

# BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

March 7, 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, March 7, 2017, in the Board Chambers, at the George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, VA.

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; Rysheda McClendon, Deputy County Attorney; Marcia C. Hollenberger, Chief Deputy Clerk; Cheryl D. Giles, Deputy Clerk; associated staff and other interested parties.

Ms. Bohmke introduced Eagle Scout Jonathan N. Reynolds, Troop 199, and his mother, Kristina Reynolds. Jonathan was home from Virginia Tech on Spring Break and was recognized for completing his Eagle Scout project at Conway Elementary School where he organized its STEM materials.

Dr. Bruce Benson, Superintendent of Schools, gave a presentation to the Board and challenged Board members to join School Board members at the Stafford Hospital 5k race on April 8, 2017. He then talked about the Total Rewards Strategy. He said he had hoped to have the School Board’s budget ready but at a meeting later that night, the School Board would meet to have further budget discussions. Dr. Benson noted two years ago, Stafford schools were below other localities in its entry level salary for a teacher with a Bachelor’s Degree. He said that now, with an enhanced salary model and differential raises, the County was competitive with entry-level teacher salaries. The Schools Division did exit interviews and in the last school year, of the 270 teachers that left employment with Stafford County, only 3% reportedly left for economic reasons.

Ms. Holly Hazard, Chairman of the School Board, addressed the Board and spoke about the model incorporating maintenance and technical staff and working to get to the median salary level within three to four years.

Ms. Bohmke spoke about a conversation she had with a school bus driver that loved working for the County and was employed for 13 years. She (the bus driver) expressed concern about differential pay for newly hired employees v. those employees with years of experience.

Dr. Benson said that one benefit was an additional \$10.00/day pay for everyday that drivers did not call out. He spoke about pay banding with years of experience, the merit pay model, and the above-referenced attendance incentive. Ms. Bohmke asked about external cameras on buses and a recent hit-and-run accident involving a school bus. Dr. Benson said that all buses were equipped with interior cameras, which often picked up incidents outside the buses as well.

Mr. Milde told Dr. Benson that he and the Board looked forward to the Schools' budget presentation.

Ms. Martha Hutzel, Director of the Central Rappahannock Regional Library, gave a presentation on Library services and introduced Ms. Rebecca Purdy, Assistant Library Director. Ms. Hutzel thanked Board members that participated in the Dr. Seuss Birthday event. Supervisors Bohmke and Maurer participated and read Dr. Seuss books to children in the Library. The Library's new mission statement is, "To Inspire Lifelong Learning." She spoke about literacy and education, workforce development, lifelong learning and experiences, community outreach, and the Library's additional impact on Stafford County. Ms. Hutzel made special mention about John Kindred, with the Department of Parks, Recreation, and Community Facilities, and Mr. Kindred's efforts at Porter Library constructing MakerLabs. At the recent event featuring the author of the book Hidden Figures, she said the event was held at Dodd Auditorium on the University of Mary Washington Campus, and even with the added seating capacity, 200+ people were turned away. Two of the old buildings next to the downtown Library were demolished and additional parking was being provided and paid for by the City of Fredericksburg.

Presentations by the Public – The following individuals addressed the Board:

- Bill Johnson - The dangers of coal ash at the Possum Point "dumping" location
- Glenn Trimmer - Provided a map of the Civil War Park to Board members

Board Member Presentations Board members spoke on topics as identified:

Ms. Bohmke - Attended the Armed Services Memorial ground breaking event; it was a very special day and it is going to be a very special place for veterans and their families. Read Horton Hears a Who to children at England Run Library for Dr. Seuss Week. The Sign Ordinance Committee met and decided to look at square footage for multiple signs on properties rather than the number of signs; still trying to define the time period for temporary signs (60 or 90 days). Chesterfield County is the only other locality that passed a new sign ordinance. Susan Blackburn, the County's Zoning Administrator, along with members of the Board of Zoning Appeals (BZA) and Planning Commission (PC), will attend a seminar in Richmond regarding sign ordinances. The next meeting of the Sign Ordinance Committee is scheduled for Thursday, April 13<sup>th</sup>, at 3:00 p.m. Attended her first Military Affairs Council (MAC) meeting; it is no longer a subset of the Chamber of Commerce and MAC members will meet to discuss its future structure.

Mr. Cavalier - Attended the Aquia Harbour Board of Directors meeting with Mr. Milde; attended the Quantico Innovations Center Board of Directors meeting; participated in a

meeting about a potential data center in the Widewater area. Spoke about a delay in the opening road in the Embrey Mill development from the planned opening this April, to 2018. He also asked that at a future Board meeting, a reconsideration of the reduced lot sizes in Embrey Mill be discussed and that the County consider reverting back to the original ordinance prior to the reduction from 50' to 40' lot width.

Mrs. Maurer - Thanked the Rock Hill Volunteer Fire Department staff for attending the Windsor Forest meeting with her. The final Legislative Committee meeting was held; Julia and David from Eckert Seamans will be addressing the Board at a future meeting to provide a final update on all of the County's legislative priorities. Thanked Delegate Mark Dudenhefer for killing a bill regarding a change to availability fees that would have adversely affected the County. Read the Dr. Seuss book Mr. Brown Can Move, Can You? at the library in honor of Dr. Seuss' birthday. She bought a commemorative brick honoring her husband's 20 years of service in the Marine Corps. Attended several redistricting meetings and said it will not be an easy decision; one particularly eloquent speaker was an 8<sup>th</sup> grader at Rodney Thompson Middle School. Expressed concern about the sudden decision to not open Embrey Mill Road, but per the proffers it must be opened before the 500<sup>th</sup> permit is issued. Requested a briefing on how proffers are monitored.

Mr. Milde - Attended the Aquia Harbour Board of Directors meeting with Mr. Cavalier; attended the QuiC Board of Directors meeting; attended the Chamber of Commerce transportation meeting as well as FAMPO and GWRC with Ms. Sellers and Ms. Bohmke. Attended PRTC with Mr. Thomas; PRTC hired a new executive director to replace the retired Mr. Al Harf. Attended the C of C Roundtable at the Jeff Rouse Swim and Sport Center where enrollment has exceeded projections. In talking about the Embrey Mill Road, Mr. Milde said if once a road was built, how long it took to be accepted into the State System was only a few months, not years. Ms. Sellers said that school buses cannot go on private roads. Noted that 300+ people attended the Armed Services Memorial ground breaking; said that former Commonwealth's Attorney, Dan Chichester, was a great orator; the Memorial was first brought up to the Board by the family of Donald Lamar, who was killed in Afghanistan, leaving behind a 3-year old daughter; all three ROTC color guards were at the ground breaking as were members of the American Legion and the Mountain View High School Choir. The form to purchase a brick is available on the County's website.

