

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

August 19, 2014

At 3:00 p.m., prior to the Call to Order, Mr. Cavalier gave remarks at the unveiling of a sign located near the Courthouse commemorating President Abraham Lincoln's visit to Stafford County.

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 3:11 p.m., on Tuesday, August 19, 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.

Presentation of a Proclamation to Mr. Al Payne for Contributions to the Boy Scouts of America, Troop 179 Ms. Bohmke presented a proclamation to the Payne family in honor of Al Payne's work and dedication to the Boy Scouts, Troop 179. Ms. Bohmke also presented Mr. Payne with a framed copy of the newspaper article detailing his accomplishments with area Boy Scouts.

Presentation of a Proclamation to Mr. Harry Critzer, Utilities Director, upon his Retirement Mr. Cavalier presented a proclamation to Harry (and Tina) Critzer recognizing Mr. Critzer on his retirement after more than 36 years of service to Stafford County and its citizens. Mr. Critzer thanked the Board, saying that it was an honor and a privilege to work for Stafford County and with its wonderful, dedicated, professional staff.

Prior to Public Comments, Mr. Milde read the following statement, “*We received four proposals in response to the County’s RFP for alternative methods of processing municipal solid waste at the R-Board’s landfill. The solutions that are available to the R-Board and Stafford County today are not nearly as beneficial to the County as they were at this time last year or the prior year. This is not because technology has regressed. It is not because the expense of addressing this problem has decreased. And, it certainly is not because the capacity challenge facing our landfill has abated. We now have no attractive options available to us, not because our situation has improved, but because of misinformation and fear that has been disseminated about the best options available to the County.*”

*Accepting the options that were submitted would not be in the best interest of the people of Stafford or our region. Stafford County can have a state-of-the-art, cutting-edge solution to this problem that will be both environmentally responsible and cost effective, but we cannot have any solution if we listen to the voices whose effective answer to this problem is to do nothing. And make no mistake about it, dismissing new and innovative solutions in favor of zero-waste and other costly plans, is the equivalent of doing nothing.*

*I think what disappointed me the most during this process is the misguided action of those claiming to be environmentalists. I consider myself to be an environmentalist. That is why I fought so hard to protect Crow’s Nest from development – not by saying, “No,” but by negotiating a workable solution that actually protected the land. That is what environmentalism is supposed to be. We are supposed to embrace technology that provides clean solutions to our current challenges. And waste is a very real challenge that must be addressed.*

*After one-on-one conversations with Mr. Snellings, Mr. Romanello, and our Fredericksburg counterparts on the R-Board, I expect that the R-Board will decide tomorrow to discontinue efforts toward alternative solid waste handling. It is my hope that in rejecting these recent proposals, we will commence with a more welcoming process that will allow a sensible discussion based on science instead of fear and facts instead of demagoguery.*

*We will maintain our state-of-the-art recycling efforts and continue to provide high quality, environmentally sound solid waste management services for Stafford County and for the City of Fredericksburg.”*

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

Alane Callander	Waste Management; Remove Consent Agenda Item #17; Recycling; Famous Dave's Cardboard To-Go Containers
Bill Johnson	Waste Management; "F" with American Heart Association Ozone Report Card
Debbie Lockett	Living with Multiple Sclerosis due to environmental issues; Waste Management/environmental awareness
Olivia Griffin	Disapproval of Board processes at meetings; Public notices; Holding the Board's "feet to the fire;" "Not a bunch of country hicks living in Stafford County"
Paul Waldowski	Water/sewer bill; Scrabble, 25 years old; Smokey Bear, 75 years old; Little League baseball, 75 years old; Mountain View Road destroyed environmentally; 62 <sup>nd</sup> birthday on Saturday; 134 days to new Board Chairman; 499 days to running for election in three districts; I-95 splits the County

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

Ms. Bohmke	Congratulated Eagle Scouts Matt Haverin and Nat Humphreys for painting Drew Middle School and cleaning up the cemetery next to the Confederate Cemetery, respectively
Mr. Cavalier	Attended VACo County Officials Summit in Richmond; met with legislative delegation regarding incentives for LegoLand;
Mr. Milde	Never any intention to raise taxes; happy to talk w/ Ms. Griffin (public comments) to clear up issues of concern; attended Community and Economic Development and Infrastructure Committee meetings; Metro Silver-Line maiden journey; VRE meeting; National Night Out; R-Board meetings
Ms. Sellers	Attended VACo County Officials Summit in Richmond; Recognized Taylor McCloud and Devon Lewis for TaeKwanDo accomplishments; Stafford County representatives on the National Team won 21 of the total 41 medals at the National Championship
Mr. Snellings	"No Tie Tuesday," due to recent neck surgery; Offered condolences to the family of Doreen Phillips, recently deceased former Hartwood District School Board member
Mr. Sterling	Deferred

