear before the district court for trial upon the offense set forth in the notice. Such offenses shall include parking a vehicle:

(22) Within 20 feet of the driveway entrance to any fire station and/or rescue station, or when posted, within 75 feet of the entrance on the side of a street, road, or highway opposite the entrance to any fire station and/or rescue station; ~~or~~

(23) On or alongside any street, road, highway, alley, or thru-lane, when the vehicle constitutes a traffic hazard and/or obstructs or impedes the flow of traffic;

or

(24) in violation of County Code section 15-56.

DIVISION 2. PARKING OF WATERCRAFT, BOAT TRAILERS, MOTOR HOMES, CAMPING TRAILERS, AND COMMERCIAL VEHICLES, AND PARKING FOR COMMERCIAL PURPOSES ON PUBLIC HIGHWAYS.

Sec. 15-55. Definitions.

For the purposes of this division, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Boat trailer means any trailer designed to carry or transport one or more watercraft. A trailer shall be considered a boat trailer regardless of whether it is actually transporting or carrying watercraft at the time.

Business district means the territory contiguous to a highway where 75 percent or more of the property contiguous to a highway, on either side of the highway, for a distance of 300 feet or more along the highway, is occupied by land and buildings actually in use for business purposes.

Camping trailer means every vehicle that has collapsible sides and contains sleeping quarters but may or may not contain bathing and cooking facilities and is designed to be drawn by a motor vehicle..

Commercial vehicles means any of the following:

(1) Any solid waste collection vehicle, tractor truck or tractor truck/semitrailer or tractor truck/trailer combination, dump truck, concrete mixer truck, towing and recovery vehicle with a registered gross weight of 12,000

pounds or more, and any heavy construction equipment, whether located on the highway or on a truck, trailer, or semitrailer;

(2) Any trailer, semitrailer, or other vehicle in which food or beverages are stored or sold;

(3) Any vehicle licensed by the Commonwealth for use as a common or contract carrier or as a limousine, except one resident of each single-family dwelling unit zoned for residential use may park one vehicle licensed as a taxicab or limousine on such highways, provided other vehicles are permitted to park thereon;

(4) Any trailer or semitrailer, regardless of whether such trailer or semitrailer is attached to another vehicle;

(5) Any vehicle with three or more axles;

(6) Any vehicle that has a gross vehicle weight rating of 12,000 or more pounds;

(7) Any vehicle designed to transport 16 or more passengers including the driver; or

(8) Any vehicle of any size that is being used in the transportation of hazardous materials as defined in Virginia Code § 46.2-341.4.

(c) Exceptions. The provisions of this section shall not apply to:

(1) Any commercial vehicle when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location;

(2) Utility generators located on trailers and being used to power network facilities during a loss of commercial power;

(3) Any federal, state, or local government vehicle that is parked while on government business;

(4) Any federal, state, or local law enforcement or emergency vehicle;

or

(5) Any school bus.

County means Stafford County, Virginia.

Highway or public highway means the entire width between the boundary lines of every way or place open to the use of the public for purposes of vehicular travel in the Commonwealth, including the streets and alleys, and, for law-enforcement purposes, (i) the entire width between the boundary lines of all private roads or private streets that have been specifically designated "highways" by ordinance adopted by the board of supervisors, pursuant to Virginia Code § 46.2-1307 and County Code section 15-3, and (ii) the entire width between the boundary lines of every way or place used for purposes of vehicular travel on any property owned, leased, or controlled by the United States government and located in the Commonwealth.

Motor home means every private motor vehicle with a normal seating capacity of not more than ten (10) persons, including the driver, designed primarily for use as living quarters for human beings.

Motor vehicle means every vehicle as defined in this section that is self-propelled or designed for self-propulsion except as otherwise provided in this title. Any structure designed, used, or maintained primarily to be loaded on or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office, or commercial space shall be considered a part of a motor vehicle. Any bicycle, electric personal assistive mobility

device, electric power-assisted bicycle, or moped shall be deemed not to be a motor vehicle.

Residence district means the territory contiguous to a highway, not comprising a business district, where 75 percent or more of the property abutting such highway, on either side of the highway, for a distance of 300 feet or more along the highway consists of land improved for dwelling purposes, or is occupied by dwellings, or consists of land or buildings in use for business purposes, or consists of territory zoned residential or territory in residential subdivisions created under Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Virginia Code.

Sheriff means the Stafford County Sheriff or his designee.