Ms. Sellers - Attended a commuter lot sign meeting; they do not want to change the patterns, they want signs showing the current patterns of slug line destinations. In particular, a sign was needed for the DC Line at the McDonald's Lot by Lowe's. Attended the excellent ground breaking ceremony for the Armed Services Memorial, General Christmas did a fabulous job; thanked staff for working and the public for attending on such a cold day. Attended a Quantico Innovations Center (QuiC) Board of Directors meeting, the Silver Companies are donating office space to the Economic Development Authority (EDA) that QuiC will eventually rent out; the agreement will be taken to the County Attorney for review before anything

transpires. Attended GWRC and FAMPO where none of the County's Smart Scale transportation projects scored well; at GWRC talked about the food table and where local food and produce was coming from, which was a very interesting discussion and concept. Spoke with Dominion about the coal ash situation, more meetings are to come – there was no vote taken by the Prince William Board of Supervisors as of today's date. The PWC Board was holding a work session on coal ash and Ms. Sellers will continue to monitor the situation, which she understands is a passionate subject for many residents.

Mr. Snellings - 200+ people attended the ground breaking for the Armed Services Memorial, excellent turn out on a very cold day. He explained how to purchase a brick, which would be preserved in perpetuity at the Memorial, honoring armed services personnel of all ages and times of service. Thanked the Marine Corps Band and visiting dignitaries that attended. Said that Embrey Mill has been on the books since March 6, 2001 and no subsequent Board can change it; the current Board had nothing to do with it.

Mr. Thomas - Gave an update on the Board's Community and Economic Development Committee (CEDC) meeting including the charter agreement for the Bay Consortium Act; an update on process review, a committee on which Mr. Snellings and Ms. Bohmke serve; an update on Pump and Haul where five more properties came off the program and are being served by alternate sewer systems; discussed calculating availability fees for apartments; Transfer of Development Rights (TDR) has had no participants but the Board will be asked to vote on expanding the Receiving Area in hopes of more interest in the program; looked at prohibited uses in the Falmouth Redevelopment Area for a send-down to the Planning Commission.

Report of the County Attorney Ms. McClendon deferred the report of the County Attorney.

Report of the County Administrator – Mr. Foley gave a presentation on the proposed FY2018 Budget. He noted that he was working with Stafford County for only five weeks and gave credit to the Finance and Budget staff for its hard work and effort to work with him on the budget presentation. Mr. Foley also thanked Deputy County Administrator, Mr. Michael Smith, and Public Information Officer, Ms. Shannon Howell, as well as Human Services Director, Ms. Donna Krauss. The total of the budget was \$544,245,000. The theme of the FY2018 budget was "Continued Progress with an Eye to the Future."

The County earned its second AAA bond rating from Fitch; more than 43,000 jobs located in Stafford County; the Jeff Rouse Swim and Sport Center had the area's only 50 meter x 25 yard indoor competition swimming pool; on-line payment options were expanded; Lake Mooney Park opened to the public; trailblazing signs were located throughout the County making tourist sites more accessible; and an Economic Development Strategic Plan was adopted among many other accomplishments.

With an eye to the future, Mr. Foley said that the County was looking towards building a new courthouse; planning for high school #6; a joint Capital Improvement Program (CIP) and shared services with the Schools; an expanded Purchase of Development Rights (PDR) program;

targeted growth area development; implementation of the Public Safety Staffing Plan; increased transportation funding; and an aggressive economic development program, with the newly hired ED Director, Mr. Bruce Register.

The FY2018 budget was based on the Board's priorities for the community and on the County's principles of responsible and accountable government. Highlights included no tax increase; addressing continuing mandates; meeting obligations for recent investments to enhance the quality of life for County residents; support for the Schools (the proposed budget exceeded the Superintendent's request, supported enrollment growth, manages local per pupil spending, presented a unified approach to compensation and benefits, provided the County's share of the High School Fire Training Program, and addressed mandated VRS contribution rate increases); employee market competitiveness; and an increase and commitment to the preservation of open space and growth management in the County.

Ms. Sellers asked about the separated Schools funding on a pie chart used to display percentages of the proposed budget. Mr. Snellings asked about Children's Services Act funding. Mr. Foley said that it was included in the County's General Fund. Mr. Snellings said it should be moved into the Schools' budget. He said that the County was always criticized about the percent it spent on its schools where, if all of the school-related budgeted amounts were included in the Schools' percentage, it would be more than 60% of the overall budget that was allocated to the Schools Division. Mr. Foley said that it could be considered in future budget conversations. Ms. Sellers noted that there was a meeting of the Day School Committee in the coming week.

Mr. Foley said that the proposed FY2018 budget included a continued enhancement of public safety including progress toward the implementation of the Public Safety Staffing Plan (two new deputy sheriff positions and a fire inspector); funded the County's share of the High School Fire Program (with a grant-funded fire instructor); technology upgrades to public safety radios; adjusted the 10-year CIP budget for a new Courthouse in 2021; building a new fire station (#14); cash capital for Sheriff's vehicles and ambulances; debt service to fund FRES apparatus and the radio system upgrade; a new Animal Shelter; battery replacement program; and an enhanced vehicle replacement program. Mr. Milde commented on the allocation for the PDR program and the number of acres that have already been taken into conservation under that program.

Mrs. Maurer asked when hard copy of the budget would be available to the Board. Mr. Foley responded that hard copy was available and it was handed out to the Board at that time. The budget public hearing was scheduled for Tuesday, April 4, 2017 and budget adoption would be on Tuesday, April 18, 2017.

Additions/Deletions to the Regular Agenda Ms. Sellers motioned, seconded by Ms. Bohmke to adopt the Agenda as presented with the addition of proposed Resolution R17-89, A Resolution to Authorize the County Administrator to Request that the George Washington Foundation Dedicate the Easements Necessary for Phase 6 of the Belmont to Ferry Farm Trail.

The Voting Board tally was:

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

Nay: (0)

Approval of the Consent Agenda Mr. Thomas motioned, seconded by Mrs. Maurer to adopt the Consent Agenda, pulling Items 5 and 6 at the request of Ms. Bohmke.

The Voting Board tally was:

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

Nay: (0)

Item 3. Legislative; Approve the Minutes of the February 21, 2017 Board Meeting

Item 4. Finance and Budget; Approve the Expenditure Listing

Resolution R17-81 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED FEBRUARY 21, 2017 THROUGH MARCH 06, 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 7<sup>th</sup> day of March, 2017 that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Authorize the County Administrator to Budget and Appropriate the Division of Motor Vehicles Select Revenue Ms. Bohmke inquired if these funds could be appropriated on a monthly basis, as they are received from the DVM. Mr. Foley said that the County Attorney's office would look into the legal aspect of appropriating the funds whether it be monthly or once each fiscal year, or however was the legally viable way to accept the DMV funds into the Treasurer's Office budget.