Mr. Thomas                      Attended VACo County Officials Summit in Richmond as well as the VACo Finance Steering Committee; Worked on 2015 legislative agenda to include additional DSS workers if State agrees to Medicaid expansion (not covered in current proposal)

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

Report of the County Administrator Mr. Romanello noted that Mr. Smith and Mr. Hoppe would provide Roads and Parks updates, respectively, at the September 2<sup>nd</sup> meeting; soft opening of Chichester Park scheduled for September 13<sup>th</sup>; Select-A-Sports Day with 14 sample sports and “Golfzilla” and more than 1000 attendees; School Superintendent, Dr. Bruce Benson and County/School staff reviewing RFP for shared services with final report due to the Board in December, 2014.

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

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Sterling, to adopt the Consent Agenda, which consisted of Items 4 through 25, omitting Items 15 and 17.

The Voting Board tally was:

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

Item 4. Legislative; Approve Minutes of the July 1, 2014 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R14-177 read as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING  
(EL) DATED JULY 2, 2014 THROUGH AUGUST 18, 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 19<sup>th</sup> day of August, 2014 that the above-mentioned EL be and hereby is approved.

Item 6. Public Works; Advertise a Public Hearing to Convey Easements and Right-of-Way on County-owned Property for the Courthouse Road Widening Project

Resolution R14-175 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONVEYANCE OF COUNTY-OWNED PROPERTY TO VDOT FOR ROAD RIGHT-OF-WAY, A JOINT UTILITY EASEMENT, AND TEMPORARY CONSTRUCTION AND ENTRANCE EASEMENTS, FOR THE COURTHOUSE ROAD WIDENING PROJECT

WHEREAS, the Board identified the completion of road improvements on Courthouse Road between Cedar Lane and Winding Creek Road as a critical part of Stafford County's road improvement plan; and

WHEREAS, these improvements were included in the 2008 Transportation Bond Referendum; and

WHEREAS, the Virginia Department of Transportation (VDOT) is administering this project and has begun property acquisition; and

WHEREAS, Stafford County must convey portions of Tax Map Parcel 29-28 to VDOT as part of the project; and

WHEREAS, the property required is 14,593 square feet (s.f.) of right-of-way for VDOT, 5,097 s.f. for a VDOT joint utility easement with Dominion Virginia Power, 1,917 s.f. of temporary construction easement, and 3,267 s.f. of temporary entrance easement; and

WHEREAS, VDOT offered Twenty-six Thousand Eight Hundred Thirty-four Dollars (\$26,834) for the right-of-way and easements, and impacts to existing improvements including a wooden fence, a gravel drive, metal farm gates, and property pin placements on the property; and

WHEREAS, the Board is required to hold a public hearing under Virginia Code § 15.2-1800(B) prior to conveying County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August 2014, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the conveyance of portions of Tax Map Parcel 29-28 to VDOT in the following amounts: 14,593 s.f. of right-of-way for VDOT, 5,097 s.f. of joint utility with Dominion Virginia Power easement, 1,917 s.f. of temporary construction easement, and 3,267 s.f. of temporary entrance easement.

Item 7. Public Works; Advertise a Public Hearing to Consider Condemnation and Exercise of Quick-Take Powers to Acquire Right-of-Way, Utility Easements, and Temporary Construction Easements for the Poplar Road Bond Project

Resolution R14-182 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE PUBLIC HEARINGS TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE POPLAR ROAD PHASE II SAFETY IMPROVEMENTS PROJECT

WHEREAS, the Board identified the completion of road improvements on Poplar Road (SR-616) between Truslow Road and Cedar Crest Lane, as a critical part of the County's road improvement plan; and

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

WHEREAS, the Board determined that there are currently portions of three parcels that staff is unable to obtain through negotiations between the property owners and the County's consultant; and

WHEREAS, Tax Map Parcel 35-92B consists of approximately 2.74 acres of land owned by Alan and Mary Huntzinger; and

WHEREAS, the Board must acquire a permanent utility easement to be conveyed to Dominion Virginia Power, and temporary entrance and construction easements, on Tax Map Parcel 35-92B because the design of the road improvements requires 3,967 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, 846 square feet of temporary construction easement, and 18 square feet of temporary entrance easement; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 35-92B, together with damages, if any, to the remainder of the property is Two Thousand Two Hundred Fifty Dollars (\$2,250), based upon 2014 assessed values; and

