

BOARD OF SUPERVISORS  
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

September 7, 2016

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Robert “Bob” Thomas, Jr., Chairman, at 3:00 p.m., on Wednesday, September 7, 2016, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Robert “Bob” Thomas, Jr., Chairman; Laura A. Sellers, Vice Chairman; Meg Bohmke; Jack R. Cavalier; Wendy E. Maurer; Paul V. Milde, III; and Gary F. Snellings.

Also in attendance were: C. Douglas Barnes, Interim County Administrator; Charles L. Shumate, County Attorney; Pamela L. Timmons, Deputy Clerk; associated staff and other interested parties.

Presentation of VACo Awards Mr. Thomas introduced Ms. Phyllis, a representative from VACo, to present the awards. Ms. Errico presented the following awards: “Select-a-Sport Day” - Brion Southall of Parks, Recreation and Community Facilities; “Partner Agency Process” – Donna Krauss of Human Services and Donna Olsen of Finance and Budget; and “Telling the African - American History Story in Stafford County, VA” – Kathy Baker of Planning and Zoning; Brion Southall of Parks, Recreation and Community Facility; and Mr. Frank White – local historian and former student of the Stafford Training School.

Presentations by the Public The following persons desired to speak:

John Steiner	-	Saratoga Woods/ New Groundwater Study
Matthew Kelly	-	High Speed Rail Project
Lois Steiner	-	Saratoga Woods/ New Groundwater Study
Natalie Coisman	-	Saratoga Woods/ New Groundwater Study

Presentations by Members of the Board Board members spoke on the topics as identified:

Ms. Bohmke - Welcome to Doug Barnes; Reminder that Shelton's Cottage is open this weekend; Yankee Day in Falmouth; Thanked Irma Clifton for donation of furniture to the cottage; United Way Day of Action on September 23.

Mr. Cavalier - Empowerhouse Night of 1,000 Pies event; Joint Board/Schools Working Committee, talking about the Moncure Elementary School rebuild/Shared Services/Final Forensic Audit; Attended the Schools' open houses.

Mrs. Maurer - VACo Summer Summit, talked about broadband access in rural areas/proffer bill/impact fees; Attended farewell reception for Anthony Romanello; Welcome to Doug Barnes; Attended Donald Trump's visit to the Sheriff's Office; Attended the Joint Board/Schools Working Committee; Stafford Technology and Research Park interviews for hiring the Executive Director; Attended seven schools' open houses; Community and Economic Development Committee - discussed the sign ordinance, task force permitting and ordinances to bring more commercial development to the County; pump and haul alternatives for some customers – hoping to reduce that more in the future; Discussed Lynhaven Lane and Lake Arrowhead in the Infrastructure Committee.

Mr. Milde - Stafford Technology and Research Park interviews for hiring the Executive Director; The Aquafer issue of concern will be on the next Infrastructure Committee agenda; Infrastructure Committee items discussed were lack of money for road projects coming up in 2018, and airport expansion runway to the new hanger.

Ms. Sellers - VACo Summer Summit; witnessed the Sheriff's Office use of the Narcan device, which saved a life; Attended the Joint Board/Schools Working Committee; attended Empowerhouse Night of 1,000 Pies; Stafford Technology and Research Park interviews for hiring the Executive Director.

Mr. Snellings - Holding a Town Hall meeting on October 6, 2016 at Gayle Middle School at 6:30 p.m. A representative from the Health Department will be on hand to help answer citizen's concerns regarding the Saratoga Woods development.

Mr. Thomas - VACo Summer Summit – excited that they are aligned with the County's priorities this year and appreciates the partnership.

Report of the County Attorney Mr. Shumate deferred his report.

Report of the County Administrator Mr. Barnes noted that there was an addition to agenda - Planning and Zoning; Refer a Zoning Text Amendment to the Planning Commission to Allow Hotels and Parking Lots in M-1, Light Industrial Zoning Districts (Proposed Resolution R16-284).

