

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting
September 19, 2006

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Robert C. Gibbons, Chairman, at 1:04 P. M., Tuesday, September 19, 2006, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Robert C. Gibbons, Chairman; Paul V. Milde III; George H. Schwartz; M. S. "Joe" Brito; Jack R. Cavalier, Chairman; Mark Dudenhefer and Peter J. Fields.

Also in attendance were: Anthony Romanello, Deputy County Administrator; Joe Howard, County Attorney and Eleanor Hinzman, Deputy Clerk.

Legislative; Presentation for Display Case. Chairman Robert Gibbons presented from Terex Corporation an earthmoving display for inclusion in the display case in the lobby.

Legislative; Presentation on Stafford County Public School Enrollments. Mr. Andre' Nougaret, Acting Division Superintendent of Schools, gave a presentation and responded to Board members questions.

Legislative; Presentation by Matt Criblez, Department of Conservation and Recreation, Regarding Tributary Strategies. Mr. Matt Criblez, Department of Conservation and Recreation, gave a presentation on tributary strategies and responded to Board members questions.

Legislative; Work Session on Fredericksburg Regional Transit System. Mr. Fulton deLamorton, Senior Engineer; Susan Faulkner, Transportation Planner; Lloyd Robinson, Administrator of Fredericksburg Area Metropolitan Planning Organization; and Kathy Beck, FREDericksburg Regional Transit Manager; gave a presentation and responded to Board members questions.

Recess. At 2:21P.M., the Chairman declared a recess.

Call to Order. At 2:27P.M., the Chairman called the meeting back to order.

Legislative; Report from the Agricultural Commission on the Purchase of Development Rights and Conservation Easements. Nan Rollison, Chairman , and Tom Coen, Vice Chairman of the Agricultural Commission, gave a presentation and responded to Board members questions.

Hearing no objections from the Board, Mr. Brito, Mr. Fields, and Mr. Milde were appointed to a committee to work with two members from the Agricultural Commission and Steve Judy, Deputy County Attorney to further review and report back to the Board within 60 days.

Legislative; Presentation on Economic Development Strategic Plan. Mr. Tim Barody, Director of Economic Development and Legislative Affairs, and Basile Baumann of Basile Baumann Prost & Associates, Inc. gave a presentation and responded to Board members questions.

Legislative; Work Session on Proffers. Ms. Amy Ansong, Senior Planner, Department of Planning and Community Development, gave a presentation and responded to Board members questions.

Legislative; Work Session to Discuss Emergency Services. Mr. Rob Brown, Fire Chief, Department of Fire, Rescue, and Emergency Services, gave a presentation and responded to Board members questions.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to authorize and begin immediate recruitment of the 12 additional fire and rescue positions.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (0)

Legislative; Discuss County Vehicle Decals. Mr. William Colvin, Treasurer, gave a presentation and responded to Board members questions.

Legislative; Welcome. Mr. Cavalier introduced Anna Johnson, the reigning Ms. Jr. Teen of Virginia who resides in Aquia Harbour and attends Brooke Point High School.

Recess. At 5:10 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:00 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Fields gave the invocation and requested a moment of silence be observed in memory of Janet O’Neal.

Pledge of Allegiance. Boy Scout Troop 940 lead in the recitation of the Pledge of Allegiance to the Flag of the United States of America.

Legislative; Presentation of Eagle Scout Award. Mr. Fields presented an Eagle Scout Award to Devon Hubb of Boy Scout Troop 940.

Legislative; Presentation of “Beautiful Properties Awards” by Ian Treggett of the Beautification Committee. Mr. Ian Treggett presented awards to each “Beautiful Property” recipient.

Presentations by the Public. The following persons spoke on topics as identified:

- Reid Larson - Ham Radio operator.
- Karen Richardson - Save Crow’s Nest.
- Buddy Secor - Dominion Power transmission lines.
- Mary Beth Spring - Funding for a new library.
- Jim Stagner - Funding for a new library.
- Walter Martley - Funding for a new library.
- Carl Wohletz - Christy Farms.
- Lou Silver - Save Crow’s Nest.
- Funding for a new library.

Finance; Authorize the Issuance and Sale of Up to \$6,375,000 General Obligation School Bonds to Be Sold to the Virginia Public School Authority. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Cavalier motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-395.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde
Nay: (0)

Resolution R06-395 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
NOT TO EXCEED \$6,375,000 GENERAL OBLIGATION SCHOOL
BONDS OF THE COUNTY OF STAFFORD, VIRGINIA TO BE SOLD
TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND
PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") has determined that it is necessary and expedient to borrow in an amount not to exceed \$6,375,000 and to issue its general obligation school bonds to finance certain capital projects for school purposes; and

WHEREAS, the Board held a public hearing on September 19, 2006, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia (1950), as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County has requested by resolution the Board to authorize the issuance of the Bonds and has consented to the issuance of the Bonds; and

WHEREAS, the objective of the Virginia Public School Authority (the "VPSA") is to pay the County a purchase price for the Bonds which, in VPSA's judgment, reflects the Bonds' market value (the "VPSA Purchase Price Objective"), taking into consideration such factors as the amortization schedule the County has requested for the Bonds, the amortization schedules requested by other localities, the purchase price to be received by VPSA for its bonds and other market conditions relating to the sale of VPSA's bonds; and

WHEREAS, such factors may result in requiring the County to accept a discount, given the VPSA Purchase Price Objective and market conditions, under which circumstance the proceeds from the sale of the Bonds received by the County will be less than the amount set forth in paragraph 1 below;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and to issue and sell general obligation school bonds of the County in the aggregate principal amount not to exceed \$6,375,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the Bonds. It is determined to be in the best interest of the County to accept the offer of VPSA to purchase from the County, and to sell to the VPSA, the Bonds at a price determined by the VPSA and accepted by the Chairman of the Board or the County Administrator and upon the terms established pursuant to this Resolution. The County Administrator and the Chairman of the Board, or either of them, and such officer or officers of the County as either of them may designate, are hereby authorized and directed to enter into the Bond Sale Agreement with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form on file with the County Administrator, which form is hereby approved ("Bond Sale Agreement").

3. Details of the Bonds. The Bonds shall be issuable in fully registered form in denominations of \$5,000 and whole multiples thereof; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 2006" (or such other designation as the County Administrator may approve) shall bear interest from the date of delivery thereof payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), beginning January 15, 2007, at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts established in

accordance with paragraph 4 of this Resolution. The Interest Payment Dates and the Principal Payment Dates are subject to change at the request of VPSA.

4. Principal Installments and Interest Rates. The County Administrator is hereby authorized and directed to accept the interest rates on the Bonds established by the VPSA, provided that each interest rate shall be no more than ten one-hundredths of one percent (0.10%) over the interest rate to be paid by the VPSA for the corresponding principal payment date of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that the true interest cost of the Bonds does not exceed six percent (6%) per annum. The County Administrator is further authorized and directed to accept the aggregate principal amount of the Bonds and the amounts of principal of the Bonds coming due on each Principal Payment Date ("Principal Installments") established by the VPSA, including any changes in the Interest Payment Dates, the Principal Payment Dates and the Principal Installments which may be requested by VPSA provided that such aggregate principal amount shall not exceed the maximum amount set forth in paragraph one and the final maturity of the Bonds shall not be later than 26 years from their date. The execution and delivery of the Bonds as described in paragraph 8 hereof shall conclusively evidence such Interest Payment Dates, Principal Payment Dates, interest rates, principal amount and Principal Installments as having been so accepted as authorized by this Resolution.