Ms. Bohmke motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R17-70.

The Voting Board tally was:

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

Nay: (0)

Resolution R17-70 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE DIVISION OF MOTOR  
VEHICLES SELECT FUNDS FROM FY2014, 2015, AND 2016

WHEREAS, the Treasurer’s Office operated a Division of Motor Vehicles (DMV) Select office in FY2014, 2015, and 2016, and has identified revenue derived from this service in the amount of \$100,000; and

WHEREAS, the FY2016 audit has confirmed that these funds are available; and

WHEREAS, at its meeting on February 21, 2017, the Board’s Finance, Audit, and Budget Committee recommended that appropriation of the funds be brought to the full Board for approval;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the County Administrator be and he hereby is authorized to budget and appropriate Division of Motor Vehicles Select revenue, in the amount of One Hundred Thousand Dollars (\$100,000), to the Treasurer’s Office.

Item 6. Finance and Budget: Authorize the County Administrator to Budget and Appropriate Capital Project Reserve Funds Ms. Bohmke said that she wanted the public to be aware that the Board was good stewards of its money and the projects that were being budgeted with left over funds.

Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution R17-71.

The Voting Board tally was:

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

Resolution R17-71 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE CAPITAL PROJECTS  
RESERVE FUNDS AND FY2016 YEAR END SET-ASIDES

WHEREAS, the County identified one-time uses for its FY2016 year-end set aside funds in the amount of \$2,792,889; and

WHEREAS, the FY2016 audit has confirmed that these funds are available;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the County Administrator be and he hereby is authorized to amend the FY2017 Budget to budget and appropriate \$1,420,300 from the Capital Projects Reserve to the General Fund to be used as follows:

<u>Department</u>	<u>Projects</u>	<u>Amount</u>
Fire and Rescue	One-time operating costs for positions	\$225,000
Information Technology	Financial report module and expenses	\$120,300
Sheriff’s Office	One-time operating costs for	\$352,000

	positions	
Juvenile & Domestic Court	Safety improvements	\$300,000
Public Works	Chichester park, Civil War Park, Scoreboard	\$395,000
Treasurer	Document Imaging	\$28,000

; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to budget and appropriate \$548,000 from the Capital Projects Reserve Fund to the Lake Arrowhead Service District Fund to be used for dam safety improvements.

Item 7. Finance and Budget; Authorize the Issuance and Sale of VPSA Bonds

Resolution R17-72 reads as follows:

A RESOLUTION OF THE STAFFORD COUNTY BOARD OF SUPERVISORS AUTHORIZING THE ISSUANCE OF NOT TO EXCEED ELEVEN MILLION, SIX HUNDRED FORTY-NINE THOUSAND, SEVEN HUNDRED FIFTY DOLLARS (\$11,649,750) GENERAL OBLIGATION SCHOOL BOND OF STAFFORD COUNTY, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, on April 14, 2015, the Board held a public hearing, duly noticed, on the issuance of Stafford County, Virginia's (County) general obligation school bonds in accordance with the requirements of Section 15.2-2606, Code of Virginia 1950, as amended (Virginia Code) and on April 21, 2015, adopted a resolution identified as Resolution R15-117, approving the issuance and sale of general obligation school bonds in an amount not to exceed \$26,830,000 for the purpose of financing certain projects more particularly specified therein (Projects), subject to the adoption of a subsequent resolution authorizing and setting forth the terms of such bonds;

WHEREAS, the County has previously issued its general obligation school bonds pursuant to Resolution R15-117 in the approximate amount of \$22,905,726;

WHEREAS, on April 5, 2016, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of Section 15.2-2606 of the Virginia Code, and on April 19, 2016, the Board adopted a resolution identified as Resolution R16-97 (Resolution R16-97 and together with Resolution R15-117, the Prior Resolutions), approving the issuance and sale of general obligation school bonds in an amount not to exceed \$32,000,000 for the purposes of financing certain projects more particularly specified therein (R16-97 Projects together with the R15-117 Project, the Projects), subject to the adoption of a subsequent resolution authorizing and setting forth the terms of such bonds;

WHEREAS, the County has previously issued its general obligation school bonds pursuant to Resolution R16-97 in the approximate amount of \$12,500,000;



WHEREAS, the Board has now determined that it is necessary and expedient to borrow an amount not to exceed the amount specified in paragraph 1 below and to issue from the authorization under the Prior Resolutions its general obligation school bond (as more specifically defined below, the Local School Bond) for the purpose of financing a portion of the Projects, and to authorize and set forth the details thereof, as required by the Prior Resolutions;

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

WHEREAS, the Virginia Public School Authority (VPSA) has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the spring of 2017 (the VPSA Bonds);

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$11,095,000 is the amount of proceeds requested by the County (Proceeds Requested) from VPSA in connection with the sale of the Local School Bond;

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

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in section 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested.

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

**1. Authorization of Local School Bond and Use of Proceeds.** The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed Eleven Million, Six Hundred Forty-Nine Thousand, Seven Hundred Fifty Dollars (\$11,649,750) (Local School Bond) for the purpose of financing a portion of the Projects. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

**2. Sale of the Local School Bond.** The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA

Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a Delegate), and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (Bond Sale Agreement). The Bond Sale Agreement shall be in substantially the form required by VPSA, which form is hereby approved, with such completions, insertions, omissions and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

**3. Details of the Local School Bond.** The Local School Bond shall be dated 16 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2017A"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 beginning January 15, 2018 (each an Interest Payment Date), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a Principal Payment Date) and in the amounts acceptable to a Delegate (Principal Installments), subject to the provisions of paragraph 4 of this Resolution.

**4. Interest Rates and Principal Installments.** Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not be later than the end of the fiscal year that is 21 years after the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

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

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

(a) For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

(b) All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

(c) U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

**7. Prepayment or Redemption.** The Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2027, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2027, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2028, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2028, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2027, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2027 through July 14, 2028	101%
July 15, 2028 through July 14, 2029	100½
July 15, 2029 and thereafter	100

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

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as

set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

**8. Execution of the Local School Bond.** The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

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

**10. Use of Proceeds Certificate and Tax Compliance Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (Code), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

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

**12. Continuing Disclosure Agreement.** The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D

to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

**13. Refunding.** The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board is authorized to affix the County's seal on any such documents and attest or countersign the same.

