BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES

Regular Meeting

November 30, 2010

<u>Call to Order</u>. A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 1:01 P. M., Tuesday, November 30, 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; Charles L. Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

Work Session: Economic Development Authority Brief Mr. Jack Rowley, EDA member, gave a presentation and answered Board member's questions about establishing a permanent Germanna Community College Campus (GCC) in Stafford County. Mr. Rowley shared with the Board that Dr. Sam, President of GCC, fully supports the endeavor as well as the project having the full supported of the Economic Development Authority.

Mr. Woodson asked if a campus in the northern part of Stafford County would be in competition with NOVA. Mr. Rowley responded that the registration numbers for the existing leased space indicates that having a permanent campus in Stafford's northern end of the County would be very beneficial and not at all in competition with NOVA.

Mr. Milde noted that he met with Dr. Sam and wanted to reiterate that the Board was very supportive and would do anything it could to help establish a permanent facility for GCC in Stafford County. Mr. Dudenhefer mentioned a possible connectivity with the MOU for the Technical Center in Boswell's Corner. Mr. Rowley said that Deputy County Administrator, Tim Baroody, was their link to possible development opportunities. Mr. Milde said that no one has offered to donate 50 acres of land as land values are way too high at this time. He indicated that GCC needs not only land but at least ten percent of the construction costs to proceed.

Mr. Dudenhefer thanked Mr. Rowley for his work on the EDA.

Work Session: Capital Improvement Plan Ms. Nancy Collins, Budget Division Director, gave a presentation and answered Board members questions.

Mr. Dudenhefer told the Board that they were not expected to make any decisions; that the CIP would be brought back for further discussion on December 14th. He asked where the road projects came from that were outlined in Ms. Collins' Power Point presentation and if they had gone through the Transportation Commission. Mr. Romanello replied that they had not yet been presented to the Commission. Mr. Crisp asked Ms. Collins if the transportation projects would not affect affordability and Ms. Collins said that was correct. Mr. Sterling said that it does not affect it because the County is not borrowing the money but rather looking at grants, etc. to fund the projects. Mr. Woodson asked if the \$74M does affect affordability and Ms. Collins answered yes, it does. Mr. Snellings asked about approving a public hearing on 12/14. Mr. Dudenhefer said that if the CIP isn't ready, the Board doesn't have to move forward. Mr. Romanello said that staff was at the meeting to answer questions and would be available on 12/14 as well.

Mr. Scott Horan spoke to the Board on behalf of the School Division. He talked about new facilities and renovation of Stafford High School and stated that in his opinion, all projects should compete fairly for a share of the available funds. Mr. Horan went on to say that it should not be "us v. them" and added that we are all one County and should work toward meeting the needs of all Stafford citizens.

Mr. Sterling talked about taking a holistic approach and look at the CIP. Mr. Milde said that there is a finite amount of money that the County can borrow and questioned the large amount of money dedicated to maintenance and upkeep, adding that the County has postponed maintenance issues to a larger degree than had the Schools. Mr. Horan suggested that needs should be scored to determine equitably which projects are most in need of attention. He added that School facilities are treated the same as any County facilities when it comes to maintenance and upkeep. Mr. Milde responded that even without scoring, it is evident that the County put off more maintenance projects than did Schools and added that he believes that splitting debt capacity with Schools is fair and will result in a distribution that we all can live with. Mr. Horan responded that there are many ways to split funds and said that he believes it would be prudent to carve off some funds for capital maintenance adding that Schools have a tremendous amount of physical space to take care of. Mr. Milde suggested that the subject be referred to the Joint School Board/Board of Supervisors Committee.

Mr. Sterling asked about the total amount spent on School maintenance in the calendar year. Mr. Horan will provide that information to the Board. Mr. Dudenhefer thanked Mr. Horan for taking time to meet with the Board. Mr. Crisp said that he believes that the Board needs more time for an in depth discussion before the public hearing. Mr. Dudenhefer stated that December 14th is only a target date.

<u>Work Session: Tourism Update</u> Ms. MC Moncure, Tourism Manager, gave a presentation and answered Board members questions. Ms. Stimpson stated that the County is really lucky to have Ms. Moncure with her energy and creativity and said that she really enjoys how Ms. Moncure brings history to life. Mr. Crisp echoed Ms. Stimpson's comments and complimented Ms. Moncure on her efforts on long-standing historical sites like the

evolving Civil War Park at the Landfill. Mr. Crisp talked about the economic return on Tourism and called it a step-by-step investment in time.

Mr. Snellings thanked Ms. Moncure and stated that "way back when" he was a stagehand at the 300th anniversary celebration of Stafford County. He added that he took his two grandsons to Government Island and that it is a wonderful place to visit.

Mr. Dudenhefer asked about the Golf Trail. Ms. Moncure that in the interest of time, there were a lot of places that she did not mention in her report that are the kinds of attractions that will bring in people to the County. Mr. Dudenhefer said that Ms. Moncure's work was impressive and thanked her for her hard work. Ms. Stimpson asked about the 300th anniversary program and said that it should be made available to citizens. Mr. Romanello said that staff will put it on the County's website. Mr. Milde thanked Ms. Moncure for her work on Government Island.

<u>Work Session: Economic Development – Ten Point Plan Update</u> Mr. Crisp gave a presentation on Issue #5, Redevelopment, saying that the Ten Point Plan Committee met three times on the issue of redevelopment. Brad Johnson spoke on behalf of Economic Development. Mr. Milde jokingly talked about the "Baroody Beltway" a.k.a. the Courthouse Loop. Mr. Johnson said that further discussion on redevelopment would be scheduled for the December 14th meeting.

Mr. Snellings asked about the Boswell's Corner RDA in reference to Marine Corps Base Quantico. Mr. Johnson responded that Quantico is okay with the RDA. Mr. Woodson asked if there would be meetings and an opportunity for public input regarding the Boswell's Corner RDA. Mr. Johnson responded that that was correct; there would be upcoming meetings to allow for citizen input.

Mr. Sterling said that his only concern is that the redevelopment plan is not ambitious enough and that six years for completion of the Form Based Code is too long, it should have a year shaved off of it at least. Mr. Sterling said that ED should look at Form Based Codes in other localities and expedite the process in Stafford. Mr. Milde agreed that

there should be a more ambitious schedule and that he will support redevelopment in the Courthouse area.

Mr. Jeff Harvey, Planning Director, said that the biggest time factor with Form Based Codes is commercial involvement and determining what the Board wants the area to look like upon completion. Mr. Harvey's suggestion was to approach them concurrently, and hire a consultant. He added that the County has the key mechanics in place. Mr. Sterling asked what the County already spent \$750,000 on and asked why the County would need another consultant. Mr. Harvey said that redevelopment focuses on a core area while a RDA focuses on immediate localities. Mr. Milde repeated that he wants to expedite, not delay this process. Mr. Harvey talked about a 5-year time horizon with a consultant.

Mr. Dudenhefer asked Mr. Harvey to come back to the Board on December 14th with an enhanced time-line for a redevelopment plan including both Form Based Code and Conditional Use Permits. Mr. Tim Baroody, Economic Development Director/Deputy County Administrator, responded that his department will have an alternate plan ready in time for the next Board meeting.

Mr. Crisp said that the next Ten Point Plan Committee report will be on Issues #2 and #8 and is scheduled for January, 2011.

Work Session: Legislative Priorities (Proposed Resolution R10-337) Mr. Cord Sterling stated that priorities presented in proposed Resolution R10-337 were not recommendations, rather they were formalized ideas and added that the fewer recommendations presented to the General Assembly, the more successful the outcome.

Mr. Snellings said that he could not support Items 1, 5 or 7. Mr. Sterling said that he supports Items 1, 2, 3, 4, and 5. Mr. Sterling asked that the word "continue" be added to Item 1b. Mr. Snellings talked about the amount of land in the County covered by military installations. Mr. Sterling suggested that Item 1e be added to include the wording "receive credit for military sensitive overlay zones". Ms. Stimpson added that Marine Corps Base Quantico land should have been taken into consideration.

Mr. Woodson asked about Issue #3, the George Washington Toll Authority. Mr. Dudenhefer replied that it asked permission for Stafford County to join the existing Authority and to expand the locations to include the proposed Stafford County Parkway. Mr. Woodson said that he could not support Issues 1, 2, 3, 8, and 14.

Mr. Snellings motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-337 with changes, creating Resolution R10-372 to be voted on as well.

The Voting Board tally was:

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

Nay: (1) Woodson

Resolution R10-337 reads as follows:

A RESOLUTION TO ESTABLISH PRIORITY LEGISLATIVE INITIATIVES FOR THE 2011 VIRGINIA GENERAL ASSEMBLY

WHEREAS, the Board seeks enabling legislation and amendments to the Code of Virginia to accomplish Stafford County's legislative initiatives for the 2011 Virginia General Assembly; and

WHEREAS, the Board recognizes that the Commonwealth and its local governments are partners in providing many services to our citizens; and

WHEREAS, the Board opposes efforts to reduce the authority or flexibility of local governments to govern its citizens, or to shift responsibility for shared services to localities alone; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010 that the members of the General Assembly representing Stafford be and they hereby are requested to introduce and support the following priority initiatives:

- <u>1) Urban Development Areas</u>. Amendments to the Code of Virginia to assist localities in implementing Urban Development Areas (UDAs) within the Comprehensive Plan as required by Virginia Code Section 15.2-2223.1 as follows:
- a) Delete the word "existing" in the definition of "developable acreage" to exclude planned parks, rights-of-way of arterial and collector streets, railways, public utilities and other public lands (their impact zones) and facilities;
- b) Continue to allow the collection of proffers to pay for public services within the UDAs;

- c) Allow light industrial uses within UDAs;
- d) Allow a credit towards the required growth projections for already approved lots outside the UDA;
- e) Allow a reduction in density through a credit for military-sensitive land; and other amendments as necessary.
- **2)** Collection of Cash Proffers. An amendment to Virginia Code Section 15.2-2303.1:1 to provide that cash proffers made as part of a rezoning request may be collected at the building permit stage of the development process, instead of at issuance of the occupancy permit.
- <u>3) George Washington Toll Road Authority</u>. Amendments to the George Washington Toll Road Authority enabling legislation adopted by the 2009 General Assembly to allow Stafford's participation in the activities of the Authority to fund and construct road improvements within Stafford County.

4) Amendments to the Road Impact Fee Authority to allow localities to:

- a) Exempt family subdivisions from paying the impact fee;
- b) Exempt commercial development from paying the impact fee;
- c) Levy the impact fee on new residential dwelling units.
- <u>5) Developer Securities for Subdivision Streets</u>. Enabling legislation to provide the local governing body the authority to:
- a) Reduce the original street security amount only at such time as the street is accepted into the VDOT system for maintenance;
- b) Withhold acceptance of securities or plat approvals if the developer or any partners are in default of street completions in another development in the County even if under a different corporation or partnership; and
- c) Withhold building permits or occupancy permits until a street is accepted into the VDOT system for maintenance, even in the case where the minimum number of houses (currently three) has been constructed along the roadway to make the street eligible for inclusion in the system.

