

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 3, 2014

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 3:00 p.m., on Tuesday, June 3, 2014, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

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

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

Presentations by the Public The following members of the public desired to speak:

- Alane Callander - Remove #6 from the Consent Agenda; Provide citizens with timeline for Embrey Mill project; commented on Congressman Rob Wittman’s visit
- Paul Waldowski - Running for office in 2019 in Rock Hill or Griffis-Widewater District (and may rent an apartment in the George Washington District); Stafford Meadows water bill; slavery; outdated Board pictures; fiscal responsibility

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

- Ms. Bohmke - Deferred
- Mr. Cavalier - Doc Stone Town Hall meeting re. traffic and safety concerns
- Mr. Milde - Stone River HOA meeting; R-board; met w/ Dr. Benson; Eagle Scout ceremony; Community and Economic Development update

- Ms. Sellers - Toured Fort A.P. Hill w/ Senator Tim Kaine
- Mr. Snellings - Deferred
- Mr. Sterling - Infrastructure Committee update including transportation and parks bond projects
- Mr. Thomas - Deferred

Presentation to Congressman Rob Wittman on the Opening of his New Office in Stafford County Mr. Cavalier presented a Gari Melchers print “*Early Spring Landscape*” originally painted in 1918. Congressman Wittman said that it would be displayed in a place of prominence in his new office, adding that he was delighted to be in Stafford County and to have a local office in which to work with his constituents.

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

Report of the County Administrator Mr. Romanello announced that the Fire and Rescue Department won another award, the Rappahannock EMS Council Award for the Outstanding EMS Division for 2014. Acting Division Chief, Lori Knowles, was recognized as the outstanding EMS provider for 2014. State awards will be presented in November, 2014 with Stafford County’s EMS Division one of the candidates to win State-wide, awarded by the Governor.

The Sheriff’s Office annual awards ceremony was scheduled for Wednesday, 6/4/14, at Brooke Point High School; the Business Appreciation Reception was scheduled for Friday, 6/6/14, at Stafford Regional Airport; the dedication of Celebration Stage was scheduled for Wednesday, 6/25/14, at 5:00 p.m. with the ribbon cutting at 7:00 p.m.

Legislative; Additions and Deletions to the Regular Agenda Mr. Thomas motioned, seconded by Mr. Snellings, to adopt the agenda with the deletion of the presentation of a proclamation to Captain Tim O’Leary; and removal of Item 6 from the Consent Agenda.

Ms. Bohmke made a substitute motion, seconded by Mr. Snellings, to also remove Items 13 and 14 from the Consent Agenda.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Sterling, to adopt the Consent Agenda, which consisted of Items 3 through 14, omitting Items 6, 13 and 14.

The Voting Board tally was:

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

Nay: (0)

Item 3. Legislative; Approve Minutes of the May 20, 2014 Board Meeting

Item 4. Finance and Budget; Authorize the Renewal of Annual Property and Casualty Insurance Contracts

Resolution R14-119 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT RENEWALS FOR LIABILITY, PROPERTY, AUTOMOBILE, WORKERS' COMPENSATION, LINE OF DUTY, VOLUNTEER FIRE & RESCUE, SHERIFF'S SPECIAL DEPUTIES, AND SHERIFF'S AUXILIARY GROUPS' INSURANCE COVERAGE FOR FY2015

WHEREAS, staff reviewed the County's insurance coverage claims experience and related costs for FY2014; and

WHEREAS, the Board budgeted and appropriated funds for the County's insurance needs for FY2015; and

WHEREAS, VACORP Risk Management Programs submitted a policy renewal proposal to the County for general liability, property, automobile, Line of Duty, and Workers' Compensation coverage; and

WHEREAS, Selective Insurance Company of America, through Wells Fargo Insurance Services USA, Inc., submitted policy renewal proposals to the County for property, liability, and automobile insurance for volunteer and career Fire and Rescue Services coverage; and

WHEREAS, Provident Insurance Company, through Welch, Graham, and Ogden Insurance, Inc., submitted a policy renewal proposal to the County for accident and sickness insurance for volunteer Fire and Rescue personnel, Sheriff's Special Deputies, and Sheriff's Auxiliary Groups coverage; and

WHEREAS, staff determined that these proposals are reasonable for the scope of services provided;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that the Board be and it hereby does authorize the County Administrator to execute the following contract renewals.

1. Contract renewal with VACORP Risk Management Programs for general liability, property, automobile, Line of Duty, and Workers’ Compensation insurance coverage for FY2015 in an amount not to exceed One Million Twenty-two Thousand Two Hundred Fifty-one Dollars (\$1,022,251).
2. Contract renewal with Wells Fargo Insurance Services USA, Inc., for career and volunteer Fire and Rescue Services for liability, property, and automobile insurance coverage for FY2015 in an amount not to exceed Two Hundred Nine Thousand Five Hundred Ninety-three Dollars (\$209,593).
3. Contract renewal with Welch, Graham, and Ogden Insurance, Inc., for volunteer Fire and Rescue, Sheriff’s Special Deputies, and Sheriff’s Auxiliary Groups, for accident and sickness insurance coverage for FY2015 in an amount not to exceed Two Hundred Ninety-nine Thousand Eight Hundred Eighty-five Dollars (\$299,885).

; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute any and all other documents related to the contract renewals.