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

**15. Election to Proceed under Public Finance Act.** In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

**16. Further Actions.** The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

**17. Effective Date.** This Resolution shall take effect immediately.

The undersigned Clerk of the Stafford County Board of Supervisors hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board of Supervisors held on March 7, 2017, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Meg Bohmke, Jack Cavalier, Paul Milde, Laura Sellers, Gary Snellings, and Robert "Bob" Thomas, Jr. No Members absent from the meeting. Members voting in favor of the foregoing resolution were: unanimous. No Members voted against the foregoing resolution. And no Members abstained.

WITNESS MY HAND and the seal of the Stafford County Board of Supervisors, as of March 7, 2017.

**EXHIBIT A**

**(FORM OF TEMPORARY BOND)**

**NO. TR-1**

\$ \_\_\_\_\_

**UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA  
STAFFORD COUNTY, VIRGINIA  
General Obligation School Bond  
Series 2017A**

**Dated Date:** \_\_\_\_\_ [16 days prior to issuance], 2017

**Issue Date:** \_\_\_\_\_, 2017

**STAFFORD COUNTY, VIRGINIA** (County), for value received, hereby acknowledges itself indebted and promises to pay to the **VIRGINIA PUBLIC SCHOOL AUTHORITY** (VPSA) the principal amount of \_\_\_\_\_ DOLLARS (\$ \_\_\_\_\_), in annual installments in the amounts set forth on Schedule I attached hereto payable on July 15, 20\_\_ and annually on July 15 thereafter to and including July 15, 20\_\_ (each a "Principal Payment Date"), together with interest from the dated date of this Bond on the unpaid installments, payable semi-annually on January 15 and July 15 of each year, commencing on January 15, 2017 (each an Interest Payment Date; together with any Principal Payment Date, a Payment Date), at the rates per annum set forth on Schedule I attached hereto, subject to prepayment or redemption as hereinafter provided. Principal of and interest and premium, if any, on this Bond are payable in lawful money of the United States of America.

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

The full faith and credit of the County are irrevocably pledged for the payment of the principal of and the premium, if any, and interest on this Bond. The resolution adopted by the Board of Supervisors authorizing the issuance of this Bond provides, and Section 15.2-2624, Code of Virginia 1950, as amended (Virginia Code), requires, that there shall be levied and collected an

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

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

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

The principal installments of this Bond coming due on or before July 15, 2027, and the definitive bonds for which this Bond may be exchanged that mature on or before July 15, 2027, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of this Bond coming due on or after July 15, 2028, and the definitive bonds for which this Bond may be exchanged that mature on or after July 15, 2028, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2027, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of this Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<b><u>Dates</u></b>	<b><u>Prices</u></b>
July 15, 2027 through July 14, 2028	101%
July 15, 2028 through July 14, 2029	100½
July 15, 2029 and thereafter	100

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

If VPSA refunds its bonds issued in part to purchase this Bond in the future and such refunding causes this Bond to be deemed refunded, the prepayment or redemption of this Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund this Bond.

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

**IN WITNESS WHEREOF**, the Stafford County Board of Supervisors has caused this Bond to be issued in the name of Stafford County, Virginia, to be signed by its Chairman or Vice-Chairman, its seal to be affixed hereto and attested by the signature of its Clerk or any of its Deputy Clerks, and this Bond to be dated [\_\_\_\_\_] \_\_ [16 days prior to the closing date], 2017.

Item 8. Finance and Budget; Authorize Ratification of VRA Bond Issuance for Animal Shelter Financing

Resolution R17-84 reads as follows:

A RESOLUTION AUTHORIZING THE FINANCING OF A REPLACEMENT ANIMAL SHELTER FOR STAFFORD COUNTY, THE LEASING OF CERTAIN COUNTY-OWNED PROPERTY, THE EXECUTION AND DELIVERY OF FINANCING documents, AND OTHER RELATED ACTIONS

WHEREAS, the Board intends to finance the construction of a replacement Animal Shelter (Project); and

WHEREAS, the Board determined that it is in the best interest of Stafford County, Virginia (County) to enter into a lease arrangement in order to obtain funds to finance construction of the Project; and

WHEREAS, the Board is authorized, pursuant to § 15.2-1800 of the Code of Virginia of 1950, as amended, to lease any improved or unimproved real estate held by the County; and

WHEREAS, the Virginia Resources Authority (VRA) intends to issue one or more series of Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (VRA Bonds); and

WHEREAS, subject to VRA credit approval, VRA will provide a portion of the proceeds to the County to finance the Project pursuant to the terms of a Local Lease Acquisition Agreement and Financing Lease or such other agreement as VRA may require (Financing Lease) between the County and VRA; and

WHEREAS, the County will enter into a Prime Lease with VRA whereby the County will lease certain real estate owned by the County, which may include any or all of the real



estate on which the Project is located and such other real estate as VRA may approve all as set forth in the Prime Lease (Real Estate) and the associated improvements and property located thereon (Improvements) to VRA; and

WHEREAS, the County will enter into the Financing Lease with VRA pursuant to which VRA will lease the Real Estate and the Improvements back to the County and the County will make rental payments corresponding in amount and timing to the debt service on the portion of the VRA Bonds issued to finance the Project (Rental Payments); and

WHEREAS, pursuant to the Financing Lease the County will undertake and complete the Project; and

WHEREAS, the County intends to pay the Rental Payments out of appropriations from the County's General Fund and other available funds of the County, as needed; and

WHEREAS, the Financing Lease shall indicate that the amount of proceeds requested from VRA will equal the sum of \$5,750,000 for the costs of the Project, plus an amount sufficient to pay the expected local costs of issuance, or such other amount as may be requested in writing by the County Administrator and approved by VRA prior to the sale of the VRA Bonds; and

WHEREAS, VRA has advised the County that VRA's objective is to pay the County an amount which, in VRA's judgment, reflects the market value of the Rental Payments under the Financing Lease (VRA Purchase Price Objective), taking into consideration the proceeds requested and such factors as the purchase price to be received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA (collectively, the VRA Costs)) and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, such factors may result in the County receiving an amount other than the par amount of the aggregate principal components of the Rental Payments under the Financing Lease and consequently (i) the aggregate principal components of the Rental Payments under the Financing Lease may be greater than the proceeds requested in order to receive an amount of proceeds that is substantially equal to the proceeds requested, or (ii) if the maximum authorized aggregate amount of the principal components of the Rental Payments under the Financing Lease does not equal or exceed the sum of the proceeds requested, the VRA Costs and any original issue discount, the amount to be paid to the County, given the VRA Purchase Price Objective and market conditions, will be less than the proceeds requested; and

WHEREAS, the Prime Lease and the Financing Lease are referred to herein collectively as the Documents;

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

**1. Authorization of Financing.** The Board hereby determines that the lease-leaseback arrangement with VRA to accomplish the financing of the Project is advisable, necessary and in the best interests of the public health, safety and welfare of the residents of the County. The Board hereby approves of the lease-leaseback arrangement to accomplish the

financing of the Project. The Board hereby authorizes the leasing of the Real Estate and the Improvements by the County, as lessor, to VRA, as lessee, pursuant to the terms of the Prime Lease and the leasing of the Real Estate and the Improvements by VRA, as lessor, to the County, as lessee, pursuant to the terms of the Financing Lease. The Board hereby authorizes and approves of the performance by the County of its obligations under the Documents.

