

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

February 21, 2017

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Paul V. Milde, III, Chairman, at 3:00 p.m., on Tuesday, February 21, 2017, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

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

Also in attendance were: Thomas C. Foley, County Administrator; Charles L. Shumate, County Attorney; Marcia C. Hollenberger, Chief Deputy Clerk; Cheryl D. Giles, Deputy Clerk; associated staff and other interested parties.

Mr. Milde read the following statement: *“On behalf of the Board of Supervisors and the citizens of Stafford County, I would like to thank Bill Howell for his outstanding representation of our area during his 29 years in the General Assembly and 15 years as Speaker. The fact that Bill served the second longest time of any speaker in Virginia history says so much about his leadership ability and his character. For an elected official, it can be difficult to balance the needs of your district and the needs of other districts, but Bill did a remarkable job of doing the best for the citizens of Stafford County as well as all citizens in the Commonwealth of Virginia. He kept our state financially sound, gaining three AAA bond ratings for Virginia. He stood up for us against burdensome federal programs, and supported and enabled efforts to conserve open land. He helped us preserve our Civil War Park, Crow’s Nest, and Widewater State Park through his support of land conservation. Bill worked so hard to find and enact solutions for our transportation challenges. As impressive and substantial as those accomplishments are, Bill’s best contribution to Stafford County is his love of the people that the history of the area. Bill and Cessie Howell never failed to greet their constituents and neighbors with warm, welcoming smiles. We will greatly miss Speaker Howell’s exemplary leadership and we thank him for the many things he helped accomplish for Stafford County, and the sacrifices he and his entire family made to serve the people of Virginia.”*

Ms. Bohmke invited Ian and Charmaine Denny to the dais and presented a proclamation to them as the owner/operators of Kd’z KIDZ World, an indoor play center that was named 2015 Business of the Year, and the 2016 Veteran-owned Business of the Year Award.

In the last year, Kd'z KIDZ World contributed more than \$10,000 in service and monetary donations to the community. They are planning to expand their business and Ms. Bohmke thanked them for locating Kd'z KIDZ World in Stafford County.

Presentations by the Public – No persons indicated a desire to speak.

Board Member Presentations Board members spoke on topics as identified:

Ms. Bohmke - Attended Eagle Scout ceremony for Logan Goff, Troop 199; his project was cleaning up the Union Civil War encampments behind Stafford Crossing Church, a phased project with other Eagle Scouts. Hosted tour of Clearview property; staff printed eight signs that were posted in Clearview and on Forbes Street. 20 people attended; hosting a Town Hall meeting specifically on Clearview, at Falmouth Elementary School (ES), on Tuesday, 2/28/17, 7:00 p.m. Attend the Other Post-Employment Benefits (OPEB) meeting, looking to put out a RFP for a new consultant; investments went up from \$130,000 to \$150,000 in two years. Attended the second meeting of the development process review committee, staff is working hard on issues with developers and development in the County. Thanked Bill Howell for 29 years of service in the 28th District, which he represented with tact, diplomacy, and integrity.

Mr. Cavalier - Deferred comment

Mrs. Maurer - Congratulated Mr. Snellings as the Lake Mooney tax relief legislation passed both the House and Senate and was on the Governor's desk for signature. Lake Arrowhead legislation, with a minor amendment, also passed both houses and was awaiting the Governor's signature. Attended a (stressful) redistricting meeting with School Board member, Ms. Patricia Healy; the only three districts impacted by redistricting are the Hartwood, Rock Hill, and Garrisonville Districts. It was recommended that a committee be formed to look at growth projections; the committee would include 2 Board members, 2 Planning Commission members, and 2 School Board members. Mrs. Maurer asked Mr. Milde to consider forming the committee and said she was willing to serve; that the committee would also lend itself to issues related to the joint Capital Improvement Program (CIP). Provided an update to the Finance, Audit, and Budget Committee (FAB) including bond-funded projects in the next budget cycle (FY2019); discussed readvertising contracts officer position; Mrs. Maurer unintentionally caused contention in the Commissioner of the Revenue's office regarding proposed renovation of the office space, and said they (the Board) was working it; she does value all of the staff in that office but had "heartburn" with the policy and process. Thanked Speaker Howell for his efforts on behalf of Stafford County and his commitment to the people and the Republican Party.

Discussion ensued about the proposed committee referred to in Mrs. Maurer's remarks. It was decided to continue the discussion at the end of the meeting.

Mr. Milde - Ms. Sellers attended her first R-Board meeting, it was also Mr. Foley's first R-Board meeting; the R-Board discussed the waste/trash agreement with the City of Fredericksburg. The ribbon cutting ceremony for the new animal shelter, located at 195 Wyche

Road, takes place at 5:00 p.m. that afternoon. Mr. Milde said the new shelter would be almost three times as large as the existing facility. Stafford Hospital is hosting its 5k race on April 8th, start time is 8:30 a.m. and Board members were encouraged to participate. School Board members were challenged to participate in the race as well. Ms. Bohmke and Mrs. Maurer said they would be at the race. Mr. Snellings challenged the rest of the Board to participate.

Ms. Sellers - Holding redistricting meetings, the Austin Ridge meeting is scheduled for Thursday, February 23rd. The School Board member representing the Garrisonville District, Christopher Connelly, was appointed, not elected. Ms. Sellers said that she was involved; there have been helpful conversations and she was committed to helping residents of her District work through the redistricting issue. At FAMPO, the Commonwealth Transportation Board (CTB) representative, Hap Connors, asked for additional information and feedback to help in his fight in Richmond for additional transportation funds for Stafford County, which did not score well on many of its requested projects.

Mr. Snellings - Deferred

Mr. Thomas - Attended the CRRL quarterly meeting. A member of the Spotsylvania Board of Supervisors is now participating on the Library's Board of Directors, which would be beneficial at budget time. Praised CRRL Director, Ms. Martha Hutzler, saying that she was a breath of fresh air with great ideas; she scrubbed the Library's budget line-by-line. Attended the PRTC meeting, the search for a new executive director is on-going. No one-time funds were needed to balance the PRTC budget, which was something that Mr. Thomas and Mr. Matt Kelly, with the City of Fredericksburg, were against.

Report of the County Attorney Mr. Shumate deferred his report but did say that he wished Speaker Howell well and that he and Speaker Howell were high school classmates.

Report of the County Administrator – At the Board's March 4, 2017 meeting, Mr. Foley will present the County's FY2018 proposed budget. The application deadline is this week for the vacant Deputy County Administrator position. Once a new Deputy is in place, Mr. Foley will be doing leadership and team building exercises with all of the new department directors and both Deputy County Administrators.

Mr. Foley and School Superintendent, Dr. Bruce Benson, will present a report on the joint Capital Improvement Program (CIP) to the Joint Schools Working Committee (JSWC) at its meeting on March 20, 2017, after which it will be presented to the full School Board and Board of Supervisors. Dr. Benson and his staff are working on a Shared Services charter, including priorities and quick wins, and would be presented to the JSWC then to both full Boards.

Public Works Director, Mr. Christopher Rapp, gave an update on transportation projects in the County. Mr. Milde inquired when the Virginia Department of Transportation (VDOT) would provide an update to the Board. Mr. Rapp replied that VDOT provided its report quarterly and would meet with the Board at a meeting in March (scheduled for March 21, 2017 at 3:00 p.m.).