Item 5. Finance and Budget; Budget and Appropriate Revenues to the Schools Construction Fund

Resolution R14-133 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE CONSTRUCTION FUNDS

WHEREAS, the School Board approved project funding for the installation of support beams for scoreboards, repair of parking lots, and replacement of a bathroom partition at the high schools; and

WHEREAS, revenues from the JP Morgan Rebate, parking lot fees, and Interest 2012A, Bank 33, are available to cover the cost of these projects;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that it be and hereby does budget and appropriate the above-named revenues to the following:

SCHOOL CONSTRUCTION FUND \$117,060

Item 7. Finance and Budget; Approve Expenditure Listing

Resolution R14-143 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED MAY 20, 2014 THROUGH JUNE 2, 2014

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 3rd day of June, 2014 that the above-mentioned EL be and hereby is approved.

Item 8. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Convey a Right-of-Way as Part of the Poplar Road Improvement Project

Resolution R14-131 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO HEATH A. AND APRIL D. FERNALD AS PART OF THE POPLAR ROAD IMPROVEMENTS PROJECT

WHEREAS, the Board identified the completion of road improvements on Poplar Road as a critical part of Stafford County's road improvement plan; and

WHEREAS, a small portion of Tax Map Parcel 36-20A, previously acquired as a part of Phase I of the Poplar Phase I Improvements Project, is no longer needed as a right-of-way; and

WHEREAS, conveying this property back to Heath A. and April Fernald, the owners of Tax Map Parcel 36-20A, will allow them to construct a viable septic drainfield; and

WHEREAS, the property to be conveyed is 193 square feet as shown on the plat titled, "The Conveyance of a Portion of Land as Dedicated for Public Street Purposes in Land Records Instrument 110016308," dated November 6, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony on, and consider the conveyance of, 193 square feet of Tax Map Parcel 36-20A to Heath A. and April D. Fernald.

Item 9. Utilities; Authorize the County Administrator to Execute a Contract for the Purchase and Installation of Diffuser Assemblies at the Aquia Wastewater Treatment Facility

Resolution R14-136 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT WITH SCHREIBER, LLC, FOR THE
PURCHASE AND INSTALLATION OF DIFFUSER ASSEMBLIES FOR
THE AQUIA WASTEWATER TREATMENT FACILITY

WHEREAS, the existing diffusers at the Aquia Wastewater Treatment Facility have reached the end of their service life and need to be replaced; and

WHEREAS, the procurement is a sole source because the diffusers are only available from Schreiber, LLC; and

WHEREAS, staff reviewed Schrieber, LLC's, proposal to replace the diffusers and determined that it is reasonable for the equipment and scope of services provided; and

WHEREAS, replacement of these components is included in the FY2014 Utilities Operating Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that the County Administrator be and he hereby is authorized to execute a contract with Schreiber, LLC, for the purchase and installation of 1,230 diffuser assemblies for use at the Aquia Wastewater Treatment Facility, in an amount not to exceed One Hundred Forty-eight Thousand, Nine Hundred Forty-six Dollars (\$148,946), unless amended by a duly-executed contract amendment.

Item 10. Public Information; Recognize and Commend Captain Timothy D. O'Leary upon his Retirement from the Stafford County Sheriff's Office

Proclamation P14-16 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING CAPTAIN
TIMOTHY D. O'LEARY ON THE OCCASION OF HIS RETIREMENT
FROM THE STAFFORD COUNTY SHERIFF'S OFFICE

WHEREAS, Captain Timothy D. O'Leary has a long history of devoted service to Stafford County and his country, serving in the United State Marine Corps from 1979 to 1989; and

WHEREAS, during his 22 year tenure with the Sheriff's Office, Captain O'Leary served in the Field Operations Division as a patrol deputy, corporal, sergeant and first sergeant; and

WHEREAS, Captain O'Leary was promoted to the rank of Lieutenant where he served as the Assistant Commander of the Administrative Services Division, then was promoted to the rank of Captain, at which time he assumed command of that division; and

WHEREAS, Captain O’Leary served as the first accreditation manager, and was instrumental in the Sheriff’s Office being recognized as the 11th law enforcement agency in the Commonwealth to receive state-accreditation status; and

WHEREAS, Captain O’Leary continued supervising the accreditation process, which enabled the Sheriff’s Office to achieve three consecutive re-accreditations, and he served as the chairman of the Virginia Law Enforcement Accreditation Coalition (VLEAC), taught at VLEAC Conferences, and currently serves on the VLEAC Training Committee and Standards Review Committee; and

WHEREAS, Captain O’Leary served as the project manager during the design and construction phase of the Ford T. Humphrey Public Safety Building; and

WHEREAS, in both practice and spirit, Captain O’Leary personifies the Sheriff’s Office’s core values of “integrity, compassion, fairness and professionalism;”

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 3rd day of June, 2014, that it be and hereby does recognize and commend Captain Timothy D. O’Leary for his devotion and service to the citizens of Stafford County and to the United States of America.

