

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
September 20, 2011

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 3:01 p.m., Tuesday, September 20, 2011, in the Board Chambers, Stafford County Administration Center.

Roll Call The following members were present: Mark Dudenhefer, Chairman; Paul V. Milde III, Vice Chairman; Harry E. Crisp II; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson; and Robert “Bob” Woodson.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

Legislative; Standing Committee Reports by Board Members Board members provided Standing Committee updates as identified:

Mr. Sterling (Finance, Audit, and Budget Committee): Closing books on FY11; surplus of \$6.6M; thanked Dr. Crisp, Ms. Stimpson and staff and said that the Committee would like to see the County wait until 2012 before decisions are made regarding any use of the FY2011 surplus.

Ms. Stimpson (Community and Economic Development): Streetscape; GEICO/UMW parking issue; Falmouth Beach parking issue; Boat tax; Permit Center; and Wayfinding signage.

Mr. Dudenhefer commented on the \$6.6M surplus stating that the Board is very proud of the accomplishment and that Stafford County has become the example to other localities of how things can be done.

Mr. Milde shared the “Community and Economic Development Process Improvements List of Accomplishments” which included: minor revisions for rezoning CUP and site plan applications; amended fees for minor revisions; expansion of non-conforming dwellings/allowed expansion by-right and eliminated the need for a separate application; paving and travel lane width waivers/administrative approval and eliminated separate application; elimination of preliminary site plans; elimination of stormwater concept plans for site plans; private access easement/administrative approval and eliminated separate applications; amended fees for deleted applications (preliminary site plans, stormwater concept plans, private access easement and adjusted final site plan fees); deployed customer satisfaction surveys within Planning and Zoning, Public Works and Utilities; Deployed on-line customer service satisfaction surveys; conducted focus group meetings with development community representatives for the purpose of identifying development process improvements; organized building plan review section in the Public Works main office; prepared new applications, check lists, operating procedures and new Web procedures; established computerized tracking procedures for permit applications; implemented a two-tier building plan review system; plan to re-evaluate and update fees annually; the Building Department has become a member of the Technical Review Committee process; Public Works converted to an electronic records system; established a formal pre-construction conferences for commercial building projects; cross-trained building plan reviewers and building inspectors; accelerated building plan review turn-around time for residential new and residential change applications by 33%; conducted development community outreach meetings for the building community where staff outlined the changes to the Building Code; established a Call Center; and cross-trained all Public Works responsibilities for additional customer service improvement.

Presentation of a Proclamation to “Celebrate Falmouth’s Around the World Day” Ms. Stimpson presented the proclamation to Kat Kamer.

VDOT Quarterly Report – Capital Projects Update Mr. Rodney White and Mr. Jake Porter gave a transportation briefing and provided a quarterly update on construction projects, preliminary engineering information, traffic engineering, maintenance projects, and other maintenance activities.

Ms. Annette Adams, Bridge Engineer with VDOT, provided information on the Route 1 Bridge over the Rappahannock River, and answered questions about earthquake damage to the Bridge by stating that it weathered the recent earthquake well. Ms. Stimpson inquired about the sidewalks on the Bridge. Ms. Adams answered that VDOT was in the process of pursuing funding for repair (or replacement) of the sidewalks and said that she would keep the Board updated on the progress of that project.

Mr. Sterling asked about right-of-way acquisition for the Falmouth intersection. Mr. White said that he would research it and report back to the Board.

Mr. Snellings requested signs alerting motorists to the presence of a hearing impaired child and also School Bus Stop signs in the vicinity of 54 Stork Road in the Hartwood District. Mr. White will inform VDOT's sign department of Mr. Snellings request.

Mr. Dudenhefer said that VDOT should consider erecting signs that let citizens know about road projects, improvements, construction, etc. He said that it would keep residents informed about what was happening on area roads as well as being a venue to “brag” about the good things being done by VDOT and by the County's transportation department.

Recess At 3:48 the Chairman declared a recess until 7:00 p.m. Members of the Board were joined by Michelle Shropshire and Jamie Brown-Porter, with VDOT, on a bus tour of capital road projects. Scott Horan, Schools Assistant Superintendent for Facilities, gave a brief update on construction at Falmouth Elementary School. Following the stop at Falmouth Elementary School, the Board participated in a ground breaking ceremony for the Belmont/Ferry Farm Trail at St. Clair Brooks Park.

Call to Order At 7:00 p.m., the Chairman called the meeting back to order.

Invocation Mr. Woodson gave the Invocation.

Pledge of Allegiance Mr. Dudenhefer led the Pledge of Allegiance to the Flag of the United States of America.

Presentation of a Proclamation Recognizing September as “National Preparedness Month” in Stafford County Mr. Dudenhefer presented the proclamation to Assistant Chief Mike Carter and Lieutenant Paul Lupe with the Fire and Rescue Department.