Mr. Woodson asked about Issue 13, Illegal Immigration, and asked what it did. Mr. Sterling replied that it collected funds for the federal government to deal with illegal immigration issues. Mr. Woodson asked why it was included if Stafford County cannot enforce it? Mr. Dudenhefer replied that the County can ask for reimbursement for illegal immigrations issues impacting the County. Ms. Stimpson asked about a way to tie this to the refugee issue mentioned by Dr. Nougaret. Mr. Sterling said that Issue 13a offers a tool for requesting reimbursement for both Schools and the County. Ms. Stimpson said that the Schools are not being reimbursed. Mr. Dudenhefer stated that it was because the County is not allowed to collect data.

Mr. Snellings talked about Issue 1, Roll Back Taxes, and objected to moving the timeframe from five to seven years saying that it could run people off. Mr. Dudenhefer said that when they sell, the County gets the roll back taxes. Mr. Snellings stated that the

current Board was behind having current landowners grandfathered in with land use but that future Boards of Supervisors may not share the same opinion.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R10-372.

The Voting Board tally was:

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

Nay: (2) Crisp, Woodson

Resolution R10-372 reads as follows:

A RESOLUTION TO EXPRESS SUPPORT FOR LEGISLATIVE ACTIONS BY THE 2011 VIRGINIA GENERAL ASSEMBLY

WHEREAS, the Board recognizes that the Commonwealth and its local governments are partners in providing many services to our citizens; and

WHEREAS, the Board opposes efforts to reduce the authority or flexibility of local governments to govern its citizens, or to shift responsibility for shared services to localities alone; and

WHEREAS, with the adoption of Resolution R10-337, the Board previously identified three (3) priority legislative initiatives it desires Stafford's delegation to the General Assembly to introduce and support to passage; and

WHEREAS, the Board desires to support the following actions in the 2011 General Assembly session should legislation be introduced to accomplish them.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010 that it does hereby express support for the following legislative actions by the 2011 Virginia General Assembly:

- 1) Roll-Back Tax. An amendment to Virginia Code Section 58.1-3237 to provide localities the flexibility to increase the roll-back tax period from five to seven years when real estate changes to a non-qualifying use or the zoning of the real estate is changed to a more intensive use at the request of the owner or his agent. The amendment must include the option for the governing body to "grandfather" property currently in the land use program.
- <u>2) Defense Manufacturing Zones</u>. Enabling legislation to allow localities to establish Defense Manufacturing Zones to provide incentives to defense-related manufacturing businesses desiring to expand or locate in the Commonwealth.
- 3) Reporting of the Telecommunications Sales and Use Tax. Oppose the recategorization of the 5% communications tax as state aid to localities by the Auditor of Public Accounts.
- **4)** Assessment Appeals. Oppose any proposed legislation that changes the burden of proof/presumption for assessment appeals, whether it a) removes the burden from the

property owner and the presumption from the County, or b) removes the burden from the property owner and presumption from the County, and puts the burden on the County.

- <u>5) Zoning Authority Relating to Sales of Distilled Spirits</u>. Support language that preserves the zoning authority of localities relating to the location of retail sales of distilled spirits in any legislative proposal to privatize the sale of such spirits in the Commonwealth.
- 6) Funding for Virginia Railway Express. As an interim step to attaining the Commonwealth's goal to provide 95% of eligible transit operating and capital costs, Stafford requests budget legislation such that the Commonwealth provides annual funding to offset Virginia Railway Express (VRE) operational costs attributable to persons using VRE services but who reside in non-VRE member localities.
- 7) Property Maintenance Code. Enabling legislation to allow the local governing body to apply the local property maintenance code throughout the entire jurisdiction or to a portion of the jurisdiction based upon zoning classification. In the case of a residential zoning classification, the locality may choose to enforce the property maintenance code in areas based upon density.
- 8) Authority of localities to remove or repair the defacement of buildings, walls, fences, and other structures on occupied property. An amendment to Virginia Code Section 15.2-908(A) to provide that, when a locality removes or repairs defacement occurring on a private building, wall, fence, or other structure located on occupied or unoccupied property, and after complying with the notice requirements under this section, the actual costs or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected.
- <u>9) Cost of Competing Adjustment</u>. Budget legislation to increase the cost of competing adjustment paid to the school division to help pay for the higher costs to compete for teachers in the Northern Virginia region.
- <u>10) Matching Funds for Purchase of Development Rights Programs</u>. Budget legislation to maintain state funds to match local dollars committed to local purchase of development rights programs.
- <u>11) Local Regulation of Timbering</u>. An amendment to Virginia Code Section 10.1-1126.1 to explicitly state that, once a subdivision plan or site plan is submitted for local approval at the request of the property owner for a development project, any timbering on the property is subject to local development regulations.
- **12)** Impacts of Land Development on Public Infrastructure. Amendments to the Virginia Code to allow localities to levy impact fees on development to pay for costs related to education.

13) Illegal Immigration.

- a) Once permitted to do so by federal law, grant counties the authority to sanction businesses that employ illegal immigrants;
- b) Once permitted to do so by federal law, grant counties the authority to deny services to illegal immigrants other than emergency medical care and those services that ensure the health of the general population;
- c) Seek federal reimbursement for the full cost of all public services provided to illegal immigrants;
- d) Pass legislation to provide clear authority for counties to request documentation on the legal status of anyone receiving public services from local government agencies; and
- e) Grant counties the authority to revoke the business license of an employer who knowingly hires illegal immigrants.

<u>14) Regulation of All-Terrain Vehicles</u>. An amendment to Virginia Code Section 46.2-1051 to add Stafford to the special authority granted to localities within the Northern Virginia Planning District to regulate, by ordinance, the operation of all-terrain vehicles as defined in Section 46.2-100.

15) Authority for a Local License Plate. An amendment to Virginia Code Section 46.2-749.4 to provide that the Division of Motor Vehicles may develop and issue special license plates incorporating the seal, symbol, emblem or logotype of any county, city or town on receipt of a minimum of 350 paid applications therefore, or on receipt of \$3,500 from the locality requesting the development of a non-revenue sharing plate.

16) Car Title Lending. Authority for localities to regulate, by ordinance, activities of businesses offering loans secured by the borrower's financial interest in an automobile.

Recess: At 2:47 P.M., the Chairman declared a recess.

Call to Order: At 3:02 P.M., the Chairman called the meeting back to order.

Legislative: Additions/Deletions to the Regular Agenda

Mr. Milde motioned, seconded by Ms. Stimpson, to add Item 26. Economic Development; Endorse Grant Request for Courthouse Streetscape Improvements (Proposed Resolution R10-370); and Item 27. Public Works; Request VDOT Funds for Construction (Proposed Resolution R10-37); and delete Item 25; Discuss PGA Drive Office Park / Greenridge Drive Buffer Issue.

The Voting Board tally was:

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

Nay: (0)

Legislative; Consent Agenda

Mr. Sterling motioned, seconded by Mr. Milde, to adopt the Consent Agenda consisting of Items 14 thru 22, omitting Items 15 and 22.

The Voting Board tally was:

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

Nay: (0)

Item 14. Finance and Budget; Approve Expenditure Listing

Resolution R10-354 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED 11/16/10 THROUGH 11/29/10

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 30th day of November 2010 that the above-mentioned EL be and hereby is approved.

<u>Item 16. Public Works; Award Contract for Design of Garrisonville Road Improvements</u> Resolution R10-346 reads as follows:

A RESOLUTION TO AWARD A CONTRACT FOR ENGINEERING, UTILITY RELOCATION, AND RIGHT-OF-WAY ACQUISITION SERVICES FOR THE GARRISONVILLE ROAD IMPROVEMENTS

WHEREAS, the citizens of Stafford County approved the 2008 Bond Referendum authorizing the issuance of bonds to fund certain road improvements within Stafford County; and

WHEREAS, the widening of Garrisonville Road from Onville Road to Eustace Road was one of the projects identified in the 2008 Bond Referendum; and

WHEREAS, Stafford County issued a public solicitation for proposals from interested firms to provide engineering, utility relocation, and right-of-way acquisition services for the widening of Garrisonville Road; and

WHEREAS, fifteen (15) proposals from interested firms were submitted; and

WHEREAS, staff has determined that Greenhorn and O'Mara was the most qualified firm to provide these services; and

WHEREAS, Greenhorn and O'Mara has submitted a cost proposal to perform engineering, utility relocation, and right-of-way acquisition services for this project for the estimated amount of \$995,422; and

WHEREAS, staff has determined that this proposal is reasonable for the scope of work proposed; and

WHEREAS, design of this project is to be funded entirely from the Garrisonville Road Service District fees; and

WHEREAS, the Virginia Department of Transportation has reviewed the Greenhorn and O'Mara proposal and determined that the scope of services and billing charges are consistent with federal and state requirements; and

WHEREAS, the professional services provided at all phases will comply with state and/or federal requirements to allow the use of state and/or federal funding to complete this project, should it become available;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the County Administrator be and he hereby is, authorized to execute a contract with Greenhorn and O'Mara in an amount not to exceed Nine Hundred Ninety-five Thousand Four Hundred Twenty-two Dollars (\$995,422) for design, utility relocation, and right-of-way acquisition services for the Garrisonville Road improvements; and

BE IT FURTHER RESOLVED that the amount of \$995,422 from Garrisonville Road Service District fee collections shall be budgeted and appropriated for this contract.

Item 17. Public Works; Request Reimbursement from the Potomac and Rappahannock Transportation Commission (PRTC) for Transportation Expenditures for the First Quarter of FY2011

Resolution R10-345 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION FOR TRANSPORTATION EXPENDITURES FOR THE FIRST QUARTER OF FISCAL YEAR 2011

WHEREAS, the County budgeted funds in the FY2011 Transportation Fund for various programs, including transportation, street signs, and road improvements; and

WHEREAS, the County expended \$249,626 for qualifying transportation related expenses for the first quarter of FY2011; and

WHEREAS, these funds can be reimbursed from the County Motor Fuels Tax Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November 2010, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Two-hundred Forty-nine Thousand Six-hundred Twenty-six Dollars (\$249,626) from the County Motor Fuels Tax Fund.

Item 18. Public Works; Authorize a Public Hearing to Amend Stafford County Code, Section 15-56, Entitled "Designation of Restricted Parking Areas"

Resolution R10-352 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS"

WHEREAS, Sections 46.2-1222.1 and 46.2-1224 of the Code of Virginia (1950), as amended, 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, 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; and

WHEREAS, the Board adopted Ordinance O10-37, which established criteria for the designation of restricted parking areas; and

WHEREAS, the Stone River Homeowners Association has approved a resolution requesting the establishment of a restricted parking area within the Stone River Subdivision and the resolution satisfies the requirements of Stafford County Code, Section 15-56; and

WHEREAS, the Stone River Homeowners Association resolution requests that the following streets be designated as a restricted parking area:

- (A) Allatoona Lane
- (B) Antietam Loop
- (C) Confederate Way (532' south of Coal Landing Road to Jason Lane)
- (D) Crescent Boulevard (122' north of Munsons Hill Ct to Lakeview Court)
- (E) Donelson Loop
- (F) Fort Sumter Lane
- (G) Gettysburg Court (Munsons Hill Court to 145' north of Munsons Hill Court)
- (H) Hatchers Run Court
- (I) Jason Lane (Jeff Davis Highway to 690' west of Greenridge Drive)
- (J) Kennesaw Drive
- (K) Knoxville Court
- (L) Lakeview Court
- (M) Meade Court
- (N) Munsons Hill Court
- (O) Pritchard Court
- (P) Sedgwick Court
- (Q) Torbert Loop

WHEREAS, the proposed streets meet the established criteria to designate a restricted parking area;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November 2010, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider designating a restricted parking area within the Stone River Subdivision.