Ms. Sellers asked about the Mine Road sidewalk project. Mr. Rapp said that funding had been a hold-up on the project; that Verizon was working on relocation of utilities, which would be completed later in the month; and VDOT had the plans for approval. Construction of the sidewalk was waiting on VDOT's plan approval then construction would begin. Mr. Rapp said he hoped the project would be completed later this year.

Assistant Public Works Director, Mr. Christopher Hoppe, gave an update on Parks projects in the County. There were no questions from the Board related to Mr. Hoppe's report.

Additions/Deletions to the Regular Agenda Item No. 25 is added, which appointed Mr. Moses Boldin to the Utilities Commission representing the Hartwood District.

Mr. Thomas motioned, seconded by Ms. Bohmke, to adopt the agenda as presented with the addition of Item No. 25 and No. 26 (a discussion of a joint committee with members of the County and Schools Planning staff, two Planning Commission members, two members of the School Board, and two members of the Board of Supervisors). It was agreed that these two items would be considered at the conclusion of the meeting.

Ms. Sellers, seconded by Ms. Maurer, offered a substitute motion, pulling Item No. 9 for discussion at Mr. Milde's request, and removing Item No. 18 from the Consent Agenda.

The Voting Board tally was:

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

Item 4. Legislative; Approve the Minutes of the February 7, 2017 Board Meeting

Item 5. Finance and Budget; Approve the Expenditure Listing

Resolution R17-58 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED FEBRUARY 08, 2017 THROUGH FEBRUARY 20, 2017

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 21st day of February, 2017 that the above-mentioned EL be and hereby is approved.

Item 6. Public Information; Proclamation Recognizing KDZ's KIDZ WORLD

Proclamation P17-03 reads as follows:

A PROCLAMATION TO RECOGNIZING Kd'Z KIDZ WORLD FOR ITS SERVICE TO THE YOUTH IN THE STAFFORD REGION

WHEREAS, former Marine Ian Denny and his wife Charmaine chose Stafford County in which to open an indoor play center, Kd'Z KiDz World, with bounce houses, slides, and obstacle courses; and

WHEREAS, Kd'Z KiDz World won the Stafford Economic Development Authority's 2015 Business of the Year Award for its excellence in business and service to the community; and

WHEREAS, Kd'Z KiDz World has won many accolades and achievements, being recognized by the Fredericksburg Parents Magazine, National Night Out, and most recently by the United States Small Business Administration as 2016 Veteran-Owned Business of the Year at the Boots to Business Reboot Event; and

WHEREAS, Kd'z KiDz World provided more than \$10,000 in services and monetary donations to community organizations in the last year alone. The company provides a "Special Needs Family Night" monthly, partnering with Paragon Autism Services, to open their facility exclusively to families and children with autism; and

WHEREAS, Kd'z KiDz World plans to double its space offering more fun for area children, and will add more jobs to the more than 43,000 jobs already in Stafford County; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does honor and recognize Kd'Z KiDz World for its service to the youth in the Stafford region.

Item 7. Public Works; Petition VDOT to Include Certain Streets into the Secondary System of State Highways

Resolution R17-54 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BAYSIDE DRIVE, MELBOURNE DRIVE, AND CLEAR SPRING LANE WITHIN SOUTHGATE, SECTION 1B, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Bayside Drive, Melbourne Drive, and Clear Spring Lane within Southgate, Section 1B, located off Truslow Road (SR-652) approximately 1 mile north from Cambridge Street (US-1), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Bayside Drive, Melbourne Drive, and Clear Spring Lane, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Southgate, Section 1B, into the Secondary System of State Highways:

Street Name Route Number	Station	Length
Bayside Drive (SR-2226)	From: Intersection of Truslow Road (SR-652) To: Intersection of Melbourne Drive (SR-2227)	0.20 mi. ROW 55'
Melbourne Drive (SR-2227)	From: Intersection of Bayside Drive (SR-2226) To: Intersection of Clear Spring Lane (SR-2228)	0.06 mi. ROW 50'
Clear Spring Lane (SR-2228)	From: Intersection of Melbourne Drive (SR-2227) To: Intersection of Cool Brook Lane (SR-2179)	0.17 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Southgate, Section 1B, recorded among the Land Records of Stafford County, Virginia as Plat Map No. PM130000139, with Inst. No. LR130017585 on July 18, 2013; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R17-55 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE DON'S WAY WITHIN BRITTANY ESTATES, LOCATED WITHIN THE AQUIA ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Don's Way within Brittany Estates, located off Brittany Manor Way approximately 0.4 mile from Hamn Lane (SR-688), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Don's Way, and found it satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Brittany Estates, into the Secondary System of State Highways:

Street Name Route Number	Station	Length
Don's Way (SR-2332)	From: Intersection of Brittany Manor Way (SR-2330) To: 0.46 mi. W of Intersection of Brittany Manor Way (SR-2330)	0.46 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Brittany Estates, recorded among the Land Records of Stafford County, Virginia as Plat Map No. PM060000132, with Inst. No. LR060020516 on June 22, 2006; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R17-56 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE COTTAGE OAK DRIVE WITHIN GARRISONVILLE LANDING, LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Cottage Oak Drive within Garrisonville Landing, located off Garrisonville Road (SR-610) approximately 0.15 mile west from Ralphs Way, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Cottage Oak Drive, and found it satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Garrisonville Landing, into the Secondary System of State Highways:

Street Name Route Number	Station	Length
Cottage Oak Dr. (SR-1159)	From: Intersection of Garrisonville Road (SR-610) To: 0.53 mi. South of Intersection of Garrisonville Road (SR-610)	0.53 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Garrisonville Landing, recorded among the Land Records of Stafford County, Virginia as Plat Map No. PM140000183, with Inst. No. LR140018875 on December 12, 2014; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R17-57 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BRAEWOOD DRIVE AND KETTLEBROOK COURT WITHIN WEST HAMPTON VILLAGE, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Braewood Drive and Kettlebrook Court within West Hampton Village, located off Fritters Lane (SR-720) approximately 0.07 mile from Barrett Heights Road (SR-642), into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Braewood Drive and Kettlebrook Court, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February 2017, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within West Hampton Village, into the Secondary System of State Highways:

Street Name Route Number	Station	Length
Braewood Drive (SR-2218)	From: Intersection of Fritters Lane (SR-720) To: Intersection of Kettlebrook Court (SR-2219)	0.14 mi. ROW 50'
Kettlebrook Court (SR-2219)	From: Intersection of Braewood Drive (SR-2218) To: 0.09 mi. Northeast of Braewood Drive (SR-2218)	0.09 mi. ROW 50'
Kettlebrook Court (SR-2219)	From: 0.04 mi. West of Braewood Drive (SR-2218) To: Intersection of Braewood Drive (SR-2218)	0.04 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, West Hampton Village, recorded among the Land Records of Stafford County, Virginia as Plat Map No. PM110000064, with Inst. No. LR110012885 on July 29, 2011; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 8. Public Works; Authorize the County Administrator to Budget and Appropriate Funds to Verizon South for Utility Line Relocation Services for the Brooke Road Improvement Project