Legislative; Presentations by the Public

The following persons desired to speak:

- John Buyers - Right-of-way on his property on Poplar Road
- Frances Buyers - Right-of-way on her property on Poplar Road
- Chuck Feldbush - Candidate for Sheriff

Planning and Zoning; Consider a New Telecommunications Element to the Comprehensive Plan Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Warren Lee

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Woodson, to adopt proposed Resolution R11-218.

Mr. Snellings made a substitute motion, seconded by Ms. Stimpson, to defer this item to the October 18, 2011 meeting. An ad-hoc committee consisting of Mr. Snellings and Ms. Stimpson was formed to work with Jeff Harvey to answer several legal questions, tower location questions, and questions about possible revenue generated if the County was permitted to lease space on County-owned towers.

Dr. Crisp motioned, seconded by Mr. Snellings, to accept the substitute motion.

The Voting Board tally to accept the substitute motion was:

Yea: (7) Crisp, Snellings, Stimpson, Dudenhefer, Milde, Sterling, Woodson
Nay: (0)

The Voting Board tally on the substitute motion was:

Yea: (7) Snellings, Stimpson, Crisp, Dudenhefer, Milde, Sterling, Woodson
Nay: (0)

Public Works; Amend Stafford County Code, Section 15-56, Entitled “Designation of Restricted Parking Areas” to Establish a Restricted Parking Area in the Vistas of Park Ridge Subdivision Mr. Mike Smith, Acting Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O11-38.

The Voting Board tally was:

Yea: (6) Dudenhefer, Sterling, Milde, Woodson, Stimpson, Snellings
Nay: (0)
Absent: (1) Crisp

Ordinance O11-38 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO INCLUDE STREETS IN THE VISTAS OF PARK RIDGE SUBDIVISION

WHEREAS, Sections 46.2-1222.1 and 46.2-1224 of the Code of Virginia (1950), as amended, authorize the County to regulate or prohibit the parking on any public highway in the County, of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

WHEREAS, the Board finds that regulating or prohibiting the parking of watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes on public highways serves the public health, safety, and welfare of the County and its citizens; and

WHEREAS, on June 15, 2010, the Board adopted Ordinance O10-37, which established criteria for the designation of restricted parking areas; and

WHEREAS, The Vistas of Park Ridge Community Association approved a resolution, dated June 15, 2011, requesting the establishment of a restricted parking area within The Vistas of Park Ridge Subdivision and the resolution satisfies the requirements of Stafford County Code, Section 15-56; and

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

WHEREAS, the Board has conducted a public hearing in accordance with Section 15.2-1427 of the Code of Virginia (1950), as amended; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 20th day of September, 2011, that Stafford County Code, Section 15-56, entitled “Designation of Restricted Parking Areas,” be and it hereby is amended and reordained as follows, all other portions remain unchanged:

(f) The following constitute the restricted parking areas within Stafford County where the provisions of this ordinance are in full force and effect:

(14) The Vistas of Park Ridge Subdivision on the following named streets:

(A) Heatherbrook Lane

(B) Sarrington Court

(C) Stonebridge Court

(D) Sturbridge Lane

(E) Watermill Court

(F) Westchester Court

Finance and Budget; Participate in Fall 2011 and Spring 2012 VPSA Bond Sales and Appropriate Proceeds Ms. Maria Perrotte, Chief Financial Officer, gave a presentation and answered Board members questions. Mr. Sterling said that the Finance, Audit, and Budget Committee had discussed the item and was in favor of it and recommended the Board’s approval of the Bond sales and appropriation.

Mr. Woodson inquired about new locks at Shirley Heim Middle School. Scott Horan replied that Schools worked towards having a standardized lock system county-wide. They began with high schools, are working now on middle schools then will finish up with the elementary schools. Mr. Horan added that this was being done primarily for security reasons.

Mr. Dudenhefer commended Mr. Horan and the School Division for staying within budget.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R11-227.

The Voting Board tally on the substitute motion was:

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

Nay: (0)

Resolution R11-227 reads as follows:

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION SCHOOL BONDS OF THE COUNTY OF STAFFORD, VIRGINIA IN AN AMOUNT NOT TO EXCEED \$24,531,430 TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board of Supervisors (the "Board") of the County of Stafford, Virginia (the "County") has determined that it is necessary and expedient to borrow an amount not to exceed \$24,531,430 and to issue its general obligation school bonds to finance (i) renovation costs to Falmouth Elementary School, Grafton Village Elementary School and Stafford Elementary School, (ii) the rebuilding of Stafford High School, (iii) the installation of fiber optics cable at various public schools throughout the County, (iv) infrastructure upgrades at Stafford High School, H.H. Poole Middle School, North Stafford High School, Brooke Point High School, Stafford Middle School, Drew Middle School, Dixon-Smith Middle School, Shirley Heim Middle School, Widewater Elementary School, Rockhill Elementary School, Hartwood Elementary School, Winding Creek Elementary School, and Falmouth Elementary School, and (v) any other school improvement projects for public school purposes (the "Projects"); and