Additions/Deletions to the Regular Agenda Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt the agenda with the above-referenced addition.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mrs. Maurer, to adopt the Consent Agenda, which consisted of Items 3 through 10, omitting Items 4 and 9.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Item 3. Legislative; Approve Minutes of the August 16, 2016 Board Meeting

Item 5. Utilities; Authorize the County Administrator to Execute Pro-Rata Credit Agreements

Resolution R16-264 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE ONE SEWER AND TWO WATER PRO-RATA CREDIT REIMBURSEMENT AGREEMENTS WITH WESTLAKE DEVELOPMENT, LLC

WHEREAS, Westlake Development, LLC desires to construct the Westlake Subdivision, and necessary utilities infrastructure to support the subdivision and certain other future non-residential structures proposed in the service area; and

WHEREAS, the pro-rata policy, pursuant to Resolution R07-13, sets forth a mechanism for financing water and sewer infrastructure shown in the General Water and Sewer Improvement Plan (Plan); and

WHEREAS, the Plan identifies certain water transmission, water booster stations, elevated water storage tanks, sewage force mains, pumping stations, and interceptor projects necessary to serve the proposed Westlake Subdivision; and

WHEREAS, Westlake Development, LLC desires to construct the sewer and water projects identified in the Plan in exchange for sewer pro-rata credits; and

WHEREAS, the County desires the water and sewer projects to be constructed by Westlake Development, LLC as proposed; and

WHEREAS, it is necessary for the County to enter into agreements with Westlake Development, LLC regarding the value of the sewer and water pro-rata credits to be granted and the conditions for the use of such credits in paying pro-rata charges and the reimbursement of excess pro-rata credits;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that the County Administrator be and he hereby is authorized to execute a Sewer Pro-Rata Credit Agreement and two Water Pro-Rata Credit Agreements with Westlake Development, LLC, setting forth the conditions for valuation, application, and reimbursement of sewer and water pro-rata credits for the construction of water and sewer infrastructure for the Westlake Subdivision.

Item 6. Utilities; Authorize the County Administrator to Advertise a Public Hearing to Consider Execution of a Lease at Thompson Avenue

Resolution R16-278 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER EXECUTING LEASES WITH TENANTS AT 204 THOMPSON AVENUE, IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, on May 3, 2016, the Board accepted a donation of property, Tax Map Parcel No. 54-37, located at 204 Thompson Avenue (“Property”); and

WHEREAS, the Property was identified as being useful to the County for access to a sewer improvement project and for storage; and

WHEREAS, the Board desires to consider allowing the existing tenants to remain on the Property, rent free, until December 31, 2016, to provide them with sufficient time to relocate their business; and

WHEREAS, the Board desires to ease the tenants transition by providing funds from the Utilities Department CIP project to pay for the cost of the tenants utility bills through December 31, 2016; and

WHEREAS, the existing tenants are not under a current lease agreement, therefore a new lease agreement should be considered for execution; and

WHEREAS, the Board is required to hold a public hearing to consider entering lease agreements with the tenants of 204 Thompson Avenue;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2016, that it be and hereby does authorize the Interim County Administrator to advertise a public hearing to consider executing mutually agreeable lease agreements, with the existing tenants at 204 Thompson Avenue, Tax Map Parcel No. 54-37.

Item 7. Public Works; Authorize the County Administrator to Appropriate Transportation Impact Fees from the Central West Impact Fee Area Fund for Phase I of the Poplar Road Improvement Project

Resolution R16-253 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE TRANSPORTATION IMPACT FEES FROM THE CENTRAL WEST TRANSPORTATION IMPACT FEE SERVICE AREA FUND TO THE POPLAR ROAD PHASE I IMPROVEMENT PROJECT FUND

WHEREAS, with the adoption of Ordinance O03-32, on June 3, 2003, the Board established the Central West Transportation Impact Fee Service Area (Service Area); and

WHEREAS, following the Service Area analysis, the Poplar Road Phase I Improvement Project (Project), a two-lane reconstruction of Poplar Road (SR-616) from Warrenton Road (US-17) to Truslow Road (SR-652), was identified to receive funding from the fees collected; and

WHEREAS, on March 3, 2015, the Board adopted Resolution R15-84, which awarded the Project's construction contract to Branch Highways, Inc.; and

WHEREAS, Branch Highways, Inc., has successfully completed construction of the Project; and

WHEREAS, currently, there is approximately \$137,609 in the Service Area Fund; and

WHEREAS, these funds are needed to make the final construction payment to Branch Highways, Inc.; and

WHEREAS, there are no other road projects to be funded through the Service Area and the Service Area was eliminated by Ordinance O12-20;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that the Interim County Administrator be and he hereby is authorized to budget and appropriate the remaining funds from the Central West Transportation Impact Fee Service Area Fund to the Poplar Road Phase I Improvement Project Fund.