Resolution R17-60 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE FUNDS TO THE BROOK ROAD IMPROVEMENT PROJECT, FOR PAYMENT TO VERIZON SOUTH, INC. FOR UTILITY LINE RELOCATION

SERVICES, LOCATED WITHIN THE AQUIA, FALMOUTH, AND GEORGE WASHINGTON ELECTION DISTRICTS

WHEREAS, the Board identified the completion of the Brooke Road Improvement Project (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Verizon South, Inc. utility lines must be relocated in order to proceed with the Project; and

WHEREAS, the County must bear the cost of the relocation services for all Verizon South, Inc. utility lines and facilities outside of the road right-of-way, and for which relocation is not a betterment; and

WHEREAS, Verizon South, Inc. requires payment for the utility line relocation services in an estimated amount of \$39,274; and

WHEREAS, funds are available in the General Fund to cover this cost;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that the Board be and it hereby does authorize the County Administrator, or his designee, to budget and appropriate from the General Fund to the Brooke Road Improvement Project Fund, an amount not to exceed Thirty-nine Thousand Two Hundred Seventy-four Dollars (\$39,274) for payment to Verizon South, Inc. for utility line relocation services for the Brooke Road Improvement Project.

Item 9. Public Works; Request that FAMPO reallocate CMAQ funds from the Eskimo Hill/American Legion and Route 1 Intersection Project, and the Garrisonville Road Direct Ramp Project, to the Route 1 and Enon Road Intersection and Roadways Improvements for SMART Scale Purposes

Following discussion, Ms. Bohmke motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R17-62.

The Voting Board tally was:

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

Resolution R17-62 reads as follows:

A RESOLUTION REQUESTING THE FREDERICKSBURG AREA METROPOLITAN PLANNING ORGANIZATION TO REALLOCATE CONGESTION MITIGATION AND AIR QUALITY PROGRAM FUNDS FROM THE ESKIMO HILL/AMERICAN LEGION AND ROUTE 1 INTERSECTION PROJECT AND THE GARRISONVILLE ROAD DIRECT RAMP PROJECT TO THE ROUTE 1 AND ENON ROAD INTERSECTION AND ROADWAY IMPROVEMENT PROJECT FOR SMART SCALE PURPOSES, LOCATED WITHIN THE FALMOUTH, HARTWOOD, AND AQUIA ELECTION DISTRICTS

WHEREAS, the recently adopted Smart Scale program directs the Commonwealth Transportation Board (CTB) to develop and implement a state-wide process to identify, score, and select projects for funding by July 1, 2017, and to allocate funds in the FY2018-FY2023 Six-Year Improvement Program (SYIP); and

WHEREAS, all submitted County Smart Scale applications were screened by the Virginia Department of Transportation (VDOT) and determined to meet a need identified in the VTrans2040 Multimodal Transportation Plan (VMTP); and

WHEREAS, the Board endorsed and requested County staff to submit the following Smart Scale applications in order of priority under both the High-Priority Projects Program and under the District Grant Program:

1. Route 1/Enon Road Intersection and Roadway Improvements;
2. Route 1/Eskimo Hill Road/American Legion Road Intersection Improvement;
3. Butler Road Widening; and
4. Decatur Road Roadway Improvement

; and

WHEREAS, the County was informed that these applications did not score well enough to receive Smart Scale funds under the VDOT recommended funding scenario, but was also informed there are remaining, unallocated Fredericksburg District Grant Program funds that potentially could be awarded to at least one of the submitted applications; and

WHEREAS, the Fredericksburg Area Metropolitan Planning Organization (FAMPO) recommended that the County request the reallocation of funds from other projects to the County's highest priority Smart Scale project, the Route 1/Enon Road Intersection and Roadway Improvements project, to better position itself to receive the above-referenced District Grant Program funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February 2017, that it be and hereby does request the Fredericksburg Area Metropolitan Planning Organization (FAMPO) to reallocate Four Hundred Twenty Thousand Dollars (\$420,000) in Congestion Mitigation and Air Quality (CMAQ) funds from the Eskimo Hill/American Legion and Route 1 Intersection project and Five Hundred Thirty-five Thousand Dollars (\$535,000) from the Garrisonville Road Direct Ramp project, to the Route 1/Enon Road Intersection and Roadway Improvements project; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the FAMPO Administrator to request the FAMPO Policy Committee approve this reallocation at its February 27, 2017 meeting.

Item 10. Public Works: Authorize the County Administrator to Advertise a Public Hearing to Consider an Extension of the Technology Fee for Software Improvement and Maintenance

Resolution R17-65 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE EXTENSION OF THE TECHNOLOGY FEE FOR SOFTWARE IMPROVEMENT AND MAINTENANCE

WHEREAS, on May 15, 2012 the Board adopted Ordinance O12-19 amending the fees for building and land development inspection and review services to include a 2.75% technology fee to cover the cost of the upgrade to the HANSEN system; and

WHEREAS, the upgrade to the HANSEN system has been implemented and the 2.75% technology fee will expire on June 18, 2017; and

WHEREAS, the County has signed a contract for additional software and maintenance upgrade for electronic plan review and submittal in order to improve customer service; and

WHEREAS, the additional software is cloud-based, with an annual recurring fee for maintenance and operation in order to provide this enhanced service; and

WHEREAS, extending the 2.75% technology fee would generate approximately \$150,000 annually, which would cover a large portion of the software improvements to support electronic review and submittal; and

WHEREAS, the software would save time and improve the review and submittal process through enhanced submittal, routing, review, and communication; and

WHEREAS, the Board desires and is required to hold a public hearing to consider extension of the technology fee;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider the continuation of the technology fee at 2.75% for software improvement and maintenance.

Item 11. Public Works; Budget and Appropriate Funds for Road Maintenance in the Hidden Lake Service District

Resolution R17-67 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE FUNDS FOR ROAD MAINTENANCE IN THE HIDDEN LAKE SERVICE DISTRICT, LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, in 2006, the Board adopted Ordinance O06-06, which established the Hidden Lake Service District (Service District) in the Hidden Lake subdivision for dam upgrades and road maintenance; and

WHEREAS, the Service District annually collects property taxes/revenues; and

WHEREAS, the Service District is required to maintain and restrict \$62,000, annually to cover debt service; and

WHEREAS, the Service District currently has an additional fund balance of \$34,000, in addition to the \$62,000 annually restricted for debt service; and

WHEREAS, funds are requested to be budgeted and appropriated in order for the Service District to issue a contract for road maintenance; and

WHEREAS, the Service District will maintain sufficient funding to cover its annual debt service; and

WHEREAS, the Board determined that it is necessary and desirable to budget and appropriate funding for this purpose, which promotes the health, safety, and general welfare of the residents within the Service District;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to budget and appropriate funds in an amount not to exceed Thirty Four Thousand Dollars (\$34,000) for road maintenance in the Hidden Lake Service District.