Semitrailer means every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests on or is carried by another vehicle.

Trailer means every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle, including manufactured homes.

Vehicle means every device in, on or by which any person or property is or may be transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or tracks. Bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds shall be vehicles while operated on a highway.

Watercraft means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water. Watercraft does not include any vessel that is licensed to operate as a motor vehicle on any public highway.

State law references: Virginia Code §§ 46.2-100, 46.2-1222.1, 46.2-1224, 46.2-1307, and 29.1-700.

Sec. 15-56. Designation of restricted parking areas.

(a) No person shall park or leave unattended any watercraft, boat trailer, motor home, or camping trailer on any public highway within any restricted parking area set forth in subsection (d) of this section in violation of the terms of the restricted parking area.

(b) No person shall park or leave unattended any commercial vehicle on any public highway in any residence district located within any restricted parking area set forth in subsection (d) of this section in violation of the terms of the restricted parking area.

(c) No person shall park any motor vehicle, trailer, or semitrailer for commercial purposes on any public highway in the county located within any restricted parking area set forth in subsection (d) of this section in violation of the terms of the restricted parking area, except for (i) utility generators located on trailers and being used to power network facilities during a loss of commercial power, (ii) when taking on or discharging passengers or when temporarily parked pursuant to the performance of work or service at a particular location; (iii) any federal, state, or local government vehicle that is parked while on government business; (iv) any federal, state, or local law enforcement or emergency vehicle; or (v) any school bus.

(d) The entirety of the public highways located within any restricted parking area created under subsection (e) of this section shall constitute restricted parking areas and shall be subject to the provisions of this section.

(e) Petition to create restricted parking area.

(1) The board of supervisors may designate areas for restricted parking for watercraft, boat trailers, motor homes, camping trailers, and commercial vehicles, and the parking of any motor vehicle, trailer, or semitrailer for commercial purposes upon any public highway within the county if it deems appropriate upon:

(A) The board's own initiative after a public hearing; or

(B) Receipt of a petition addressed to the supervisor representing that election district and signed by a majority of the residents and/or owners of affected property and after a public hearing.

(2) For the purposes of subsection (e) of this section, "a majority of the residents and/or owners of affected property" shall mean:

(A) The owners or residents of at least fifty-one (51) percent of properties with frontage on, immediately adjacent to, or within five hundred (500) feet of a road or any portion thereof proposed as a restricted parking area. The owners or residents of properties which do not have frontage, or are not immediately adjacent to such a road cannot be included in the computation unless their primary motor vehicle egress from that property is over a road or portion of a road proposed as a restricted parking area; or

(B) The board of directors of a property owners' association having the power to enforce covenants on properties meeting the description set forth in subsection (e)(2)(A) of this section. A written request from the board of directors of such a property owners' association shall be construed as the petition of the owners of all properties under the control of the association meeting the description set forth in subsection (e)(2)(A) of this section, provided the request is accompanied by an approved resolution of the board of directors requesting establishment of a restricted parking area; reciting the terms and conditions of the parking restriction(s) to be sought; and stating that the request was approved by the board of directors in accordance with the association's bylaws and during a meeting that was held in conformance with any and all requirements of the association's bylaws. The resolution must be certified by the secretary of the property owners' association.

(3) Each designation shall include a description of the restricted parking area and the terms of the restriction(s).

(4) After the board of supervisors establishes a new restricted parking area under this subsection, the majority of the residents and/or owners of affected property submitting the petition shall make reasonable and good faith efforts to notify residents and property owners in the new restricted parking area that (i) the new restricted parking area was established, (ii) the geographical area included within the new restricted parking area, and (iii) the terms of the restriction(s) in the restricted parking area. However, the failure of a majority of the residents and/or owners of affected property submitting the petition to do so shall not affect

the validity of the restricted parking area or the sheriff's ability to enforce this division.

(5) The director of the department of planning and zoning or his designee, shall maintain maps of all restricted parking areas, and shall make the maps available for public inspection upon request. The maps shall also be made available and maintained on the County website.

State law references: Virginia Code §§ 46.2-1222.1 and 46.2-1224.

Planning and Zoning; Consider a Conditional Use Permit within the B-1, Convenience Commercial Zoning District, on a Portion of Assessor's Parcel 54-59, Located at 244 White Oak Road Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following person desired to speak:

- Clark Leming, Attorney for the applicant
- David Beale, Engineer (Webb and Associates)
- Carol Williams
- Linda Gillespie

The Chairman closed the public hearing.