Item 8. Public Works; Authorize the County Administrator to Execute Two Contracts for Utility Relocation for the Poplar Road/Mountain View Road Intersection Improvement Project

Resolution R16-279 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH NORTHERN VIRGINIA ELECTRIC COOPERATIVE AND VERIZON FOR THE PAYMENT OF UTILITY LINE RELOCATION SERVICES FOR THE POPLAR ROAD (SR-616) AND MOUNTAIN VIEW ROAD (SR-627) INTERSECTION IMPROVEMENT PROJECT, IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements at the intersection of Poplar Road (SR-616) and Mountain View Road (SR-627) (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, Northern Virginia Electric Cooperative (NOVEC) and Verizon utility lines must be relocated in order to proceed with the Project; and

WHEREAS, the County must bear a portion of the cost of the relocation services for the NOVEC and Verizon lines and facilities outside of the road right-of-way, for which relocation is not a betterment; and

WHEREAS, NOVEC and Verizon require the execution of contracts and payments for the utility line relocation services for the Project; and

WHEREAS, NOVEC estimates that the County's portion of the cost for the utility line relocation services is Two Hundred Ninety-nine Thousand Eight Hundred Nineteen Dollars (\$299,819); and

WHEREAS, Verizon estimates that the County's portion of the cost for the utility line relocation services is One Hundred Forty-one Thousand Five Hundred Fifty-nine Dollars (\$141,559); and

WHEREAS, the cost of the utility line relocations is fully reimbursable through the Virginia Department of Transportation as the Project is funded with Secondary Six Year Program funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that the Board be and it hereby does authorize the Interim County Administrator, or his designee, to execute a contract with Northern Virginia Electric Cooperative (NOVEC) for the payment of utility line relocation services in an amount not to exceed Two Hundred Ninety-nine Thousand Eight Hundred Nineteen Dollars (\$299,819), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the Interim County Administrator is also authorized to execute a contract with Verizon for the payment of utility line relocation services in an amount not to exceed One Hundred Forty-one Thousand Five Hundred Fifty-nine Dollars (\$141,559), unless amended by a duly-executed contract amendment; and

BE IT STILL FURTHER RESOLVED that Four Hundred Forty-one Thousand Three Hundred Seventy-eight Dollars (\$441,378) be budgeted and appropriated from the County’s Transportation Fund to the Mountain View Road and Poplar Road Intersection Improvement project.

Item 10. County Administration; Authorize the Appointments of Darrell English to the Westlake Architectural Review Board; Paul Santay to Replace Mr. Jason Towery on the Hidden Lake Service District; and Sandy Duckworth to the Armed Services Memorial Commission Working Group

Item 4. Finance and Budget; Approve Expenditure Listing Ms. Sellers pulled this item to note that one item listed on the listing is a return of overpayment of water pro rata fees associated with the 370 pressure zone within the Embrey Mill Subdivision. It is not a reimbursement.

Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R16-269.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution R16-269 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED AUGUST 16, 2016 THROUGH SEPTEMBER 5, 2016

WHEREAS, the Board 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 6<sup>th</sup> day of September 2016 that the above-mentioned EL be and hereby is approved.