Item 12. Economic Development; Amend the County's Freedom of Information Act Policy

Resolution R17-61 reads as follows:

A RESOLUTION TO AMEND STAFFORD COUNTY'S FREEDOM OF INFORMATION ACT (FOIA) POLICY

WHEREAS, pursuant to Resolution R12-148, the Board adopted Stafford County's Freedom of Information Act (FOIA) policy, and amend the same pursuant to Resolution R16-173; and

WHEREAS, the Board finds that assurances of confidentiality for economic development and tourism prospects are vital to the public purpose of employing County citizens and ensuring the County's economic vitality; and

WHEREAS, the Board desires to amend the County's FOIA policy to add provisions that allow for economic development project confidentiality, pursuant to Virginia Code § 2.2-3705.6(3);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does amend the Stafford County Freedom of Information Act (FOIA) policy, dated May 15, 2012, and as now revised on February 21, 2017, as provided in the attached Exhibit A; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to enter into agreements with economic development and/or tourism prospects, or to otherwise give assurances on behalf of the Board, in order to control the release of proprietary information; and such agreements or assurances shall be treated as promises of confidentiality pursuant to Virginia Code § 2.2-3705.6(3).

Item 13. Parks, Recreation, and Community Facilities; Authorize the County Administrator to Execute a Contract for the Purchase of Shelves for Porter Library

Resolution R17-16 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FRANKLIN FIXTURES, LLC, FOR SHELVING AT PORTER LIBRARY

WHEREAS, the shelving at Porter Library is over 25 years old and is in need of replacement; and

WHEREAS, two bids were received; staff determined that Franklin Fixtures, LLC, submitted the lowest responsive and responsible bid; and

WHEREAS, funds are available in the FY2017 budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that the County Administrator be and he hereby is authorized to execute a contract with Franklin Fixtures, LLC, in an amount not to exceed One Hundred Sixty-Four Thousand Eight Hundred Eighteen Dollars (\$164,818) for shelving at Porter Library, unless amended by a duly-authorized contract amendment.

Item 14. Planning and Zoning; Refer to the Planning Commission a Zoning Text Amendment to Permit Vaccination Clinics at Pet Stores; and Change the Definition of a Pet Store

Resolution R17-63 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, “DEFINITIONS OF SPECIFIC TERMS”

WHEREAS, the Stafford County Code (Code) includes definitions for the specific terms used in the zoning ordinance; and

WHEREAS, the Board desires to consider amending the definition of a pet store and create a definition for a veterinary vaccination clinic; and

WHEREAS, the Board desires to send the proposed amendments, pursuant to proposed Ordinance O17-12, to the Planning Commission for its review and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that proposed amendments to Stafford County Code Sec. 28-25, “Definitions of specific terms,” pursuant to proposed Ordinance O17-12, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed Ordinance as it deems appropriate and necessary.

Item 15. Planning and Zoning; Refer to the Planning Commission a Zoning Text Amendment to Provide Maximum Light Levels at Residential Property Lines

Resolution R17-64 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-87, “OUTDOOR LIGHTING STANDARDS”

WHEREAS, the Stafford County Code (Code) includes standards for the design and location of lighting; and

WHEREAS, the Board desires to consider amending the Code to clarify the current lighting standards for residential property; and

WHEREAS, the Board desires to refer the proposed amendment, pursuant to proposed Ordinance O17-13 to the Planning Commission for its review and consideration;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that proposed amendments to Stafford County Code Sec. 28-87, “Outdoor Lighting Standards,” pursuant to proposed Ordinance O17-13, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to the proposed ordinance as it deems appropriate and necessary.

Item 16. Planning and Zoning; Authorize the County Administrator to Advertise a Public Hearing to Consider an Amendment to County Code Sec. 21-54 and Sec. 21-56 Related to Trash Removal

Resolution R17-66 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN CHAPTER 21 ENTITLED “SOLID WASTE” PORTION OF STAFFORD COUNTY CODE TO INCLUDE CRITERIA AND REGULATIONS FOR REMOVAL OF TRASH, GARBAGE, ETC., FROM PROPERTY AND NOTICE TO REMOVE GENERALLY

WHEREAS, the Board desires to amend the Stafford County Code (Code) to include language that would clarify a method of notifying property owners of violations and to extend the limits for code compliance; and

WHEREAS, the proposed amendment to the Code would aid in obtaining code compliance; and

WHEREAS, the Board desires to hold a public hearing to consider amendments for the above-described purposes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider proposed amendments portions of Stafford County Code Chapter 21 entitled, “Solid Waste.”

Item 17. County Administration; Budget and Appropriate Additional Funds to the Armed Services Memorial Revenue Fund

Resolution R17-68 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO BUDGET AND APPROPRIATE \$117,000 FROM THE CAPITAL PROJECTS RESERVE TO THE STAFFORD COUNTY ARMED SERVICES MEMORIAL FUND

WHEREAS, Stafford County has a long and distinguished history of serving the Armed Services; and

WHEREAS, in July 2012, the Board passed a resolution establishing the Armed Services Memorial Commission (Commission), tasking it with creating an Armed Services Memorial (Memorial); and

WHEREAS, in February 2016, the Board adopted a resolution authorizing a special revenue fund for the sole and exclusive purpose of receiving charitable contributions and donations in support of the Memorial; and

WHEREAS, in March 2016, the Board adopted a resolution budgeting and appropriating \$225,000 towards the fundraising goal of \$675,000 for construction of the Memorial; and

WHEREAS, the Commission has raised a total of \$720,740, with \$92,475 remaining to be collected; and

WHEREAS, at its meeting in December 2016, the Commission voted to upgrade the lighting and irrigation systems at a cost of \$168,000, of which \$51,000 has been raised; and

WHEREAS, the Commission requested the Board to advance the additional funds of \$117,000 needed for the upgrades, which shall be repaid as additional funds are raised by the Commission for the Memorial;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to budget and appropriate \$117,000 from the Capital Projects Reserve to the Armed Services Memorial Fund for upgrades to the lighting and irrigations systems at the Armed Services Memorial.

Item 18. This item was removed from the Consent Agenda.

Legislative; Closed Meeting At 3:31 p.m., Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM17-03.

The Voting Board tally was:

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

Resolution CM17-03 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion concerning the terms or scope of a public contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 21st day of February, 2017, does hereby authorize discussion of the above matter in Closed Meeting.

Legislative: Closed Meeting Certification at 3:42 p.m., Ms. Bohmke motioned, seconded by Mr.Thomas, to adopt proposed Resolution CM17-02(a).

The Voting Board tally was:

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

Resolution CM17-03(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON FEBRUARY 21, 2017

WHEREAS, the Board has, on this the 21st day of February, 2017, 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 21st day of February, 2017, 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.

Add-On Item 25. County Administration; Authorize the Appointment of Mr. Moses Bouldin to the Utilities Commission Representing the Hartwood District

Mr. Snellings motioned, seconded by Ms. Sellers, to approve the appointment of Mr. Moses Bouldin to the Utilities Commission representing the Hartwood District.

The Voting Board tally was:

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

Item 26. The Formation of a Committee Consisting of 2 Members of the Board of Supervisors, 2 Members of the Planning Commission (PC), and 2 Members of the School Board Mr. Thomas said that the idea for this committee originated last year. He encouraged that it have a strong charter and focus on its intended mission. Mr. Cavalier said that he recommended Planning staff, not the Planning Commission, be on this committee. Mrs. Maurer said that the Planning Commission wanted to know the vision of the Board; that there be one message in the pipeline; and that there was a lack of communication between the Board, the School Board, and the PC. She added that there were by-right developments, like Churchill Meadows, that were going through the Planning process but were not on the School Board's radar. Mrs. Maurer said that it was important that everyone be on the same page regarding development.