WHEREAS, the Board held a public hearing on September 20, 2011, on the issuance of the Bonds (as defined below) in accordance with the requirements of Section 15.2-2606, Code of Virginia (1950), as amended (the "Virginia Code"); and

WHEREAS, the School Board of the County, by resolution dated July 12, 2011, requested the Board to authorize the issuance of the Bonds (as hereinafter defined) and consented to the issuance of the Bonds; and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$24,531,430 is the amount of proceeds requested (the "Proceeds Requested") from the Virginia Public School Authority ("VPSA") in connection with the sale of the Bonds; and

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

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

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

Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and to issue and sell general obligation school bonds of the County in the aggregate principal amount not to exceed \$24,531,430 (the "Bonds") for the purpose of financing the Projects. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

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

Details of the Bonds. The Bonds shall be issuable in fully registered form in denominations of \$5,000 and whole multiples thereof; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 20 ____" (or such other designation as the County Administrator may approve); shall bear interest from the date of delivery thereof payable semi-annually on each January 15th and July 15th (each an "Interest Payment Date"), at the rates established in accordance with

paragraph 4 of this Resolution; and shall mature on July 15th in the years (each a "Principal Payment Date") and in the amounts established in accordance with the Interest Rates and Principal Installments paragraph below. The Interest Payment Dates and the Principal Payment Dates are subject to change at the request of VPSA.

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

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

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

- (a) For as long as VPSA is the registered owner of the Bonds, all payments of principal, premium, if any, and interest on the Bonds 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 Bonds.
- (c) U.S. Bank National Association, Richmond, Virginia, is designated as the Bond Registrar and Paying Agent for the Bonds.

Prepayment or Redemption. With respect to any Bonds sold to VPSA in the Fall, 2011 sale, the Principal Installments of such Bonds held by VPSA coming due on or before July 15, 2021, and the definitive Bonds for which the Bonds held by VPSA may be exchanged that mature on or before July 15, 2021, are not subject to prepayment or

redemption prior to their stated maturities. The Principal Installments of the Bonds held by VPSA coming due after July 15, 2021, and the definitive bonds for which the Bonds held by VPSA may be exchanged that mature after July 15, 2021, 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, 2021, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2021 through July 14, 2022.....	101.0%
July 15, 2022 through July 14, 2023	100.5%
July 15, 2023 and thereafter	100.0%;

provided, however, that the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or the registered owner of the Bonds. Notice of any such prepayment or redemption shall be given by the Bond Registrar to the registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption. The County Administrator is authorized to approve such other redemption provisions, including changes to the redemption dates set forth above, as may be requested by VPSA.

With respect to any Bonds sold to VPSA in a subsequent sale, the Principal Installments of such Bonds will be subject to similar prepayment or redemptions provisions as may be set forth by VPSA at the time of such sale.

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

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

Use of Proceeds Certificate; Non-Arbitrage Certificate. The Chairman of the Board and the County Administrator, or either of them, and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Non-Arbitrage Certificate, if required by bond counsel, and a Use of Proceeds Certificate setting forth the expected use and investment of the proceeds of the Bonds and containing

such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Use of Proceeds Certificate and the County shall comply with the covenants and representations contained therein; and (ii) the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

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

Continuing Disclosure Agreement. The Chairman of the Board and the County Administrator, or either of them, and such other officer or officers of the County as either of them may designate are hereby authorized and directed (i) to execute a Continuing Disclosure Agreement, as set forth in Appendix F to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed; and (ii) to make all filings required by Section 3 of the Bond Sale Agreement should the County be determined by the VPSA to be a MOP (as defined in the Continuing Disclosure Agreement).

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.

Further Actions. The County Administrator, the Chairman of the Board, and all such other officers, employees, and agents of the County as either of them may designate are hereby authorized to take such action as the County Administrator or the Chairman of the Board may consider necessary or desirable in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

1. The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of the meeting of the Board of Supervisors held on September 20, 2011, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. The front

page of this Resolution accurately records (i) the members of the Board of Supervisors present at the meeting, (ii) the members who were absent from the meeting, and (iii) the vote of each member, including any abstentions.

2. WITNESS MY HAND and the seal of the Board of Supervisors of the County of Stafford, Virginia, this 20th day of September, 2011.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R11-228.