5. Form of the Bonds. The Bonds shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

6. Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Bonds:

- (a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal of, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a

business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption;

- (b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Bonds; and
- (c) SunTrust Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds.

7. Prepayment or Redemption. The Principal Installments of the Bonds held by the VPSA coming due on or before July 15, 2016, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature on or before July 15, 2016, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Bonds held by the VPSA coming due after July 15, 2016, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature after July 15, 2016, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2016, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2016 to July 14, 2017, inclusive.....	101%
July 15, 2017 to July 14, 2018, inclusive.....	100.5
July 15, 2018 and thereafter.....	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than

ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption. The County Administrator is authorized to approve such other redemption provisions, including changes to the redemption dates set forth above, as may be requested by the VPSA.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds and to affix the seal of the County thereto. The manner of such execution may be by facsimile, provided that if both signatures are by facsimile, the Bonds shall not be valid until authenticated by the manual signature of the Paying Agent.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, and the premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of, and the premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Use of Proceeds Certificate; Non-Arbitrage Certificate. The Chairman of the Board and the County Administrator, or either of them and such officer or officers of the County as either may designate are hereby authorized and directed to execute a Non-Arbitrage Certificate, if required by bond counsel, and a Use of Proceeds Certificate setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Use of

Proceeds Certificate and the County shall comply with the covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

11. State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Bonds. The County Administrator and the Chairman of the Board, or either of them and such officer or officers of the County as either of them may designate, are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, the investment manager, and the depository substantially in the form on file with the County Administrator, which form is hereby approved.

12. Continuing Disclosure Agreement. The Chairman of the Board and the County Administrator, or either of them, and such officer or officers of the County as either of them may designate are hereby authorized and directed (i) to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12 and (ii) to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

13. Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

14. Further Actions. The County Administrator, the Chairman of the Board, and such other officers, employees and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator or the Chairman of

the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on September 19, 2006, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The front page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Stafford, Virginia, this 19th day of September, 2006.

Clerk, Board of Supervisors
of the County of Stafford, Virginia

(SEAL)

EXHIBIT A

(FORM OF TEMPORARY BOND)

NO. TR-1

\$ _____

UNITED STATES OF AMERICA
COMMONWEALTH OF VIRGINIA
COUNTY OF STAFFORD
General Obligation School Bond

Series 2006B

The COUNTY OF STAFFORD, VIRGINIA (the "County"), for value received, hereby acknowledges itself indebted and promises to pay to the VIRGINIA PUBLIC SCHOOL AUTHORITY the principal amount of _____ Dollars (\$_____), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 2007 and annually on July 15 thereafter to and including July 15, 20__ (each a "Principal Payment Date"), together with interest from the date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year commencing on July 15, 2007 (each an "Interest Payment Date;" together with any Principal Payment Date, a "Payment Date"), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Both principal of and interest on this Bond are payable in lawful money of the United States of America.

For as long as the Virginia Public School Authority is the registered owner of this Bond, SunTrust Bank, Richmond, Virginia, as bond registrar (the "Bond Registrar") shall make all payments of principal, premium, if any, and interest on this Bond, without presentation or surrender hereof, to the Virginia Public School Authority, in immediately available funds at or before 11:00 a.m. on the applicable Payment Date or date fixed for prepayment or redemption. If a Payment Date or date fixed for prepayment or redemption is not a business day for banks in the Commonwealth of Virginia or for the Commonwealth of Virginia, then the payment of principal, premium, if any, or interest on this Bond shall be made in immediately available funds at or before 11:00 a.m. on the business day next preceding the scheduled Payment Date or date fixed for prepayment or redemption. Upon receipt by the registered owner of this Bond of said payments of principal, premium, if any, and interest, written acknowledgment of the receipt thereof shall be given promptly to the Bond Registrar, and the County shall be fully discharged of its obligation on this Bond to the extent of the payment so made. Upon final payment, this Bond shall be surrendered to the Bond Registrar for cancellation.

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of the Bonds provides, and

Section 15.2-2624 of the Code of Virginia of 1950, as amended, requires, that there shall be levied and collected an annual tax upon all taxable property in the County subject to local taxation sufficient to provide for the payment of the principal, premium, if any, and interest on this Bond as the same shall become due which tax shall be without limitation as to rate or amount and shall be in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

This Bond is duly authorized and issued in compliance with and pursuant to the Constitution and laws of the Commonwealth of Virginia, including the Public Finance Act of 1991, Chapter 26, Title 15.2, Code of Virginia of 1950, as amended, and resolutions duly adopted by the Board of Supervisors of the County and the School Board of the County to provide funds for capital projects for school purposes.

This Bond may be exchanged without cost, on twenty (20) days written notice from the Virginia Public School Authority at the office of the Bond Registrar on one or more occasions for one or more temporary bonds or definitive bonds in marketable form and, in any case, in fully registered form, in denominations of \$5,000 and whole multiples thereof, having an equal aggregate principal amount, having principal installments or maturities and bearing interest at rates corresponding to the maturities of and the interest rates on the installments of principal of this Bond then unpaid. This Bond is registered in the name of the Virginia Public School Authority on the books of the County kept by the Bond Registrar, and the transfer of this Bond may be effected by the registered owner of this Bond only upon due execution of an assignment by such registered owner. Upon receipt of such assignment and the surrender of this Bond, the Bond Registrar shall exchange this Bond for definitive Bonds as hereinabove provided, such definitive Bonds to be registered on such registration books in the name of the assignee or assignees named in such assignment.

The principal installments of this Bond coming due on or before July 15, 2016 and the definitive Bonds for which this Bond may be exchanged that mature on or before July 15, 2016 are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due after July 15, 2016, and the definitive Bonds for which this Bond may be exchanged that mature after July 15, 2016 are subject

to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2016, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2016 to July 14, 2017, inclusive.....	101%
July 15, 2017 to July 14, 2018, inclusive.....	100.5
July 15, 2018 and thereafter.....	100;

Provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without the prior written consent of the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

All acts, conditions and things required by the Constitution and laws of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in due time, form and manner as so required, and this Bond, together with all other indebtedness of the County, is within every debt and other limit prescribed by the Constitution and laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of the County of Stafford, Virginia, has caused this Bond to be issued in the name of the County of Stafford, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated November __, 2006.

COUNTY OF STAFFORD,
VIRGINIA

(SEAL)

ATTEST:

Clerk, Board of Supervisors of the County of
Stafford, Virginia

By: _____
Chairman, Board of Supervisors of the
County of Stafford, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP
CODE, OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER
IDENTIFYING NUMBER OF ASSIGNEE:

the within Bond and irrevocably constitutes and appoints

_____ attorney to exchange said
Bond for definitive bonds in lieu of which this Bond is issued and to register the transfer
of such definitive bonds on the books kept for registration thereof, with full power of
substitution in the premises.