Mr. Crisp asked if there was a Traffic Impact Analysis. Mr. Harvey responded that there was and VDOT requested the entrance to be placed on the south side as not to impact White Oak Road directly due to the lack of turn lanes. Discussion ensued.

Mr. Snellings asked about the proposed number of car washes per day and said that the number contained in the report (205) seemed low.

Mr. Dudenhefer asked if they were going to have to remove the huge oak tree on the property. Mr. Harvey said that it would have to be cut down.

Mr. Crisp motioned, seconded by Mr. Sterling to defer this item to the July 6th meeting in order to revisit the traffic impact and explore an alternate entrance.

The Voting Board tally was:

Yea: (7) Crisp, Sterling, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Finance and Budget; Consider Fiscal Year 2011-2016 Capital Improvements Program (CIP) and Indicate Intent to Reimburse Certain Capital Improvement Expenditures Ms. Nancy Collins, Budget Division Director, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following person desired to speak:

Bill Hoyt

The Chairman closed the public hearing.

Discussion ensued. Ms. Stimpson asked Mr. Romanello what the impact would be if the Board chose to defer the CIP until the end of the summer. Mr. Romanello answered that while it is good to adopt an annual CIP, a delay of a few months would not be a negative. Ms. Stimpson asked if deferring the CIP would hinder or slow down the Comprehensive Plan. Mr. Romanello responded that the Comprehensive Plan drives the CIP.

Ms. Stimpson motioned, seconded by Mr. Snellings, to defer this item until after the School Board considers and makes its recommendations regarding Stafford High School.

Mr. Sterling said that this was the last meeting of the fiscal year and that the Board needed to get their work done. He added that the Board could pass the CIP and in six months, when it comes time to renew it, can make changes to any out-year projects at that time. He restated that it is important to adopt the CIP before the new fiscal year starts and that there was no practical reason to defer the vote.

Mr. Sterling made a substitute motion, seconded by Mr. Milde to adopt proposed Resolution R10-29.

The Voting Board tally was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Crisp, Snellings, Stimpson, Woodson

Mr. Crisp said that there is no problem with deferring the vote, adding that the Board needs to get it right and will need the School's input to make an informed decision to vote on out-year projects.

Mr. Milde said that he agreed with Mr. Sterling and felt that deferring votes was becoming a habit and it should not be done with the CIP which, he felt, was being held hostage over one item; the construction of a future high school.

Mr. Woodson said that he was in favor of deferring the vote so that the Board would have time to receive as much information as possible.

Mr. Snellings said that by not voting then, it does not prevent the Board from authorizing projects due in FY2011. Mr. Romanello concurred with Mr. Snellings statement.

Mr. Dudenhefer said that using an old CIP to pass a new Comprehensive Plan does not make sense, adding that he believes that there is enough information contained in the CIP as presented to vote on it.

Mr. Sterling made a second substitute motion, seconded by Mr. Milde, to adopt proposed Resolution R10-29, approving the FY2011 portion of the Capital Improvements Program.

Ms. Stimpson made a friendly amendment to adopt proposed Resolution R10-29, approving the FY2011 – FY2014 portion of the Capital Improvements Program.

The Voting Board tally on the second substitute motion with the friendly amendment was:

Yea: (5) Sterling, Milde, Dudenhefer, Snellings, Stimpson

Nay: (2) Crisp, Woodson

Resolution R10-29 reads as follows:

A RESOLUTION TO ADOPT THE FISCAL YEAR 2011-2014
CAPITAL IMPROVEMENTS PROGRAM AND INDICATE INTENT TO
REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

WHEREAS, the 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 15th day of June, 2010, that the FY 2011-2014 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 FY 2011-2014 CIP be and it hereby is adopted as follows:

General Government

Fire Station #14	Route 1, Jefferson Davis Highway
Replacement Fire & Rescue Apparatus	Route 608, Brooke Road, South Of Eskimo Hill Rd
Information Technology Infrastructure	Route 608, Brooke Road, East Of Raven Road
Computer Aided Dispatch System	Route 616, Poplar Road, North Of Kellogg Mill Rd
Land Information And Permitting System	Route 616, Poplar Road, South Of Mt View Rd
Belmont-Ferry Farm Trail Phase 3 & 5	Route 627, Mountain View Road North Of Centreport Parkway
Chichester Park	Route 627, Mt View Rd From Joshua Rd To Rose Hill Farm Rd
Curtis Park Pool	Route 627, Mt View Rd, & Rte 651, Kellogg Mill Rd, Intersection
Land Acquisition	Route 644, Rock Hill Church Road
McDuff Green Park Phase 2	Route 17, Warrenton Road
Musselman Park	Route 610, Garrisonville Road
2001 Park Bond Interest Projects	Route 606, Ferry Road
Rectangular Athletic Field Complex	Route 630: Cedar Lane To Winding Creek Rd
Parks/Community Facilities Infrastructure	Route 637, Telegraph Road
Community Development Service Center	Route 651, Kellogg Mill Road Relocation
Courthouse Addition	Route 652, Truslow Road, East Of I-95

Judicial Complex Improvement
 Courthouse Streetscape, Phase 1
 Courthouse Streetscape, Phase 2

Route 652, Truslow Road, West Of I-95
 Pedestrian Improvements
 Poplar Road Phase 1

Schools

Falmouth Elementary Renovation
 Grafton Elementary Renovation
 Ferry Farm Renovation
 Stafford Elementary Renovation

Moncure Elementary Renovation
 Warehouse/Administration
 School Site Improvements
 Environmental Equipment Upgrades
 Roof Repair or Replacement

Utilities

Rocky Pen Water Storage Reservoir
 370n Water Booster Pump Station
 342 Water Zone System Improvements
 Celebrate Virginia Storage Tank
 Courthouse Area Water Tank
 480 Zone Water System Improvements
 370 Zone Water System Improvements
 Courthouse Road Waterline
 Ramoth Church Road Waterline
 310 Zone Water System Improvements
 Water System Rehabilitation Program
 Water Facilities Maintenance
 Nutrient Removal Upgrades- Aquia WWTF
 Nutrient Removal Upgrades- LFR WWTF
 Little Falls Run Expansion
 Hickory Ridge Pump Station Replacement
 Oaks of Stafford Pump Station Replacement

Replace Route 3 Pump Station 68
 Replace N. Stafford Ind Park Pump Station and Force Main
 Replace Ebenezer Force Main And Pump Station
 Claiborne Run Gravity Sewer Replacement
 Falls Run Interceptor Replacement (Phase 1)
 Falls Run Interceptor Replacement (Phase 2)
 Wayside Interceptor Replacement
 Austin Run Pump Station & Force Main Upgrades
 Potomac Creek Pump Station/Force Main Upgrades
 Gravity Sewer Replacement Along Austin Run
 Wastewater Pump Station Rehabilitation
 Wastewater System Rehabilitation Program
 Equipment Replacement -Aquia WWTF
 Equipment Replacement -LFR WWTF
 Route 1 North Sewer Line Replacement
 Equipment Replacement
 Utilities Operations And Admin Complex

NOTICE OF INTENT TO REIMBURSE CERTAIN CAPITAL IMPROVEMENT EXPENDITURES

Section 1: Statement of Intent. The County presently intends, at one time or from time to time, to finance projects in the FY 2011-2014 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.

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, Utilities Fund or from temporary appropriations or loans from the General Capital Projects Fund. Stafford County expects to pay debt service on the General Fund Bonds from the General Fund consisting of general tax revenues and to pay debt service on the Utilities Fund Bonds from the Utilities Fund consisting of water and sewer revenues for the projects to be financed in the FY 2011-2014 General Fund Capital Improvements Program. The maximum amount of Bonds expected to be issued for the Projects is \$244,400,148.

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.

Mr. Milde stated that he had to leave the meeting at 8:45 p.m. due to the death of a close, personal friend.

Planning and Zoning; Authorize Amendment to Stafford County Code, Section 28-273, Entitled “Nonconforming Structures” of the Zoning Ordinance Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O10-04.

The Voting Board tally was:

Yea: (6) Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Absent: (1) Milde

Ordinance O10-04 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-273, “NONCONFORMING STRUCTURES”

WHEREAS, the Virginia Code was amended, changing the enabling legislation that authorized the adoption of Section 28-273; and

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 28-273, entitled “Nonconforming Structures,” to reflect the correct enabling legislation for the adoption of this amendment; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 15th day of June, 2010, that Stafford County Code, Section 28-273, entitled “Nonconforming structures,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-273. Nonconforming structures.