The Voting Board tally on the substitute motion was:

Yea: (7) Sterling, Stimpson, Crisp, Dudenhefer, Milde, Snellings, Woodson
Nay: (0)

Resolution R11-228 reads as follows:

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

WHEREAS, the Board, on September 20, 2011, adopted Resolution R11-227 which approved the issuance and sale of general obligation school bonds in an amount not to exceed \$24,531,430; and

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

WHEREAS, a public hearing on the proposed amendment to the budget was held on September 20, 2011 as required by Section 15.2-2507 of the Code of Virginia (1950), as amended; and

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

WHEREAS, up to \$10,805,000 in bonds will be sold in the fall, 2011 and up to \$13,726,430 in bonds will be sold in the spring, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that the County Administrator be and he hereby is authorized to budget and appropriate funds as follows:

GENERAL CAPITAL PROJECTS FUND:

Revenue:	
Proceeds from fall, 2011 VPSA Bond Sale	\$10,805,000
Proceeds from spring, 2012 VPSA Bond Sale	\$13,726,430
Expenditure:	
Transfer to School Construction Fund	\$24,531,430

SCHOOL CONSTRUCTION FUND

Revenue	
Transfer from Capital Projects Fund	\$24,531,430
Expense	
School Construction Fund	\$24,531,430

Legislative: Additions/Deletions to the Regular Agenda There were no additions or deletions to the agenda.

Dr. Crisp motioned, seconded by Mr. Sterling, to accept the agenda as presented.

The Voting Board tally to accept the agenda was:

Yea: (7) Crisp, Sterling, Dudenhefer, Milde, Snellings, Stimpson, Woodson
 Nay: (0)

Legislative: Consent Agenda Mr. Sterling motioned, seconded by Dr. Crisp, to adopt the Consent Agenda consisting of Items 7 thru 16, omitting Item 15.

The Voting Board tally was:

Yea: (7) Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson
 Nay: (0)

Item 7. Legislative: Approve the Minutes of the September 6, 2011 Board Meeting

Item 8. Finance and Budget: Approve Expenditure Listing (EL)

Resolution R11-248 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED SEPTEMBER 6, 2011 THROUGH SEPTEMBER 19, 2011

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September 2011 that the above-mentioned EL be and hereby is approved.

Item 9. Public Works; Authorize Public Hearing Regarding Land Acquisition on Poplar Road

Resolution R11-250 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE PERMANENT RIGHT-OF-WAY, UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS ON PORTIONS OF THE PROPERTIES OF PETER T. SUN AND NANCY L. WANG, TAX MAP PARCEL 35-86D; JOHN W. AND FRANCES A. BUYERS, TAX MAP PARCEL 36E-2; AND EASTERN VIRGINIA LAND COMPANY, INC., TAX MAP PARCELS 36E-1, 36F-1, AND 36F-2, ALL IN CONNECTION WITH THE POPLAR ROAD IMPROVEMENT PROJECT

WHEREAS, the Board identified the completion of road improvements in the vicinity of Warrenton Road (U. S. Route 17) and Poplar Road (State Route 616) as a critical part of Stafford County's road improvement plan; and

WHEREAS, these improvements are recommended in the 2003 Transportation Plan Update, included as part of the Impact Fee Analysis, and financed by fees collected from the Central West Impact Fee District; and

WHEREAS, the Board approved the acquisition of the properties necessary for the completion of the road improvements and County staff is in the process of acquiring the necessary portions of property for right-of-way and easements; and

WHEREAS, the Board has determined that there are three areas that staff has been unable to obtain through negotiations between the property owners and a licensed commercial real estate agent; and

WHEREAS, Tax Map Parcel 35-86D consists of approximately 5.776 acres of land owned by Peter T. Sun and Nancy L. Wang and the Board must acquire right-of-way and easement on Tax Map Parcel 35-86D because the design of the road improvements requires 0.044 acres of permanent right-of-way and 0.231 acres of temporary

construction easement for grading and drainage improvements on Tax Map Parcel 35-86D; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 35-86D, together with damages, if any, to the remainder of the property is Three Thousand, Four Hundred Dollars (\$3,400), based upon the 2011 tax assessed value, and the County has further made a bona fide offer of Five Thousand Dollars (\$5,000) to the property owners; and

WHEREAS, Tax Map Parcel 36E-2 consists of approximately 3.00 acres of land owned by John W. and Frances A. Buyers and the Board must acquire right-of-way and easements on Tax Map Parcel 36E-2 because the design of the road improvements requires 0.502 acres of permanent right-of-way, 0.152 acres for a utility easement, and 0.084 acres for a temporary construction easement for grading and drainage improvements on Tax Map Parcel 36E-2; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 36E-2, together with damages, if any, to the remainder of the property is Twenty-five Thousand Three Hundred Dollars (\$25,300), based upon the 2011 tax assessed value; and