**2. Authorization of Documents.** The Documents shall be in substantially the forms approved by the County Administrator and the County Attorney whose approval shall be conclusively evidenced by the execution and delivery of the Documents by the Chairman of the Board and the County Administrator, or either of them.

**3. Approval of the Terms of the Rental Payments.** The Rental Payments set forth in the Financing Lease shall be composed of principal and interest components reflecting an original aggregate principal amount not to exceed \$6,190,000 and a true interest cost not to exceed 5.5% per annum (exclusive of Supplemental Interest as provided in the Financing Lease and taking into account any original issue discount or premium); and the final maturity shall be not later than the end of the fiscal year that is 21 years after the date of the Financing Lease. It is determined to be in the best interest of the County to enter into the Financing Lease with VRA, subject to the terms and conditions set forth in this Resolution. Given the VRA Purchase Price Objective and market conditions, it may become necessary to enter into the Financing Lease with aggregate principal components of the Rental Payments greater than the Proceeds Requested. If the limitation on the maximum aggregate principal components of Rental Payments on the Financing Lease set forth in this paragraph 3 restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the VRA Purchase Price Objective, and market conditions, the County Administrator is authorized to accept a purchase price at an amount less than the Proceeds Requested. The County Administrator is authorized to accept the interest component of Rental Payments based on the interest rate or rates established by VRA and to determine the aggregate principal amount of the Rental Payments and the final terms of the Documents, subject to the parameters set forth in this paragraph 3. The actions of the County Administrator shall be conclusive, and no further action shall be necessary on the part of the Board.

**4. Other Payments under Financing Lease.** Subject to paragraphs 7 and 8, the County agrees to pay all amounts required by the Financing Lease in addition to the Rental Payments, including the "Supplemental Interest," as provided in the Financing Lease.

**5. Execution and Recordation of Documents.** The Board hereby authorizes and directs the Chairman and the County Administrator to execute the Documents and deliver them to the other parties thereto. The Board hereby authorizes the Clerk of the Board of Supervisors to affix the seal of the County or a facsimile thereof to the Documents, if required, and to attest such seal. The Board hereby authorizes the Chairman and the County Administrator to determine the Real Estate to be leased as part of the lease-leaseback arrangement and to cause the Prime Lease and the Financing Lease to be recorded in the Clerk's Office of the Circuit Court of Stafford County.

**6. Essentiality of the Project and Real Estate.** The Board hereby declares that the Project, the Real Estate, and the Improvements are essential to the efficient operation of the County, and the County anticipates that the Project, the Real Estate and the Improvements will continue to be essential to the operation of the County during the term of the Financing Lease.

**7. Annual Budget.** While recognizing that it is not empowered to make any binding commitment to make Rental Payments and any other payments required under the Financing Lease beyond the current fiscal year, the Board hereby states its intent to make annual appropriations for future fiscal years in amounts sufficient to make all such payments and hereby recommends that future Boards do likewise during the term of the Financing Lease. The Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to include in the budget request for each fiscal year during the term of the Financing Lease an amount sufficient to pay the Rental Payments and all other payments coming due under the Financing Lease during such fiscal year. If at any time during any fiscal year of the County throughout the term of the Financing Lease, the amount appropriated in the County's annual budget in any such fiscal year is insufficient to pay when due the Rental Payments and any other payments required under the Financing Lease, the Board directs the County Administrator, or such other officer who may be charged with the responsibility for preparing the County's annual budget, to submit to the Board at the next scheduled meeting, or as promptly as practicable but in any event within 45 days, a request for a supplemental appropriation sufficient to cover the deficit.

**8. Rental Payments Subject to Appropriation.** The County's obligation to make the Rental Payments and all other payments pursuant to the Financing Lease is hereby specifically stated to be subject to annual appropriation by the Board, and nothing in this Resolution or the Documents shall constitute a pledge of the full faith and credit or taxing power of the County or compel the Board to make any such appropriation.

**9. Disclosure Documents.** The County authorizes and consents to the inclusion of information with respect to the County in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both to be prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as VRA shall determine. The County Administrator is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

**10. Tax Documents.** The Board hereby authorizes the County Administrator and the County's Chief Financial Officer to execute a Non-arbitrage Certificate and Tax Compliance Agreement and any related document (Tax Documents) setting forth the expected use and investment of the proceeds of the VRA Bonds to be received pursuant to the Documents and containing such covenants as may be necessary in order for the County and VRA to comply with the provisions of the Internal Revenue Code of 1986, as amended (Tax Code), with respect to the VRA Bonds and the Documents including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The County covenants that the proceeds of the VRA Bonds to be received pursuant to the Documents will

be invested and expended as set forth in the Tax Documents, to be delivered simultaneously with the issuance and delivery of the Financing Lease and that the County shall comply with the other covenants and representations contained therein.

**11. Other Actions.** The Board hereby approves and confirms all other actions of the officers of the County in conformity with the purpose and intent of this Resolution. The Board hereby authorizes and directs the officers of the County to execute and deliver all certificates and instruments and to take all such further action as any such officer may consider necessary or desirable in connection with the actions contemplated by this Resolution or the execution and delivery of the Documents. The authorizations granted in this Resolution to the Chairman, the Clerk of the Board of Supervisors, the County Administrator and the Chief Financial Officer may be carried out by the Vice Chairman, the Chief Deputy or Deputy Clerk, any Interim, Acting, Deputy or Assistant County Administrator or any Interim, Acting, Deputy or Assistant Chief Financial Officer, as appropriate, in the absence of the primary officer. Any authorization of an officer of the County under this Resolution entitles such officer to exercise his or her discretion in taking action on behalf of the County, unless expressly provided otherwise. For any authorization in this Resolution that authorizes more than one officer to act, it shall be sufficient that any of the officers authorized act to bind the County. The County Administrator and the Chief Financial Officer are each designated an Authorized Representative for purposes of the Financing Lease.

**12. SNAP Investment Authorization.** The County has heretofore received and reviewed the Information Statement describing the State Non-Arbitrage Program of the Commonwealth of Virginia (SNAP) and the Contract Creating the State Non-Arbitrage Program Pool. The County has determined to authorize the County Administrator and the County Treasurer to utilize SNAP in connection with the investment of the proceeds of the lease-leaseback transaction if the County Administrator and the County Treasurer determine that the utilization of SNAP is in the best interest of the County. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the contract creating the investment program pool.