Item 11. County Administration; Approve the Appointment of Ms. Katie Lawlor to the Telecommunications Commission Representing the George Washington District

Item 12. Sheriff; Authorize the County Administrator to Execute a Contract for the Purchase of an Asset Management System

Resolution R14-130 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF AN ASSET MANAGEMENT SYSTEM WITH LEID PRODUCTS

WHEREAS, funding for an asset management system for the Sheriff’s Office was obtained through a One-Time Asset Forfeiture Transfer Grant from the Virginia Attorney General’s Office, with no local funding required; and

WHEREAS, a request for proposal was issued in accordance with the County’s Procurement Policy to achieve the best pricing and value; and

WHEREAS, LEID Products, which holds a Federal Sole Source Letter, submitted the only proposal for the Asset Management System; and

WHEREAS, the Sheriff’s Office and staff reviewed the proposal and determined it to be reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that it be and hereby does authorize the County Administrator to execute a contract with LEID Products for the purchase of an Asset Management System for the Sheriff's Office, in the amount not to exceed One Hundred Fifty-four Thousand Four Hundred Fifteen Dollars (\$154,415), unless amended by a duly-executed contract amendment.

Item 6. Finance and Budget; Authorize Refunding of Lease Revenue Bonds Ms. Bohmke asked Chief Financial Officer, Maria Perrotte, to share with citizens' information about refunding of lease revenue bonds. Ms. Perrotte noted that (by conservative estimates) the County would save \$2 million over the life of the bonds.

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R14-139.

The Voting Board tally was:

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

Nay: (0)

Resolution R14-139 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING FINANCINGS ISSUED FOR THE COUNTY, THE LEASING OF CERTAIN COUNTY-OWNED PROPERTY, THE EXECUTION AND DELIVERY OF FINANCING DOCUMENTS, AND OTHER RELATED ACTIONS

WHEREAS, the Board of Supervisors (the "Board") of Stafford County, Virginia (the "County"), determined that it is in the best interest of the County to authorize the refunding of certain outstanding obligations issued by or on behalf of the County, including the Financing Lease, dated as of June 1, 2006 (the "2006 Financing Lease"), between the Board and the Industrial Development Authority of Stafford County and the City of Staunton, Virginia, and all or a portion of the Economic Development Authority of Stafford County, Virginia Lease Revenue Bonds (Stafford County, Virginia Public Facilities Projects) Series 2008 (the "2008 Bonds"); and

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

WHEREAS, the Virginia Resources Authority ("VRA") intends to issue its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program), Series 2014B (the "VRA Bonds"), and, subject to VRA credit approval, to provide a portion of the proceeds to the County to refinance, refund, and defease, as appropriate, the 2006 Financing Lease, and all or a portion of the 2008 Bonds (collectively, the "Refunded Obligations") pursuant to the terms of a Local Lease Acquisition Agreement and Financing Lease or such other agreement as VRA may require (the "Financing Lease") between the County and VRA; and

WHEREAS, the County will enter into a Prime Lease (the "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 and the facilities financed by the 2006 Financing Lease, as may be required by VRA (the "Real Estate"), and the associated improvements and property located thereon (the "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 refinance the Refunded Obligations (the "Rental Payments"); and

WHEREAS, pursuant to the Financing Lease the County will, subject to paragraph 13 below, refinance, refund, and defease the Refunded Obligations; and

WHEREAS, the County intends to pay the Rental Payments out of appropriations from the County's General Fund; and

WHEREAS, the Financing Lease shall indicate that the amount of proceeds requested (the "Proceeds Requested") from VRA will consist of an amount necessary to provide for the refunding, refinancing, and defeasance of the Refunded Obligations plus the local costs of issuance, or such other amount as may be requested in writing by the County Administrator and approved by the VRA prior to the sale of the VRA Bonds; and

WHEREAS, VRA 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 (the "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 as the "Documents;"

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

1. **Authorization of Financing.** The lease-leaseback arrangement with VRA to accomplish the refinancing of the Refunded Obligations is hereby approved. 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 are hereby authorized. The performance by the County of its obligations under the Documents is authorized.

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 the amount needed to refinance, refund, and defease, as appropriate, the Refunded Obligations, such Refunded Obligations to be determined as set forth in paragraph 13 below. The final maturity of the Financing Lease shall be not later than approximately 22 years from 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. 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 and in paragraph 13. 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 paragraph 7, 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 Chairman and the County Administrator, either of whom may act, are authorized and directed to execute the Documents and deliver them to the other parties thereto. The Clerk of the Board of Supervisors and any Deputy Clerk, either of whom may act, are authorized to affix the seal of the County or a facsimile thereof to the Documents, if required, and to attest such seal. The Chairman and the County Administrator, either of whom may act, are further authorized 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 Real Estate.** The projects financed by the Refunded Obligations, the Real Estate, and the Improvements are hereby declared to be essential to the efficient operation of the County, and the County anticipates that projects financed by the Refunded Obligations, 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 County Administrator and the County's Chief Financial Officer, either of whom may act, is authorized to execute a Nonarbitrage Certificate and Tax Compliance Agreement and any related document (the "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 (the "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. All other actions of the officers of the County in conformity with the purpose and intent of this Resolution are hereby approved and confirmed. The officers of the County are hereby authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the actions contemplated by this Resolution or the execution and delivery of the Documents.

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 I, and the County determined to authorize the County Administrator and the County Treasurer, or either of them, to utilize SNAP in connection with the investment of the proceeds of the lease-leaseback transaction if the County Administrator and the County Treasurer, either of whom may act, determines 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. Refunding. The County Administrator and the County's Chief Financial Officer, or either of them, are authorized to determine the portions, if any, of the 2006 Financing Lease and the 2008 Bonds to be refunded with the Financing Lease, provided that the minimum aggregate amount of the savings achieved by the refinancing, refunding, and defeasance, as appropriate, of the Refunded Obligations shall be on a present value basis at least 3% of the refunded principal amount. The County Administrator and the County's Chief Financial Officer, or either of them, is authorized to approve an escrow agent and enter into such escrow agreement as may be required in order to refinance, refund, and defease the Refunded Obligations.