WHEREAS, Tax Map Parcel 36E-1 consists of approximately 21.12 acres of land; Tax Map Parcel 36F-1 consists of approximately 3.0358 acres of land; and Tax Map Parcel 36F-2 consists of approximately 3.0172 acres of land all owned by Eastern Virginia Land Company, Inc. and the Board must acquire right-of-way and easements on the properties because the design of the road improvements requires 0.1202 acres of permanent right-of-way and 0.0436 for a temporary construction easement from Tax Map Parcel 36E-1; 0.0338 acres of permanent right-of-way and 0.0428 for a temporary construction easement from Tax Map Parcel 36F-1; and 0.0088 acres of permanent right-of-way, 0.1177 acres for a utility easement, and 0.0068 acres for a temporary construction easement from Tax Map Parcel 36E-1; totaling 0.1628 acres of permanent right-of-way, 0.1177 acres for a utility easement, and 0.0932 acres for temporary construction easements for grading and drainage improvements; and

WHEREAS, the fair market value for the required areas of Tax Map Parcels 36E-1, 36F-1, and 36F-2, together with damages, if any, to the remainder of the Eastern Properties is Four Thousand Six Hundred Dollars (\$4,600), based upon the 2011 tax assessed value; and

WHEREAS, the Board, through its consulting negotiator, has made bona fide but ineffectual efforts to purchase the above-referenced affected areas of the listed properties by offering said determination of value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase cannot be agreed upon and the County's consulting negotiator has been unsuccessful in negotiating a final settlement with the property owners, but will continue to work with the property owners to attempt to reach an acceptable settlement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011 that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the condemnation and use of quick-take power to acquire permanent rights-of-way, utility easements, and temporary construction easements on portions of the properties of Peter T. Sun and Nancy L. Wang, Tax Map Parcel 35-86D; John W. and Frances A. Buyers, Tax Map Parcel 36E-2; and Eastern Virginia Land Company, Inc., Tax Map Parcels 36E-1, 36F-1, and 36F-2, all in connection with the Poplar Road improvements between Warrenton Road (U.S.-17) and Truslow Road, under the provisions of the Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 10. Utilities; Authorize a Public Hearing on Land Acquisition for the Courthouse Water Tank

Resolution R11-258 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A 2.404 ACRE PORTION OF THE PROPERTY OF ANTHONY K. WALCHESTER, TAX MAP PARCEL 39-62A, IN CONNECTION WITH THE NEW COURTHOUSE AREA WATER TANK

WHEREAS, the County's Water and Sewer Master Plan calls for the creation of a new water pressure zone in the Courthouse area to provide increased water pressure and fire suppression flows; and

WHEREAS, the new water pressure zone is needed to support the urban development area and redevelopment area planned for the Courthouse area; and

WHEREAS, a new water storage tank is needed in the Courthouse area to establish the new water pressure zone; and

WHEREAS, a site for the new tank has been identified, which is located at one of the highest elevations in the area and is close to existing large-diameter water mains; and

WHEREAS, efforts to acquire this site from the property owner over the past nine months have been unsuccessful, and further negotiations are unlikely to result in an agreement to sell the property; and

WHEREAS, the fair market value for the 2.404 acre portion of Tax Map Parcel 39-62A is Sixty-five Thousand Dollars (\$65,000), based upon a formal appraisal by an independent appraiser; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide formal offer on behalf of the County to the owner of the property offering the fair market value of the referenced portion of the property; and

WHEREAS, the terms of purchase cannot be agreed upon and the Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the owner of the property, but will continue to work with the property owner to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Virginia Code Sections 15.2-1903(B) and 15.2-1905(C), to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that the County Administrator be and he hereby is authorized to advertise a public hearing to be scheduled under the provisions of Virginia Code Sections 15.2-1903(B) and 15.2-1905(C), to consider the necessity for condemnation and use of the County's quick-take powers to immediately acquire the property needed for location of the new water storage tank.

Item 11. Finance and Budget; Authorize Public Hearing Regarding License Fee Exemption for Sheriff's Volunteers

Resolution R11-255 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-23 "EXEMPTIONS" TO COUNTY LICENSE FEES FOR SHERIFF'S VOLUNTEERS

WHEREAS, during its 2010 session, the General Assembly amended Virginia Code § 46.2-752, allowing localities to issue local licenses free of charge to members and former members of authorized sheriff's volunteer citizen support units who have served at least 10 years in the locality; and

WHEREAS, the Board desires to issue local licenses free of charge to members and former members of the Sheriff's volunteer citizen support unit who have served at least 10 years in Stafford County; and

WHEREAS, the Board desires to consider public comments concerning this issue; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that the County Administrator be and he hereby is authorized to advertise a public hearing to seek public comment on this issue.