**13. Effective Date.** This Resolution shall take effect immediately.

Item 9. Economic Development; Execute a Charter Agreement with the Bay Consortium Local Workforce Development Area for the Purpose of Administering Provisions of the Federal Workforce Innovation and Opportunity Act

Resolution R17-79 reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF A CHARTER AGREEMENT WITH THE BAY CONSORTIUM LOCAL WORK-FORCE DEVELOPMENT AREA LOCALITIES FOR THE PURPOSE OF ADMINISTERING PROVISIONS OF THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT OF 2014

WHEREAS, the Board finds that effective relationships between the workforce development system, economic development, education, and community partners to address the talent needs of local employers, is vital to the public purpose of ensuring the County's economic vitality, and

WHEREAS, executing an agreement with the Bay Consortium Local Workforce Development Area would result in grant funding pursuant to the Federal Workforce Innovation & Opportunity Act of 2014 being used to provide employment assistance for youth, adults, and dislocated workers, through programs and workforce service providers for the benefit of Stafford County citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the Board Chairman be and he hereby is authorized to execute a Charter agreement with the Bay Consortium Local Workforce Development Area localities for the purposes of administering the provisions of the Federal Workforce Innovation and Opportunity Act of 2014, as provided in Exhibit A.

Item 10. Public Information; A Proclamation Recognizing Dr. David Sam on his Retirement as President of Germanna Community College

Proclamation P17-04 reads as follows:

**A PROCLAMATION RECOGNIZING DR. DAVID ANTHONY SAM ON HIS  
RETIRMENT AS PRESIDENT OF GERMANNA COMMUNITY COLLEGE**

WHEREAS, Dr. David Anthony Sam, is retiring in June 2017, after spending 10 years in his role as the fifth president of Germanna Community College; and

WHEREAS, in 2009, a grant from the Stafford County Economic Development Authority enabled the opening of a 5,000 s.f. Stafford campus, and utilizing support from the Board of Supervisors in October 2015, GCC leased 10,000 s.f. to support its every increasing enrollment in the County; and

WHEREAS, 25 acres of land have been designated for a future, permanent campus for Germanna CC in central Stafford County; and

WHEREAS, during Dr. Sam's tenure, enrollment at Germanna CC's campuses has risen 61% to more than 12,000 students, there has been a 183% increase in degrees awarded, and Dr. Sam launched the first-ever capital campaign, raising \$12 million in addition to \$26.5 million in donations, grants, and local funds;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that it be and hereby does honor and recognize Dr. David Sam for a decade of accomplishments and on his retirement as President of Germanna College.

Item 11. County Administration; Authorize the County Administrator to Submit a Grant Application to the Virginia Department of Conservation and Recreation for Improvements to the Lake Arrowhead Dams

Resolution R17-73 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION FOR IMPROVEMENTS TO THE LAKE ARROWHEAD AND LITTLE LAKE ARROWHEAD DAMS, LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, the Lake Arrowhead and Little Lake Arrowhead dams, within the Lake Arrowhead community have been out of compliance with Virginia dam safety regulations for a number of years; and

WHEREAS, the Board supported efforts to renovate these dams in order to bring them into compliance with the state regulations by funding a preliminary engineering analysis to determine the hazard classification of each dam, identifying the deficiencies, and estimating the costs for the renovations required to bring the dams into compliance; and

WHEREAS, the Board provided \$108,058 from the Lake Arrowhead Sanitary District for the preliminary engineering analysis and design efforts; and

WHEREAS, the Virginia Department of Conservation and Recreation is offering grant funding from the Virginia Dam Safety, Flood Prevention and Protection Assistance Fund to private and public dam owners to cover the costs for engineering analysis and design related to compliance efforts for dams; and

WHEREAS, the grant requires the County to provide a 50% match; and

WHEREAS, the funds provided by the Board for the engineering analysis and design of the renovations for the Lake Arrowhead dams may be eligible for reimbursement under this grant program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the County Administrator be and he hereby is authorized to submit a grant application in an amount up to One Hundred Eight Thousand, Fifty-eight Dollars (\$108,058) to the Virginia Department of Conservation and Recreation for funding in support of the engineering analysis and design services for the renovations to Lake Arrowhead and Little Lake Arrowhead dams; and

BE IT FURTHER RESOLVED that matching funds in the amount of Fifty-four Thousand, Twenty-nine Dollars are budgeted and appropriated for the purpose of matching

grant funding provided through the Virginia Dam Safety, Flood Prevention, and Protection Fund for renovations to the Lake Arrowhead dams.

### UNFINISHED BUSINESS

Item 12. Finance and Budget; Authorize the County Administrator to Budget and Appropriate Capital Project Reserve Funds for Renovation of the Commissioner of the Revenue's Office  
Chief Financial Officer, Ms. Maria Perrotte, spoke to the Board about reconfiguring the office space for the Commissioner of the Revenue in order to provide better customer service to County residents.

Mrs. Maurer said that it was a point of contention with her as the cost was \$250,000 then it rose to \$300,000 for renovation of 5400 s.f. She said she was happy that the cost was back to \$250,000 but she was concerned with policy and process and would not support this item as she felt that office renovations should be a part of a larger plan, not something done office-by-office without a policy or process in place, and part of the overall picture of the Government Center. She said that she feels for the staff in the Commissioner's office and was aware that the space had not been renovated in 25 years, but the Budget office was renovated at a cost of \$74/s.f., which was way too high and she could not support the inefficient spending of taxpayer's money.

Mr. Cavalier said he could not support it because he saw that a higher priority was the purchase of a fire boat, for the same \$250,000 as the cost of renovating an already functioning office.

Mr. Snellings said that he would support it because the offices had not been renovated for 25 years; there were exposed wires and unsafe conditions because there were no replacement parts for the office fixtures. He credited the office staff for working admirably under those conditions. He said that Mr. Scott Mayausky reported to the Board that he could eliminate the need for a new position if renovations were completed and the space used more efficiently.

Ms. Sellers said that she agreed with Mr. Snellings and would support the renovation. She said that the issue of renovating this office had come up for a few years and it was time to get it done; that Mr. Mayausky used his departmental budget to fund the study and did the legwork to come up with an efficient, workable plan for the renovation. Ms. Sellers said that she could not imagine working in those conditions for eight hours each day.

Mr. Thomas said that he would also support the renovation. He said that Mr. Mayausky was super conservative and if the work was not necessary, Mr. Thomas was sure that Mr. Mayausky would not have asked for it.

Ms. Bohmke said that she agreed with those in favor of the renovation as it was, at present, a dysfunctional office space.