Dated: _____

Signature Guaranteed:

(NOTICE: Signature(s) must be guaranteed by an "eligible guarantor institution" meeting the requirements of the Bond Registrar which requirements will include membership or participation in STAMP or such other "signature guarantee program" as may be determined by the Bond Registrar in addition to, or in substitution for, STAMP, all in accordance with the Securities Exchange Act of 1934, as amended.)

Registered Owner

(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the front of this Bond in every particular, without alteration or change.)

Mr. Cavalier motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-396.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz
 Nay: (0)

Resolution R06-396 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE BOND
 PROCEEDS FROM GENERAL OBLIGATION SCHOOL BONDS

WHEREAS, the Board, on September 19, 2006, adopted Resolution R06-395 which approved the issuance and sale of General Obligation school bonds in an amount not to exceed \$6,375,000; and

WHEREAS the budget needs to be amended to allow the County to receive the proceeds and transfer them to the School Construction Fund; and

WHEREAS, a public hearing on the proposed amendment to the budget was held September 19, 2006, as required by Section 15.2-2507 of the Code of Virginia (1950) as amended; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to budget and appropriate funds as follows:

GENERAL CAPITAL PROJECTS FUND:

Expenditure:

Transfer to School Construction Fund	\$6,375,000
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Fire and Rescue; Amend and Reordain Chapter 12, Article VII of the Stafford County Code Entitled “Ambulance Cost Recovery”. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O06-50(R).

The Voting Board tally was:

Yea: (6) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (1) Cavalier

Ordinance O06-50(R) reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 12 OF
THE STAFFORD COUNTY CODE ENTITLED "FIRE PREVENTION
AND PROTECTION" BY ADDING ARTICLE VII ENTITLED
"AMBULANCE COST RECOVERY"

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

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

WHEREAS, the Board believes the Ambulance Cost Recovery program is
necessary and in the public's best interest;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of
Supervisors on this the 19th day of September, 2006, that Chapter 12 of the Stafford
County Code entitled "Fire Prevention and Protection" be amended and reordained by
adding Article VII entitled "Ambulance Cost Recovery" to read as follows:

Sec.12-81. Cost reimbursement for ambulance service.

(a) Reasonable fees, reviewed annually as a part of the county budget process, shall be
charged for emergency medical transport services provided by the department. The
revenue recovery program is intended to pursue reimbursement for EMS ambulance
transports by recovering funds that may already be designated for the purpose.

(b) The following definitions shall apply to emergency medical transport charges:

(1) *Basic Life Support (BLS)* means services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medicine Services (EMS) Education and Practice Blueprint for the Emergency Medical Technician (EMT)-Basic.

(2) *Advanced Life Support level 1 (ALS-1)* means services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.

(3) *Advanced Life Support level 2 (ALS-2)* means services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures:

- a. Manual defibrillation/cardioversion,
- b. Endotracheal intubation,
- c. Central venous line,
- d. Cardiac pacing,
- e. Chest decompression,
- f. Surgical airway,
- g. Intraosseous line, or
- h. Administration of three (3) or more medications.

(4) *Ground Transport Mile (GTM)*: Emergency demand zones are established by the Fire and Rescue Chief. Transportation fees shall be assessed per statute mile from the location of the incident scene, or from the center point of the emergency demand zone, if applicable, where an incident scene or address is located, to a hospital or other facility where a patient is transported.

Sec. 12-82. Fees.

- (a) The schedule of rates for emergency ambulance transport services by the Stafford County Fire and Rescue Department EMS system shall be based on a schedule which will be developed and reviewed yearly to maintain compliance within the allowances established by the Center for Medicare and Medicaid Services.
- (b) The Stafford County Fire and Rescue Chief is hereby authorized and directed to establish rules and regulations for the administration and collection of the charges imposed by this section.
- (c) Fees for emergency medical transport services shall be charged per patient transported for services rendered and transportation provided, as initially set and reviewed annually:

TABLE INSET:

BLS	\$350.00
ALS-1	\$450.00
ALS-2	\$550.00

- (d) Transportation fees: ~~Eight~~ **Nine** dollars (\$9.00) per GTM

Sec. 12-83. Billing.

- (a) A bill will be generated for ambulance transports conducted by all ambulances utilized by Stafford County Fire and Rescue Department and agencies, vehicles operated or maintained by Stafford County or permitted to Stafford County. Fees collected will be

used by the Stafford County Fire and Rescue Department to provide emergency services staffing and expenses related to the provision of EMS.

(b) Patients will fall into one of the following categories for billing purposes:

(1) *Insured, county resident or non-resident.* The appropriate insurance carrier will be billed.

(2) *Uninsured county residents.* The Stafford County Compassionate Billing Policy provides for waiver of emergency transport fees for eligible uninsured patients. A statement showing zero balance will be sent to any patient qualifying for such waiver.

(3) *Uninsured non-residents.* A bill will be sent to the patient transported. If the individual has the ability to pay, then payment is expected in full. If the patient can demonstrate financial hardship in accordance with the compassionate billing policy, they may qualify for waiver of fees.

(4) *Internal Services.* There are instances when a bill is generated in which the county would be merely transferring funds from one department's budget to another to satisfy the bill. For example, when an on-duty county employee is transported for a compensable workers' compensation injury, the employee's department is responsible for payment of those expenses. The billing contractor will update its records to reflect such adjustment. For accounting purposes, inter-departmental transfers (IDT's) will not be required when an internal bill is generated. However, designated personnel will notify the county's billing contractor that the bill generated is internal to the county in those circumstances to ensure proper record keeping. [Note: If the workers' compensation claim is denied, the employee's health insurance will be billed.] When an inmate of the regional jail is transported, the regional jail is responsible for the bill. The

Commonwealth of Virginia will be billed for transports of state inmates in the judicial system.

(5) *Contractual write offs.* The bills that Medicaid, Medicare, and insurance companies pay on behalf of an insured individual are sometimes adjusted to pay only a portion of the billed amount. This adjustment referred to here as a "contractual write off" is usually due to the laws governing the payment amount or through agreements between the insurance companies and billing entity. The contractual write offs are not considered unpaid balances, and will not be billed to patients.

Sec. 12-84. Compassionate billing policy.

(1) No one will EVER be denied necessary medical transport service due to either their inability to pay or a lack of insurance.

(2) All consumers of ambulance services will be asked, in writing, to provide information regarding available insurance coverage. All consumers of ambulance services will receive written notification of the value of services received and notice of billing forwarded to their insurer(s).

(3) Compassionate billing is intended to eliminate or minimize out-of-pocket expenses for ambulance services received by county residents. The County regards taxes paid by our residents as inclusive of co-pays and/or deductibles for ambulance service for all persons living in a taxpaying household. Elderly or disabled residents qualifying for real estate tax relief pursuant to County ordinance shall be deemed qualified for relief from any deductible or co-pay for ambulance services received.

(4) Any resident lacking health insurance may submit a waiver request form stating a financial hardship. No personal banking information or tax form copies

will be required as proof; the good faith statement made by the resident regarding household income level will suffice. Persons showing household income below \$100,000.00 shall qualify for waiver of fees based on hardship.

(5) Stafford County's billing company will not pursue payment recovery through a debt collection agency without express authorization of the County Administrator or his designee.

(6) Non-residents receiving Stafford County medical transport will receive a bill, but these non-residents may also apply for financial hardship waiver.