Item 12. Public Information; Designate September as "National Preparedness Month"

Proclamation P11-17 reads as follows:

A PROCLAMATION TO DESIGNATE SEPTEMBER AS
NATIONAL PREPAREDNESS MONTH IN STAFFORD COUNTY

WHEREAS, “National Preparedness Month” creates an important opportunity for every resident of Stafford County to prepare their homes, businesses and communities for any type of emergency including natural disasters and potential terrorist attacks; and

WHEREAS, investing in the preparedness for ourselves, our families, businesses, and communities can reduce fatalities and economic devastation in our communities and in our nation; and

WHEREAS, the Federal Emergency Management Agency’s Ready Campaign, Citizen Corps, and other federal, state, local, tribal, territorial, private and volunteer agencies are working to increase public activities and awareness in preparing for emergencies and to educate individuals on how to take action; and

WHEREAS, emergency preparedness is the responsibility of every citizen of Stafford County and all citizens are urged to make preparedness a priority and to work as a team to ensure that individuals, families and communities are prepared for disasters and emergencies of any type; and

WHEREAS, all citizens of Stafford County are encouraged to participate in citizen preparedness activities and are asked to review the website for FEMA’s Ready campaign which may be found at Ready.gov or Listo.gov (in Spanish) and to use all available information to become more prepared;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that it be and hereby does designate and recognize the month of September as National Preparedness Month in Stafford County.

Item 13. Planning and Zoning; Request the Planning Commission to Prepare Amendments to the County Code Regarding Recycling Facilities

Resolution R11-256 reads as follows:

A RESOLUTION REQUESTING THE PLANNING COMMISSION TO
AMEND AND REORDAIN STAFFORD COUNTY CODE REGARDING
RECYCLING FACILITIES

WHEREAS, currently the term “Recycling center” under Section 28-25 is not consistent with the listed use in the M-1, Industrial Light and M-2, Industrial Heavy Zoning Districts; which refers to “Recycling facilities”; and

WHEREAS, other County Code provisions concerning refuse and refuse haulers may conflict with the intended activities, such as the processing of materials, at recycling facilities; and

WHEREAS, the Board desires to eliminate potential conflicts between various sections of the County Code; and

WHEREAS, the Board also desires to amend the substance of the current definition of Recycling center; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September 2011, that the Planning Commission be and it hereby is requested to prepare and make recommendations for amendments to the County Code regarding recycling facilities; and

BE IT FURTHER RESOLVED that the Planning Commission be and it hereby is requested to make recommendations on those amendments within 120 days.

Item 14. Planning and Zoning; Request the Planning Commission to Prepare an Ordinance Regarding Farmers Markets in Stafford County

Resolution R11-257 reads as follows:

A RESOLUTION TO DIRECT THE PLANNING COMMISSION TO
DEVELOP AN ORDINANCE REGARDING FARMERS MARKETS

WHEREAS, the Agricultural/PDR Committee has requested amendments to the Stafford County Code to provide a definition of a farmers market and to allow a farmers market as an allowed use in certain zoning districts, either by-right or with a special exception; and

WHEREAS, the Board desires to amend the Stafford County Code to allow for such an ordinance; and

WHEREAS, the Board desires to have the Planning Commission consult with the Agricultural/PDR Committee to develop an ordinance and make a recommendation(s) to the Board; and

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

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on the 20th day of September, 2011, that the Planning Commission be and it hereby is directed to prepare amendments to the Zoning Ordinance to create a definition for farmers market and specify which zoning districts are appropriate for the location of farmers markets; and

BE IT FURTHER RESOLVED that the Planning Commission shall report its recommendations to the Board, upon consultation with the Agricultural/PDR Committee, within one hundred twenty (120) days after September 20, 2011 or after the Planning Commission is provided a copy of this resolution.

Item 16. Legislative; Recognize the 25th Anniversary of the Potomac and Rappahannock Transportation Commission (PRTC) and Declare September 30, 2011 as PRTC in Stafford County

Resolution R11-270 reads as follows:

A RESOLUTION RECOGNIZING THE 25TH ANNIVERSARY OF THE CREATION OF THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) AND DECLARING SEPTEMBER 30, 2011 AS PRTC DAY IN STAFFORD COUNTY

WHEREAS, the Potomac and Rappahannock Transportation Commission (PRTC) was created by the Virginia General Assembly in 1986 with the initial goal of establishing the Virginia Railway Express (VRE); and

WHEREAS, PRTC has assumed sole or shared responsibility for a growing array of transportation services, including commuter and ridematching services that existed at the time of PRTC's inception (in 1991; later renamed OmniRide and OmniMatch, respectively), VRE operations (in 1992), OmniLink local bus service (in 1995), and Metro Direct commuter bus service to nearby Metro stations; and the Cross County Connector bus service between eastern Prince William County and the Manassas area (in 1999); and