Item 19. Economic Development; Authorize Amendment to the Amended and Restated Operational Agreement for the Stafford-Fredericksburg Regional Landfill

Resolution R10-348 reads as follows:

A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED OPERATIONAL AGREEMENT FOR THE STAFFORD-FREDERICKSBURG REGIONAL LANDFILL

WHEREAS, the Board and the City Council of the City of Fredericksburg, Virginia (City Council) entered into the Amended and Restated Operational Agreement for the Stafford-Fredericksburg Regional Landfill pursuant to Section 15.2-1300 of the Code of Virginia (Agreement), dated January 24, 2000; and

WHEREAS, the Board and City Council amended the Agreement on September 9, 2008 by approving the First Amendment to the Agreement, which designated 25.4 acres of property within the regional landfill (the "Landfill") as a Civil War Park; and

WHEREAS, the Board and the City Council desire to amend the Agreement again to increase the size of the Civil War Park at the Landfill from 25.4 acres to 41.2 acres, as shown on the Preliminary Plan prepared by Freeland Engineering for the Friends of Stafford Civil War Sites (FSCWS), dated August 30, 2010, which Preliminary Plan is attached hereto as Attachment A and incorporated herein;

NOW THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that a Second Amendment to the Agreement be and it hereby is adopted, which would replace Section 11 of the Agreement, as amended by the First Amendment, with the following language: 11. That the portion of the Landfill as outlined on the attached Preliminary Plan prepared by Freeland Engineering for the Friends of Stafford Civil War Sites dated August 30, 2010, which Preliminary Plan is attached to the Stafford County Board of Supervisors' Resolution R10-348 as Attachment A, and incorporated herein, and which consists of 41.2 acres, be designated as a Civil War Park. The specific locations of forts, encampments, roads, and other features that have been determined to have been used during the Civil War are shown on the Preliminary Plan. The Rappahannock Regional Solid Waste Management Board shall not use any of the Civil War Park for active landfill activities without the approval of both the City and the County. The County agrees to be responsible for providing access to the Civil War Park. The County agrees to be responsible for maintaining the Civil War Park, to include any trails or interpretive signs associated with the Civil War Park. The Civil War Park shall be posted with appropriate signage indicating that there is to be no trespassing on the property after dark. Security concerns regarding access will be worked out by mutual agreement of the Landfill staff and the County staff. The County shall be responsible for coordination of use of the Civil War Park with the County firing range. The County agrees that none of the activities on the Civil War Park will impede current or future Landfill activities.

The County and City agree that subject to approval by the City Council or its agent, the Board is authorized to enter into agreements and/or contracts consistent with the purposes of this agreement, including, but not limited to, constructing roadways, footpaths, picnic areas, and/or signage, provided that any agreement and/or contract shall not interfere with the terms of the Agreement between Stafford County and FSCWS, dated March 15, 2009, and/or any other approved historic preservation or construction work provided by FSCWS.

While the Board acknowledges that it may not make a binding indemnification promise, to the extent permitted by law, the Board agrees to provide primary liability insurance coverage for any and all costs, expenses, damages, and claims suffered by the City Council or the City of Fredericksburg for injuries or damage to life or property arising out of the Board's use of the Civil War Park, and the Board agrees to name the City Council and the City of Fredericksburg as additional insured on its general liability policies with respect to claims arising out the Board's use of the Civil War Park.

BE IT FURTHER RESOLVED that the remaining provisions of the Agreement, as amended by the First Amendment, shall remain unchanged, and that this Second Amendment shall become effective upon the date that it is approved by both the Board and the City Council.

Item 20. Planning and Zoning; Refer an Amendment of the Zoning Ordinance to the Planning Commission Regarding the Definition of a "Residential Facility"

Resolution R10-343 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AMENDMENTS TO STAFFORD COUNTY CODE, SECTION 28-25, "DEFINITIONS OF SPECIFIC TERMS"

WHEREAS, Virginia Code Section 15.2-2291 was amended, changing the definition of a "residential facility"; and

WHEREAS, the Board desires to define "residential facility" when licensed by the Department of Behavioral Health and Development Services, and when licensed by the Department of Social Services, in Stafford County Code, Section 28-25, entitled "Definitions of Specific Terms"; and

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good zoning practices require adoption of the proposed amendment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the Planning Commission be and it hereby is requested to consider amendments to Stafford County Code, Section 28-25, entitled "Definitions of Specific Terms" by proposed Ordinance O10-64; and

BE IT FURTHER RESOLVED, that the Planning Commission be and it hereby is authorized to make modifications to the amendment as it deems necessary.

Item 21. Parks, Recreation and Community Facilities; Authorize a Public Hearing for Temporary Construction and Permanent Drainage Easements on County-owned Property at River Road Park and St. Clair Brooks Park

Resolution R10-356 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONVEY TEMPORARY CONSTRUCTION AND PERMANENT DRAINAGE EASEMENTS ON COUNTY-OWNED PROPERTY AT RIVER ROAD PARK AND ST. CLAIR BROOKS PARK TO VDOT

WHEREAS, the Virginia Department of Transportation (VDOT) is requesting temporary construction and permanent drainage easements under River Road as part of their multi-culvert rehabilitation program; and

WHEREAS, this particular culvert location is completely encompassed by River Road Park and St. Clair Brooks Park; and

WHEREAS, a temporary easement is needed to safely and properly rehabilitate this culvert with minimal disruption to the traveling public; and

WHEREAS, a permanent drainage easement is needed for VDOT to maintain this culvert; and

WHEREAS, the proposed improvements benefit Stafford County by ensuring proper drainage of a major County thoroughfare; and

WHEREAS, the Board desires to consider public comments concerning the proposed changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the County Administrator be and he hereby is authorized to advertise a public hearing to convey temporary construction and permanent drainage easements on County-owned property at River Road Park and St. Clair Brooks Park to VDOT.

Item 15. Human Resources; Authorize Recruitments

Mr. Sterling motioned, seconded by Ms. Stimpson, to defer this item. Mr. Sterling later withdrew his motion. Discussion ensued. Mr. Sterling noted that there is currently a \$3.9M budget challenge with the FY2012 budget and said that he believes that the County should hold all hires except for Public Safety positions until we have a plan to

deal with the \$3.9M deficit. Otherwise, Mr. Sterling said, the employees being hired now could face lay-offs in the next budget year. He urged fiscal prudence.

Mr. Milde asked if the \$3.9M included the Schools request. Mr. Sterling replied that even if Schools are level-funded, there will be a deficit. Mr. Romanello responded that \$3.9M included a level operating fund for the Schools as well as \$1.8M in Schools debt service.

Mr. Woodson asked that Mr. Michael Muse, Director of the Department of Social Services, talk to the Board about the impact on his department of not filling these positions.

Mr. Dudenhefer asked Mr. Romanello when the Board would see a plan to close the prospective gap in the FY2012 budget. Mr. Romanello responded that he will know something as soon as the County gets word of state funding when the Governor presents his budget. The County's proposed budget will be presented to the Board on March 1st. In January or February, Mr. Romanello will provide a preliminary plan to close the gap.

Ms. Stimpson said that her concern was that the Board had to decide on its priorities and mentioned the freeze that President Obama placed on federal employee's salaries. Ms. Stimpson added that the Board's Finance and Budget Committee has serious concerns and believes that the Board has to come together to determine priorities.

Mr. Woodson repeated his request for Mr. Muse to address the Board to discuss the impact that not filling the two positions in question will have on his agency. Mr. Muse approached the podium and answered Board member's questions responding that both positions are fully funded and that federal and state funds will reimburse the County for approximately 65 percent of the costs associated with filling the (two) vacant Eligibility Worker positions. He added that there is a third Eligibility Worker position that has been and will remain vacant. Mr. Dudenhefer asked about the fiscal impact and Mr. Muse responded that for both positions, the cost to the County is approximately \$32,072.

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Mr. Milde made a substitute motion to adopt proposed Resolution R10-326. Discussion

ensued. Mr. Milde asked Mr. Sterling if he wanted to withdraw his original motion. Mr.

Sterling said that the County has a \$3.9M challenge and the choices to resolve this are to

lay-off employees, to raise taxes, or to reduce services. If there is no plan in place to

meet the deficit, it may have to lay off employees who, even though their positions are

fully funded this year, it does not mean they will be in FY2012.

Mr. Snellings said that he used to serve on the Social Services Board and that there are

Stafford County citizens who need the services provided by these two currently vacant

positions and he will vote to approve filling them. Ms. Stimpson replied that it is easier

to vote "yes" and that she is sympathetic to the needs of everyone but that she is

responsible to her constituents.

Mr. Crisp said that the Board was talking about two clearly needed positions that will be

filled eventually saying that people are not nameless shadows. Mr. Crisp had a call from

a constituent who got Food Stamps last Christmas Eve. The man turned out to be a

former classmate of Mr. Crisp's son.

Mr. Milde motioned, seconded by Mr. Woodson, to call the question. No vote was taken

on Mr. Milde's motion to call the question.

The Voting Board tally on the substitute motion was:

Yea:

(5) Milde, Woodson, Crisp, Dudenhefer, Snellings

Nay:

(2) Sterling, Stimpson

Resolution R10-326 reads as follows:

A RESOLUTION TO APPROVE RECRUITMENT OF TWO (2) POSITIONS

WHEREAS, funding is available in the FY 2011 budget to fill the vacant

positions; and

WHEREAS, vacancies exist for the following positions:

Eligibility Worker (2 positions); 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 30th day of November, 2010, that the Board be and hereby does approve recruitment for the above mentioned positions.

Mr. Snellings motioned, seconded by Mr. Crisp, to institute a hiring freeze.

The Voting Board tally was:

Yea: (3) Crisp, Milde, Snellings

Nay: (4) Dudenhefer, Sterling, Stimpson, Woodson

Mr. Sterling said that he wanted to reiterate that there is no plan for where the money is coming from, that the Board has to look at where the County's fiscal situation and asked if he should put a tax increase on the table. Mr. Milde responded that if every time three employees quit, the County only hires two; it will go a long way towards closing the \$3.9M gap. Mr. Milde asked Mr. Romanello about the current number of vacant, funded positions. Mr. Romanello responded that there are 29 funded positions open with 10 of those twenty-nine positions currently in stages of recruitment. Mr. Milde asked if the vacancies are included in the proposed budget. Mr. Romanello said that the budget includes a 1 percent attrition rate and added that there are 788 employees on staff as of November 30, 2010.

Mr. Dudenhefer said that although staff may come to the Board with a request, the Board does not have to authorize additional hiring. Mr. Sterling said that he was frustrated because for the last three years, he has tried to have the budget amended to shed positions. He added that everyone has a need for filling vacant positions but the County does not have the money to pay for it. Mr. Woodson said that he voted against the hiring freeze as it serves no purpose since Mr. Romanello already has to obtain Board approval before recruiting and hiring staff. Mr. Dudenhefer said that he agrees with Mr. Woodson, that a hiring freeze is redundant and added that he has had many conversations with Mr. Romanello which resulted in many vacant positions not being brought forward for Board consideration. Mr. Dudenhefer said that we still have to run the County and that it is dangerous for any service organization to suspend hiring.