(7) If any insured party requires EMS transport within a given calendar year that exceeds their policy limits and no additional insurance coverage is available, the fees for service beyond coverage limits will be waived.

(8) If the insurance company deems the transport is not medically necessary the billing company will verify the information that was submitted to the insurance company and resubmit the claim for reconsideration. If the insurance carrier still deems the transport not medically necessary the County Administrator or his designee will review the individual case for possible waiver of the fees.

Sec. 12-85. Billing and collections.

Billing and collection services will be provided by a billing contractor. No county personnel will accept or receive payment on behalf of a patient. Any inquiries regarding billing or collection procedure will be referred to the billing contractor, or to designated personnel of the Stafford County Fire and Rescue Department.

Planning; Amend and Reordain the County Code by Amending Section 28-38, Performance Regulations of the Zoning Ordinance. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

Doug Johnson

Marie Gozzi

Bahi Kamel

Victor Meyer

Charles Kleff

Tom Cropp

Nan Rollison

Tom Secor

Bettina McWhirt

Marjorie Gerhardt

Kathy Beard

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O06-51.

Discussion ensued.

Mr. Fields made a substitute motion, seconded by Mr. Dudenhefer, to refer this item to a committee of Mr. Milde and Mr. Brito for further review.

The Voting Board tally was:

Yea: (3) Gibbons, Cavalier, Dudenhefer

Nay: (4) Fields, Milde, Schwartz, Brito

The Voting Board tally on the original motion was:

Yea: (3) Fields, Schwartz, Brito

Nay: (4) Dudenhefer, Gibbons, Milde, Cavalier

The Chairman requested this item be deferred to a committee of Mr. Brito and Mr. Milde.

Planning; Amend and Reordain the County Code by Amending Section 22-4, Definitions; and 22-152, Lots for Stormwater Management Facilities; of the Subdivision Ordinance.

Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O06-63.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields

Nay: (0)

Ordinance O06-63 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE COUNTY
CODE BY AMENDING SECTION 22-4 DEFINITIONS AND
SECTION 22-152, LOTS FOR STORMWATER MANAGEMENT
FACILITIES, OF THE SUBDIVISION ORDINANCE

WHEREAS, stormwater management facilities within residential subdivisions are required to be on an open-space parcel maintained by a Home Owners Association; and

WHEREAS, the open-space parcel with the stormwater management facility is not required to have frontage on a public street and the access to the facility may be an ingress/egress easement through a residential lot; and

WHEREAS, the Board desires the access road to a stormwater management facility to be within an open-space parcel maintained by a Home Owners Association; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good subdivision practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the Stafford County Code be and it hereby is amended and reordained by amending Section 22-4 and Section 22-152 of the Subdivision Ordinance as follows, with all other portions remaining unchanged:

Sec. 22-4. Definitions.

Integrated management practices. Means low impact development microscale and distributed management techniques to maintain predevelopment site hydrology. Integrated management practices shall include bioretention facilities, dry wells, filter/buffer strips, grassed swales, rain barrels, cisterns, infiltration trenches and amended soils as specified in Low-Impact Development Design Manuals (cross-reference: Chapter 21.5, Stormwater Management Code)

Sec. 22-152. Lots for Stormwater management facilities.

~~(a) All Stormwater management facilities, excluding low impact development integrated management practices, located in residential subdivisions shall be located on parcels conveyed to and maintained by a homeowners association. Such facilities shall have a storm drainage easement located around the facility in accordance with the Stafford County Stormwater Management Design Manual. Storm drainage easements~~

~~surrounding the Stormwater management facility shall be fully contained within the parcel. Low impact development integrated management practices shall be permitted on residential building lots in accordance with the provisions of chapter 21.5 of this Code.~~

~~(b) Open space parcels for Stormwater management facilities shall be exempt from the provisions of section 22-144.~~

~~(c) Provision shall be made for adequate access to lots or parcels with Stormwater management facilities by means of an ingress and egress easement or public right-of-way.~~

For purpose of this Chapter, managing stormwater shall be handled by stormwater management facilities (ponds and other centralized stormwater best management practices) and Low-impact development integrated management practices (IMP).

- a. For residential subdivisions, all stormwater management facilities and the access road shall be located on open-space parcels with frontage on a public right-of-way. The open-space parcel shall be conveyed to and maintained by a homeowners association.
- b. All stormwater management facilities shall have a storm drainage easement located around the facility in accordance with the Stafford County Stormwater Management Design Manual. The easement shall be fully contained within the parcel.
- c. The access to all stormwater management facilities shall be an ingress/egress easement dedicated to public use and shall be fully contained within the parcel.
- d. Open space parcels for stormwater management facilities shall be exempt from the provisions of section 22-144.

- e. IMP shall be permitted on residential building lots in accordance with the provisions of chapter 21.5 of this Code.

- f. All areas used for IMPs shall have a storm drainage easement located around the area in accordance with the Stafford County Stormwater Management Design Manual. The easement may be contained on more than one (1) lot or parcel.

- g. Provisions shall be established to provide access to all areas used for IMP. Unless the area used for an IMP adjoins a public street, the access from a public street shall be within an ingress/egress easement dedicated to public use and may be contained on more than one (1) lot or parcel. The width and location of the easement shall be identified on the construction or grading plan and the record plat.

Planning; Amend and Reordain the County Code by Amending Section 28-82, Required Buffers; 28-86, Landscape Standards of the Zoning Ordinance and Sections 102, Applicability; 110.3, Transitional Buffer; and Table 2, Transitional Buffer Matrix of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL).

Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O06-64 with a change.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (0)

Ordinance O06-64 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE COUNTY CODE BY AMENDING SECTION 28-82, REQUIRED BUFFERS; SECTION 28-86, LANDSCAPING STANDARDS, OF THE ZONING ORDINANCE, AND SECTION 102, APPLICABILITY, OF THE DESIGN AND CONSTRUCTION STANDARDS FOR LANDSCAPING, BUFFERING AND SCREENING (DCSL)

WHEREAS, under the present ordinance, all major development is required to comply with landscape and buffering requirements; and

WHEREAS, vegetation in the proximity of public airports creates a potential hazard to airplanes because the vegetation attracts birds; and

WHEREAS, the Board desires development within the boundaries of a public airport to be exempt from the landscape and buffering requirements; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the Stafford County Code be

and it hereby is amended and reordained by amending Section 28-82 and Section 28-86 of the Zoning Ordinance and Section 102 of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL) as follows, with all other portions remaining unchanged:

Sec. 28-82. Required buffers.

General. Except within the boundaries of a public airport, ~~No~~ no structure or land which abuts a boundary between two (2) land uses, fronts on a major thoroughfare or which is subject to special buffer requirements as specified in section 100 of the DCSL, shall hereafter be developed, used or occupied unless a buffer yard is provided in accordance with section 100 of the DCSL. All buffers shall meet the requirements illustrated in section 100 of the DCSL.

Sec. 28-86. Landscaping standards.

(a) *Parking Lot, interior.* All off-street parking areas containing twenty-four (24) spaces or more shall be landscaped in accordance with the standards set out and illustrated in section 100 of the DCSL. Interior parking lot landscaping shall be provided in accordance with Section 100 of the DCSL. Parking garages and any development within the boundaries of a public airport shall not be subject to the interior parking lot landscaping requirements. The requirements are for each twenty-four (24) spaces and shall conform to the “limits of the interior parking lot planting area” diagram provided in section 100 of the DCSL.