14. Effective Date. This Resolution shall take effect immediately.

CERTIFICATE OF CLERK

The undersigned Clerk of the Board of Supervisors of the County of Stafford, Virginia, hereby certifies that:

1. A regular meeting (the "Meeting") of the Board of Supervisors of the County of Stafford, Virginia (the "Board") was held on June 3, 2014, at which the following members were present and absent:

PRESENT: Jack R. Cavalier, Chairman; Gary F. Snellings, Vice Chairman; Meg Bohmke; Paul V. Milde, III; Laura A. Sellers; Cord A. Sterling; Robert "Bob" Thomas, Jr.

ABSENT: No members were absent.

1. A Resolution entitled "A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA, AUTHORIZING THE REFUNDING OF CERTAIN OUTSTANDING FINANCINGS ISSUED FOR THE COUNTY, THE LEASING OF CERTAIN COUNTY-OWNED PROPERTY, THE EXECUTION AND DELIVERY OF FINANCING DOCUMENTS, AND OTHER RELATED ACTIONS" was duly adopted at the Meeting by the recorded affirmative vote of a majority of all of the members elected to the Board, the ayes and nays being recorded in the minutes of the Meeting as shown below:

<u>MEMBER</u>	<u>VOTE</u>
Jack R. Cavalier, Chairman	Yes
Gary F. Snellings, Vice Chairman	Yes
Meg Bohmke	Yes
Paul V. Milde III	Yes
Laura A. Sellers	Yes
Cord A. Sterling	Yes
Robert "Bob" Thomas, Jr.	Yes

2. Attached hereto is a true and correct copy of the foregoing Resolution as recorded in full in the minutes of the meeting.

Item 13. Fire and Rescue; Authorize the County Administrator to Execute a Contract for the Purchase of Two Pumper Trucks Ms. Bohmke noted that approximately \$1 million in debt would be incurred with the purchase of the two pumper trucks. Mr. Thomas said the entire Board appreciated the due diligence and scrutiny of the Public Safety Committee.

Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution R14-147.

The Voting Board tally was:

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

Resolution R14-147 reads as follows:

A RESOLUTION AUTHORIZING THE PURCHASE OF TWO PUMPER TRUCKS

WHEREAS, the Stafford County Fire and Rescue Department (Department) operates Fire Engines (Pumpers) as part of its all-hazards approach to emergency response; and

WHEREAS, the Pumper currently located at Company 8, Rock Hill, is a 1998 model apparatus (with over 60,000 miles on it) that averages more than 1,000 calls annually; and

WHEREAS, the current Pumper at Rock Hill exceeded its planned service-life of ten years, and the planned replacement in FY2008 was deferred due to budgetary constraints; and

WHEREAS, Company 12, Berea, currently is without a Pumper and responds to an average of 2,600 calls annually; and

WHEREAS, the Department desires to utilize the Houston-Galveston Area Council (H-GAC), a nationally-recognized cooperative procurement service, to purchase these two pumper trucks manufactured by Rosenbauer Firefighting Technology, and offered through C. W. Williams Fire Equipment Specialists; and

WHEREAS, the price quote from C. W. Williams Fire Equipment Specialists is good for 60 days from May 22, 2014, and delivery of the two Pumpers is guaranteed within 270 days after the order is placed; and

WHEREAS, staff reviewed the proposal and price quote from C. W. Williams Fire Equipment Specialists and determined that it is reasonable; and

WHEREAS, the purchase of two Pumpers will be financed under the Master Lease;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that the County Administrator be and he hereby is authorized to execute a contract for the purchase of two Pumpers from C. W. Williams Fire Equipment Specialists, in an amount not to exceed One Million One Hundred Fifteen Thousand Dollars (\$1,115,000), unless amended by a duly-executed contract amendment.

Item 14. Planning and Zoning; Grant a Time Extension to the Planning Commission for a Comprehensive Plan Compliance Review for a Portion of Crow's Next Harbour Subdivision Ms. Bohmke said that she did not fully understand the need for a time extension and asked if Crow's Nest had been discussed by previous Boards in closed or open session. Mr. Milde said that it was discussed in both open and closed session, going back to the 1970's. He added that owners of lots in Crow's Nest Harbour felt that they should be permitted to develop lots, but the Board opposed extending water and sewer past Brooke Point High School. Mr. Milde said that he felt that a time extension was akin to harassing the property owners.

Mr. Thomas noted that a return date of September 30th was a long way out and suggested that the time be extended but only as far as August 13, 2014 (the planned date of the August Planning Commission meeting). Mr. Harvey said that the original date of September 30th was recommended due to the summer schedules of the Board and Planning Commission, and the complexity of the application.

Mr. Milde motioned, seconded by Mr. Snellings, to defer this item to August 13, 2014.