Mr. Thomas said that there was a lack of communication on both "our side and theirs." He added that he did not see the purpose of elected officials being involved. Mr. Snellings agreed and asked why elected officials had to serve on the committee; that both staffs should work on it and bring back the requested information. Ms. Bohmke agreed with Mr. Snellings, saying that she was at the first meeting about redistricting and the numbers displayed by the School Board did not match the numbers given to the Board at its recent retreat. She added that there was a lack of communication but that all the information was there, it was a matter of sharing it, and she did not see the need to involve elected officials at this point.

Mr. Milde said that if \$120 million was going to be spent on a new high school, it was very important that the Board had oversight. He talked about agreeing to build based on capacity constraints, not geographics. He said that it was a big deal and there should be Board oversight. Ms. Sellers agreed that it was a big deal and she believed, based on the reaction of some of her constituents, the two Boards needed to get together and work with both the County and Schools Planning staffs. She said that it would be nice for the Board start the conversation.

Mrs. Maurer said that at the end of the day, it was the Board that approved new development applications. She talked about the current CIP and the joint CIP and how having accurate growth projections was a part of all CIP decisions. Mr. Snellings said that Planning staff were the experts on growth projections and it should be the County's Planning staff that decides what numbers should be used, not the School Board.

Mr. Thomas said that the joint CIP should be a topic of discussion for the joint FAB Committees, and that both Boards and Committees should have the same data feeding the process. Ms. Bohmke said the County has all the data that the Schools need to make its decisions about a new high school and that it should be reported quarterly to the Board and the School Board. Mr. Milde said it was more complicated than that and if there were flaws in the data being reported, and until the data was correct, there was no indication of the need for a new school.

Mr. Foley offered an alternative where staff would look at the methodology to project factors on building a new school, and what were the triggers? And what was the capacity? He said that he

would work with the Planning staff and ask Dr. Benson to work with the Schools Planning staff and report back to the Board at its meeting on March 21, 2017. At that time, after the accurate data was reported, the Board could make a decision about forming a committee.

At 4:15 p.m., the Chairman adjourned the afternoon session. The Board attended at ground breaking ceremony for the new animal shelter, located at 195 Wyche Road.

At 7:00 p.m. the Chairman reconvened the meeting. Mr. Milde re-read the statement Speaker of the House, Bill Howell.

Mr. Thomas led the Invocation. Mr. Snellings led the Pledge of Allegiance.

Presentations by the Public – II The following person indicated a desire to speak:

Bill Johnson-Miles - Dominion’s proposed toxic coal ash burial at Possum Point

PUBLIC HEARINGS

Item 19. County Administration; Consider Conveying County-Owned Property Located at 204 Thompson Avenue to the Economic Development Authority (EDA) Deputy County Administrator, Michael Smith, gave a presentation and answered Board members questions. He said that the County was working with the EDA regarding an environmental review and having the deed recorded. Mr. Thomas thanked the EDA for working with the County and finding a good solution for a usable tax base.

Mr. Milde opened the public hearing. No persons indicated a desire to speak.
Mr. Milde closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution R17-48.

The Voting Board tally was:

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

Resolution R17-48 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
TRASFER PROPERTY LOCATED AT 204 THOMPSON AVENUE, TAX MAP
PARCEL NO. 54-37, LOCATED IN THE GEORGE WASHINGTON ELECTION
DISTRICT, TO THE ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the Board accepted a donation of property located at 204 Thompson Avenue (Property), Tax Map Parcel No. 54-37, to allow the Department of Utilities to complete a sewer improvement project, located within the George Washington Election District; and

WHEREAS, the County does not currently have a use for the building, nor funds to make the needed repairs/renovations, which would be required to convert the Property for a public use; and

WHEREAS, the Economic Development Authority (EDA) expressed an interest in accepting the Property; and

WHEREAS, a transfer of the Property to the EDA would facilitate business and/or industrial development and would provide a revenue source for the EDA; and

WHEREAS, the County will reserve a 50-foot permanent access easement and temporary construction easements on the Property for construction and maintenance of the sewer improvement project; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to transfer the property at 204 Thompson Avenue, Tax Map Parcel No. 54-37, to the Economic Development Authority; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to execute a deed and any other documents he deems necessary and appropriate to effectuate the Board's desires and this Resolution.

Item 20. Planning and Zoning: Consider a Conditional Use Permit for a Drive-Through at a Financial Institution at The Garrison, Tax Map Parcel 20-130 Planning and Zoning Director, Mr. Jeff Harvey, gave a presentation and answered Board members questions. Mr. Pence, the applicant, also spoke to the Board about changes to the site plan to accommodate a restaurant (Olive Garden) rather than a service station on site. He said that they were working diligently with staff, and working with Branch Construction and VDOT on transportation issues. Mr. Milde thanked Mr. Pence for his investment in Stafford County.

Mr. Milde opened the public hearing. No individuals indicated a desire to speak.
Mr. Milde closed the public hearing.

Ms. Sellers motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R17-45.

The Voting Board tally was:

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

Resolution R17-45 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP16151554 TO ALLOW ONE DRIVE-THROUGH FACILITY IN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON A PORTION OF TAX MAP PARCEL NO. 20-130, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, Route 606–Reston, LLC, submitted application CUP16151554 requesting a conditional use permit (CUP) to allow one drive-through facility in the HC, Highway Corridor Overlay Zoning District, on a portion of Tax Map Parcel No. 20-130, located within the Garrisonville Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use in a HC Overlay Zoning District after a CUP is issued by the Board; and

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

WHEREAS, the Board considered the criteria in Stafford County Code Sec. 28-185, and finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that a conditional use permit (CUP) pursuant to application CUP16151554 be and it hereby is approved with the following conditions:

1. This CUP is to allow one drive-through facility associated with a financial institution in the HC, Highway Corridor Overlay Zoning District, on a 0.84-acre portion of Assessor's Parcel 20-130, as depicted on the Generalized Development Plan, dated November 15, 2016, and last revised on January 13, 2017 (GDP).
2. The site shall be developed in substantial conformance with the GDP.
3. Access shall be limited to the location identified on the GDP. No direct access shall be permitted from Garrisonville Road or the primary site entrance on the east side of the parcel.
4. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state maintained roadways. If necessary, the applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate headlight glare on the corridor highway.
5. Loading areas, dumpster pads and trash compactors shall be located in a manner to be screened from view from Garrisonville Road, and not between Garrisonville Road and the front of the financial institution.
6. Stacking lanes for drive-through facility shall be designed as to not impede traffic circulation.
7. The drive-through area shall include a by-pass lane for vehicles not utilizing the drive-through area.

8. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, Federal or State code, laws, ordinances, or regulations.

Item 21. Utilities; Consider a Lease Agreement for a Cellular Communications Facility on County-Owned Property at the Ferry Road Water Tank Utilities Director, Mr. Jason Towery, gave a presentation on this item.

Mr. Milde opened the public hearing. No individuals indicated a desire to speak.
Mr. Milde closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R17-37.