Item 22. Economic Development; Consider Issuance of Mary Washington Healthcare Series 2010 Bonds Mr. Tim Baroody answered Board member's questions detailing for the Board that there is no cost to the County involved in supporting the issuance of the bonds in question. There is also no risk to the County's bond rating but that the County will get some benefit – for ten years, \$7500.00 will be paid to the EDA.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-361.

The Voting Board tally was:

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

Nay: (0)

Resolution R10-361 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF STAFFORD, VIRGINIA, APPROVING AND CONCURRING WITH THE ISSUANCE OF A REVENUE BOND BY THE ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF FREDERICKSBURG, VIRGINIA, FOR THE BENEFIT OF MARY WASHINGTON HEALTHCARE AND AFFILIATES

WHEREAS, the Board of Supervisors of the County of Stafford, Virginia (the Board), has been advised that there has been described to the Economic Development Authority of the City of Fredericksburg, Virginia (the Fredericksburg EDA), and the Economic Development Authority of the County of Stafford, Virginia (the Authority), the plan of financing of Mary Washington Healthcare (the Company), whose principal place of business is located at 1001 Sam Perry Boulevard, Fredericksburg, Virginia, and affiliates (Mary Washington Hospital, Inc., Mary Washington Hospital Foundation, Inc., MediCorp Properties, Inc. and Stafford Hospital, LLC) for the issuance by the Authority of its revenue bond (the Bond) in an amount not to exceed \$30,000,000 (a) to finance the purchase of equipment, including diagnostic and therapeutic equipment and miscellaneous hospital furnishings, at Mary Washington Hospital, and the construction of a cancer center and other capital improvements on the campus of Mary Washington Hospital, all of which are located at 1001 Sam Perry Boulevard, Fredericksburg, Virginia, (b) to finance the purchase of land and equipment, including diagnostic and therapeutic equipment and miscellaneous hospital furnishings, and other capital improvements, on the campus of Stafford Hospital which is located at 101 Hospital Center Boulevard, Stafford, Virginia, and (c) to pay costs of issuance relating to the Bond; and

WHEREAS, the Board has been advised that the Company, in its appearance before the Authority and the Fredericksburg EDA, described the benefits to the City of Fredericksburg, Virginia (the City), and the County of Stafford, Virginia (the County), and requested the Fredericksburg EDA to agree to issue its revenue bond pursuant to the

Virginia Industrial Development Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia (1950), as amended, (the Act), in a principal amount not to exceed \$30,000,000, and to lend the proceeds from the sale of the Bond to the Company and its affiliates identified above, in order to assist the Company in financing the facilities described above; and

WHEREAS, a portion of the facilities described above to be financed with the Bond will be located in the County; and

WHEREAS, the Board has been advised that a public hearing with respect to the Bond as required by the Act and the Internal Revenue Code of 1986, as amended (the Code), was held by the Authority at its meeting on November 12, 2010, and that after such hearing the Authority found and determined that the issuance of the Bond will promote healthcare in the County and recommended that the Board concur with the issuance of the Bond by the Fredericksburg EDA as required by the Act and approve the issuance of the Bond as required by the Code; and

WHEREAS, a copy of the Authority's resolution, the Fredericksburg EDA's resolution approving the issuance of the Bond, subject to terms to be agreed upon, a reasonably detailed summary of the comments expressed at the public hearing held by the Authority with respect to the Bond and a statement in the form prescribed by Section 15.2 4907 of the Act have been filed with the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that it be and hereby does adopt:

- 1. The foregoing recitals are hereby incorporated in, and deemed a part of, this Resolution.
- 2. The Board approves the issuance of the Bond by the Fredericksburg EDA to assist in the financing of the facilities described in this Resolution for the benefit of the Company and its affiliates to the extent required by the Code and concurs with the adoption of the Fredericksburg EDA's resolution approving the issuance of the Bond as required by the Act.
- 3. The approval of the issuance of the Bond, as required by the Code as required by the Act, and the concurrence with the Fredericksburg EDA's resolution approving the issuance of the Bond, does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the Company and its affiliates, and the Bond shall provide that neither the County nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County nor the Authority shall be pledged thereto.
- 4. This Resolution shall take effect immediately upon its adoption.

<u>Legislative</u>; <u>Closed Meeting</u> At 3:59 p.m. Mr. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM10-26

The Voting Board tally was:

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

Nay: (0)

Resolution CM10-26 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting the following: (1) 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.; and (2) Potential Acquisition of Real Property for Public Purpose; and

WHEREAS, pursuant to Section 2.2-3711 A.7 and A.5 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 30th day of November, 2010, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 4:26 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM10-26a

The Voting Board tally was:

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

Nay: (0)

Resolution CM10-26(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 30, 2010

WHEREAS, the Board has, on this the 30th day of November, 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 30th day of November, 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 4:26 P.M., the Chairman declared a recess until 5:00 P.M.

A Joint Work Session with the School Board convened at 5:25 p.m. Mr. Romanello gave a financial update. Ms. Dana Reinbolt said that members of the School Board were glad to have an opportunity to meet with the Board of Supervisors and advised that Ms. Patricia Mancini was unable to attend. Mr. Dudenhefer said that while traveling through North Carolina, he had the pleasure of having breakfast with the incoming superintendent, Dr. Randy Bridges. Dr. Nougaret handed out a budget forecast, reiterating that it was a forecast, not a budget proposal. Mr. Milde asked if Schools had factored in OPEB to which Dr. Nougaret replied that OPEB had not been factored into what had been distributed. Mr. Milde noted that even though it is a wide gap, it is probably the best budget gap in five years.

Mr. Dudenhefer said that the Board has no stomach for a tax increase and that we all need to find a way to tighten our belts. Ms. Patricia Healy repeated that the numbers being discussed by Dr. Nougaret and both Boards are a forecast, not a budget proposal. Ms. Stimpson talked about progress being made by the Joint Committee and asked for guidance about on what the Committee should be focused. Ms. Stephanie Johnson said that we are heading in the right direction and that both Boards should all be on the same page, providing revenue updates and lessening expenditures. Mr. Sterling noted that most issues revolve around money. Mr. Ty Schieber said that ideas for how to close the budget gap come down to resources and how to best execute the vision of the County and the Schools. Mr. Snellings said that it would be a good ideal for the Joint Committee to continue to meet at least until the FY2012 budget is adopted.

Mr. Milde said that the trust level is much better at this meeting than in past gatherings. He asked Dr. Nougaret for the School's total debt service. Dr. Nougaret said that it is just under \$20M. Mr. Crisp said that it is a good assumption that there will not be a tax

increase and said that the way to meet the budget deficit is to reduce expenditures and said that everything is already on the table including capital expenditures. Mr. Crisp suggested that Schools take a hard look at capital improvement projects and that the CIP and debt services must be reduced dramatically while giving serious consideration to what Schools can actually afford. Mr. Sterling talked about a borrowing limit and said that even if we reduce the entire CIP, it would not close the budget gap. Ms. Meg Bohmke said that debt service doesn't apply until next year and said she would like to know what it would look like for the County to meet the Schools half-way to reduce the shortfall. Ms. Patty Sullivan said that she understands that the County is trying to set aside money for a rainy day fund but in this economic environment, suggested that perhaps those funds should go towards paying necessary expenses. Mr. Milde asked about Schools setting aside \$10M for OPEB. Ms. Reinbolt asked how the County was handling OPEB. Mr. Dudenhefer responded that the County was carrying the liability and that by law, the County is responsible for recognizing the liability but not funding post-employment benefits. Mr. Milde asked Mr. Wayne Carruthers if Schools could reduce their funding by \$5M. Mr. Carruthers replied that they looked at the number of workers and age of the current work force, etc. to determine the \$10M figure.

Mr. Dudenhefer thanked everyone for their participation and said that he looks forward to future, productive, joint meetings. Ms. Reinboldt thanked the Board of Supervisors on behalf of the School Board, for the invitation to meet and said they look forward to another opportunity soon.

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

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

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

Legislative; Presentations by the Public

The following persons desired to speak:

Elexxus Brown - Stafford High School Renovations

Paul Waldowski - UDAs

Mr. Dudenhefer announced that a redistricting roundtable will be held in January to a "by invitation only" group of business leaders, citizens, etc. The following group/citizens were requested to be added: South Stafford Rotary and the School Board Chair. Mr. Woodson also noted that the new NAACP president was Austin Houghton.

<u>Planning and Zoning; Consider an Amendment to the Zoning Ordinance Pertaining to the Definitions of Medical/Dental Office and Clinics</u> 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. Sterling motioned, seconded by Mr. Woodson, to adopt proposed Ordinance O10-29.

The Voting Board tally was:

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

Nay: (0)

Ordinance O10-29 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-25, "DEFINITIONS OF SPECIFIC TERMS," OF THE ZONING ORDINANCE

WHEREAS, the definitions of medical or dental office and medical or dental clinic allow for the use of buildings, a room, or group of rooms by licensed professionals with a list of such professionals, including any similar professions; and

WHEREAS, the definitions do not stipulate that the professional, listed or similar, must be licensed by the Commonwealth Virginia; and

WHEREAS, the Board desires clarification of the types of professionals that would be able to practice in a medical or dental office and medical or dental clinic; 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, and good zoning practice require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 30th day of November, 2010 that Stafford County Code, Section 28-25, "Definitions of Specific Terms," be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Sec. 28-25. Definitions of specific terms.

Clinic, medical, or dental or psychiatric. A building or group of rooms used by more than two (2) licensed professionals listed below practicing as a group, to conduct the normal operations associated with health care providers. Those professionals include: physician, ophthalmologist, orthodontist, optometrist, chiropractor, psychiatrist, physical therapist, and any similar profession. Patients shall be treated on an out-patient basis only. for a medical, dental, or psychiatric practice offering medical services on an outpatient basis and including the full-time equivalent of three (3) or more principal health care providers and three (3) or more other health care providers, exclusive of administrative or clerical staff, providing services on the premises. A medical, dental, or psychiatric clinic may also contain associated in-house ancillary services such as in-house diagnostic testing facilities, medical counseling services, internal surgery, general anesthetics, and similar services. There shall be no overnight stay or treatment.

Office, medical/dental. A room or group of rooms used by not more than two (2) licensed professionals listed below, to conduct the normal activities associated with health care providers, including: physicians, dentists, orthodontists, optometrists, ophthalmologists, chiropractors, psychologists, psychiatrists, physical therapists and similar professions. For a medical, dental, or psychiatric practice offering medical services on an outpatient basis and including a total of not more than the full-time equivalent of two (2) principal health care providers and two (2) other health care providers, exclusive of administrative or clerical staff, providing services on the premises. A medical, dental, or psychiatric office may also contain associated in-house ancillary services such as in-house diagnostic testing facilities, medical counseling services, and similar services. There shall be no overnight stay or treatment. Normal activities shall not include internal surgery nor use of general anesthetics.

Principal Health Care Provider. A health care professional licensed to operate in the Commonwealth of Virginia, who provides care to patients and may refer patients or receive referrals for specific medical, dental, or psychiatric services, particularly in an outpatient setting. For the purpose of this Chapter, principal health care provider shall include licensed physicians, dentists, psychiatrists, and physicians specialists such as dermatologist, dental surgeon, ophthalmologist, and similar physicians.