Mr. Milde said that he'd used that space 13 years ago and it was still the same and in serious need of updating and renovating. He added that public safety and Fire and Rescue received huge increases in their budgets for many years. He talked about this years' addition of \$100,000 for a scoreboard at the Rouse Center and other items that were being paid for with year-end funds.

Mrs. Maurer said that she did not object to the renovation per se, rather that there was no policy or process in place. She said that renovations to the Budget office came in under \$100,000, which was why that never came before the Board for a vote. Mrs. Maurer asked why the renovations to the Commissioner of the Revenue's office, and other office renovations, were not included in the CIP.

Mr. Cavalier said that the scoreboard at the Rouse center was a reimbursable expense and the money would be paid back to the County. Therefore, it was not a true expense.

Mr. Milde said that there would be a cost savings in personnel and efficiencies in process once renovations to the Commissioner of the Revenue's office were complete. He asked that Mrs. Maurer help to write a policy on the process for future office renovations.

Ms. Sellers motioned, seconded by Mr. Thomas, to adopt proposed Resolution R17-82.

The Voting Board tally was:

Yea: (5) Bohmke, Milde, Sellers, Snellings, Thomas

Nay: (2) Cavalier, Maurer

Resolution R17-82 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE CAPITAL  
PROJECTS RESERVE FUNDS FOR RENOVATATIONS TO THE OFFICE OF THE  
COMMISSIONER OF REVENUE

WHEREAS, the layout of the office of the Commissioner of the Revenue is unsuitable for providing efficient customer service; and

WHEREAS, furniture and fixtures in the office are 25 years old and replacement parts are no longer readily available; and

WHEREAS, the Commissioner of the Revenue has had a design and cost estimate prepared; and

WHEREAS, the Department of Parks, Recreation, and Community Facilities has collaborated with the designer to provide some of the required labor; and

WHEREAS, the Capital Projects Reserve has an available balance, as affirmed by the audit, to fund the renovations;

NOW, THEREORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the County Administrator be and he hereby is authorized to amend the FY2017 Budget to budget and appropriate Two Hundred Forty-five



Thousand Twenty-six Dollars (\$245,026) from the Capital Projects Reserve to the General Fund for renovations to the office of the Commissioner of the Revenue.

Legislative; Closed Meeting At 5:01 p.m., Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution CM17-04.

The Voting Board tally was:

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

Nay: (0)

Resolution CM17-04 reads as follows:

**A RESOLUTION TO AUTHORIZE CLOSED MEETING**

WHEREAS, the Board desires to hold a Closed Meeting for (1) 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, (2) consultation with legal counsel employed by the Board regarding a specific legal matter requiring the provision of legal advice by such counsel, (3) discussion and consideration of the performance of specific County employees, and (4) discussion and consideration of a special award for a specific person; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1), (7), (10), and (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 March, 2017, does hereby authorize discussion of the above matters in Closed Meeting.

Legislative; Closed Meeting Certification At 5:49 p.m., Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM17-04(a).

The Voting Board tally was:

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

Nay: (0)

Resolution CM17-04(a) reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MARCH 7, 2017**

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

At 5:50 p.m., the Chairman adjourned the afternoon session.

At 7:00 p.m. the Chairman reconvened the meeting. Ms. Bohmke led the Invocation and Mrs. Maurer led the Pledge of Allegiance.

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

Ms. Bohmke motioned, seconded by Mrs. Maurer to permit time at the end of the meeting for Senator Richard Stuart to address the Board and provide an update on the recently completed General Assembly Session.

The Voting Board tally was:

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

Nay: (0)

### PUBLIC HEARINGS

Item 13. Planning and Zoning; Consider Rezoning 12.58 Acres from B-1 and B-2 to R-3 to Allow 86 Townhouses, Quantico Village The Director of Planning and Zoning, Mr. Jeff Harvey, gave a presentation and answered Board members questions. Mrs. Maurer inquired about the number permitted under the original zoning. Mr. Harvey said the number of units was not specified, that it was based on square footage and worked out to roughly 150 units.

In response to Mr. Harvey's comment that there was a single access point into the proposed development, Mr. Snellings asked if that was acceptable to the Fire and Rescue Department and wasn't a second access point a requirement. Mr. Harvey said that a second access was a requirement for a development of 200 units or more.

Included in the Board's Add-on Folder were revised proffers, increasing the per-unit contribution to \$24,500, which matched the proffers at the recently approved development at Colonial Forge. This amounted to \$2,107,000 for the planned 86 units.

Mrs. Maurer asked about the cost to build the proposed right turn lane. Mr. Harvey referred that question to the applicant. He said that staff and the Planning Commission recommended denial because of the negative aspects of the project including the proposed use being inconsistent with

the Boswell's Corner Planning Area land use recommendation and the monetary proffers being below the County proffer guidelines to offset development impacts.

Ms. Sellers asked about the difference in a townhouse and a condominium. Mr. Harvey said it was different ownership; that with a townhouse, the owner owned the land that the structure was built on. In a condominium development, a management company or the like owned all the land, streets, and common areas in the development. The property owner only owned what was between the two outside walls of the structure he/she purchased. Ms. Sellers asked why proffers were more for townhouses than for condominiums. He said that townhouses were considered at the same rate as single-family dwellings whereas condominiums were considered multi-family.

Mr. Dan Webb, for the applicant, addressed the Board and answered Mrs. Maurer's question about the cost of the right turn lane saying that it would cost approximately \$150,000 to construct. Ms. Bohmke asked about noise attenuation measures being taken to alleviate noise concerns given the proposed developments proximity to Marine Corps Base Quantico. Mr. Webb said that they would include the type of insulation, windows, roofing, siding, and a myriad of other measure to work on noise abatement.

Mr. Milde asked Mr. Harvey when the property was rezoned. Mr. Harvey said it was 2006. Mr. Milde said that the (then) proposed project was great and it was a shame it was never built. Mr. Thomas asked when the project was converted from commercial to residential. Mr. Webb said that there was no viable entrance off Route 1 and that made it unusable for commercial development as there was not the amount of traffic off Telegraph Road to support commercial development.

Mr. Milde opened the public hearing. The following individual indicated a desire to speak:

Amy Hall

Mr. Milde closed the public hearing.

Mr. Cavalier said that he had the opportunity to work with Mr. Webb; that the property was not reasonable for commercial development and there were already townhouses in that area. He said that not many people, other than residents of the Widewater Peninsula, drove down Telegraph Road on a regular basis; proffer monies were increased; there were no objections from any of the neighboring parcel owners to this project; and the Webb's were honest, forthright, and there was no one better to deal with. Mr. Cavalier said he trusted Mr. Webb completely and although residential was not the first choice, the Board could never stop residential growth entirely; mixed-use did not work in that area.