Item 9. Planning and Zoning; Authorize the County Administrator to Execute a New Agreement with VDOT Permitting the County to Remove Illegal Signs from the State Right-of-Way

Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R16-263.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution R16-263 reads as follows:

A RESOLUTION AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION FOR THE REMOVAL OF ILLEGAL SIGNS WITHIN THE RIGHT-OF-WAY LIMITS OF COUNTY HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-1224, the Board has the authority to execute an agreement with the Virginia Department of Transportation (VDOT) regarding the removal of illegal signs or advertising on rocks, poles, etc., within the limits of any highway; and

WHEREAS, the Board is concerned about the proliferation of illegal signs within VDOT rights-of-way; and

WHEREAS, the Board desires to execute a new agreement with VDOT for the removal of illegal signs within VDOT rights-of-of way, which will promote a more attractive and safer community; and

WHEREAS, adoption of this resolution promotes the public health, safety, and welfare;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that the Interim County Administrator be and he hereby is authorized to execute a new agreement with the Virginia Department of Transportation, in substantial accord with the attached draft agreement, to allow the County to remove illegal signs within the limits of the rights-of-way of County highways; and

BE IT FURTHER RESOLVED that the Interim County Administrator, or his designee, is authorized to take action, as he deems necessary, to effectuate this Resolution and to implement practices and procedures to carry out the agreement so entered.

County Administration; Authorize the County Administrator to Execute a Contract for the Design and Construction of the Armed Services Memorial Mr. Snellings briefed the Board on the fundraising efforts.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R16-270.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution R16-270 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DESIGN/BUILD CONTRACT WITH RBT STONE WORKS, INC., DBA KLINE MEMORIALS, FOR THE DESIGN AND CONSTRUCTION OF THE ARMED SERVICES MEMORIAL, AND TO BUDGET AND APPROPRIATE ASSOCIATED FUNDS

WHEREAS, Stafford County has a long and distinguished history of serving in the armed forces; and

WHEREAS, on July 3, 2012, the Board adopted a resolution to establish the Armed Services Memorial Commission (Commission) to create a memorial in Stafford County that would honor the loss of Stafford’s brave sons and daughters who have served in the nation’s armed services; provide a place for families and citizens to honor the fallen; and serve as a visible reminder to the public of all the men and women who gave the last full measure of devotion to their country; and

WHEREAS, in February 2016, the Board established the Stafford County Armed Services Memorial Fund (Fund), for the sole and exclusive purpose of receiving charitable contributions/donations to support the funding and construction of the Memorial; and

WHEREAS, in June, 2016, a request for proposals was issued for a design/build contract to design plans for and to construct the Memorial; and

WHEREAS, the proposal from RBT Stone Works, Inc., dba Kline Memorials (Kline) in an amount not to exceed \$640,440, was the most responsive and responsible proposal for the scope of work requested; and

WHEREAS, the Commission has currently raised \$593,000 in pledges, but the Fund only contains \$463,500 in received donations; and

WHEREAS, funds in an amount sufficient to cover the cost of the contract with Kline must be in the Fund prior to execution of the contract with Kline; and

WHEREAS, the Commission has requested and the Board desires to provide \$211,500 from the Capital Projects Reserve Fund to the Fund, which shall be repaid as donations are continuously received for the Memorial;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that the Board be and it hereby does authorize the Interim County Administrator, or his designee, to execute a contract with RBT Stone Works, Inc., dba Kline Memorials, in an amount not to exceed Six Hundred Forty Thousand Four Hundred Dollars (\$640,400), unless modified by a duly–authorized change order; and

BE IT FURTHER RESOLVED that Four Hundred Sixty-three Thousand Five Hundred Dollars (\$463,500) from the Armed Services Memorial Fund, be appropriated for this purpose; and

BE IT STILL FURTHER RESOLVED that Two Hundred Eleven Thousand Five Hundred Dollars (\$211,500) be budgeted and appropriated from the Capitol Projects Reserve Fund to the Armed Services Memorial Fund, for this purpose, which funds shall be reimbursed to the Capital Projects Reserve Fund as continuous donations are received for the Stafford County Armed Services Memorial.