Other Health Care Provider. A health care professional who may provide patient care, patient support, or ancillary medical services under the supervision of a principal health care provider. For the purpose of this Chapter, this shall include nurse practitioners, registered or licensed practical nurses, physician's assistant, dental hygienist, sonographers, phlebotomists, or similar Commonwealth of Virginia licensed or certified medical professions.

BE IT FURTHER ORDAINED that this ordinance shall become effective on November 30, 2010.

<u>Planning and Zoning; Consider a Zoning Text Amendment Regarding Signs in A-2 and R-1 Zoning Districts</u> 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. Sterling motioned, seconded by Mr. Snellings, to adopt proposed Ordinance O10-42.

The Voting Board tally was:

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

Nay: (0)

Ordinance O10-42 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-124, "TYPES PERMITTED IN A-2 AND R-1 DISTRICTS", AND ADD SECTION 28-124.1, "TYPES PERMITTED IN R-1 DISTRICTS"

WHEREAS, the Board desires to amend and reordain Stafford County Code, Section 28-124, entitled "Types Permitted in A-2 and R-1 Districts"; and

WHEREAS, currently Section 28-124 does not allow private school signs; and

WHEREAS, the Board desires to allow private schools in the A-2 Rural Residential zoning district to have a sign, and

WHEREAS, the Board has considered the recommendations of the Planning Commission, 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 30th day of November, 2010, that Stafford County Code, Section 28-124, entitled "Types permitted in A-2 districts and R-1 districts" be and it hereby is

amended and reordained as follows, all other portions remain unchanged, and add Section 28-124.1, "Types permitted in R-1 districts:"

Sec. 28-124. Types permitted in A-2 districts and R-1 districts.

The following types of signs are permitted in A-2 and R-1 districts:

(1) School signs; provided that:

- <u>a.</u> No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.
- <u>b.</u> No wall sign shall be greater in height than the roof line of the main building located on the premises.
- <u>c.</u> The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.
- <u>d.</u> No more than one (1) freestanding sign shall be located on any one (1) road frontage of any lot or premises.
- e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education Approved State Recognized Accrediting Member.
- (1) (2) Home occupation signs; provided that, the maximum size shall be four (4) square feet.
- $\frac{(2)}{(3)}$ Public signs.
- (3) (4) Subdivision signs.
- (4) (5) Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.
- (5) (6) Model home signs, provided that:
 - a. The area of the sign shall not exceed thirty-two (32) square feet.
 - b. No such sign shall extend more than six (6) feet in height above ground level.
 - c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.
 - d. No more than one such sign shall be located on the lot or parcel of land.
 - e. The sign shall be removed when use of the advertised home as a model home is discontinued.
- (6) (7) Critical resource protection area (CRPA) signs.

Sec. 28-124.1. Types permitted in R-1 districts

The following types of signs are permitted in R-1 districts:

- (1) Home occupation signs; provided that, the maximum size shall be four (4) square feet.
- (2) Public signs.
- (3) Subdivision signs.
- (4) Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.
- (5) Model home signs, provided that:
 - a. The area of the sign shall not exceed thirty-two (32) square feet.
 - b. No such sign shall extend more than six (6) feet in height above ground level.
 - c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.
 - d. No more than one (1) such sign shall be located on the lot or parcel of land.
 - e. The sign shall be removed when use of the advertised home as a model home is discontinued.
- (6) Critical resource protection area (CRPA) signs.

<u>Planning and Zoning; Consider and Amendment to the Zoning Ordinance Regarding</u>

<u>Paving and Travel Lane Width Waivers</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Woodson noted that the Planning Commission denied this item by a vote of 7-0 and asked if it was not a bit unusual for staff to recommend approval after such a strong vote by the Planning Commission. Mr. Harvey said that the Planning Commission felt that this ought to be considered in public, not administratively, and that if a waiver is granted, alternative paving styles should have to be considered by the applicant.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O10-47.

The Voting Board tally was:

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

Nay: (2) Sterling, Woodson

Ordinance O10-47 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-256, "REQUIRED STANDARDS AND IMPROVEMENTS GENERALLY"

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 28-256, entitled "Required Standards and Improvements Generally"; and

WHEREAS, currently the Board reviews applications for waivers of travel lane widths and paved parking requirements for site plans; and

WHEREAS, the Board believes that these waivers should be handled by an administrative review by the agent for the Board; and

WHEREAS, the Board has considered the recommendations of the Planning Commission, 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 30th day of November, 2010, that Stafford County Code, Section 28-256, be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-256. Required standards and improvements generally

(c)(3) Private vehicular travel lanes or driveways designed to permit vehicular travel on the site to and from adjacent property and parking areas shall be constructed not less than twenty (20) feet in width, except within parking areas, where it shall be at least eighteen (18) feet. Interparcel access shall be provided to adjacent properties where practical. Drive-thru window lanes and stacking lanes shall conform with section 28-102(8). These minimum specifications shall be waived upon written request submitted to the board of supervisors. An exception to these minimum specifications shall be granted by the agent to the board of supervisors upon written request by the applicant and upon consultation with the Fire Marshal and the Department of Public Works and a finding that granting such exception would not adversely affect public safety and that there is no other reasonable alternative for maintaining access on or to the property. The agent shall provide a written response to the applicant stating approval or denial of the waiver. Any appeal of the agent's decision regarding such an exception shall be made on the appropriate forms provided by the county to the board of supervisors. Such written appeal shall be made within sixty (60) days of the agent's decision. On any site bordering a state, primary, arterial, or interstate highway, or adjacent to an existing service road in the state highway system, the developer in lieu of providing travelways or driveways that

provide vehicular travel lanes to and from adjacent property, may dedicate, where necessary, and construct a service road under county and state standards for such roads. In such event, the setback requirements shall be no greater if the service road is dedicated to the required setback, except in no instance shall a building be constructed closer than twenty (20) feet from the nearest right-of-way line.

(c)(5) Interior travel lanes, driveways and parking bays [are] to be constructed in accordance with county standards and are to be congruous with the public street to which the travel lanes, driveways and parking bays are connected. Every parking bay shall be so constructed that no vehicle, when parked, will overhang property lines or travel lanes. At a minimum, all surfaces shall be to VDOT standards, excluding low impact development sites in accordance with provisions of chapter 21.5 of this code; provided, however, that churches, clubs, fraternal organizations and other similar uses which have infrequent demands on parking areas may, upon presentation of written justification, be granted relief from part or all of the paving requirements by the board of supervisors agent to the board of supervisors, and this relief may be requested concurrent with the site plan review, provided, the organization seeking the relief from part or all of the paving requirements is the current owner of the property that includes the parking lot. The agent shall provide a written response to the applicant stating approval or denial of the waiver. Any appeal of the agent's decision regarding such relief shall be made to the board of supervisors. Such written appeal shall be made within sixty (60) days of the agent's decision. At a minimum, however, parking and driving areas for the aforesaid uses shall be surfaced in crushed stone in an amount sufficient to prevent soil erosion, abate dust and provide an adequate driving surface. Contractor's equipment and vehicle storage areas, rural home businesses, landscaping businesses, plant nurseries, parking areas in floodplains and CRPAs and properties within HI districts, shall be exempt from paving requirements. To retain historical integrity of cultural resources in HI districts, road surface treatment may be grass pavers, or another type of permeable surface treatment, in addition to crushed stone; and

BE IT FURTHER ORDAINED that this ordinance shall become effective on November 30, 2010.

Planning and Zoning; Amend and Reordain Stafford County Code, Section 22-4, "Definitions"; Section 22-176, "Private Access Easements"; and Section 28-25, "Definitions of Specific Terms" Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Ms. Stimpson inquired about the thought process behind the recommendation. Mr. Crisp replied that the Committee reviewed procedures and steps involved in the development process and determined this to be a waiver that is hardly ever requested, the fee seem unnecessary, and it is a waste of staff time and applicant's money while delaying final approval of the site plan. Mr. Harvey said that there were only two applications this year and that revenue offsets the cost.

The Chairman opened the public hearing.

The following person desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Ordinance O10-46.

The Voting Board tally was:

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

Nay: (1) Woodson

Ordinance O10-46 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 22-4, "DEFINITIONS"; SECTION 22-176, "PRIVATE ACCESS EASEMENTS"; AND SECTION 28-25, "DEFINITIONS OF SPECIFIC TERMS"

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 22-4, entitled "Definitions;" Section 22-176; entitled "Private Access Easements;" and Section 28-25, entitled "Definitions of Specific Terms"; and

WHEREAS, currently an applicant for a private access easement must submit an application and fee for review and approval by the Planning Commission; and

WHEREAS, the Board believes that a private access easement should be administratively approved as part of a subdivision plat; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that Stafford County Code, Sections 22-4, 22-176, and 28-25 be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

Sec. 22-4. Definitions.

Easement, private access ingress/egress. An easement through private property specifically authorized by the planning commission, except for family subdivisions, to allow access to a specific lot or parcel.

Private access easement. See: street, private access easement. An ingress/egress easement specifically authorized by the agent or designee to allow access to one (1) newly created lot of a minor subdivision which does not have frontage on a public street.

Sec. 22-176. Private access easements.

(a) Except for a family subdivision, any agricultural or residential subdivision involving the creation of a new private access easement shall be subject to approval by the commission in its discretion agent or his designee, but such approval shall be limited to the particular subdivision and the particular use of the access easement then presented. Approval of such subdivision and access easement shall not be construed to approve any further use of said easement or further subdivision of the land involved. Any such further subdivision of such land involving additional use of said easement shall be considered a new subdivision involving a new private access easement request and shall not be exempt from these regulations.

Sec. 28-25. Definitions of specific terms.

Street, pPrivate access easement: An ingress/egress easement through private property specifically authorized by the planning commission agent or designee to allow access to a specificed lot or parcel one (1) newly created lot of a minor subdivision which does not have frontage on a public street.

Easement, private access ingress/egress. An easement through private property specifically authorized by the planning commission, except for family subdivisions, to allow access to a specific lot or parcel.

BE IT FURTHER ORDAINED that this ordinance shall become effective on November 30, 2010.

<u>Planning and Zoning; Consider and Amendment to the Zoning Ordinance Regarding</u>

<u>Preliminary Site Plans</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Crisp clarified that this is for major development, non-residential, where two or more buildings are proposed.

The Chairman opened the public hearing.

The following person desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O10-48.

The Voting Board tally was:

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

Nay: (1) Woodson

Ordinance O10-48 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-245, ENTITLED "WHEN REQUIRED", SECTION 28-246, ENTITLED "FEES," AND SECTION 28-249, ENTITLED "CONTENTS OF SITE DEVELOPMENT PLANS"

WHEREAS, the Board desires to amend and reordain Stafford County Code, Section 28-245, entitled "When required," Section 28-246, entitled "Fees," and Section 28-249, entitled "Contents of site development plans"; and

WHEREAS, major developments with two or more buildings require submission and approval of a preliminary site plan; and

WHEREAS, generalized development plans (GDP) are required for zoning reclassifications and Conditional Use Permits and they meet many of the requirements of a preliminary site plan; and

WHEREAS, the Board believes that preliminary site plans are no longer necessary to ensure orderly development within the County; and

WHEREAS, the Board has considered the recommendations of the Planning Commission, 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 30th day of November, 2010, that Stafford County Code, Section 28-245, entitled "When required," Section 28-246, entitled "Fees," and Section 28-249, entitled "Contents of site development plans" be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-245. When Required.