The Voting Board tally was:

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

Resolution R17-37 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE WITH T-MOBILE NORTHEAST LLC FOR A TELECOMMUNICATIONS FACILITY ON THE FERRY ROAD WATER TANK, TAX MAP PARCEL NO. 55-60A, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, T-Mobile Northeast LLC, desires to lease space for a telecommunications facility on the County-owned Ferry Road Water Tank (Tank) site, Tax Map Parcel No. 55-60A, located within the George Washington Election District; and

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

WHEREAS, the Board determined that the placement of a telecommunications facility on the Tank would not adversely affect County operations, and would provide an additional source of revenue for the Utilities Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that County Administrator, or his designee, be and he hereby is authorized to execute a lease agreement with T-Mobile Northeast LLC, for a telecommunications facility on the Ferry Road Water Tank, Tax Map Parcel No. 55-60A; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to execute any and all other documents that he deems necessary and appropriate to effectuate this Resolution.

Item 22. Utilities; Consider a Lease Agreement for a Cellular Communications Facility on County-Owned Property at the Moncure Water Tank Utilities Director, Mr. Jason Towery, gave a presentation on this item.

Mr. Milde opened the public hearing. No individuals indicated a desire to speak.
Mr. Milde closed the public hearing.

Mr. Cavalier motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R17-38.

The Voting Board tally was:

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

Resolution R17-38 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE WITH T-MOBILE NORTHEAST LLC FOR A TELECOMMUNICATIONS FACILITY ON THE MONCURE WATER TANK, TAX MAP PARCEL NO. 21-65J, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, T-Mobile Northeast LLC, desires to lease space for a telecommunications facility on the County-owned Moncure Water Tank (Tank) site, Tax Map Parcel No. 21-65J, located within the Griffis-Widewater Election District; and

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

WHEREAS, the Board has determined that a telecommunications facility on the Tank site will not adversely affect County operations, and will provide an additional source of revenue for the Utilities Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, the County Administrator, or his designee, be and he hereby is authorized to execute a lease agreement with T-Mobile Northeast LLC, for a telecommunications facility on the Moncure Water Tank, Tax Map Parcel No. 21-65J; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, may execute any and all documents that he deems necessary and appropriate to effectuate this Resolution.

Item 23. Utilities; Consider Vacating Utilities Easements on Tax Map Parcel No. 21-8C Utilities Director, Mr. Jason Towery, gave a presentation and answered Board members questions. Mr. Milde inquired if there was a cost to the easement. Mr. Towery said that it was recorded and would be vacated at no cost to the County.

Mr. Milde opened the public hearing. No individuals indicated a desire to speak.
Mr. Milde closed the public hearing.

Mr. Cavalier motioned, seconded by Mrs. Maurer, to adopt proposed Resolution R17-39.

The Voting Board tally was:

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

Resolution R17-39 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO VACATE A PORTION OF A SANITARY SEWER EASEMENT ON TAX MAP PARCEL NO. 21-8C, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Utilities Department staff replaced and re-routed a small section of gravity sewer off Cliff Circle, Tax Map Parcel No. 21-8C (Property) located within the Griffis-Widewater Election District; and

WHEREAS, as a part of acquiring additional easements on the Property, existing portions of the easement are no longer required; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that it be and hereby does authorize the County Administrator to vacate sanitary sewer easements on Tax Map Parcel 21-8C, as shown on the plat titled “Exhibit Plat Showing a Sanitary Sewer Easement on the Lands of Foxwood MHC LLC.”

Item 24. Utilities; Consider Amending County Code Sec. 22-118, “Water and Sewer;” County Code Sec. 25-161, “When Required-When Prohibited;” Sec. 25-162, “Certificate Required Prior to Construction;” Sec. 25-165, “Type, Capacity, Location, Etc:” and Sec. 25-166, “Inspection” Utilities Director, Mr. Jason Towery, gave a presentation and answered Board members questions.

Ms. Bohmke asked about the difference in 300 and 360 gallons per day (gpd). Mr. Towery said that 360 was based on a recommendation from the Health Department and local Alternative On-site Engineers (AOSEs). 300 gpd was a minimum number but depending on usage, and on a case-by-case basis, the number could rise to 360 gpd or higher. Mr. Snellings inquired if the public hearing would have to be readvertised if the Board opted to go with 360 gpd. Deputy County Attorney, Ms. Rysheda McClendon, said that it would not have to be readvertised, nor would it or affect the Board’s ability to vote on the proposed Ordinances.

Mrs. Maurer asked what the State Code said. Mr. Towery responded that State Code was not clear on numbers for community drainfields; there was not a lot of guidance. Mrs. Maurer asked if the County was in violation; was this stricter than State Code; or if they were silent on this. A representative from the Health Department, Mr. Brent McCord, addressed the Board and answered Mrs. Maurer’s question saying that there was no specified minimum gpd in community drainfields in State Code. He said that 360 gpd was a safety factor. Mrs. Maurer asked how the 300 gpd was arrived at. Mr. McCord said that it involved discussion with staff and the Health Department and a look at Environmental Protection Agency data, as well as County water use.

Mr. Thomas asked if community drainfields were approved on a case-by-case basis, who had the authority to increase the gpd from 300 to 360. Mr. McCord said that the Health Department

would work with staff on the appropriate numbers based on intended usage. He said there were only three community drainfields now in Stafford County.

Mr. Tommy Thompson, Health Department Supervisor, spoke to the Board saying that the Utilities Commission based the 300 gpd number on a potential usage such as a senior citizens housing complex with two people per household. He said that 300 gpd is a bare minimum that soil consultants and professional engineers consider for community drainfields; that 360 gpd was more so a safety factor to ensure efficiency in drainfields. Mrs. Maurer asked if it was the Utilities Commission or staff that first arrived at the 300 gpd number. Mr. Towery responded that it was staff.

Ms. Bohmke asked how the County would keep from under designing systems. Mr. Thompson said that the Health Department would take into account usage and the number of people. Ms. Bohmke asked if any of the community drainfields now in the County were under-designed. Mr. Thompson said that the three existing community drainfields in the County were at 400 gpd. Mr. Milde talked about Lynn Farms, which had 54 units in the Marlboro Point area of the County. Mr. Hatch said that there was very good soil and ample area to build with the number required.

Mr. Milde opened the public hearing. The following individuals spoke:

Danny Hatch

Alex McAllister

Mr. Milde closed the public hearing.

Ms. Bohmke motioned, seconded by Mrs. Maurer, to adopt proposed Ordinance O17-06 specifying 300 gpd.