The Voting Board tally was:

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

Planning and Zoning; Refer to the Planning Commission the Transfer of Development Rights (TDR) Ordinance and Associated Comprehensive Plan Amendments Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and briefed the Board. Mr. Harvey noted that TDR was a tool from the General Assembly, intended to impact growth, and was a voluntary program. The initial Ordinance O13-21, was adopted by the Board at its February 13, 2014 meeting, and guided TDR administrative procedures. Concerns expressed at that time about the by-right nature of the TDR process, and the lack of architectural guidelines, were addressed and the General Assembly was asked to modify State code. The County was successful in its efforts and changes were made, effective on July 1, 2014, regarding Neighborhood Design Standards, with property in receiving areas having to abide by Neighborhood Design Standards. Mr. Sterling asked if, in the Courthouse area would Neighborhood Design Standards be found in the Redevelopment Plan or in the Comprehensive Plan. Mr. Harvey replied that it was in the Comprehensive Plan.

Ms. Sellers asked how staff identified receiving areas. Mr. Harvey said that in the Courthouse redevelopment, receiving areas were east of I-95 and zoned B-3 Office, A-1 Agricultural, or R-1 Suburban Residential. R-1 permitted 1.5 dwelling-units per acre; A-1, up to 2.25 dwelling-units per acre; and B-3 Office, .5 including multi-family, office, condominium, apartment, and/or units above retail/office space.

Mr. Milde noted that in Option B, the preferred option, the mobile home park was no longer an eligible receiving area. Mr. Harvey said that Option A included a smaller area that did not work; Option C included land west of I-95, and the Board expressed its desire for a more narrow focus, which was why Option B was determined to be staff's preferred option. Option B referred to the Planning Commission for review and an amendment to the Comprehensive Plan, to allow TDR to move forward. Mr. Harvey added that the Board must officially adopt the sending and receiving area maps.

In response to Ms. Sellers' question, Mr. Harvey explained the 1-to-1 transfer with severing development rights. He said that sending areas only applied to single-family homes whereas receiving areas could apply to multi-family, apartments, and/or single-family dwellings. Ms. Sellers asked about proffers. Mr. Harvey said that with by-right, there were no proffers.

Ms. Bohmke asked if deferring for sixty days would be a problem and asked it was necessary for the Board to take action on TDR. Mr. Harvey said that the timeline was at the Board's discretion, that an eventual public hearing was needed by both the Planning Commission and the Board. The issue before the Board was a referral to the Planning Commission so that it could do its review and hold a public hearing before TDR was brought back to the Board for its consideration.

Mr. Thomas said that like the two new members of the Board, there were new members on the Planning Commission that should be afforded time to get up to speed with TDR. Mr. Milde said that he was okay with a deferral, adding that most of TDR was in his (the Aquia) District; that his intention was to curb sprawl in the County.

County Attorney, Charles Shumate, noted that the time specified on the proposed Resolution, R14-140, was August 19, 2014. Mr. Cavalier suggested that the date be amended to September 30, 2014. Mr. Shumate said that the Board should send to the Planning Commission exactly what it wanted, then the Board would act on what it wanted when it came back for a vote. Mr. Milde said that the Planning Commission could go outside the scope of the Board's wishes, after which it would have to be sent back to the Planning Commission for additional work.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R14-140 with a return date to the Board of September 30, 2014.

The Voting Board tally was:

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

Resolution R14-140 reads as follows:

A RESOLUTION TO REQUEST THE PLANNING COMMISSION PREPARE AMENDMENTS TO THE ZONING ORDINANCE AND COMPREHENSIVE PLAN REGARDING TRANSFER OF DEVELOPMENT RIGHTS

WHEREAS, at its meeting on February 19, 2013, the Board adopted Ordinance O13-21, which established administrative procedures for a Transfer of Development Rights (TDR) program; and

WHEREAS, at its meeting on May 21, 2013, the Board adopted Ordinance O13-29, as a key component of a TDR program; and

WHEREAS, the TDR program is comprised of provisions in the County Code and the County's Comprehensive Plan; and

WHEREAS, the Board requests that the Planning Commission prepare amendments to the County Code and Comprehensive Plan for the TDR Program; and

WHEREAS, the Planning Commission is requested to consider the following during its preparation of the County Code and Comprehensive Plan amendments:

- Amendments to Virginia Code § 15.2-2316.2 (Referencing architectural design in Receiving Areas);
- Allow a minimum lot size for eligible sending properties of two acres in the area designated for Park Land Use on the Comprehensive Plan;
- Change the receiving zone densities to accommodate potentially severed development rights with options to change A-1, Agricultural, receiving zone densities to a maximum of 2.25 dwellings units per acre;
- Include the B-3 Office Zoning District as a receiving zone for mixed-use and commercial apartments;
- Expand the Receiving Areas to encompass the redevelopment area east of I-95;
- Do not reduce the Sending Areas;

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that it be and hereby does request that the Planning Commission consider amendments to the County Code and the Comprehensive Plan, pursuant to proposed Ordinance O14-26 and proposed Resolution R14-141; and

BE IT FURTHER RESOLVED that the Planning Commission be and it hereby is requested to conduct a public hearing on its proposed amendments, and make its recommendation on such amendments to the Board no later than September 30, 2014.

Planning and Zoning; Discuss Planning Commission Recommendations Regarding Urban Development Areas (UDA) Mr. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. The first point was to maintain the concept of targeted growth areas. The second point was to establish density restrictions to allow for more flexibility. The Courthouse and Southern Gateway were an urban form of development; George Washington Village and Centreport were suburban forms of development.