WHEREAS, ridership continues to grow as the area population grows, with new all-time highs recorded each year (in FY 2011, PRTC made more than 3.3 million passenger trips and VRE made more than 4.5 million passenger trips); and

WHEREAS, these transportation services lessen traffic volumes on congested roadways by thousands of vehicles each day, improving air quality and lessening dependence on foreign oil; and

WHEREAS, the presence of these services also enhances the mobility of those who are transit-dependent, affording the independence to hold jobs, attend school, and access all the places in the community they need to reach; and

WHEREAS, PRTC is celebrating its 25th anniversary in September 2011, with the promise of an even more vital role as a transportation provider in the years to come;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that it be and hereby does declare September 30, 2011 as PRTC Day and encourages all of its residents to try public transportation.

Item 16. Public Information; Recognize and Commend Ken Mitchell for His Service on the Planning Commission Representing the Aquia District Mr. Milde motioned, seconded by Mr. Sterling, to defer this item to the October 4, 2011 meeting.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Stimpson, Dudenhefer, Snellings, Crisp, Woodson
Nay: (0)

Planning and Zoning; Consider Referring to the Planning Commission a Comprehensive Plan Amendment Regarding the Southern Gateway UDA Expansion Dr. Crisp motioned, seconded by Mr. Sterling, to defer this item until the General Assembly revisits and/or modifies UDA requirements.

The Voting Board tally was:

Yea: (7) Crisp, Sterling, Stimpson, Dudenhefer, Milde, Snellings, Woodson
Nay: (0)

Planning and Zoning; Consider a Conditional Use Permit at 213 Newton Road on Assessor's Parcel 55-199 Jonathon Schultis, Senior Site and Permitting Specialist, and Dave Moran, Lead Planner with Dominion Virginia Power, answered Board members questions. Ms. Stimpson said that it would be helpful if, in the future, more complete information was provided to the Board at the time of its initial review.

Dr. Crisp motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-216.

The Voting Board tally was:

Yea: (7) Crisp, Milde, Dudenhefer, Snellings, Sterling, Stimpson, Woodson
Nay: (0)

Resolution R11-216 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT, PURSUANT TO APPLICATION CUP1000371, FOR AN ELECTRIC SUBSTATION FACILITY AND AN EXCEPTION TO THE MAXIMUM HEIGHT REQUIREMENT IN AN A-1, AGRICULTURAL ZONING DISTRICT ON A PORTION OF ASSESSOR'S PARCEL 55-199, WITHIN GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Dominion Virginia Power, applicant, has submitted application CUP1000371 requesting a Conditional Use Permit to allow an electric substation facility and an exception to the maximum height requirement in an A-1, Agricultural Zoning District on Assessor's Parcel 55-199; and

WHEREAS, the application has been submitted pursuant to Stafford County Code, Section 28-35, Table 3.1, which permits this use in an A-1, Agricultural Zoning District and Stafford County Code Section 28-38(d) which permits an exception to the maximum height requirements, after a Conditional Use Permit has been issued by the Board; and

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

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit; and

WHEREAS, the Board finds that this application promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2011, that a Conditional Use Permit, pursuant to application CUP1000371, be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for an electric substation facility in an A-1, Agricultural Zoning District on Assessor's Parcel 55-199 (portion), consisting of 0.69 acres.
2. The site shall be in substantial conformance with the latest version of the Generalized Development Plan (GDP) prepared by The Engineering Groupe, dated September 2010, revised on May 26, 2011.
3. No commercial vehicles or equipment shall be stored on the property for more than a forty-eight (48) hour period except for emergency situations or equipment repair.

4. Applicant shall construct an eight (8) foot tall vinyl clad chain link fence, which shall enclose the property. The electrical substation shall be secured with an eight (8) foot tall vinyl clad chain link fence, as depicted on the GDP and such fencing shall be maintained at all times. The total height of the fence shall be comprised of seven (7) feet of chain link fence, topped with one (1) foot of barbed wire.
5. There shall be no flags or banners used on the site except for construction purposes.
6. Lighting or lighting structures shall not exceed thirty-five (35) feet in height and the light emanating from there shall be directed away from adjoining properties and adjacent residential units and shall not exceed one half (0.5) foot candles of illumination at any property line.
7. A minimum of fifty percent (50%) of required tree plantings shall be evergreen.
8. The Owner of the substation shall provide notice to the County upon abandonment of the use. The owner shall be responsible for dismantling the substation within one hundred eighty (180) days of its closure and restoring the site to a natural state.
9. Construction of the substation during the week shall be limited to daylight hours. Construction during the weekend shall be limited to daylight hours as specified in Chapter 16 of the Stafford County Code.
10. There shall be no habitable structures located on the portion of the property subject to this request.
11. The only access to the facility shall be from Newton Road (State Route 603).
12. Structures associated with the electric substation facility shall not exceed a height of eighty (80) feet.
13. The Applicant shall work with the Stafford County Sheriff's Office to ensure that the facility is equipped with adequate security devices, prior to site plan approval.
14. A thirty-five (35) foot wide transitional buffer (B) shall surround the substation compound as opposed to the perimeter of the property.
15. The Applicant shall minimize or eliminate storm water impacts to adjacent properties to the maximum extent practical.
16. If a site plan is not approved by the County within ten (10) years from the date of this approval, this Conditional Use Permit shall expire.
17. This Conditional Use Permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, federal, or state laws, codes, and/or regulations.