Sheriff/Clerk of the Court; Concealed Handgun Permit Fees Mr. Barnes noted that the Sheriff's Office can desire to reduce the fee, but the Board must take action. Mr. Milde questioned whether the Sheriff's Office would lose a position if the fee were reduced. Ms. Kathy Sterne, Clerk of Court, spoke to the Board concerning her issue that if the cost was lowered and the Sheriff's Office doesn't have the personnel to process the applications, they won't have time to assist her office to the permits. She stated that since she first took office in January, it has reduced the permit turnaround from six weeks to two weeks, and the office rarely receives any complaints about the fee amount. Mr. Snellings asked how many applications are being processed per month. Ms. Sterne reported that her office has processed 1,800 permits since January. The County took in \$95,000 from the fee last fiscal year and \$67,000 during the fiscal year before that. Mr. Milde asked if the permits really do cost approximately \$100,000 per year. Captain John McAlister said it fluctuates depending on the number and complexity of the applications received. Applications can take anywhere from 20 minutes to three hours, and sometimes involve multiple departments. Two people routinely process the applications, he said, and another two help out when there is a high volume, which typically happens after a mass shooting, etc. Mr. Cavalier stated that he has never received a complaint regarding the fee. Mr. Snellings agreed, saying that he is good with

the process. He felt that if you can afford ammunition, then you can afford a permit. Mr. Thomas and Ms. Sellers also echoed those sentiments. Mr. Milde said that he would still like staff to provide him with some statistics to help answer his question on whether or not the County is making money, losing money, or breaking even.

Planning and Zoning; Refer a Comprehensive Revision of Sign Regulations in the Zoning Ordinance to the Planning Commission Mr. Jeff Harvey, Director of Planning and Zoning, briefed the Board.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-277, with a return date of 60 days.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution R16-277 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION  
SUBSTANTIAL AMENDMENTS TO THE SIGN REGULATIONS  
CONTAINED IN STAFFORD COUNTY CODE CHAPTER 28

WHEREAS, in 2015 the United States Supreme Court ruling in *Reed v. Town of Gilbert Arizona* established new standards for sign regulations; and

WHEREAS, staff reviewed the county sign regulations and determined that changes were necessary in response to that Supreme Court ruling; and

WHEREAS, the Board desires to consider amending the sign regulations in the Stafford County Code to remove any content-based provisions pertaining to the regulation of signs; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to Ordinance O16-21 to the Planning Commission for its review, recommendations, and a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that proposed amendments to Stafford County Code Sec. 28-24, "Measurements;" Sec. 28-25, "Definitions of specific terms;" Sec. 28-121, "Purpose and intent;" Sec. 28-122, "Certain types prohibited in all districts;" Sec. 28-123, "Types permitted in A-1 districts;" Sec. 28-124, "Types permitted in A-2 districts;" Sec. 28-124.1, "Types permitted in R-1 districts;" Sec. 28-125, "Types permitted in R-2, R-3, and R-4 districts;" Sec. 28-126, "Types permitted in B-1, B-2, M-1, and M-2 districts;" Sec. 28-127, "Types permitted in RC, SC, B-3, and LC districts;"

Sec. 28-128, “Types permitted in PD-1 districts;” Sec. 28-129, “Types permitted in PD-2 districts;” Sec. 28-130, “Types permitted in HI districts;” Sec. 28-131, “Permit to erect;” Sec. 28-132, “Approval of internal illumination;” Sec. 28-133, “Exception from setback requirements;” Sec. 28-134, “Traffic hazard;” Sec. 28-135, “Clearance for projecting signs;” Sec. 28-136, “Repair and removal of signs;” Sec. 28-137, “Types of signs permitted in P-TND districts;” Sec. 28-138, “Types permitted in the RBC districts;” Sec. 28-273, “Nonconforming structures;” and Sec. 28-277 “Abandoned nonconforming signs;” and proposed additions to Stafford County Code Sec. 28-124, “Permit not required;” Sec. 28-128, “Types permitted in agricultural and residential districts (A-1, A-2, R-1, R-2, R-3, R-4);” Sec. 28-129, Types permitted in commercial and office districts (B-1, B-2, B-3, RC, SC, HI);” Sec. 28-130, “Types permitted in industrial districts (M-1, M-2); and Sec. 28-131, “Types permitted in planned development and urban development districts (LC, PD-1, PD-2, P-TND, RBC, RDA-1, UD); all other provisions remaining unchanged; pursuant to proposed Ordinance O16-21, be and they hereby are referred to the Planning Commission for public hearing and its review and recommendations.

BE IT FURTHER RESOLVED, that the Planning Commission shall make its recommendations within 60 days of adoption of this resolution.