WHEREAS, Tax Map Parcel 35-92-1 consists of approximately 2.14 acres of land owned by Colin T. Isbell; and

WHEREAS, the Board must acquire a permanent storm drainage easement and a temporary entrance easement on Tax Map Parcel 35-92-1 because the design of the road improvements requires 7,145 square feet of permanent drainage easement and 322 square feet of temporary entrance easement; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 35-92-1, together with damages, if any, to the remainder of the property is Six Thousand Fifty Dollars (\$6,050), based upon 2014 assessed values; and

WHEREAS, Tax Map Parcel 36-18 consists of approximately 38.00 acres of land owned by Ann Raines Taylor, Nancy Raines Verburg, Donald and Lynn Raines, and Donna R. Widawski; and

WHEREAS, the Board must acquire fee simple right-of-way, a storm drainage easement, and a temporary entrance easement on Tax Map Parcel 36-18 because the design of the road improvements requires 32,867 square feet of fee simple right-of-way, 1,722 square feet of permanent drainage easement, and 5,542 square feet of temporary entrance easement; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 36-18, together with damages, if any, to the remainder of the property is Nine Thousand Dollars (\$9,000), based upon 2014 assessed values; and

WHEREAS, the Board, through its consulting negotiator, 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 was unsuccessful in negotiating a final settlement with the respective 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 19<sup>th</sup> day of August, 2014, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to receive public testimony, and consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, permanent prescriptive right-of-way, permanent utility easement to be conveyed to Dominion Virginia Power, and temporary construction and entrance easements on the properties of Alan and Mary Huntzinger; Tax Map Parcel 35-92B; Colin T. Isbell, Tax Map 35-92-1; and Ann Raines Taylor, Nancy Raines Verburg, Donald and Lynn Raines, and Donna R. Widawski, Tax Map Parcel 36-18; all in connection with the Poplar Road Phase II Safety Improvements project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 8. Public Works; Authorize the County Administrator to Execute Amended Master Agreement with Virginia Railway Express

Resolution R14-187 reads as follows:

A RESOLUTION TO APPROVE A PROPOSED AMENDMENT TO THE VIRGINIA RAILWAY EXPRESS (VRE) MASTER AGREEMENT

WHEREAS, the Potomac and Rappahannock Transportation District Commission (PRTC), the Northern Virginia Transportation District Commission (NVTC) (PRTC and NVTC shall collectively be the Commissions), as well as the individual VRE Participating and Contributing Jurisdictions, approved the Virginia Railway Express (VRE) Master Agreement for the Provision of Commuter Rail Service in Northern Virginia dated October 3, 1989, which has been amended at various times since its establishment; and

WHEREAS, the VRE Master Agreement sets forth the requirements for passage of motions by the VRE Operations Board; and

WHEREAS, during the 2013 session, the Virginia General Assembly adopted HB 2152, amending Virginia Code § 15.2-4507 and providing that for each year the state contribution is greater or equal to the highest contribution from a single jurisdiction, the Chairman of the Commonwealth Transportation Board (CTB) or his designee shall have a weighted vote equal to the highest contributing jurisdiction; and

WHEREAS, an amendment to Section II, Part B, Paragraph 4, of the current VRE Master Agreement is necessary to comply with Virginia Code § 15.2-4507, as amended; and

WHEREAS, in response to HB 2152, on June 20, 2014, the VRE Operations Board, with the participation of all VRE Participating and Contributing Jurisdictions, adopted Agenda Item 9-K, which recommends amending the VRE Master Agreement; and

WHEREAS, in response to HB 2152, on July 10, 2014, the PRTC, with participation of all VRE Participating and Contributing Jurisdictions, adopted Resolution Number 14-07-10, which recommends amending the VRE Master Agreement; and

WHEREAS, the PRTC authorized the transmittal of the VRE Master Agreement for the Provision of Commuter Rail Service in Northern Virginia to all Participating and Contributing Jurisdictions for their approval of the proposed amendment of the VRE Master Agreement and authorized its execution by an appropriate representative, after which it will be approved and executed by the Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August 2014, that the Board be and it hereby does approve the proposed amendment of the VRE Master Agreement presented to the PRTC on July 10, 2014; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to approve the proposed VRE Master Agreement Amendment and to execute any documents that he deems necessary or appropriate to adopt or approve the proposed VRE Master Agreement Amendment; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this resolution to the Commissions and the PRTC Executive Director.