The Voting Board tally was:

Yea: (5) Bohmke, Cavalier, Maurer, Sellers, Thomas

Nay: (2) Milde, Snellings

Ordinance O17-06 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 22-118, "WATER AND SEWER"

WHEREAS, on March 18, 2008, the Board adopted Ordinance O08-05 which established minimum standards for on-site sewage disposal systems for lots to be subdivided, including boundary line adjustments; and

WHEREAS, since the adoption of Ordinance O08-05, designers of sewage disposal systems have raised concerns about the disparate size requirements for sewage disposal systems because the ordinance sets minimum size requirements rather than minimum capacity requirements for such systems; and

WHEREAS, the Board believes that the effect of Ordinance O08-05 does not meet its intended purpose of preventing drainfield failures because it does not address absorption capacity

of sewage disposal systems, and imposes unreasonable standards on existing homeowners that are attempting to repair failed systems; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 21st day of February, 2017, that Stafford County Code Sec. 22-118, “Water and Sewer” be and it hereby is amended and reordained as follows, with all other provisions remaining unchanged:

Sec. 22-118 - Water and sewer

The following requirements apply to the provision of water and sewer:

(4) ~~On-site~~ Onsite sewage disposal systems:

- a. No subdivision plat, including boundary line adjustments, shall be approved where individual or community ~~septic tanks onsite sewage systems~~ are to be used until the developer has submitted documented proof to the satisfaction of the agent that the soils and parent materials are such that ~~on-site onsite~~ waste disposal methods for all lots are satisfactory, that no well pollution shall occur from the systems, ~~and that the useful life of the system shall not be less than twenty (20) years;~~ and written approval from the ~~health department~~ Virginia Department of Health shall also be submitted.
- c. The minimum ~~disposal area for design capacity of each onsite sewage systems proposed to serve an individual lot in a residential subdivision comprised of single-family detached homes dispersing septic tank effluent shall be at least 150 gallons per day (gpd) bedroom on a peak daily flow basis. A community onsite disposal system shall be defined as a treatment works that serves more than three attached or detached single-family dwellings with a combined average daily sewage flow greater than 1,000 GPD or a structure with an average daily sewage flow in excess of 1,000 GPD. The minimum design capacity for community onsite sewage systems shall be at least 300 gpd per dwelling unit on a peak flow basis. four thousand (4,000) square feet of primary drainfield and a~~ In all cases, a reserve area in accordance with subsection (4)e. below shall also be provided for each lot or community system. Larger primary drainfield areas Alternative design capacity may be required depending on soil type and the proposed use or intensity of use, as determined by the Virginia Department of Health. Stafford County will not accept conditional permits for systems that do not meet the minimum capacity requirements outlined above.
- d. ~~The minimum disposal area for systems dispersing secondary effluent or better shall be at least two thousand five hundred (2,500) square feet of primary drainfield and a reserve area in accordance with subsection (4)e. below. Larger primary drainfield areas may be required depending on soil type and proposed use, as determined by the Virginia Department of Health.~~
- ed. For lots to be served by individual or community ~~septic tanks onsite sewage systems~~, a reserve sewage disposal site with a capacity at least equal to that of the

primary sewage disposal site shall be identified and provided in accordance with Virginia Department of Health regulations. Stafford County will not accept conditional permits for systems that do not meet the minimum capacity requirements outlined above. In all cases, except as specified in subsection (4)f.e. below, there shall be a reserve drainfield area that is equal to ~~one hundred~~ (100) percent of the primary drainfield capacity. ~~but in the case of a system dispersing secondary effluent or better, the reserve area shall be no less than two thousand five hundred (2,500) square feet. This percentage is based on both absorption capacity and land area.~~

- fe. Lots served by non-community ~~on-site~~ onsite sewage disposal systems shall have the disposal site located on the lot which they serve. No easements shall be permitted for non-community ~~on-site~~ onsite sewage disposal systems. Easements may be permitted for community sewage disposal systems. In no case, shall a boundary line adjustment reduce or give away the absorption capacity of a primary or reserve drainfield. All such lots shall have a primary and reserve drainfield of equal absorption capacity.
- gf. These standards are in addition to those contained in section 25-165 of the county Code regulating utilities.
- g. The requirements contained in subsection (4)(c) and (d) of this section shall not apply to existing improved parcels where an existing onsite sewage system has failed or is to be upgraded. Notwithstanding the provisions of this subsection, boundary line adjustments, which may be required to facilitate the repair or upgrade of an onsite sewage system shall not have the effect of reducing the primary drainfield (or reserve) capacity of an existing onsite sewage system. For the purpose of the subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but shall not include system changes that result in an increase in the permitted capacity of the system.

Mrs. Maurer motioned, seconded by Ms. Bohmke, to adopt proposed Ordinance O17-09 specifying 300 gpd.

The Voting Board tally was:

Yea: (5) Bohmke, Cavalier, Maurer, Sellers, Thomas

Nay: (2) Milde, Snellings

Ordinance O17-09 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 25-161, "WHEN REQUIRED; WHEN PROHIBITED;" SEC. 25-162, "CERTIFICATE REQUIRED PRIOR TO CONSTRUCTION;" SEC. 25-165, "TYPE, CAPACITY, LOCATION, ETC.;" AND SEC. 25-166, "INSPECTION"

WHEREAS, on March 18, 2008 and on April 1, 2008, the Board adopted Ordinances O08-06 and O08-07, which established minimum standards for the design, capacity, location, permitting and construction of private sewage disposal systems; and

WHEREAS, since the adoption of Ordinances O08-06 and O08-07, designers of sewage disposal systems have raised concerns about the disparate size requirements for sewage disposal

systems because the ordinance sets minimum size requirements rather than minimum capacity requirements for such systems; and

WHEREAS, the Board believes that the effect of Ordinances O08-06 and O08-07 does not meet the intended purpose of preventing drainfield failures because they do not address absorption capacity of sewage disposal systems, and impose unreasonable standards on existing homeowners that are attempting to repair failed systems; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 21st day of February, 2017, that Stafford County Code Sec. 25-161, “When required; when prohibited;” Sec. 25-162, “Certificate required prior to construction;” Sec. 25-165, “Type, capacity, location, etc.,” and Sec. 25-166, “Inspection;” be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

Sec. 25-161. - When required; when prohibited.

(a) Where a public sanitary sewer is not available under the provisions of section 25-22, the building sewer shall be connected to a private onsite sewage disposal system complying with the provisions of this article. When such a public sanitary sewer is available, it shall be unlawful for any person to construct or ~~maintain~~ repair any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.

Sec. 25-162. - Certificate required prior to construction.

A private onsite sewage disposal system may not be constructed within the county, unless and until a certificate is obtained from the ~~director~~ Director of Utilities stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future. No certificate shall be issued for any private onsite sewage disposal system ~~employing subsurface soil absorption facilities, where the area is less than specified by the county health department~~ unless and until a valid construction permit is issued by the Virginia Department of Health. Stafford County will not accept conditional permits for systems that do not meet the minimum capacity requirements of 150 gallons per day (GPD) per bedroom for private onsite sewage disposal systems and 300 GPD per equivalent dwelling unit for community onsite sewage disposal systems except in cases where an existing onsite sewage system has failed or is to be upgraded. For the purpose of this section, upgrades include voluntary enhancements to improve the level of treatment or system performance, but shall not include system changes that result in an increase in the permitted capacity of the system for an expansion of the structure.

Sec. 25-165. - Type, capacity, location, etc.

The type, capacity, location and layout of a private onsite sewage disposal system shall comply with the ~~recommendations~~ regulations of the ~~state and county health departments~~

Virginia Department of Health. No septic tank or cesspool shall be permitted to discharge effluent into any natural outlet.