(b) *Parking Lot, perimeter.* All off street parking areas containing twenty-four (24) spaces or more and buildings used for parking garages shall provide perimeter parking lot landscaping in accordance with section 100 of the DCSL. This shall not apply to any development within the boundaries of a public airport.

(c) *Parking Lot, Vehicle Access Drive* All off street parking areas containing twenty-four (24) spaces or more and buildings used for parking garages shall provide a vehicle access drive landscaping in accordance with section 100 of the DCSL. This shall not apply to any development within the boundaries of a public airport.

(d) *Street trees.* All development that fronts a public streets shall provide a landscape strip in accordance with sections 100 of the DCSL for the purpose of providing street trees unless a buffer yard is required along the same street frontage. This shall not apply to any development within the boundaries of a public airport.

Design and Construction Standards for Landscaping, Buffering and Screening

Section 102 Applicability

Buffer areas, basic landscaping, tree cover requirements and screening shall be provided for all major development except for any development within the boundaries of a public airport, where required by the Zoning Ordinance and in accordance with this document.

Mr. Dudenhefer motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O06-65.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Ordinance O06-65 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE COUNTY
CODE BY AMENDING SECTION 110.3, TRANSITIONAL BUFFERS;
AND TABLE 1.0, TRANSITIONAL BUFFER, OF THE DESIGN AND
CONSTRUCTION STANDARDS FOR LANDSCAPING, BUFFERING

AND SCREENING (DCSL)

WHEREAS, under the present ordinance, all major development is required to comply with landscape and buffering requirements; and

WHEREAS, transitional buffers are required when a proposed use is different than the adjoining use; and

WHEREAS, a transitional buffer within and abutting a correctional facility would cause a major concern for the safety and welfare of the correctional facility and the adjoining properties; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the Stafford County Code be and it hereby is amended and reordained by amending Section 110.3 and Table 2 of the Design and Construction Standards for Landscaping, Buffering and Screening (DCSL) as follows, with all other portions remaining unchanged:

Section 110.3 Transitional Buffers

TABLE 2 TRANSITIONAL BUFFERS												
PROPOSED USE	ADJACENT USE											
	1	2	3	4	5	6*	7	8	9	10	11	12
Residential Uses												
1. ACTIVE AGRICULTURE		A	A	B	B	B	B	C	C	C	C	C
2. SINGLE FAMILY DETACHED	A		A	B	B	B	B	C	C	C	C	C
3. SF Attached/Multifamily	A	A		A	B	B	B	B	C	C	C	C
4. DESIGNATED HISTORIC SITES - includes bed & breakfast	B	B	A		A	B	B	B	C	C	C	C
Public / Quasi Public												
5. Active Recreation Facilities. Include outdoor recreational enterprises & community center	B	B	B	A		A	A	B	B	B	C	C
6. PUBLIC FACILITIES - treatment plants, fire/rescue stations, railroads *	B	B	B	B	A		A	B	B	B	C	C
7. INSTITUTIONAL- Schools, places of worship, day care facilities.	B	B	B	B	A	A		A	B	B	B	C
Non-Residential Uses												
8. CARE FACILITIES - Retirement housing, nursing/convalescent homes, assisted care, hospitals, emergency fac., Animal Hospital, veterinarian office, kennels	C	C	B	B	B	B	A		A	B	B	C
9. COMMERCIAL/OFFICE/RETAIL - includes hotels, motels, banks,restaurants, drive thru's, theaters, club/lodge/fraternal organizations, indoor recreational enterprises, contractors business without outside storage, funeral homes	C	C	C	C	B	B	B	A		A	B	C
10. AUTO SALES, REPAIR & SERVICE - includes vehicle fuel sales (gas station), Car Wash (not truck wash) & vehicle rentals	C	C	C	C	B	B	B	B	A		A	B
11. LIGHT INDUSTRIAL/MANU - includes mini-storage, wholesale business, contractor business with outside storage, printing/publishing/engraving, research facilities	C	C	C	C	C	C	B	B	B	A		A
12. HEAVY INDUSTRIAL - Manufacturing, processing- includes Auto Salvage, Junk & Graveyards, recycling, truck/freight terminal, truck wash	C	C	C	C	C	C	C	C	C	B	A	
* Excludes Correctional Facilities												

Planning; Amend and Reordain the County Code by Amending Sections 28-185, Conditional Use Permit; 28-205, Notice; and 28-250, Notice After Submission, of the Zoning Ordinance and Section 22-57, Filing, of the Subdivision Ordinance. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

Bettina McWhirt

Lou Silver

The Chairman closed the public hearing.

Mr. Gibbons motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O06-66.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Ordinance O06-66 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE COUNTY CODE BY AMENDING SECTION 28-185, CONDITIONAL USE PERMIT; SECTION 28-205, NOTICE; SECTION 28-250, NOTICE AFTER SUBMISSION, OF THE ZONING ORDINANCE, AND SECTION 22-57, FILING, OF THE SUBDIVISION ORDINANCE

WHEREAS, the Zoning Ordinance requires the applicant of site development plan to notify five (5) property owners in the immediate vicinity of the property involved in which only three (3) adjoin the property; and

WHEREAS, state code requires the Department of Planning and Community Development to provide written notice to all adjoining properties for a Conditional Use Permit or Reclassification at least five (5) days prior to the meeting with the Planning Commission or Board; and

WHEREAS, the Board desires that the Zoning and Subdivision ordinances be consistent with state codes; and

WHEREAS, the Board desires that properties adjoining site development projects be notified in advance of a pending project; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, or good zoning and subdivision practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the Stafford County Code be and it hereby is amended and reordained by amending Section 28-185, Section 28-205, and Section 28-250 of the Zoning Ordinance and Section 22-57 of the Subdivision Ordinance as follows, with all other portions remaining unchanged:

Sec. 28-185. Conditional use permits.

(c) Conditional use permit. No conditional use permit shall be issued except in conformance with the following provisions:

7. Written notice shall be given to all adjoining property owners no less than five (5) days before the public hearing before the Planning Commission or Board

of Supervisors. Notice sent to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. In the event the adjoining property is within another jurisdiction of the Commonwealth, the notice shall be sent to the Administrator or Executive of that jurisdiction. If the public hearing before the Planning Commission and/or Board of Supervisors is cancelled, notice shall be re-mailed no less than five (5) days before the rescheduled public hearing.

- a. The written notice by certified mail shall be given by the Department of Planning and Community Development when the total number to be sent is less than twenty (20).
- b. The written notice by first class mail shall be given by the applicant with a letter provided by the Department of Planning and Community Development when the total number to be sent is twenty (20) or more. Proof of notification shall be submitted to the Department of Planning and Community Development prior to the public hearing.

Sec. 28-205. Notice.

- (d) Written notice shall be given to all adjoining property owners no less than five (5) days before the public hearing before the Planning Commission or Board of Supervisors. Notice sent to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. In the event the adjoining property is within another jurisdiction of the Commonwealth, the notice shall be sent to the Administrator or Executive of that jurisdiction. If the public hearing before the Planning Commission

and/or Board of Supervisors is cancelled, notice shall be re-mailed no less than five (5) days before the rescheduled public hearing.