Consider a Letter Opposing the Proposed Fredericksburg Eastern Bypass High Speed Rail Project Mr. Milde stated that the Board recently received a copy of the FAMPO resolution, and asked that Board members consider adoption of a similar resolution. Mr. Thomas stated again that the rail would cut through a historically and culturally sensitive part of the County, reducing property values, bring noise and traffic, and also impact the George Washington Boyhood Home at Ferry Farm. He felt that the high-speed rail is inevitable with the expansion of the Port of Virginia, so the Board needs to express its opposition as soon as possible. Ms. Sellers was angry with the lack of openness from the Virginia Department of Rail and Public Transportation, and how unresponsive to the many questions that were asked. Mr. Snellings also agreed, saying that a similar situation occurred many years ago when Lake Mooney was being designed. Many homes lost value, and those citizens affected were left in limbo for too long. Ms. Bohmke agreed with the lack of information, but felt that the Board should take more time before taking a stance.

Ms. Sellers motioned, seconded by Mr. Snellings to direct staff to send a letter of opposition to the Virginia Department of Rail and Public Transportation.

The Voting Board tally was:

Yea: (5) Cavalier, Maurer, Sellers, Snellings, Thomas  
Nay: (2) Bohmke, Milde

Legislative; Closed Meeting. At 4:12 p.m., Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-20.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution CM16-20 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; (2) consultation with legal counsel and briefings by staff members pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board, and consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel; and (3) consultation with legal counsel and briefings by staff members pertaining to probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Board; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(7) and (A)(29), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 4:44 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM16-20(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution CM16-20(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 7, 2016

WHEREAS, the Board has, on this the 7<sup>th</sup> day of September, 2016, 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 7<sup>th</sup> day of September, 2016, 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.

At 4:45 p.m., the meeting was adjourned and the Board proceeded to Shelton’s Cottage for a tour and discussion of the Falmouth historical area.

Call to Order At 7:02 p.m., the Chairman called the evening session to order. Mr. Milde arrived at 7:04 p.m.

Invocation Ms. Bohmke gave the invocation.

Pledge of Allegiance Eagle Scout Jared Burkhammer led the pledge of allegiance.

Recognize Eagle Scout Jared Burkhammer for Winning the National Eagle Scout Service Project of the Year Award

Presentations by the Public – II The following persons spoke:

- Jay Walding - Saratoga Woods/ New Groundwater Study
- Ruth Carlone - Saratoga Woods/ New Groundwater Study
- Antionette Franke - Saratoga Woods/ New Groundwater Study
- Wilke Renwick - Saratoga Woods/ New Groundwater Study
- Deborah F. Yates - Saratoga Woods/ New Groundwater Study

Mr. Snellings stated once again for the evening audience that he will be holding a Town Hall meeting on October 6, 2016 at Gayle Middle School. It will begin at 6:30 p.m., and representatives from the Health Department will be in attendance to answer questions regarding the groundwater study.

Planning and Zoning; Amend the Zoning Ordinance to Modify the Square Footage of Signage Permitted on a Building's Rear Exterior Wall Mr. Jeff Harvey, Director of Planning and Zoning, briefed the Board.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Ordinance O16-31.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas

Nay: (0)

Ordinance O16-31 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-123, "TYPES PERMITTED IN A-1 DISTRICTS;" SEC. 28-124, "TYPES PERMITTED IN A-2 DISTRICTS;" SEC. 28-124.1, "TYPES PERMITTED IN R-1 DISTRICTS;" SEC. 28-125, "TYPES PERMITTED IN R-2, R-3, AND R-4 DISTRICTS;" SEC. 28-126, "TYPES PERMITTED IN B-1, B-2, M-1 AND M-2 DISTRICTS;" SEC. 28-127, "TYPES PERMITTED IN RC, SC, B-3 AND LC DISTRICTS;" SEC. 28-129, "TYPES PERMITTED IN PD-2 DISTRICTS;" AND SEC. 28-138, "TYPES PERMITTED IN THE RBC DISTRICT"

WHEREAS, Stafford County Code regulates the size and location of signs within the County; and