Mr. Thomas said that normally he would not disagree with staff's recommendation about the proposed development but he agreed with Mr. Cavalier; mixed-use was doomed in that area, it was a project before its time; and there were no additional infrastructure needs with this proposal.

Ms. Bohmke said that with the previously lower proffers, and before she met the Webb's, she would not have supported this project but she worked with them and knew them to be honest. After working with them on the Mount Pleasant project in her development, she knew they could be trusted to work in the best interest of the residents of the proposed project. In response to comments made during the public hearing, she said that there was room in local schools for any children that this project might bring into the area.

Ms. Sellers said that she would not support the project as it was not a good location for a townhouse development. She said that given enough time, a mixed-use development could go into that space and putting townhouses there instead was premature.

Mrs. Maurer said she was going to vote against it until she heard the presentation, the increased proffers, the \$150,000 in transportation improvements, and the decrease in the number of vehicle trips per day. She said that she could not imagine a mixed-use development at the site.

Mr. Milde said he would not support the project; that it was another small-lot subdivision with nothing unique to offer the County. He said that it was not far off Route 1 and that a lot of work had been done on the redevelopment plan; that Quantico Village was not consistent with the intent or vision of the area. Mr. Milde said that mixed-use was desirable in that area, not a townhouse development.

Mr. Cavalier motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O17-10.

The Voting Board tally was:

Yea: (4) Bohmke, Cavalier, Maurer, Thomas  
 Nay: (3) Milde, Sellers, Snellings

Ordinance O17-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE B-1, CONVENIENCE COMMERCIAL AND B-2, URBAN COMMERCIAL ZONING DISTRICTS TO THE R-3, URBAN RESIDENTIAL – HIGH DENSITY ZONING DISTRICT, TAX MAP PARCEL NOS. 13-37 AND 13-42A, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Quantico Village, LLC, submitted application RC16151348, requesting a reclassification from the B-1, Convenience Commercial and B-2, Urban Commercial Zoning Districts to the R-3, Urban Residential – High Density Zoning Districts on Tax Map Parcel Nos. 13-37 and 13-42A, located in the Griffis-Widewater Election District; 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 finds that the requested zoning amendment is compatible with the surrounding land uses and meets the criteria for a rezoning in Stafford County Code Sec. 28-206; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of this Ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of March, 2017, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the B-1, Convenience Commercial and B-2, Urban Commercial Zoning Districts to the R-3, Urban Residential – High Density Zoning District, Tax Map Parcel Nos. 13-37 and 13-42A, with proffers entitled “Voluntary Proffer Statement,” dated June 30, 2016, as last revised on March 6, 2017.

Item 14. Planning and Zoning; Consider the Creation of a New Overlay District Entitled Integrated Corporate and Technology Park (ICTP) Mr. Jeff Harvey gave a presentation and answered Board members questions. He said that although the Quantico Corporate Center (QCC) was the only area in the County to currently qualify for the ICTP designation and, if approved, Riverside may qualify as it continues its build-out. He said that positive Board action would set up zoning regulations and put the ICTP into action. It created a zoning category and set up rules to operate within that category.

Ms. Sellers spoke about a road in QCC that was zoned one thing on one side and another on the other side of the road and asked if the ICTP would take care of that issue. Mr. Harvey said that it would if the Board imposed the ICTP in the QCC. Mr. Cavalier reiterated that QCC was the only area currently in the County that would qualify for the ICTP designation. Mr. Milde said that no new or extra apartments would be created by approval of the ICTP; that all rezonings had to go through the Board for approval or denial of the rezoning application. Mr. Cavalier noted that a public hearing would still be required at the Planning Commission and Board level. Mr. Harvey said that the Planning Commission was concerned that there may be no proffers associated with a rezoning. Mr. Cavalier said that the Planning Commission was wrong. Mr. Milde said that the Planning Commission’s assumption was incorrect. Mr. Harvey said that the Board could negotiate proffers in the future.

Mr. Milde said that the County owned parcel(s) of land within QCC and asked by R3 or R4 zoning could not apply on those parcel(s). Mr. Harvey said that the County’s Comprehensive Plan did not recommend R3 or R4 zoning. Mr. Milde asked if the Comprehensive Plan prohibited the ICTP. Mr. Harvey said that it did not.

Ms. Bohmke asked why the proposal included apartment units when the goal was to fill QCC with office space and commercial development. Mr. Harvey said that was an issue for debate and that the Board removed the multi-family component when it approved the Comprehensive Plan amendment at a previous meeting. Mrs. Maurer said that in touring other Tech Parks, they

all had residential components and that it kept people where they worked and off the transportation infrastructure.

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

Mr. Milde closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Snellings, to defer a vote on proposed Ordinance O17-03 until the Board’s meeting on May 2, 2017, to allow time for the Board to meet with staff and to gain a better understanding the proposed ICTP.

Mr. Cavalier said that he did not support deferring a vote on the ICTP. He said that millennials wanted to live where they worked and played. The ICTP was forward-thinking with the multi-family component, and to exclude the multi-family component was short sighted. He said that it did not place a large burden on schools and would keep traffic off an already over-burdened Route 1. Mr. Cavalier said that he believed that it was the way to go.

The Voting Board tally was:

Yea: (6) Bohmke, Maurer, Milde, Sellers, Snellings, Thomas

Nay: (1) Cavalier

Mr. Thomas motioned, seconded by Ms. Bohmke, to suspend the Board’s Bylaws to permit Senator Richard Stuart to give a brief presentation to the Board.

The Voting Board tally was:

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

Nay: (0)

Senator Richard Stuart addressed the Board and provided a brief update on the actions taken by the General Assembly at its recently completed 45-day session. The Lake Mooney bill, which provided tax relief to property owners on Lake Mooney, was moved to the Governor’s desk for signature as was the Lake Arrowhead bill. The income tax credit for vets was stricken. The Senate Finance Committee, of which Senator Stuart was a member, created a commission to study the Children’s Services Act (CSA) bill. The \$1.2 billion shortfall was covered without raising taxes or fees, and providing for the State’s share of raises to teachers and public safety. Senator Stuart said that a 45-day session was rough.

Mr. Snellings thanked Senator Stuart for his efforts on behalf of the Lake Mooney tax relief bill. Mrs. Maurer thanked him for the Lake Arrowhead dam bill. Ms. Sellers said that the CSA budget amendment passes and the County would have to fight for its share of the money. Senator Stuart said he was delighted to work on the bill that would keep special needs students in their own community rather than having to bus them to Richmond for services.

Adjournment At 8:13 p.m., the Chairman adjourned the meeting.

Thomas C. Foley  
County Administrator

Paul V. Milde, III  
Chairman