Courthouse Streetscape Update Mr. Brad Johnson, Redevelopment Administrator, presented information on the proposed Courthouse Streetscape.

Mr. Woodson questioned a discrepancy in the total cost for all four (4) phases. Mr. Johnson said that the correct, current estimate is \$26.8M. Mr. Milde talked about the prices indicated on the slides and the County already having the funds available in Enhancement Grants for Phase 1a.

Mr. Snellings asked if the Hartwood Service District could be amended to include the Courthouse area. Mr. Romanello replied that it could be modified to allow for county-wide Transportation Impact Fees (TIF) and that old legislation allows the County to levy a TIF for the construction of roads, but not to retrofit existing roads unless it is relative to growth in a particular area.

Mr. Sterling talked about Form Based Code. Mr. Johnson replied that there are no Form Based Codes in the Courthouse area but it could be an option. Mr. Sterling said that the Plan is unrealistic as you cannot force existing landowners to comply with the Plan and the Streetscape is dependent on current landowners upgrading their property. Mr. Milde replied that landowners may be persuaded to upgrade their properties if, or when, they want something from the County. Mr. Snellings asked if the Plan creates any non-conforming lots. Mr. Johnson said that they do not yet have the answer to that question.

Mr. Dudenhefer questioned making the changes as outlined in Phase 1a when eventually, all of Jefferson Davis Highway (Rt. 1) was going to be six lanes and the upgrades would be taken away by the widening of the road. He also mentioned Mr. Tim Baroody's plan for a Courthouse Bypass. Mr. Romanello said that the Plan is based on the assumption that there will not be six lanes through "downtown Stafford." Mr. Dudenhefer said that there would be a bottleneck if Route 1 was six lanes north and south of the Stafford Courthouse area and added that the Plan was not realistic looking out 25 years.

Mr. Sterling said that if the vision is for a Courthouse Streetscape, the Board has to make a decision. Design and engineering must be done by July 1, 2012. Ms. Stimpson asked about the inclusion of street lights in the Plan. Mr. Johnson replied that they were awaiting VDOT approval for street lights.

In response to Mr. Dudenhefer's question, Mr. Johnson said that Phase 1a was self-contained, that the other plans would still be viable, and that the County would be ready to proceed as funds became available.

Mr. Milde motioned, seconded by Dr. Crisp, to move forward "in all due haste" with Phase 1a of the Courthouse Streetscape Plan.

The Voting Board tally was:

Yea: (7) Milde, Crisp, Dudenhefer, Snellings, Sterling, Stimpson, Woodson
Nay: (0)

Finance and Budget; FY11 Preliminary Results Budget Division Director, Ms. Nancy Collins, gave a presentation and answered Board members questions. Ms. Collins stated that her presentation was intended to give the Board an overview of the preliminary, unaudited results of the FY2011 Budget. The audit will be conducted in December after which, another report will be presented to the Board.

Mr. Sterling said that the Finance, Audit, and Budget Committee had reviewed the details of Ms. Collins' report and recommended that after the audit, and following the mid-year review in January, and after the November election, that Bond Counsel should be brought in and asked for their recommendations before any of the \$6.6M surplus is spent.

Legislative; Closed Meeting. At 9:10 p.m. Mr. Sterling motioned, seconded by Dr. Crisp, to adopt proposed Resolution CM11-15.

The Voting Board tally was:

Yea: (7) Sterling, Crisp, Dudenhefer, Milde, Snellings, Stimpson, Woodson
Nay: (0)

Resolution CM11-15 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting a personnel/public contract matter regarding the Board's Selection of and Award of a Contract for a Legislative Liaison; and

WHEREAS, pursuant to Sections 2.2-3711 A.1 and A.29, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 20th day of September, 2011, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order At 9:23 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution CM11-15(a).

The Voting Board tally was:

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

Nay: (0)

Resolution CM11-15(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 20, 2011

WHEREAS, the Board has, on this the 20th day of September, 2011 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 20th day of September, 2011, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Adjournment At 9:24 P.M., the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Mark Dudenhefer
Chairman