- (d) A preliminary site plan shall be required for all major developments when proposing two (2) or more detached buildings within the same contiguous development plan. The purpose of a preliminary site plan is to provide a concept of the proposed us of the subject property. Upon written request, the requirement for the submittal of the preliminary site plan may be waived by the agent provided the site has and approved general development plan (GDP) and the proposed development is in general compliance with the GDP.
- (e)(d) A minor grading plan may be required for the purpose of;
- (1) Clearing more than two thousand five hundred (2,500) square feet but less than twenty-one thousand seven hundred eighty (21,780) square feet (one-half acre) that does not involve any structures or buildings;

- (2) Adding fill with no structures or buildings;
- (3) Stockpiling;
- (4) Drainage project; or
- (5) Other projects approved by the erosion and sediment/stormwater management administrator.
- (f) (e) A major grading plan may be required for the purpose of clearing, grading or stockpiling an area twenty-one thousand seven hundred eighty (21,780) square feet (one-half acre) or more that does not involve any structures, buildings or public facilities.
- (g) (f) An infrastructure plan may be required for the approval of pump stations and linear projects such as, but not limited to roads, sidewalks, trails and stormwater management facilities.

Sec. 28-246. Fees.

There shall be a fee charged for the examination and approval or disapproval of minor site plans and both major preliminary and final site development plans. This fee shall be established by the board of supervisors and shall be paid at the time of submission of the site plan.

Sec. 28-249. Contents of final site development plans.

- (a) [Required.] Preliminary and f<u>F</u>inal site development plans are required for all major development. Upon written request, the requirement for preliminary site development plans may be waived by the county administrator or his designee.
- (b) Preliminary site development plans. Every preliminary site plan shall contain the following information:
- (1) The location and total acreage of the various types of land use.
- (2) The location of the tract or parcel by means of an insert map at a scale of not less than one inch equals two thousand (2,000) feet, plus such information as names and numbers of adjoining roads, streams and bodies of water, railroads, subdivisions, magisterial districts and other land marks sufficient to properly identify the location of the property.
- (3) A topographic map compiled by either accepted field or photogrammetric methods with a contour interval not greater than five (5) feet.
- (4) A boundary survey accurate to one foot in two thousand five hundred (2,500) feet relative to a specified meridian.
- (5) The locations, names and dimensions of proposed streets, alleys, easements and required building setbacks.
- (6) Preliminary sketch plans indicating the provision for all utilities, including but not limited to, the proposed method of accomplishing drainage, water supply and sewerage disposal.
- (7) The limits of floodplains and critical resource protection areas, which shall be established by current soils surveys or engineering methods as may be established or required by the agent or his designee.
- (8) The location of all existing roads, easements and utility lines, as well as streams and drainage ways.

- (9) The zoning designation for the site, including any statement of proffers or conditions applicable to the development or use of the site, including a description of their implementation, and the zoning designation for all abutting properties.
- (10) North indication arrow.
- (11) Any other information which the agent or his designee shall deem necessary in order to fully evaluate the application.
- (e)(b) Final site development plans. A final site development plan shall be based on a previously approved preliminary site plan, except where the requirements to submit a preliminary site plan has been waived by the agent or his designee; all final site plans shall contain the following information in addition to that required for preliminary plans:
- (1) The location and total acreage of the various types of land use.
- (2) The location of the tract or parcel by means of an insert map at a scale of not less than one inch equals two thousand (2,000) feet, plus such information as names and numbers of adjoining roads, streams and bodies of water, railroads, subdivisions, magisterial districts and other land marks sufficient to properly identify the location of the property.
- (3) A topographic map compiled by either accepted field or photogrammetric methods with a contour interval not greater than five (5) feet.
- (4) A boundary survey accurate to one foot in two thousand five hundred (2,500) feet relative to a specified meridian.
- (5) The locations, names and dimensions of proposed streets, alleys, easements and required building setbacks.
- (6) The limits of floodplains and critical resource protection areas, which shall be established by current soils surveys or engineering methods as may be established or required by the agent or his designee.
- (7) The location of all existing roads, easements and utility lines, as well as streams and drainage ways.
- (8) The zoning designation for the site, including any statement of proffers or conditions applicable to the development or use of the site, including a description of their implementation, and the zoning designation for all abutting properties.
- (9) North indication arrow.
- (10) Any other information which the agent or his designee shall deem necessary in order to fully evaluate the application.
- (1)(11) A certificate signed by the engineer or surveyor setting forth the source and title of the owner of the subject property and the place of record of the last instrument in the chain of title.
- (2)(12) A signature panel with spaces identified for the signature of the agent, appropriate officials of the Virginia Department of Transportation, fire marshal, and department of utilities or health department.
- (3)(13) The names of owners and present use of adjoining properties.
- (4) (14) Location of all required building setback lines.
- (5) (15) Location, type and size of vehicular ingress and egress for the site, including fire lanes.
- (6) (16) Location, type, size and height of all buffering, landscaping, fencing, screening and retaining walls, where required under the provisions of this chapter.
- (7) (17) Existing topography, with a maximum of two-foot intervals, and the proposed finished grading by contour.

- (8) (18) Provisions for the adequate control of erosion and sedimentation, indicating the proposed temporary and permanent control practices and measures which will be implemented during all phases of clearing, grading, and construction. These shall be reviewed under the procedures established in the county erosion and sediment control ordinance.
- (9) (19) All off-street parking spaces, parking bays, and loading spaces provided and the number required, and all handicap facilities and access.
- (10) (20) The location, width, size and intended purpose purposes of all easements and right-of-ways and whether they are to be publicly or privately maintained.
- (11) (21) The following data relative to existing and proposed streets: Location, width, names, curve data, grades and sight distances at intersections with other streets and drives.
- (12) (22) Provision for the natural disposition and natural and storm water on- and offsite, in accordance with the current design criteria and construction standards for the commonwealth and the county, including but not limited to the calculation of the contributing drainage area in acres and the location, size, type and grade of ditches, catch basins, inlets, pipes and other drainage structures.
- (13) (23) All existing and proposed sanitary sewer facilities, indicating all pipe sizes, types, grades, invert elevations, location of manholes, and such other data as may be deemed necessary by the director of planning.
- (14) (24) All existing and proposed water facilities, including all water mains, their sizes, valves and hydrant locations.
- (15) (25) The location of any proposed refuse removal pads. Such pads shall be located outside of public rights-of-way.
- (16) (26) The total acreage of the tract and the acreage proposed for each type of use, along with the proposed general use for each building and, if a multifamily residential building, the number of dwelling units shall also be shown.
- (17) (27) Location and size of all recreation and open space areas.
- (18) (28) Address of each building to be constructed, to include appropriate apartment or suite number in accordance with section 28-148 of this chapter.
- (19) (29) A copy of the applicable zoning ordinance for the property shall be affixed to the plan. A narrative of how the proffers will be implemented with the phasing of construction shall be provided on the plan sheets. The location of any recreation and other amenities shall be shown on the plan with a narrative of the components and timing of construction.

Planning and Zoning; Amend Stafford County Code, Section 21.5-1, "Introduction" and Section Section 21.5-4, "Stormwater Management Plans" Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Woodson asked if this eliminates concept plans for commercial development. Mr. Harvey said it identifies outfalls, carrying capacity and is already covered in the design plan. Mr. Dudenhefer said that this is redundant.

Ms. Stimpson asked about removing commercial stormwater management fees but HOA's are still responsible, which seems like a disparity. Mr. Harvey replied that

commercial sites are required to maintain stormwater management but use different methods than HOAs, and commercial areas are more compact than large residential tracts of land. Mr. Crisp asked who normally approves stormwater management applications. Mr. Harvey responded that it is the Erosion and Sediment Control Manager, Rishi Baral.

The Chairman opened the public hearing.

The following person desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O10-51. Mr. Romanello noted that the ordinance is not date specific and suggested that it become effective immediately except for applications already in process.

The Voting Board tally was:

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

Nay: (1) Woodson

Ordinance O10-51 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTIONS 21.5-1, "INTRODUCTION," AND 21.5-4, "STORMWATER MANAGEMENT PLANS"

WHEREAS, the Board desires to amend and reordain Stafford County Code, Sections 21.5-1 and 21.5-4; and

WHEREAS, Stormwater Management Concept Plan approval is required prior to submitting a major site development plan; and

WHEREAS, the Board desires to streamline the development process by eliminating the requirement of stormwater management concept plans for commercial developments; 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, and general welfare require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that Stafford County Code, Sections 21.5-1, entitled "Introduction," and 21.5-4, entitled "Stormwater management plans," be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Section 21.5-1. Introduction.

(h) Definitions

Stormwater management concept plan means a generalized plan provided with the preliminary plan of subdivision or preliminary site development plan describing how stormwater runoff through and from a land development project will be conveyed and controlled.

Section 21.5-4. Stormwater management plans.

- (a) Stormwater management concept plans.
 - (1) All preliminary plans of subdivision and major site development plans shall provide a stormwater management concept plan describing, in general, how stormwater runoff through and from the development will be conveyed and controlled.
 - (2) The stormwater management concept plan must be approved prior to submission of a stormwater management design plan (as part of the construction or final site plan) for the entire development, or portions thereof. Commercial developments shall not require a stormwater management concept plan.
 - (3) A copy of the approved stormwater management concept plan shall be submitted with the stormwater management design plan, except for commercial developments. The program administrator shall check the design plan for consistency with the concept plan and may require a revised stormwater management concept plan if changes in the site development proposal have been made.
- (b) Stormwater management design plans.
 - (3) A stormwater management design plan containing all appropriate information as specified in this chapter shall be submitted to the department of planning and community development zoning in conjunction with the construction plan or final site plan.
 - (4) The stormwater management plan shall provide all appropriate information as identified in the stormwater management design manuals.
 - (5) The stormwater management plan shall include a hydrologic/hydraulic analysis of the downstream watercourse for all concentrated surface waters that

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will be discharged onto a developed property. The program administrator may request relocation of a stormwater outfall if other alternative discharge locations

are practical.

(6) Prior to approval of the stormwater management plan, the program administrator, or his designee, shall meet on site with the applicant or his

representative to field-verify the hydraulic conditions of all receiving channels.

(7) The stormwater management plan shall utilize to the maximum extent

practicable low-impact development site planning in accordance with the low-

impact development design manuals.

Planning and Zoning; Amend and Reordain Stafford County Code Regarding Fees for

Development Applications Mr. Jeff Harvey, Director of Planning and Zoning, gave a

presentation and answered Board members questions. Mr. Woodson said that he was

voting against this as he had the other fee reductions. Mr. Milde said that by law, the

County cannot make money and that while capturing the cost of applications, this

actually saves the County money. Mr. Harvey said that his department has an

approximate 40 percent cost recovery to date. Mr. Crisp said that elimination of these

fees is only the tip of the iceberg, that there are enormous fees still being collected.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Ordinance O10-52 with

changes.