WHEREAS, the regulations for wall signs for non-residential structures restrict the amount of signage permitted on the rear wall of a structure; and

WHEREAS, the Board desires to permit more signage on the rear wall of a non-residential structure; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, that Stafford County Code Sec. 28-123, “Types permitted in A-1 districts;” Sec. 28-124, “Types permitted in A-2 districts;” Sec. 28-124.1, “Types permitted in R-1 districts;” Sec. 28-125, “Types permitted in R-2, R-3, and R-4 districts;” Sec. 28-126, “Types permitted in B-1, B-2, M-1, and M-2 districts;” Sec. 28-127, “Types permitted in RC, SC, B-3, and LC districts;” Sec. 28-129, “Types permitted in PD-2 districts;” and Sec. 28-138, “Types permitted in the RBC district;” be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

**Sec. 28-123. - Types permitted in A-1 districts.**

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

- (1) Business signs; provided that:
  - b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side, and rear exterior walls.
  
- (12) School signs. provided that:
  - b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side and rear exterior walls.

**Sec. 28-124. - Types permitted in A-2 districts.**

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

- (1) School signs; provided that:
  - b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side, and rear exterior walls.
  
- (10) Business signs, provided that:
  - b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side, and rear exterior walls.

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

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

- (8) Business signs, provided that:
  - b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side, and rear exterior walls.
  
- (11) School signs, provided that:

- b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side, and rear exterior walls.

**Sec. 28-125. - Types permitted in R-2, R-3, and R-4 districts.**

The following types of signs are permitted in R-2, R-3, and R-4 districts:

(7) Business signs, provided that:

- b. No wall sign shall be greater in height than the roof line of the main building located on the premises. Each building may have wall signs on its front, side and rear exterior walls.

(10) School signs, provided that:

- b. No wall sign shall be greater in height than the roof line of the main building located on the premises. . Each building may have wall signs on its front, side, and rear exterior walls.

**Sec. 28-126. - Types permitted in B-1, B-2, M-1, and M-2 districts.**

The following types of signs are permitted in B-1, B-2, M-1, and M-2 districts:

(4) Business signs.

- a. Located within existing and proposed shopping centers, industrial parks and office parks, provided that:

- 2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:

- i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
- ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.

- ~~3. Each building may also have one wall sign on its rear exterior wall, provided that:~~

- ~~i. The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~
- ~~ii. The area of the sign shall not exceed ten (10) square feet.~~

- ~~43. Each building may also have one under-canopy sign, located at the front of the building; not to exceed six (6) square feet in sign area.~~

- ~~4. Signs for identifying proposed shopping centers, industrial parks and office parks shall be removed upon completion of the construction of the shopping center, industrial park and/or office park.~~

- ~~65. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~

- ~~i. The height of such sign shall not extend more than eight (8) feet above ground level.~~
- ~~ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.~~

- 76. Each pad site, not having street, highway or public road frontage, may have one freestanding monument sign, provided that:
  - i. The height of such sign shall not extend more than six (6) feet above ground level.
  - ii. The area of such sign shall not exceed one-half square foot for each linear foot of building frontage.
- b. Not located within existing and proposed shopping centers, industrial parks and office parks, provided that:
  - 2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all such signs shall not exceed two (2) square feet of sign area for each linear foot of building frontage.

**Sec. 28-127. - Types permitted in RC, SC, B-3, and LC districts.**

The following types of signs are permitted in RC, SC, B-3, and LC districts:

(3) Business signs:

- a. Located within existing and proposed convenience centers, shopping centers, and office parks, provided that:
  - 2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all wall signs shall not exceed one square foot for each linear foot of building frontage.
  - ~~3. Each building may also have one wall sign on its rear exterior wall, provided that:
 
    - i. ~~The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~
    - ii. ~~The area of the sign shall not exceed ten (10) square feet.~~~~
- 43. Signs identifying proposed convenience centers, shopping centers and office parks shall be removed upon completion of the construction of the convenience center, shopping center, and/or office park.
- 54. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:
  - i. The height of such sign shall not extend more than eight (8) feet above ground level.
  - ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.
- 65. Each pad site, not having street, highway or public road frontage, may have one freestanding monument sign, provided that:

- i. The height of such sign shall not extend more than six (6) feet above ground level.
  - ii. The area of such sign shall not exceed one-half square foot for each linear foot of building frontage.
- b. Not located within existing and proposed convenience centers, shopping centers and office parks, provided that:
  2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all wall signs shall not exceed one and one-half square feet for each linear foot of building frontage.