(a) A nonconforming building or structure, except for general advertising signs which are subject to § 33.1-370.2 of the Code of Virginia (1950), as amended, shall not be enlarged or altered in any way which increases its nonconformity conform to current zoning regulations whenever the square footage of a building or structure is enlarged, or the building or structure is structurally altered as provided in the Virginia Uniform Statewide Building Code. The owner of a single family residential structure may apply to the board of zoning appeals (BZA) for a special exception when the requested improvements, including any proposed increase in square footage, will not increase the nonconformity, and the comprehensive plan, as in existence at the time of application, does not envision a change in the character or use of the district in question. Under all other situations, an applicant will be required to apply to the BZA for a variance; however, any ~~single-family residential~~ building or structure may be altered to decrease its nonconformity without the requirement for a special exception or variance.

~~(b) If a nonconforming structure is damaged or destroyed by any means by more than fifty (50) percent of its fair market value/replacement cost, as determined at the time of the damage or destruction, it shall not be reconstructed except if done so in conformity with the current zoning regulations for the district in which it is located.~~

(b) The owner of any building or structure, except for general advertising signs which are subject to § 33.1-370.2 of the Code of Virginia (1950), as amended, damaged or destroyed by a natural disaster or other act of God may repair, rebuild, or replace such building or structure to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance from the BZA. If such building or structure is damaged greater than 50 percent and cannot be repaired, rebuilt or replaced to eliminate or reduce the nonconforming features, the owner may restore it to its original nonconforming condition as long as the building or structure is not repaired, rebuilt, or replaced in a manner which increases its nonconforming characteristic. The owner shall

apply for a building permit and any work done to repair, rebuild or replace such building or structure shall be in compliance with the provisions of the Virginia Uniform Statewide Building Code, and any work done to repair, rebuild or replace such building or structure shall be in compliance with the provisions of the Flood Overlay District. Unless such building or structure is repaired, rebuilt or replaced within two (2) years of the date of the natural disaster, or other act of God, such building shall only be repaired, rebuilt or replaced in accordance with the provisions of the zoning district in which it is located. However, if the nonconforming building or structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the owner shall have an additional two (2) years for the building to be repaired, rebuilt or replaced as otherwise provided in this subsection. For purposes of this section, "act of God" shall include any natural disaster or phenomena including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God. Nothing herein shall be construed to enable the property owner to commit an arson under §§ 18.2-77 or 18.2-80 of the Code of Virginia (1950), as amended, and obtain vested rights under this section. "Accidental means" shall not include any intentional act by the property owner to damage or destroy the building or structure.

~~(c) A single family residential structure that is damaged or destroyed may be reconstructed provided that the dwelling is reconstructed without any increase in its height, bulk or floor area and the structure does not further violate the yard setbacks required by the zoning district in which it is located.~~

~~(d)~~ (c) If a nonconforming structure is moved for any reason, and for any distance, it shall thereafter, upon relocation, conform to the current regulations for the zoning district in which it is relocated.

~~(e)~~ (d) Such buildings or structures, except for general advertising signs which are subject to Code of Virginia, § 33.1-370.2, as amended, § 33.1-370.2 of the Code of Virginia (1950), as amended, shall conform to such regulations whenever they are enlarged, extended, reconstructed or structurally altered.

(Ord. No. 002-34, 9-3-02; Ord. No. 006-58, 8-1-06; Ord. No. 006-80, 12-5-06; Ord. No. 008-20, 3-18-08)

Planning and Zoning; Amend and Reordain Stafford County Code, Section 22-4, "Definitions" and Section 22-5, "Family and Minor Subdivisions" Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Crisp, to defer this item to the August 17th meeting to allow for citizen comment.

The Voting Board tally was:

Yea: (6) Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Absent: (1) Milde

Legislative: Additions/Deletions to the Regular Agenda Mr. Woodson motioned, seconded by Mr. Crisp to add Item 29, Public Information; Recognize Marilyn Butters for her Thirty-one Years of Distinguished Service with Stafford County Public Schools and her Twenty-four Years as a School Principal.

The Voting Board tally was:

Yea: (6) Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Absent: (1) Milde

Discuss Item #10 (Marketing) of the Economic Development Plan Mr. Harry Crisp and Ms. Susan Stimpson presented this item. Mr. Crisp spoke on marketing strategies and technology zones to highlight Stafford County's many offerings. Ms. Stimpson added her thoughts on the "branding" of Stafford.

Mr. Tim Baroody, Deputy County Administrator / Director of Economic Development, gave a presentation on the Economic Development Marketing Package.