Mr. Milde asked if the Planning Commission voted for up to 20 dwelling-units per acre in the Courthouse UDA. Mr. Snellings asked for the reasoning behind increasing the density to 20 dwelling-units per acre. Mr. Zuraf said that the Planning Commission took into account the overall picture and anticipated future growth. Mr. Thomas said that he disagreed; that one advantage of getting rid of UDAs was that the number of dwelling-units was too high. Mr. Zuraf said that the number was based on State growth projections. Mr. Sterling asked that since UDAs were no longer mandated, why try to crowd in so many dwelling units. Mr. Zuraf said that it was based on the 20-year

documented projected growth projections. Mr. Thomas said that Rappahannock Landing was taken out of the Southern Gateway UDA.

Mr. Zuraf continued with the third point, to correlate UDAs with Targeted Growth Areas (TGAs). Mr. Milde asked if RDAs (redevelopment areas) would remain the same. Mr. Zuraf responded that the RDA would be reduced. Mr. Milde asked for clarification if the boundaries of the RDA would be changed and said that he was not okay with changing RDAs. Mr. Sterling said that RDAs did not do anything, that it was just a plan.

Mr. Zuraf said that it was an economic development tool for improving areas where the County may wish to focus its investments. Mr. Milde said that the Board's Community and Economic Development Committee should review UDAs (and RDAs) and provide feedback to the Planning Commission to ensure that it was headed in the right direction.

Mr. Sterling said that he wanted to be cautious about changing RDAs and that he was also nervous about the ranges and 50% multi-family in the Courthouse area, adding that it needed a serious look. He also asked about George Washington Village where residences were clustered near a busy intersection and commercial development was moved away from the intersection. Mr. Sterling said that it seemed to be the opposite of other successful models and he was concerned about that as well. He asked that examples be brought back to Board from other localities where that model was successful.

Ms. Sellers said that she was also concerned, and asked that the Planning Commission look at TDR, receiving areas that fell within the Courthouse UDA, and the proposed multi-family element. Mr. Snellings said that he agreed with Ms. Sellers and Mr. Thomas; he was not in favor of 20 dwelling-units per acre.

Mr. Zuraf continued with the fourth point, analysis of residential land-use compatibility with the Stafford Regional Airport. Mr. Sterling said that it should be supported by scientific and/or technical data (topography, etc.). Mr. Zuraf said that to date there had been no detailed discussion about the fourth point; that consultants were not yet at that level of detail.

Point number five was the desirability of retaining UDAs (removing Eskimo Hill, replacing it with a business and industry land-use; and removing Brook Station, replacing it with agricultural and rural land use). George Washington Village would be retained as a TGA (targeted growth area). Leeland Station and Centreport would also be retained as TGAs.

Mr. Sterling talked about emphasizing commercial development. Mr. Milde said the only reason the Board acted was because of the law, which was now repealed. Mr. Harvey said that it was done from a broad planning perspective, with modeling on future growth

projections and traffic analyses. Mr. Sterling said that he would not support 50% multi-family in the Courthouse area, that it was not rational or reasonable.

Mr. Harvey said that it was ultimately the Board and the community’s plan. Mr. Zuraf said that the Board’s comments would be reported back to the Planning Commission, including land compatibility in the area of the Stafford Regional Airport.

Planning and Zoning; Consider Accepting the Quantico Joint Land Use Study (JLUS) and Future Implementation of Recommendations Mr. Romanello briefed Board members, saying that Fauquier and Prince William County Boards adopted the JLUS and its recommendations. Mr. Baroody said that there were no consequences associated with not adopting JLUS, but that it offered a framework for continued dialogue with Marine Corps Base Quantico. Mr. Sterling asked if there were any restrictions if JLUS was adopted. Mr. Baroody said that they were not prescriptive, simply recommendations that were vetted by the Quantico Regional Executive Steering Committee (QRESC), on which Supervisor Milde was the County’s representative. Mr. Sterling noted that most areas in the JLUS were in Stafford County, not in Fauquier or Prince William County.

Mr. Milde said that he attempted to get in some “last minute” comments but because he was late to the QRESC, and the Base would not budge. He added that JLUS was overall, a good document.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R14-64.

The Voting Board tally was:

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

Resolution R14-64 reads as follows:

**A RESOLUTION TO ACCEPT THE JOINT LAND USE STUDY
(JLUS) AND TO CONSIDER FUTURE IMPLEMENTATION OF
THE JLUS RECOMMENDATIONS**

WHEREAS, growth management and land-use compatibility issues are of mutual concern and interest to Marine Corps Base Quantico (MCBQ) and to local elected officials and citizens in the counties of Stafford, Fauquier, and Prince William; and

WHEREAS, adjoining localities have quality of life, public health, safety, and welfare responsibilities for its citizens that mirror, in many ways, the responsibilities that MCBQ has for its residential population; and

WHEREAS, MCBQ reached out to its neighboring localities to establish an effective collaborative process for the discussion of critical issues of mutual interest, and

to develop a broader and long-term shared vision for the region that identifies common interests, common concerns, and partnerships needed to pursue mutually-beneficial regional growth over the next twenty years; and

WHEREAS, on December 13, 2011, the Board adopted Resolution R11-314, in which the Board agreed to participate in the Joint Land Use Study (JLUS), in cooperation with the Department of Defense, Office of Economic Adjustment (OEA); MCBQ; Prince William County, and Fauquier County; and

WHEREAS, the JLUS was prepared by a consultant, AECOM, in conjunction with staff members from the three localities and MCBQ, a Policy Committee, a Technical Advisory Group, and the OEA; and

WHEREAS, public meetings were held in each locality in 2013 to solicit input from the community in identifying issues and reviewing recommendations; and

WHEREAS, the Board desires to accept the JLUS and desires to consider future implementation of the JLUS recommendations included therein;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors this the 3rd day of June, 2014, that the Board be and it hereby does accept the Joint Land Use Study, prepared by AECOM, dated April, 2014; and

BE IT FURTHER RESOLVED that the Board will continue to collaborate with MCBQ, Fauquier County, and Prince William County, and desires to consider future implementation of the recommendations contained in the JLUS; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this Resolution to the OEA.