**Sec. 28-129. - Types permitted in PD-2 districts.**

(b) The following types of signs are permitted in commercial areas of a PD-2 district:

(2) Business signs.

- a. Located within existing and proposed shopping centers and office parks, provided that:
  2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.
    - iii. The area of each such wall sign shall not exceed one hundred (100) square feet.
  - ~~3. Each building may also have one wall sign on its rear exterior wall, provided that:~~
    - ~~i. The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~
    - ~~ii. The area of the sign shall not exceed ten (10) square feet.~~

- ~~43.~~ Signs identifying proposed shopping centers and office parks shall be removed upon completion of the construction of the shopping center and/or office park.
- ~~54.~~ Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:
  - i. The height of such sign shall not extend more than eight (8) feet above ground level.

- ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.
- 65. Each pad site not having street, highway or public road frontage may have one freestanding monument sign, provided that:
  - i. The height of such sign shall not extend more than six (6) feet above ground level.
  - ii. The area of such sign shall not exceed one-half square foot for each linear foot of building frontage.
- b. Not located within existing and proposed shopping centers and office parks, provided that:
  - 2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.
    - iii. The area of each such wall sign shall not exceed one hundred (100) square feet.

**Sec. 28-138. - Types permitted in the RBC District.**

The following types of signs are permitted in the RBC District:

(3) Business signs:

- a. Located within existing and proposed convenience centers, shopping centers and office parks, provided that:
  - 2. Each building may have wall signs on its front, ~~and side,~~ and rear exterior walls, provided that:
    - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
    - ii. The aggregate area of all wall signs shall not exceed one square foot for each linear foot of building frontage.
  - ~~3. Each building may also have one wall sign on its rear exterior wall, provided that:
 
    - i. ~~The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~
    - ii. ~~The area of the sign shall not exceed ten (10) square feet.~~~~
- 43. Signs identifying proposed convenience centers, shopping centers and office parks shall be removed upon completion of the construction of the convenience center, shopping center, and/or office park.
- 54. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:
  - i. The height of such sign shall not extend more than eight (8) feet above ground level.

- ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.
  - 65. Each pad site not having street, highway or public road frontage may have one freestanding monument sign, provided that:
    - i. The height of such sign shall not extend more than six (6) feet above ground level.
    - ii. The area of such sign shall not exceed one-half square foot for each linear foot of building frontage.
  - b. Not located within existing and proposed convenience centers, shopping centers and office parks, provided that:
    - 2. Each building may have wall signs on its front, ~~and~~ side and rear exterior walls, provided that
      - i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.
      - ii. The aggregate area of all wall signs shall not exceed one and one-half (1½) square feet for each linear foot of building frontage.
- ; and

BE IT FURTHER ORDAINED that this ordinance is effective immediately upon adoption.

Legislative; Closed Meeting. At 7:37 p.m., Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-21.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
 Nay: (0)

Resolution CM16-21 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel retained by the Board regarding specific legal matters requiring the provision of legal advice by such counsel; and (2) discussion concerning a prospective business where no previous announcement has been made of the business’ interest in locating its facilities in the community; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(5), and (A)(7), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of September, 2016, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 7:58 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Resolution CM16-21(a).

Mr. Thomas noted that Mr. Snellings' vote would be only for Item 5 on the agenda. He recused himself from first item discussed.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Maurer, Milde, Sellers, Snellings, Thomas  
Nay: (0)

Resolution CM16-21(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE  
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED  
MEETING ON SEPTEMBER 7, 2016

WHEREAS, the Board has, on this the 7<sup>th</sup> day of September, 2016, 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 7<sup>th</sup> day of September, 2016, 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.

Adjournment At 7:58 p.m. the Chairman declared the meeting adjourned.

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C. Douglas Barnes  
Interim County Administrator

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Robert "Bob" Thomas, Jr.  
Chairman