Discuss Comprehensive Plan Economic Analysis and Legal Review Mr. Mark Dudenhefer presented this item.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R10-197 with a change in the last paragraph to include both the 2008 and current draft Comprehensive Plans.

The Voting Board tally was:

Yea: (4) Sterling, Dudenhefer, Snellings, Stimpson
Nay: (2) Crisp, Woodson
Absent: (1) Milde

Resolution R10-197 reads as follows:

A RESOLUTION REQUESTING AN ECONOMIC AND FISCAL ANALYSIS OF THE REVISED DRAFT COMPREHENSIVE PLAN

WHEREAS, on December 16, 2008, the Planning Commission presented an initial draft Comprehensive Plan which was never adopted by the Board; and

WHEREAS, the Planning Commission is finalizing a revised draft Comprehensive Plan for public hearing and recommendation by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors that on this the 15th day of June, 2010, the Board hereby directs the County Administrator to contract for a fiscal impact analysis of the aforementioned version of the Comprehensive Plan originally presented to the Board by (then) Planning Commission Chairman, Mr. Peter Fields on December 16, 2008, in addition to a fiscal impact analysis of the revised draft Comprehensive Plan; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board directs the County Administrator to also contract for an economic analysis of both the 2008 and current draft Comprehensive Plans.

Mr. Sterling motioned, seconded by Mr. Crisp to authorize outside counsel to review the legal aspects of the Comprehensive Plan.

The Voting Board tally was:

Yea: (6) Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson
Nay: (0)
Absent: (1) Milde

Discuss the Audit Mr. Dudenhefer spoke on the challenges and ongoing dispute with the School Board and the Board of Supervisors regarding the audit.

Mr. Sterling added that there needs to be full knowledge with both Boards and said that it is advantageous for the Board of Supervisors and the School Board to share an auditor, or at least, that the two separate auditors work together to ensure accuracy.

Mr. Woodson expressed concern with this action and felt that the two sides should meet and work out their differences.

Ms. Stimpson felt that there is now some forward movement and she feels each Board is committed to reaching an agreement.

Mr. Snellings stated that he was hoping to bring this issue out in the open for citizens to be kept abreast since the monies spent are taxpayer dollars.

Mr. Crisp felt that a significant factor in the \$6.2M discrepancy was due to the fact that the Board and Schools have two separate auditors.

Add On: Item 29. Public Information; Recognize Marilyn Butters for her Thirty-one Years of Distinguished Service with Stafford County Public Schools and her Twenty-four Years as a School Principal

Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Proclamation P10-16.

The Voting Board tally was:

Yea: (6) Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Absent: (1) Milde

Proclamation P10-16 reads as follows:

A PROCLAMATION TO HONOR AND RECOGNIZE MARILYN BUTTERS FOR THIRTY-ONE YEARS OF DISTINGUISHED SERVICE WITH STAFFORD COUNTY SCHOOLS INCLUDING TWENTY-FOUR YEARS AS A SCHOOL PRINCIPAL

WHEREAS, Marilyn Butters, Principal of Rock Hill Elementary School, will retire July 1, 2010 leaving behind a legacy as an educator and a leader in the Stafford County School System; and

WHEREAS, Marilyn Butters began her career as a sixth grade teacher for Stafford Middle School in 1979, after receiving her Bachelors of Arts from Virginia Polytechnic Institute and State University; and

WHEREAS, after six years of teaching sixth grade and acquiring a Masters of Education from George Mason University, Marilyn Butters became the assistant principal at Garrisonville Elementary School in 1985 where she served for a year before becoming the first principal of Garrisonville Elementary School; and

WHEREAS, after two years as principal of Garrisonville Elementary School, Marilyn Butters became the first principal of the then newly opened Rockhill Elementary School; and

WHEREAS, Marilyn Butters received the School Bell Award in 1994 from the Virginia Association of Elementary School Principals for her significant contributions to Rockhill Elementary School; and

WHEREAS, Marilyn Butters was also recognized as Principal of the Year for her effectiveness and enthusiasm for 1993-1994; and

WHEREAS, during 24 years as a principal and 31 years of education service to Stafford County, Marilyn Butters gave so much of her time, knowledge and expertise to her peers, to the parents of her students and, most importantly, to children, which helped them build strong foundations for happy and successful lives;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 15th of June 2010, that Marilyn Butters, Rock Hill Elementary Principal, be and hereby is recognized and appreciated for her accomplished service as principal and educator.

Adjournment At 9:37 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Mark Dudenhefer
Chairman