The Voting Board tally was:

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

Nay: (1) Woodson

Ordinance O10-52 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN DEVELOPMENT APPLICATION FEES FOR SERVICES PROVIDED BY THE DEPARTMENTS OF PLANNING AND

ZONING, UTILITIES, AND PUBLIC WORKS

WHEREAS, the Board is authorized by the Code of Virginia to set reasonable fees and charges for the development review services provided by the Departments of Planning and Zoning, Utilities, and Public Works; and

WHEREAS, the Board acknowledges that the fees for these services should be current with the costs for the services provided by the County in reviewing and processing such applications; and

WHEREAS, the Board desires to set the fees for these services to be commensurate with the services provided by the County in reviewing and processing such applications;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the schedule of fees for development review services listed below and provided by the Departments of Planning and Zoning, Utilities, and Public Works be and it hereby is amended and reordained as follows:

Service	Current Fee	Proposed Fee
Erosion & Sediment		•
Control (E&S) and		
Stormwater Management		
(SWM)		
Preliminary Subdivision		
Plan	\$1,100	\$1,100
(Third and subsequent	0.7.7.0	477 0
reviews)	\$550	\$550
Stormwater Management		
Concept Plan (Major Site	\$1,000	\$0
Plan) (Third and subsequent	\$1,000	ΦU
(Third and subsequent reviews)	\$500	\$0
Subdivision Construction	ψ300	ΨΟ
Plan	\$2,200	\$2,200
(Third and subsequent	~-,-	\$2,2 00
reviews)	\$1,100	\$1,100
,	. ,	. ,
Preliminary Site Plan	\$1,000	\$0
Major Site Plan	\$2,200	\$3,000
(Third and subsequent		
reviews)	\$1,100	\$1,500
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Grading Plan	\$1,100	\$1,100
(Third and subsequent		
reviews)	\$550	\$550
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Infrastructure Plan	\$1,100	\$1,100
(Third and subsequent reviews)	\$550	\$550
Stormwater Management Exception Request	\$450	\$450
FEMA Floodplain Study Review	\$2,000	\$2,000
Fire and Rescue	Current Fee	Proposed Fee
Preliminary Subdivision Plan 1-5 lot	\$75	\$75
6-30 lots	\$100	\$100
31-100 lots	\$175	\$175
101-300 lots	\$275	\$275
> 301 lots	\$275+\$1.50 per lot	\$275+\$1.50 per lot
over 301 lots (Third and subsequent Review	ws) \$125	\$125
Subdivision Construction Pla 1-5 lots 6-30 lots 31-100 lots 101-300 lots > 301 lots over 301 lots (Third and subsequent reviews)	\$200 \$300 \$400 \$600 \$600+\$2.50 per lot over 301 lots \$125	\$200 \$300 \$400 \$600 \$600+\$2.50 per lot
Major Site Plan < 1 disturbed acre 1-5 disturbed acres > 5 disturbed acres per disturbed acre or portion thereof above 5 acres (Third and subsequent reviews) Fire Lane Plan Review and Inspections	\$250 \$350 \$350+\$75 per disturbed acre or portion thereof above 5 acres \$125 \$200	\$250 \$350 \$350+\$75 \$125 \$200

Conditional Use Permit	\$95	\$95
Rezoning	\$125	\$125
Utilities Development Plan Review	Current Fee	Proposed Fee
Major Site Plan	\$850	\$850
(Third and subsequent reviews)	\$240	\$240
Major Site Plan Revision	\$365	\$365
(Third and subsequent reviews)	\$180	\$180
Preliminary Site Plan	\$720	\$0
(Third and subsequent reviews)	\$180	\$0
Preliminary Subdivision Plan	\$550	\$550
(Third and subsequent reviews)	\$180	\$180
Subdivision Construction Plan	\$845	\$845
(Third and subsequent reviews)	\$305	\$305
Subdivision Construction Plan Revision	\$490	\$490
(Third and subsequent Reviews)	\$240	\$240
Infrastructure Plan	\$600	\$600
(Third and subsequent reviews)	\$160	\$160

Grading Plan	\$430	\$430
(Third and subsequent reviews)	\$180	\$180
Major Subdivision Plat	\$400	\$400
(Third and subsequent reviews)	\$95	\$95
Minor Subdivision Plat	\$220	\$220
(Third and subsequent reviews)	\$95	\$95
Family Subdivision Plat	\$180	\$180
(Third and subsequent reviews)	\$95	\$95
Boundary Line Adjustment Plat	\$160	\$160
(Third and subsequent reviews)	\$95	\$95
Dedication Plat	\$240	\$240
(Third and subsequent reviews)	\$95	\$95
Rezoning	\$215	\$215
Conditional Use Permit	\$95	\$95
I.T. Review Major Subdivision Plat	Current Fee \$34.00/lot	Proposed Fee \$34.00/lot
Minor Subdivision Plat	\$34.00/lot	\$34.00/lot
Family Subdivision Plat	\$20.00/lot	\$20.00/lot
Boundary Line Adjustment Plat	\$20.00/lot	\$20.00/lot
Planning and Zoning Conditional Use Permit \$6.48/adjacent property	Current Fee \$9,750 + (\$125/Acre>5)+ \$6.48/adjacent property notification	Proposed Fee \$9,750 + (\$125/Acre>5)+ notification

Minor Conditional Use Permit Condition Amendment property notification	\$6,190 + \$6.48/adjacent property notification	\$6,190 + \$6.48/adjacent	
Rezoning (Regular) (\$125/Acre>5) property	\$12,500 + (\$125/Acre>5) + \$6.48/adjacent property notification	\$12,500 + + \$6.48/adjacent notification	
Rezoning (<5 acres)	\$4,375 +	\$4,375 +	
property	\$6.48/adjacent property	\$6.48/adjacent	
	notification	notification	
Proffer Amendment (\$25/Acre>5)	\$10,000 + (\$25/Acre>5) +\$6.48/adjacent property	\$10,000 + +\$6.48/adjacent	
property	notification	notification	
Minor Proffer Amendment property	\$6,190 + \$6.48/adjacent property	\$6,190 + \$6.48/adjacent	
	notification	notification	
Rezoning (Planned Development) (\$25/Acre>75)	\$15,000 + (\$25/Acre>75) + \$6.48/adjacent property	\$15,000 + + \$6.48/adjacent	
property	notification	notification	
Proffer Amendment Planned Development (\$25/Acre>75) property notification	\$10,000 + (\$25/Acre>75) + \$6.48/adjacent property	\$10,000 + + \$6.48/adjacent	
Comprehensive Plan			
Amendment (<100 acres)	\$500	\$500	
(100 acres or more)	\$1,000	\$1,000	
Comprehensive Plan Compliance Review	\$300	\$300	
Private Access Easement	\$2,700	\$0	

Plat Vacation	\$150	\$150
Major Subdivision Plat	\$1,975 + (\$125/Lot)	\$1,975 + (\$125/lot)
(Third and subsequent reviews)	\$1,050 + (\$65/lot)	\$1,050 + (\$65/lot)
Minor Subdivision Plat	\$1,500 + (\$125/Lot)	\$1,500 + (\$125/lot)
(Third and subsequent reviews)	\$600 + (\$65/lot)	\$600 + (\$65/lot)
Family Subdivision Plat	\$1,150	\$1,150
(Third and subsequent reviews)	\$550	\$550
Boundary Line Adjustment Plat	\$750	\$750
(Third and subsequent reviews)	\$350	\$350
Dedication Plat	\$1,150	\$1,150
(Third and subsequent reviews)	\$500	\$500
Cluster Concept Plan	\$1,975 + (\$125/Lot)	\$1,975 + (\$125/lot)
Preliminary Subdivision Plan	\$8,250 + (\$125/Lot)	\$8,250 + (\$125/lot)
(Third and subsequent reviews)	\$3,200	\$3,200
Preliminary Subdivision Plan (Technical revision)	\$500	\$500
Subdivision Construction Plan	\$9,500 +	\$9,500 +
(Third and only a great	(\$625/Impervious Acre) + (\$1000/Pump Station)	(\$625/Impervious Acre) + (\$1000/Pump Station)
(Third and subsequent review)	\$3,200	\$3,200

Infrastructure Plan	\$3,825	\$3,825
(Third and subsequent reviews)	\$1,300	\$1,300
Major Site Plan	\$7,400 +	\$7,400 +
	5/Impervious Acre)	(\$625/Impervious Acre)
(Third and subsequent reviews)	\$3,100	\$3,100
Minor Site Plan	\$1,630	\$1,630
(Third and subsequent reviews)	\$650	\$650
Preliminary Site Plan (Third and subsequent	\$1,875 + (\$250/Acre	\$0
(Third and subsequent reviews)	\$900	\$0
Grading Plan	\$7,300	\$7,300
(Third and subsequent reviews)	\$3,150	\$3,150
Minor Grading Plan	\$2,450	\$2,450
(Third and subsequent reviews)	\$1,200	\$1,200
Major Plan/Plat Revision	\$4,500	\$4,500
Major Plan/Plat Minor Revision	\$2,100	\$2,100
Minor Plan/Plat Revision	\$900	\$900
Street Name Change	\$2,500	\$2,500
Certificate of Appropriateness	\$25	\$25
Wetlands Permit	\$675	\$675
Perennial Flow Review (<20 acres) (20 acres or more)	\$500 \$750	\$500 \$750
Perennial Flow Analysis (Family)	\$500	\$500

Major Water Quality Impact Review		\$500		\$500	
RPA Waiver Request	t	\$200		\$200	
RPA Mitigation/Rest Plan	oration	\$200		\$200	
Appeal to BOS		\$2,250		\$2,250	
Subdivision Waivers (\$500/Provision)		\$750 + (\$500)	/Provision)	\$750	+
Waiver to BOS (\$850/Provision)		\$2,250 + (\$85	60/Provision)	\$2,250	+
Departure from Desig (Landscaping and Buffering) (\$850/Provision)	gn Standards	\$2,250 + (\$85	50/Provision)	\$2,250	+
Alternative Compliance (Landscaping and Buffering) \$300			\$300		
BZA Special Exception BZA Appeal Zoning Administrato Determination	Individual Reproperty Other Individual Reproperty Other	sidential	\$600 \$1,375 \$600 \$1,375 \$600 \$1,900 \$390 + \$6.48/adjacen	t \$6,48/	\$600 \$1,375 \$600 \$1,375 \$600 \$1,900 \$390 + adjacent
		Property notif		Property notif	•
Zoning Verification I	Letter	\$100		\$100	
DMV Certification		\$50		\$50	

Site Plan As-Built	\$123	\$123
Public Works	Current Fee	Proposed Fee
Preliminary Subdivision Plan	\$450	\$450
(Third and subsequent reviews)	\$160	\$160
Subdivision Construction Plan	\$500	\$500
(Third and subsequent reviews)	\$160	\$160
Infrastructure Plan	\$400	\$400
(Third and subsequent reviews)	\$160	\$160
Major Site Plan	\$475	\$475
(Third and subsequent review)	\$160	\$160
Preliminary Site Plan	\$140	\$0
(Third and subsequent review)	\$60	\$0
Private Access Easement	\$120	\$0
Major Subdivision Plat	\$310	\$310
(Third and subsequent reviews)	\$100	\$100
Minor Subdivision Plat	\$310	\$310
(Third and subsequent reviews)	\$100	\$100
Dedication Plat	\$310	\$310
(Third and subsequent reviews)	\$100	\$100

Conditional Use Perm	nit	\$120		\$120	
Rezoning (Regular)		\$200		\$200	
Rezoning (Planned Development)		\$200		\$200	
R-O-W Abandonmen	t	\$4,500		\$4,500	
Traffic Safety Reques	t	\$65		\$65	
Traffic Impact Analys	sis				
	Volume < 1,00	0 VPD	\$200		\$200
	Volume >1,00	0 VPD	\$400		\$400

Planning and Zoning Application Refunds

Conditional Use Permits, Rezonings and BZA Variances, Special Exceptions and Appeals:

If an application is withdrawn prior to the first public hearing, fifty (50) percent of the amount of the application fee may be refunded to the applicant.