- i. Written notice by certified mail shall be given by the Planning Department when the total number to be sent is less than twenty (20)
- ii Written notice by first class mail shall be given by the applicant with a letter provided by the Department of Planning and Community Development when the total number to be sent is twenty (20) or more. Proof of notification shall be submitted to the Planning Department prior to the public hearing.

Sec. 28-250. Notice after submission

- (a) Any person or developer who submits a site development plan for approval under the provisions set forth in this article shall submit written proof of notification to ~~five (5) all~~ all property owners ~~in the immediate vicinity of the property involved~~ three (3) of owners whom shall own property adjoining such property. Notice sent by registered or certified mail to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. This provision of notice shall be the responsibility of the owner or developer, who shall mail receipts to the county at the time plans are submitted. No site development plan shall be approved within five (5) days of any such notice.
- (b) The notification required by this section shall read as follows:

“This is to notify you that a site development plan has been submitted for approval to the Director of Planning and Community Development, County of Stafford, Stafford County Administration Center, 1300 Courthouse Road, Stafford, VA 22554 ~~(703)-659~~ (540) 658-8668. The site plan may be reviewed

at the above office ~~and is subject to approval after the expiration of five (5) days of any such notice.~~”

Sec. 22-57. Filing

(d) Any person or developer who submits a preliminary subdivision plan for approval under the provisions set forth in this article shall submit written proof of notification to all property owners who shall own property adjoining such property. Notice sent by registered or certified mail to the last known address of any such owner, as shown on the current real estate tax assessment books of the county, shall be deemed adequate compliance with this requirement. This provision of notice shall be the responsibility of the owner or developer, who shall mail receipts to the county at the time plans are submitted. No preliminary subdivision plan shall be approved within five (5) days of any such notice.

i. The notification required by this section shall read as follows:

“This is to notify you that a preliminary subdivision plan has been submitted with the Department of Planning and Community Development, County of Stafford, Stafford County Administration Center, 1300 Courthouse Road, Stafford, VA 22554 (540) 658-8668 for a decision by the Planning Commission. The application may be reviewed at the above office.”

Legislative; Consent Agenda. Mr. Cavalier motioned, seconded by Mr. Dudenhefer, to adopt the Consent Agenda consisting of Items 13 thru 21A, omitting item 18b.

The Voting Board tally was:

Yea: (7) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito

Nay: (0)

Item 13. Finance; Approve Expenditure Listings

Resolution R06-408 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED SEPTEMBER 5, 2006 THROUGH SEPTEMBER 18, 2006

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 19th day of September, 2006, that the above-mentioned EL be and it hereby is approved.

Item 14. Finance; Reappropriate Funds from FY2006 to FY2007 for Purchase Orders and Incomplete Commitments

Resolution R06-379 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY 2006 TO
FY 2007 FOR OPERATING PURCHASE ORDERS AND INCOMPLETE
COMMITMENTS

WHEREAS, the Code of Virginia stipulates that appropriations be approved for the maximum of one fiscal year only and that appropriations expire or lapse at the end of a fiscal year; and

WHEREAS, the County has executed orders and contracts for the purchase of goods and services that were not received by June 20, 2006, and for which funding was provided in prior years; and

WHEREAS, various projects approved and funded in prior years were not completed by June 30, 2006;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the amounts for outstanding encumbrances and incomplete projects as of June 30, 2006, be and they hereby are appropriated to Fiscal Year 2007 as follows:

GENERAL FUND

Board of Supervisors	\$	28,000
County Administration	\$	28,775
County Attorney	\$	160,624
Human Resources	\$	5,370
Commissioner of the Revenue	\$	37,228
Treasurer	\$	124,025
Finance	\$	18,710
Budget	\$	6,300
Information Technology	\$	110,960
Courts	\$	28,520
Sheriff	\$	282,412
Code Administration	\$	481,318
Emergency Management	\$	165,061
Public Services	\$	154,528
Social Services	\$	45,477
Comprehensive Services Act	\$	10,590
Non-Departmental	\$	114,518
Parks & Recreation	\$	14,031

Planning	\$ 359,587
Economic Development & Legislative Affairs	\$ 2,394
Capital Outlay	\$ 2,546,914
Transfers to Other Funds	\$ <u>441,563</u>

Total General Fund **\$ 5,166,905**

TRANSPORTATION FUND \$ 751,037

TOURISM FUND \$ 13,294

GENERAL CAPITAL PROJECTS FUND \$ 38,806,111

PARKS & REC BOND FUND \$ 3,425,881

UTILITIES FUND \$ 40,148,338

Grand Total **\$ 88,311,566**

Item 15. Utilities; Consider Pump and Haul Services for Patawomeck Park, Phase I at 25 Rectory Lane

Resolution R06-411 reads as follows:

A RESOLUTION TO APPROVE A PUMP AND HAUL AGREEMENT
WITH THE VIRGINIA DEPARTMENT OF HEALTH FOR PATAWOMECK
PARK, 25 RECTORY LANE

WHEREAS, the County has an Agreement and General Permit with the State Health Department for pump and haul services; and

WHEREAS, pump and haul services are required for Patawomeck Park, 25 Rectory Lane until permanent sewer becomes feasible; and

WHEREAS, it is necessary for the County to add new locations to the General Permit Agreement with the Virginia Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to add Patawomeck Park, 25 Rectory Lane to the agreement with the Virginia Department of Health; and

BE IT FURTHER RESOLVED that these services will be discontinued and removed from the agreement with the Virginia Department of Health when public sewer becomes feasible for this parcel; and

BE IT STILL FURTHER RESOLVED that Stafford County Utilities Department bears no financial obligation and the anticipated occupant will bear all costs associated with Pump and Haul services.

Item 16. Information Technology; Authorize a Contract to Upgrade Backup Power Protection for Computer Room and Wiring Closets

Resolution R06-373 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CRITICAL & EMERGENCY POWER SYSTEMS, INC. (CEPSI) TO INSTALL A NEW BACKUP POWER SYSTEM FOR THE COUNTY'S COMPUTER ROOM AND WIRING CLOSETS

WHEREAS, the County's current power backup systems are unreliable, the current UPS is at full capacity, and the current generator is not dependable, resulting in the possibility of system failures during power outages; and

WHEREAS, a prolonged power outage could lead to considerable downtime for mission critical systems such as public safety; and

WHEREAS, downtime for critical systems would adversely impact County operations and services to citizens; and

WHEREAS, the current power problems are also causing delays in new project implementations, thereby affecting internal County operations and service to citizens; and

WHEREAS, the proposed backup power system will protect all current critical IT systems and allows for expansion to meet the County's IT systems power protection needs for the next 10 or more years; and

WHEREAS, inasmuch as this is an emergency procurement, the County is executing their authority in accordance with the Virginia Public Procurement Act, Article 2, Section 2.2-4303 F, the County may award a contract in the case of an emergency, which is an occurrence that demands immediate attention, without competitive sealed bidding or competitive negotiation, as practicable under the circumstances; and

WHEREAS, due to the urgent need to replace the current inadequate backup power system it is recommended to accept CEPSE's proposal;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to execute a contract with Critical & Emergency Power Systems, Inc. (CEPSI) to install a new backup power system for the County's computer

room and wiring closets in an amount not to exceed Two Hundred Seventy-seven Thousand Six Hundred Seventy-five Dollars (\$277,675).