County Administration; Joint Resolution Directing the County Administrator and the School Superintendent to Solicit Proposals for an Efficiency Study Including Shared Services Mr. Romanello briefed Board members. The School Board was scheduled to vote on proposed Resolution R14-145 at its June 10th meeting. The study should be reported back to the Board and School Board by 12/31/14.

Mr. Sterling motioned, seconded by Ms. Sellers, to adopt proposed Resolution R14-145 in an amount not to exceed \$50,000.

The Voting Board tally was:

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

Resolution R14-145 reads as follows:

A JOINT RESOLUTION DIRECTING THE COUNTY ADMINISTRATOR
AND THE SCHOOL SUPERINTENDENT TO SOLICIT PROPOSALS AND

SELECT A CONSULTING FIRM TO COMPLETE AN EFFICIENCY STUDY INCLUDING SHARED SERVICES

WHEREAS, Stafford County has a long tradition of shared services and collaboration between its Government and Stafford County Public Schools; and

WHEREAS, the Board of Supervisors and the School Board believe that there are numerous additional areas for collaboration, consolidation, and/or outsourcing, which may result in efficiencies, increased effectiveness, and/or cost savings; and

WHEREAS, shared services may result in the redirection of valuable resources to other purposes that serve the community and the School system; and

WHEREAS, the Board of Supervisors and the School Board agree that savings and efficiencies derived from a shared services study should be shared equally;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that it be and hereby does direct the County Administrator and the School Superintendent to solicit proposals and select a consulting firm that will complete an efficiency study, to include shared services, at a cost not to exceed Fifty Thousand Dollars \$50,000; and

BE IT FURTHER RESOLVED that the Board of Supervisors and the School Board will each pay one-half the cost of the study, which will include best practices from other communities and suggestions for shared services to meet future needs and demands; and

BE IT STILL FURTHER RESOLVED that the County Administrator and School Superintendent shall deliver the final results of the study to the Board of Supervisors and the School Board no later than to December 31, 2014.

Legislative; Closed Meeting. At 4:33 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM14-12.

The Voting Board tally was:

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

Resolution CM14-12 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion of a public contract for the operation of the Embrey Mill Indoor Recreational facility; (2) discussion regarding the hiring of a Director of the Department of Utilities; and (3) discussion of the County Administrator's annual performance evaluation; and

WHEREAS, pursuant to Virginia Code Sections 2.2-3711(A)(1) and (A)(29), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 3rd day of June, 2014, does hereby authorize discussion of the aforestated matters in Closed Meeting.

Call to Order At 6:13 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM14-12(a).

The Voting Board tally was:

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

Resolution CM14-12(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 3, 2014

WHEREAS, the Board has, on this the 3rd day of June, 2014, 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 3rd day of June, 2014, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 6:13 p.m., the Chairman declared a recess until 7:00 p.m.

Call to Order At 7:01 p.m. the Chairman called the meeting back to order.

Invocation Mr. Milde spoke about the recent passing of Johnny MacDonald and asked for a moment of silence.

Pledge of Allegiance Mr. Thomas led the recitation of the Pledge of Allegiance.

Presentations by the Public - The following members of the public desired to speak:

- Tom Carlson - Habitat for Humanity – relief from restrictions on County-donated property on Blizzard Court
- Dean Fetterolf - Mismanagement of County funds; Landfill; Embrey Mill Park; BPOL; Falmouth Beach Closing; Amy’s Café Parking
- Paul Waldowski - Tickle Me Elmo; Green Acres; Technical Advisory Committee; Stafford Meadows/Water Bill; Declared candidacy in 2019 for the Rock Hill and Griffis-Widewater Districts (may rent apartment in Ferry Farm/George Washington District); Utilities Commission; getting rid of two Board of Supervisor and two School Board members

Planning And Zoning; Amend County Code Section 28-58, Historic Overlay District (HR), to Increase Membership on the Architectural Review Board (ARB) from Five to Seven Members Mr. Romanello briefed Board members. Mr. Thomas confirmed that the two additional members would be “At Large” members, adding that he looked at the Fredericksburg ARB, and believed that the increased number of members would provide a wider perspective and additional input. Mr. Romanello said that selection of the two additional members would be brought to the Board at a later date.

The Chairman opened the public hearing.

The following persons desired to speak:

Dean Fetterolf

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Bohmke, to adopt proposed Ordinance O14-07.