(b) Minimum standards for private onsite sewage disposal systems on all lots shall be as follows:

- (1) All disposal fields installed ~~deeper than sixty (60)~~ shallower than 18 inches below the original ground surface or installed closer than 18 inches to a limiting feature in the soil, as defined by the Virginia Department of Health regulations, shall disperse secondary pretreated effluent or better and the system shall provide a 50 percent total nitrogen reduction as compared to a conventional onsite sewage disposal system. This requirement shall apply to new and expanded drainfields, but not to repairs unless secondary effluent or better is otherwise required.
- (2) All new septic tanks and pump chambers shall be provided with an a-precast at-grade access over the outlet structure. The access shall have a minimum open space of eighteen (18) inches by eighteen (18) inches and shall be fitted with a tamper proof child resistant cover at grade. Access shall be added to existing septic tanks and pump chambers at the time of repair or expansion requiring a Virginia Department of Health permit.
- (3) All effluent from new, expanded or repaired on-site onsite sewage disposal systems dispersing septic tank effluent, shall pass through an effluent filter meeting NSF International Standard 46. Effluent filters shall be added to existing septic tanks at the time of repair or expansion requiring a Virginia Department of Health permit. A reduced-maintenance septic tank or septic tanks in series may be used in place of an effluent filter.
- (4) No permanent structure or land disturbance shall be permitted within the setbacks established by ~~VDH~~ the Virginia Department of Health for any primary or reserve drainfield or dispersal field.
- (5) The requirements contained in subsections (b), (c), and (d) below shall not apply to existing improved parcels where an existing onsite sewage system has failed or is to be upgraded. For the purpose of this section, upgrades include voluntary enhancements to improve the level of treatment or system performance, but shall not include system changes that result in an increase in the permitted capacity of the system for an expansion of the structure.
- (6) A community onsite sewage disposal system shall be defined as a treatment works that serves more than three attached or detached single-family dwellings with a combined average daily sewage flow greater than 1,000 gallons per day (GPD) or a structure with an average daily sewage flow in excess of 1,000 GPD. The minimum design capacity for community onsite sewage systems shall be at least 300 GPD per dwelling unit on a peak flow basis. In all cases, there shall be a reserve drainfield that is equal to 100 percent of the primary drainfield capacity. Alternative design capacity may be required depending on the proposed use or intensity of the use as determined by the Virginia Department of Health.
- (7) Lots served by non-community onsite sewage disposal systems shall have the disposal site located on the lot which they serve. No easements shall be permitted for onsite sewage disposal systems except where permitted by a waiver. A request for a waiver shall be submitted in writing with sufficient justification to the Director of Utilities and shall only be permitted in cases of existing improved parcels where an existing onsite sewage system has failed, needs to be repaired, or is to be upgraded and where a boundary line adjustment is not permissible or would otherwise create a non-conforming lot. Requests for waivers must be accompanied by a statement from an Authorized Onsite Soil Evaluator that there are not adequate

soils within the confines of the lot to meet the capacity requirements. Easements may be permitted for private and/or community sewage disposal systems. In no case, shall a boundary line adjustment or easement reduce or give away the absorption capacity of a primary or reserve drainfield.

- (c) Minimum standards for private sewage disposal on all lots recorded prior to August 19, 1997, utilizing ~~drainfields~~ onsite sewage disposal systems shall be as follows:
- (1) ~~Provided that sufficient soils are~~ area is available on a particular parcel, ~~a~~ reserve drainfield areas equal to or greater than 100 percent of the capacity of the primary drainfield area shall be provided as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health. If a reserve drainfield is provided, it shall be equal to one hundred (100) percent of the primary drainfield area. This percentage is based on both absorption capacity and land area.
 - (2) ~~Where there is insufficient room on a particular parcel for two secondary effluent onsite sewage disposal systems, a secondary effluent system may be utilized to accommodate a reserve area equal in capacity to the primary drainfield, and any unused drainfield area shall be designated as a the reserve drainfield area. The amount of reserve drainfield area available shall comply with the Virginia Department of Health requirements. The reserve drainfield area shall be identified and documented as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.~~
 - (3) ~~Wherever technically feasible, the size volume of effluent generated of the structure shall be compatible with an the capacity of the on-site onsite sewage disposal system. that This includes a the primary drainfield and a the one hundred (100) percent reserve drainfield area, based on both absorptive capacity and land area. The number of bedrooms in a residential structure shall not exceed the design capacity of the available onsite sewage disposal site using the Virginia Department of Health's recommended rate of 150 gallons per day per bedroom. Non-residential structures shall be determined on a case by case basis determined by the Virginia Department of Health number that complies with this paragraph unless. If there is an inadequate amount of suitable soil on a lot to provide a primary drainfield and a reserve drainfield area for a one-bedroom residence, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.~~
- (d) Minimum standards for private sewage disposal on all lots recorded after August 19, 1997, and before the effective date of Ordinance O08-07, utilizing ~~drainfields~~ onsite sewage disposal systems shall be as follows:
- (1) ~~To the maximum extent possible, the reserve drainfield area shall be equal to or greater than one hundred (100) percent of the capacity of the primary drainfield area. This percentage is based on both absorption capacity and land area.~~
 - (2) ~~Where ever technically feasible, the size volume of effluent generated of the structure shall be compatible with an the capacity of the onsite sewage disposal system. that This includes a the primary drainfield and a the one hundred (100) percent reserve drainfield area, based on both absorptive capacity and land area. The number of bedrooms in a residential structure shall not exceed the design capacity of the available onsite sewage disposal site using the Virginia Department of Health's recommended rate of 150 gallons per day per bedroom. Non-residential structures shall be determined on a case by case basis determined by the Virginia Department of Health. the number that complies with this paragraph unless If there is inadequate suitable soils on a lot to provide both a primary~~

drainfield and a reserve drainfield area for a one-bedroom residence, ~~in which case, only a primary drainfield may be provided and any additional area reserved for future repairs, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.~~

(e) Minimum standards for private sewage disposal on all lots recorded after the effective date of Ordinance O08-07, utilizing onsite sewage disposal systems shall be as follows:

(1) The minimum design capacity of each onsite sewage system proposed to serve an individual lot in a residential subdivision comprised of single family homes shall be at least 150 gallons per day (GPD) per bedroom on a peak daily flow basis. The number of bedrooms in a residential structure shall not exceed the design capacity of the available onsite sewage disposal site using the Virginia Department of Health's recommended rate of 150 GPD per bedroom. Non-residential structures shall be determined on a case by case basis determined by the Virginia Department of Health. A reserve in accordance with subsection (2) below shall also be provided for each lot. A higher design capacity may be required depending the proposed use, as determined by the Virginia Department of Health.

(2) For lots to be served by individual or community onsite sewage systems, a reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be identified and provided in accordance with Virginia Department of Health regulations. In all cases, there shall be a reserve drainfield that is equal to at least 100 percent of the primary drainfield capacity.

Sec. 25-166. - Inspection.

~~A~~ An operations permit for a private on-site onsite sewage disposal system shall not become effective nor occupancy permitted until the installation is completed to the satisfaction of the Virginia Department of Health county health department. Health department personnel shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the health department when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within a reasonable period of time after the receipt of such notice by the health department.

Adjournment At 7:57 p.m., the Chairman adjourned the meeting.

Thomas C. Foley
County Administrator

Paul V. Milde, III
Chairman