Item 17. Code Administration; Appropriate Grant Funds for the “Stafford County Rappahannock Watersheds Plan” Water Quality Improvement Fund Grant.

Resolution R06-410 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO APPROPRIATE FUNDS FOR THE “STAFFORD COUNTY
RAPPAHANNOCK WATERSHEDS PLAN” WATER QUALITY
IMPROVEMENT FUND GRANT

WHEREAS, the County and the Friends of the Rappahannock (FOR) have partnered together for many years on many projects that help to assess and improve the condition of water resources within the County and within the Potomac, Rappahannock, and Chesapeake Bay Watersheds; and

WHEREAS, the County, in partnership with the FOR, applied for a Virginia Water Quality Improvement Fund (WQIF) grant through the Virginia Department of Conservation and Recreation; and

WHEREAS, on July 26, 2006, the County was awarded a \$70,000 WQIF grant; and

WHEREAS, the implementation of this grant and its associated projects will help to improve the condition of the water quality of Stafford’s streams and help the County in meeting the requirements of its National Pollution Discharge Elimination System (NPDES) permit for stormwater;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that funds in the amount of Seventy Thousand Dollars (\$70,000) be and it hereby is budgeted and appropriated to the General Fund, Code Administration category for stormwater management.

Item 18a. Administration; Authorize a Public Hearing to Amend and Reordain Chapter 23 of the County Code Entitled “Taxation” by Amending Section 23-57, Entitled “General Provisions”

Resolution R06-404 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN CHAPTER 23 OF THE COUNTY CODE, ENTITLED "TAXATION" BY AMENDING SECTION 23-57, ENTITLED "GENERAL PROVISIONS"

WHEREAS, it is the desire of the Board to provide tax relief for the elderly and disabled citizens of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend Section 23-57 of the Stafford County Code entitled "General Provisions".

Item 19. Administration; Authorize Acquisition of Parcel 30-53 Located in the Area of the Southwest Corner of Jefferson Davis Highway and Courthouse Road

Resolution R06-422 reads as follows:

A RESOLUTION TO AUTHORIZE THE ACQUISITION OF PARCEL 30-53 LOCATED IN THE AREA OF THE SOUTHWEST CORNER

OF JEFFERSON DAVIS HIGHWAY AND COURTHOUSE ROAD

WHEREAS, parcel 30-53 is in the area of the southwest corner of Jefferson Davis Highway and Courthouse Road; and

WHEREAS, this 11-acre parcel adjoins the 17 acres of land the County currently owns fronting on Courthouse Road; and

WHEREAS, a portion of those 17 acres will be used for the new Stafford Fire & Rescue Station with the remainder for use for a new Courts Complex for the County; and

WHEREAS, by acquiring additional acreage, the County will have sufficient land for the long-term needs for facilities and parking for the County's courts complex; and

WHEREAS, the property is being offered for sale for \$449,000;

WHEREAS, it is the desire of the Board to purchase said parcel;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September 2006 that the Board be and it hereby does authorize the acquisition of parcel 30-53 in an amount not to exceed \$449,000; and

BE IT FURTHER RESOLVED that the Board be and it hereby does budget and appropriate funds in the amount of \$449,000 from the fund balance to the General Fund Capital Projects to acquire said land; and

BE IT STILL FURTHER RESOLVED that the Board has determined that it may be necessary or desirable to advance money to pay the costs of the land acquisition for the Courts complex (the "Project");

1. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
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 one or more financings. The maximum amount of financing expected to be issued for the Project is \$449,000.
3. This resolution shall take effect immediately upon its adoption.

Item 20. Legislative; Approve a Proclamation to Declare September 30, 2006 as University of Mary Washington Inauguration Day in Honor of William J. Frawley

Proclamation P06-33 reads as follows:

A PROCLAMATION TO DECLARE SEPTEMBER 30, 2006 AS
UNIVERSITY OF MARY WASHINGTON INAUGURATION DAY
IN HONOR OF PRESIDENT WILLIAM J. FRAWLEY

WHEREAS, William J. Frawley became the seventh President of the University of Mary Washington on July 1, 2006 and will be installed in office on September 30, 2006; and

WHEREAS, the University's College of Graduate and Professional Studies, located in Stafford County, Virginia, supports, as part of its mission, lifelong learning, professional advancement and regional economic development; and

WHEREAS, the University provides accessible, quality education tailored to the needs of adult learners, professionals and members of the business community;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of September 2006 that September 30, 2006 be and it

hereby is declared as University of Mary Washington Inauguration Day in honor of President William J. Frawley; and

BE IT FURTHER PROCLAIMED that citizens everywhere are urged to congratulate the University of Mary Washington on this historic occasion.

Item 21. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees; Beautification Committee.

Resolution R06-431 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE STAFFORD COUNTY BEAUTIFICATION COMMITTEE

WHEREAS, Resolution R02-215 reestablished the Beautification Committee; and

WHEREAS, Resolution R02-215 authorizes 17 members to be appointed to the Beautification Committee, one to represent each of the following: education system, business community, County Extension Office, a community or civic organization, a high school student, a youth organization, County government, a garden club, Sheriff’s Office, community involvement representative, and one representative from each of the County’s seven election districts; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Julie May (County Government)	December 31, 2006
VACANT	December 31, 2006

(Youth Organization)

Ian Treggett

December 31, 2006

(Extension Office)

Laurie Posner

December 31, 2006

(George Washington District)

Bobbie Hayes

December 31, 2006

(Griffis-Widewater District)

Janet O’Neal

December 31, 2006

(Education System)

Betty Avisian

December 31, 2006

(Falmouth District)

Sandra West

December 31, 2006

(Community Organization)

Deputy Craig Cain

December 31, 2006

(Sheriff’s Office)

Cynthia Lucero-Chavez

December 31, 2006

(Community Involvement)

Eleanor Brookover

December 31, 2006

(Rock Hill District)

Barry Hastings

December 31, 2006

(Hartwood District)

VACANT
(Business Community) December 31, 2005

VACANT
(Garden Club) December 31, 2006

Wendy Meyer
(Garrisonville) December 31, 2006

Shari Kern
(Aquia) December 31, 2006

Jacob Kern
(High School Student) December 31, 2006

Anthony Celestini
(High School Student) December 31, 2006

WHEREAS, a vacancy exists for the Education System and the Hartwood representative has resigned; and

WHEREAS, the Board desires to fill these vacancies; and

WHEREAS, the term of membership is one year;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that

NAME

EXPIRATION

Patrice Promack
(Hartwood District)

December 31, 2006

be and he hereby is appointed to the Beautification Committee.

Item 21A. Legislative; Authorize Contract for Negotiation Services for the Acquisition of Properties for the Rocky Pen Run Reservoir.