If an application is withdrawn after the first public hearing, the application fee is non-refundable.

Plan and Plat Applications:

If an application is withdrawn prior to the completion of the first review, fifty (50) percent of the total fee amount paid will be refunded.

If an application is withdrawn after completion of the first review, the application fee is non-refundable.

BE IT FURTHER ORDAINED that this Ordinance shall take effect on November 30, 2010; and

BE IT STILL FURTHER ORDAINED that the fees included in this Ordinance were previously referenced in Ordinance O10-32, and such sections of that ordinance be and hereby are rescinded effective November 30, 2010 and shall not affect applications submitted prior to this date.

Parks, Recreation and Community Facilities; Revise Certain Parks and Recreation Fees Mr. Chris Hoppe, Director of Parks, Recreation and Community Facilities, gave a presentation and answered Board members questions. Ms. Stimpson said that she believes that this increase could put a burden on families utilizing the facilities. Mr.

Sterling said that he agrees with Ms. Stimpson and that we provide inadequate swimming facilities as it is and until we provide adequate facilities, he will vote no.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Crisp motioned, seconded by Mr. Woodson to adopt proposed Ordinance O10-61.

The Voting Board tally was:

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

Nay: (2) Sterling, Stimpson

Ordinance O10-61 reads as follows:

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

WHEREAS, user fees help to finance the cost of operations and maintenance of park facilities; and

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

WHEREAS, staff has reviewed the existing punch card fees (adult/\$84 and youth/\$60) and recommends that increases be considered at this time; and

WHEREAS, at a meeting on October 21, 2010, the Parks and Recreation Advisory Commission unanimously recommended approval of the new fees; and

WHEREAS, these new punch card fees would take effect January 1, 2011; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the County Administrator be and he hereby is authorized to implement the following Parks and Recreation fees effective January 1, 2011:

24-Admission Adult Punch Card \$96 24-Admission Youth/Sr. Punch Card \$72 <u>Utilities</u>; Award a Contract for the Installation of a Waterline and Water Services for the Roseville Plantation Large Water Project Mr. Harry Critzer, Director of Utilities gave a presentation and answered Board members questions. Mr. Woodson asked if land owner/developer, Andy Garrett, would be able to connect to this water line. Mr. Critzer replied that no one would be permitted to connect to this water line. Mr. Dudenhefer said there are significant problems at Roseville Plantation and the County needs to provide services there.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-339.

The Voting Board tally was:

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

Nay: (2) Crisp, Woodson

Resolution R10-339 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT FOR ROSEVILLE PLANTATION LARGE WATER PROJECT

WHEREAS, the Board authorized the design and advertisement of the Roseville Plantation Large Water Extension Project to relieve residents from failing water wells; and

WHEREAS, the project was advertised for public bid; and

WHEREAS, the lowest responsive and responsible bid was submitted by Utilities Unlimited LLC in the amount of One Million One Hundred Sixty-four Thousand Seven Hundred Seventy-seven Dollars and Twenty-six Cents (\$1,164,777.26) for the base bid;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the County Administrator be and he hereby is authorized to execute a contract with Utilities Unlimited LLC in an amount not to exceed One Million One Hundred Sixty-four Thousand Seven Hundred Seventy-seven Dollars and Twenty-six Cents (\$1,164,777.26), unless increased by one or more duly approved change orders, for the installation of water lines and water service lines for Roseville Plantation.

<u>Discuss Comprehensive Plan Public Hearing</u> Mr. Woodson expressed his desire to make certain that all citizens who wished to participate would be able to do so at the December 14th meeting. Mr. Romanello assured the Board that extra staff would be on site to assist all citizens in signing up to speak and that he expected the public hearing to run smoothly.

Economic Development; Endorse Grant Request for Courthouse Streetscape Improvements Mr. Romanello gave the presentation and answered Board members questions. Mr. Woodson pointed out that the Board just received the information that day and said that in the future he would appreciate more time to review agenda materials. Mr. Romanello apologized for the short notice.

Mr. Milde motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-370.

The Voting Board tally was:

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

Nay: (0)

Abstain: (1) Sterling

Resolution R10-370 reads as follows:

A RESOLUTION WHICH AUTHORIZES SUBMISSION OF AN APPLICATION TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ENHANCEMENT GRANT FUNDS FOR THE COURTHOUSE STREETSCAPE PROJECT

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) requires States to set aside a portion of its share of Federal Surface Transportation Program Grants for the transportation enhancement program; and

WHEREAS, eligible projects include pedestrian and bicycle facilities, scenic or historic easements, scenic or historic highway programs, streetscaping and landscaping, historic preservation and rehabilitation, and billboard removal; and

WHEREAS, the Virginia Department of Transportation (VDOT) has established a competitive process for localities to apply for Transportation Enhancement Program Grants; and

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WHEREAS, in accordance with VDOT Enhancement Grant application procedures, it is necessary that the Board, by resolution, commit to the sponsorship of the

project and to verify the availability of the 20% local match; and

WHEREAS, the Board, per Resolution R99-02, did commit to the sponsorship of

the Courthouse Streetscape project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November, 2010, that the County Administrator be and he hereby is authorized to request an additional One Million Dollars (\$1,000,000) in Transportation Enhancement Grant funds and verify that the 20% local match is available

should the grant be awarded.

Public Works; Request VDOT Funds for Construction Mr. Keith Dayton, Director of

Public Works, gave a presentation and answered Board members questions. Mr.

Woodson asked if a resolution was required by VDOT for use of funds and questioned if

we could not do better where several roads in the County were concerned. Mr. Dayton

responded that several roads have been languishing in the system but that in past years,

the County was following established procedures.

Mr. Milde motioned, seconded by Mr. Snellings, to adopt proposed Resolution R10-371.

The Voting Board tally was:

Yea:

(6) Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay:

(0)

Abstain: (1)

Sterling

Resolution R10-371 reads as follows:

A RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION AUTHORIZE THE USE OF MAINTENANCE FUNDS FOR

THE PURPOSE OF COMPLETING SUBDIVISION STREETS

WHEREAS, THE Board desires to complete unfinished subdivision streets

abandoned by defaulted developers; and

WHEREAS, completion of the streets in Oaks of Stafford Section 4B, Woodlands of Berea, Deacon Woods and Colonial Port Section 1B are estimated to cost \$492,000 to

complete and there is \$40,351 in security funds available; and

WHEREAS, the Virginia Department of Transportation (VDOT) has indicate a willingness to allocate maintenance funds from the approved Secondary Six Year Plan for this purpose; and

WHEREAS, VDOT will allow the County to complete these roads as a Locally Administered Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 30th day of November 2010, that the County Administrator be and he hereby is authorized to request VDOT to allocate maintenance funds from the FY11 SSYP for the purpose of completing the streets in Oaks of Stafford Section 4B, Woodlands of Berea, Deacon Woods and Colonial Port Section 1B.

BE IT FURTHER RESOLVED that these streets be completed by County staff under VDOT's Locally Administered Project Program.

Ms. Stimpson presented a Power Point outlining why Stafford County has to have an adopted Comprehensive Plan. Mr. Milde said that Ms. Stimpson did a good job.

Mr. Woodson said that no one ever said that the County doesn't want to adopt a Comprehensive Plan.

Mr. Crisp said that the current, draft, Plan is not as well constructed as it should be and that the County has never done UDAs before; that citizens should have the right to speak out about them; that there is no silver bullet and that the transportation load on several major arteries is still a problem. Mr. Crisp said that he believes that it is a mistake to put a UDA in a rural area; that it is outside the General Assembly's directive. He feels that the County has not given its citizens the public meetings and time that are necessary.

Mr. Sterling responded that Delegate Athey said that Stafford County's plan for UDAs was exactly what the General Assembly had in mind. Mr. Sterling and Ms. Stimpson went to Richmond to talk with the General Assembly and that the discussion included Quantico, transportation nodes, and redevelopment.

Mr. Woodson asked Mr. Shumate if proffers are voluntary. Mr. Shumate said that proffers are categorized as voluntary but are used as a part of the negotiating process. Mr. Woodson said that developers are not obligated to offer proffers. Mr. Shumate said that impacts of development are helped by proffers.

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Mr. Woodson asked for Mr. Shumate's opinion about a recent opinion of the Attorney

General. Mr. Shumate indicated that as soon as he had an opportunity to review the

opinion, he would respond to Mr. Woodson's question.

Mr. Milde said that a Comprehensive Plan is already in place and that he was a liaison to

the Comprehensive Plan Committee. Mr. Milde stated that he feels that he has a good

sense of what his constituents want. The County has never denied rezoning because of

proffers but he defers to the County Attorney who is the expert.

Mr. Crisp agreed that early on, there were several information meetings held at the onset

of the process and that the County paid \$750,000 for a consultant whose advice was

helpful and needed but that UDAs were skipped over.

Mr. Snellings left the meeting at 8:55 p.m.

Mr. Dudenhefer said that in response to Mr. Crisp's opinion, he became a part of the

Comprehensive Plan process and deserves a lot of credit but that only he and Mr. Milde

were a part of the process in 2006. Mr. Dudenhefer ran on a Comprehensive Plan

platform and he has seen the Plan go through several iterations.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R10-

355.

The Voting Board tally was:

Yea:

Sterling, Stimpson, Crisp, Dudenhefer, Milde, Woodson

Nay:

(0)

Absent: (1)

Snellings

Resolution R10-355 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A CONTRACT TO PURCHASE PARCEL 20C 2 48A,

412 OAKRIDGE DRIVE

WHEREAS, the Department of Utilities has a 10-foot wide access easement along the driveway at 412 Oakridge Drive for access to the Country Ridge Pump Station; and

WHEREAS, this arrangement has caused difficulties for both the homeowner and Utilities crews; and

WHEREAS, the close proximity of the pump station to the home at 412 Oakridge Drive has resulted in noise and odor issues for the homeowner; and

WHEREAS, alternatives have been evaluated to address these issues including construction of a new access road and relocation of the pump station; and

WHEREAS, purchase of the property appears to be the most cost-effective solution to resolving these issues; and

WHEREAS, a formal appraisal of the property has determined its fair market value to be \$200,000; and

WHEREAS, the homeowners have indicated willingness to sell their home to the County for that amount;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November 2010, that the County Administrator be and he hereby is authorized to execute a contract to purchase Parcel 20C 2 48A, also known as 412 Oakridge Drive for an amount not to exceed Two Hundred Thousand Dollars (\$200,000).

Adjournment At 9:14 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Mark Dudenhefer
Chairman