The Voting Board tally was:

- Yea: (6) Bohmke, Cavalier, Milde, Sellers, Snellings, Thomas
- Nay: (0)
- Absent: (1) Sterling

Ordinance O14-07 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-58(b), HISTORIC RESOURCE OVERLAY DISTRICT (HR)

WHEREAS, County Code Sec. 28-58 establishes regulations regarding the County’s Historic Resource (HR) Overlay Zoning District; and

WHEREAS, County Code Sec. 28-58(b) establishes an Architectural Review Board (ARB) to administer the HR Zoning District regulations; and

WHEREAS, County Code Sec. 28-58(b) requires that the ARB consist of five members, and the quorum of three members be present at meetings; and

WHEREAS, the ARB also desires and is authorized to increase the membership size and quorum requirement; and

WHEREAS, the Board desires to increase the membership of the ARB to seven members, and a quorum requirement to four members; and

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

WHEREAS, the Board finds that public necessity, welfare, and good zoning practice require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that Stafford County Code Sec. 28-58(b), Historic Resource Overlay District (HR), be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-58. Historic Resource Overlay District (HR).

- b) *Architectural review board.* The governing body shall appoint an architectural review board (ARB) consisting of ~~five (5)~~ seven (7) members for the purpose of administering this section, subject to the following conditions:
- (1) All members appointed to the ARB shall have a demonstrated knowledge, interest, or competence in historic preservation.
 - (2) At least one member shall be a registered architect, or an architectural historian, with a demonstrated interest in historic preservation; at least one member shall be a member of the planning commission; at least one member shall be a resident of a designated historic district in Stafford County. When adequate review of any proposed action would normally involve a professional discipline not represented on the ARB, the ARB shall seek appropriate professional advice before rendering a decision. Information on the credentials of all ARB members shall be kept on file locally for public inspection.
 - (3) The ARB shall adopt written bylaws that include [at] a minimum: Provision for regularly scheduled meetings at least four (4) times a year; a requirement that a quorum of ~~three (3)~~ four (4) members be present to

conduct business; rules of procedure for considering applications; written minutes of all meetings.

;and

BE IT FURTHER ORDAINED that this ordinance shall take effect upon adoption.

Public Works; Authorize Updates to the Stormwater Manual and Stormwater Ordinance

Mr. Steve Hubble, Assistant Director of Public Works, gave a presentation and answered Board members questions. Mr. Hubble clarified that the item as presented was not related to the MS4 program. He added that proposed Ordinance O14-16 was developed based on the state model, supplemented by the County's existing stormwater ordinance.

The Chairman opened the public hearing.

The following persons desired to speak:

Arthur Hart

Paul Waldowski

The Chairman closed the public hearing.

Following the public comment period, Mr. Snellings asked that Mr. Hubble clarify if farmers were able to wash their machinery. Mr. Hubble said that Section 1 dealt with construction activities, there was no applicability to farm equipment; Section 2 had to do with discharge to the stormwater drainage system. Again, it was not applicable to farm machinery.

Ms. Sellers asked if the item could be deferred to the Board's June 17th meeting to give the Board time to review the material and to permit time for staff to respond to Mr. Hart's concerns (expressed during public comment). Mr. Milde directed Mr. Hubble to speak with Mr. Hart prior to the Board's June 17, 2014, meeting.

Mr. Cavalier said that it was a package deal with the fee structure and said that if it would not put the County in violation of the State deadlines, he agreed with deferring the item to June 17th.

Mr. Thomas motioned, seconded by Mr. Milde, to defer consideration of proposed Ordinance O14-16 and proposed Resolution R14-78 to the June 17th meeting.

The Voting Board tally was:

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

Nay: (0)

Public Works; Vacate a Portion of a Subdivision Plat to Eliminate a Public Right-of-Way Known as Conifer Way, in the Poplar Hills Subdivision, Section 4 Mr. Mike Smith, Director of Public Works, gave a presentation and answered Board members questions. Mr. Sterling asked who owned the property. Mr. Smith said that it was the County. Mr. Milde noted that the neighbors were in favor of the vacation. Mr. Sterling suggested that the County's approach be adjusted to mirror the State's approach to vacation of property in that someone would be responsible for paying the assessed value of the property being vacated.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O14-21.

The Voting Board tally was:

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

Nay: (0)

Ordinance O14-21 reads as follows:

AN ORDINANCE TO VACATE A PORTION OF A SUBDIVISION PLAT TO ELIMINATE A PUBLIC RIGHT-OF-WAY KNOWN AS CONIFER WAY IN THE POPLAR HILLS SUBDIVISION, SECTION 4, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, the subdivision plat known as Poplar Hills, Section 4, within the Aquia Election District, was recorded at Plat Map PM040000239, among the Stafford County Land Records dated September 4, 2003 (the Plat); and

WHEREAS, the owners of Assessor's Parcel 40B-4-97 and 40B-4-98 requested a partial vacation of a the Plat to eliminate a public right-of-way, known as Conifer Way; and

WHEREAS, Virginia Code § 15.2-2272(2) requires that a public hearing be held prior to vacating the right-of-way; and

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

WHEREAS, the Board desires to vacate a portion of the Plat, eliminating the public right-of-way, known as Conifer Way, pursuant to Virginia Code § 15.2-2272(2); and

WHEREAS, the Board finds that this vacation secures and promotes the health, safety, and general welfare of the County and its citizens, and is consistent with good planning practices;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 3rd day of June, 2014, that a portion of the subdivision plat of Poplar Hills, Section 4, recorded at Plat Map PM040000239 among the Stafford County Land Records on September 4, 2013, specifically a public right-of-way, known as Conifer Way, be and it hereby is vacated.

Adjournment: At 7:44 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Jack R. Cavalier
Chairman