Resolution R06-433 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR NEGOTIATION SERVICES TO
ACQUIRE PROPERTIES FOR THE ROCKY PEN RUN RESERVOIR

WHEREAS, the Board has selected the Rocky Pen Run Reservoir to meet the present and future water supply needs of the County; and

WHEREAS, negotiations for the acquisition of the remaining properties for the project is necessary for timely completion; and

WHEREAS, services of a firm experienced in negotiation for properties for large public projects will expedite completion of the acquisition efforts; and

WHEREAS, proposals were solicited from firms interested in providing these services in accordance with the County procurement process; and

WHEREAS, four firms submitted proposals in response to the solicitation, of which two firms were subsequently invited for interviews; and

WHEREAS, based upon the content of the proposals and the results of the interviews, the selection committee determined that Continental Field Services

Corporation was the most qualified firm to provide negotiation services to acquire the remaining properties for the Rocky Pen Run Reservoir; and

WHEREAS, Continental Field Services Corporation has proposed to provide negotiation services for the remaining properties for the estimated fee of \$125,000; and

WHEREAS, sufficient funds are appropriated for this contract;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to execute a contract with Continental Field Services Corporation in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000) for negotiation services to acquire properties for the Rocky Pen Run Reservoir.

Legislative: Authorize a Public Hearing to Declare Surplus and Sale of County-Owned Property on Hope Springs Lane. Mr. Milde commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-204 with changes.

Discussion ensued.

The Voting Board tally was:

Yea: (6) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Cavalier

Nay: (1) Brito

Resolution R06-204 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO
DECLARE PROPERTY SURPLUS AND SALE OF COUNTY-

OWNED PROPERTY ON HOPE SPRINGS LANE

WHEREAS, the County owns a 1.4 acre parcel of undeveloped agricultural zoned land located along the west side of Aquia Creek and east side of Hope Springs Lane, just north of Hope Road; and

WHEREAS, this parcel is not needed for any other County purpose, and staff recommends that the property be declared surplus and sold;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing on October 3, 2006 to sell property identified as Tax Map 31-33-20D, a 1.4 acre parcel along the west side of Aquia Creek and the east side of Hope Springs Lane, just north of Hope Road, for an amount of not less than Sixty Thousand Dollars (\$60,000) to Dr. John Biddulph; and

BE IT FURTHER RESOLVED that \$60,000 from the sale of property identified as Tax Map 31-33-20D shall be deposited to a fund for the Conservation Easement Program.

Legislative; Discuss Construction of Library No. 2. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to authorize a Request for Proposals be issued for Library No 2.

The Voting Board tally was:

Yea: (7) Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Legislative; Discuss Board Meeting Dates. Mr. Gibbons commented.

Discussion ensued.

Hearing no objections from the Board, November 7th Board meeting is to be cancelled and a meeting scheduled on November 14th beginning at 5:00 P.M. The regular meeting on December 19th will begin at 5:00 P.M.

Legislative; Discuss Office of Internal Audits. Mr. Dudenhefer commented.

Discussion ensued.

Hearing no objections from the Board, a committee of Mr. Cavalier and Mr. Brito will further review a proposed contract and bring back information to the Board.

Legislative; Regular Agenda Additions. Mr. Dudenhefer motioned, seconded by Mr. Cavalier, to add for discussion the following: Amend the Referendum Education Materials with regard to the proposed transportation projects; and Use of County Parking Lot on October 28, 2006, for a “Safe Driving Day”.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields

Nay: (0)

Legislative; Amend the Referendum Education Materials with regard to the Proposed Transportation Projects. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to change Courthouse Road (West) from six-lane to a four-lane highway.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons

Nay: (0)

Legislative; Request use of County Parking Lot for “Safe Driving Day” on October 28, 2006. Mr. Dudenhefer motioned, seconded by Mr. Milde, to request use of the County parking lot for a “Safe Driving Day” on October 28, 2006.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Legislative; Closed Meeting. At 9:05 P.M., Mr. Cavalier motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM06-29.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Resolution CM06-29 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 in regard to three matters: a Dominion Transmission Line, the Widewater CDA, Special District and Traffic Impact Area and Crow’s Nest: an Erosion and Sediment Control Code violation issue; and the Acquisition of Real Property for Public Purpose in regard to the Potomac Hills Fire Station and Crow’s Nest; and

WHEREAS, pursuant to Section 2.2-3711 A7 and A3 VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 19th day of September, 2006 does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 10:01 P. M. the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Cavalier motioned, seconded by Mr. Schwartz, to adopt proposed Resolution CM06-29a.

The Voting Board tally was:

Yea: (7) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito
Nay: (0)

Resolution CM0629a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
SEPTEMBER 19, 2006

WHEREAS, the Board has, on this the 19th day of September, 2006, 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 19th day of September 2006, 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 Public Hearings to:

Abolish by Ordinance the Special Service District in Widewater. Mr. Cavalier motioned, seconded by Mr. Schwartz, to authorize a public hearing to abolish by Ordinance the Widewater Special Service District and the Widewater Parkway Contribution Allocation Plan.

The Voting Board tally was:

Yea: (7) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito, Cavalier

Nay: (0)

Mr. Cavalier motioned, seconded by Mr. Milde, to authorize a public hearing to abolish the Widewater Traffic Impact Area.

The Voting Board tally was:

Yea: (7) Fields, Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer

Nay: (0)

Mr. Gibbons motioned, seconded by Mr. Brito, to adopt proposed Resolution R06-444.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields

Nay: (0)

Resolution R06-444 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA STATE CORPORATION
COMMISSION TO CONDUCT A PUBLIC HEARING REGARDING
DOMINION VIRGINIA POWER’S PETITION FOR APPROVAL OF A
CERTIFICATE OF CONVENIENCE AND NECESSITY

WHEREAS, Dominion Virginia Power proposes to build a double-circuit 230 kilovolt (kV) overhead electrical transmission line in Stafford County, Virginia, such proposed line to extend approximately 5 miles from an existing electrical transmission line corridor east of I-95 to a proposed new substation site in the Moores Corner area of the County; and

WHEREAS, on August 30, 2006, Dominion Virginia Power filed a petition for a Certificate of Approval of Convenience and Necessity with the State Corporation Commission (the SCC) for approval of an overhead electrical transmission line as required for a transmission line of more than 150 kilovolts docketed as Case No. PUE-2006-00091; and

WHEREAS, § 56-46.1 of the Code of Virginia defines “interested parties” as “. . . includ[ing] the governing bodies of any counties or municipalities through which the line is to be built, and persons residing or owning property in each such county or municipality”; and

WHEREAS, §56-46.1 of the Code of Virginia provides that prior to an approval and upon the request of any “interested parties” the SCC “. . . shall, as soon as reasonably practicable after such request, hold such hearing or hearings at such place as may be designated by the Commission”; and

WHEREAS § 56-46.1 of the Code of Virginia further provides that prior to such approval if it shall receive written requests from twenty (20) or more “interested parties”, the Commission shall hold at least one public hearing within the area which would be affected by the proposed overhead electrical transmission line;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of September, 2006, that the County's Board of Supervisors, being an interested party, does give written notice by delivery of a certified copy of this Resolution to the Virginia State Corporation Commission, of its official request for a public hearing on the petition of Dominion Virginia Power for a Certificate of Convenience and Necessity, SCC Docket No. PUE-2006-00091; and

BE IT FURTHER RESOLVED, that the Board of Supervisors requests that such public hearing be conducted within Stafford County in order for the Commissioner of the SCC to receive public comment from the citizens of Stafford County who are most directly impacted by Dominion Virginia Power's proposed project.

Adjournment. At 10:15 P. M., the Chairman declared the meeting adjourned.

Steve Crosby
County Administrator

Robert C. Gibbons
Chairman