Item 9. Public Works; Advertise a Public Hearing to Amend and Reordain County Code Section 15-4.1(c) “Maximum Speed Limits in Certain Residence Districts; Penalty” on Edwards Drive

Resolution R14-195 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 15-4.1(C), “MAXIMUM SPEED LIMITS IN CERTAIN RESIDENCE DISTRICTS; PENALTY”

WHEREAS, Virginia Code § 46-2-878.2 authorizes a \$200 fine for persons exceeding the maximum speed limit in designated residence districts; and

WHEREAS, on May 6, 1997, the Board adopted Ordinance O97-29(R), which established criteria for the establishment of residence districts where an additional fine could be levied; and

WHEREAS, the County received a petition from residents of Grafton Village to establish a residence district within their subdivision; and

WHEREAS, County staff conducted a traffic study and determined that Edwards Drive, in Grafton Village subdivision, meets the criteria to establish a residence district; and

WHEREAS, the Board desires to secure and promote public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles in designated residence districts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending County Code Sec. 15-4.1(c), by designating Edwards Drive (SR-1055) between Julie Lane (SR-1907) and Deacon Road (SR-607) as a residence district.

Item 10. Sheriff; Execute Renewal of a Maintenance Contract with Motorola Solutions, Inc.

Resolution R14-162 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT RENEWAL WITH MOTOROLA SOLUTIONS, INC., FOR MAINTENANCE OF THE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM

WHEREAS, the Stafford County Public Safety radio communications system requires support and maintenance for critical systems to keep them in optimal working condition; and

WHEREAS, in 2007, the County executed a contract with Motorola Solutions, Inc., (formerly Motorola) for maintenance of the Public Safety radio communications system; and

WHEREAS, Motorola Solutions, Inc., proposes to renew the maintenance services contract for the Public Safety radio communications system in an amount not to exceed \$789,765; and

WHEREAS, sufficient funding for the contract renewal with Motorola Solutions, Inc., is available in the FY2015 adopted budget; and

WHEREAS, the Sheriff's Office and County staff reviewed the proposal and determined that it is reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and hereby does authorize the County Administrator to execute a contract renewal with Motorola Solutions, Inc., for maintenance services for the Public Safety radio communications system, in an amount not to exceed Seven Hundred Eighty-nine Thousand Seven Hundred Sixty-five Dollars (\$789,765), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any other documents related to the contract renewal that he deems necessary and/or appropriate.

Item 11. Parks, Recreation and Community Facilities; Execute a Contract Renewal for Small Project Construction and Repair Services

Resolution R14-189 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE CONTRACT RENEWALS FOR SMALL PROJECT  
CONSTRUCTION AND REPAIR SERVICES FOR THE DEPARTMENT  
OF PARKS, RECREATION, AND COMMUNITY FACILITIES

WHEREAS, in 2011, contracts were awarded to Kruckenberg Service Company (primary responder), W.C. Spratt, Inc., (secondary responder), and Capital Contractors, Inc., (secondary responder), for various labor classifications and pieces of equipment, to provide small project construction and repair services for the Department of Parks, Recreation and Community Facilities; and

WHEREAS, the contracts included a renewal provision for up to four additional one-year periods; and

WHEREAS, the current contracts are in need of renewal and the County desires to renew the contracts for the third one-year renewal period; and

WHEREAS, staff determined that the contract renewals are reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the County Administrator be and he hereby is authorized to execute contract renewals with Kruckenberg Service Company as the primary responder, and W.C. Spratt, Inc., and Capital Contractors, Inc., as secondary responders, for small project construction and repair services for the Department of Parks, Recreation and Community Facilities, for a period of one-year in an aggregate amount not to exceed Five Hundred Thousand Dollars (\$500,000), unless amended by a duly-executed contract amendment.

Item 12. Parks, Recreation and Community Facilities; Execute a Contract Renewal for Waste Management Services

Resolution R14-190 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WASTE MANAGEMENT OF VIRGINIA FOR REFUSE AND RECYCLING SERVICES AT VARIOUS COUNTY FACILITIES

WHEREAS, professional refuse and recycling services, which are beyond the capacity of County staff, are needed at various County facilities; and

WHEREAS, Stafford County Public Schools have a contract with Waste Management of Virginia for these services, which includes a cooperative procurement provision that the County may utilize; and

WHEREAS, funds for these services are available in the FY2015 Adopted Budget; and

WHEREAS, staff determined that the proposed contract with Waste Management of Virginia, pursuant to the Schools' contract cooperative procurement provision is reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the County Administrator be and he hereby is authorized to execute a contract with Waste Management of Virginia, for refuse collection and recycling services at various County facilities, in an amount not to exceed One Hundred Eleven Thousand Seven Hundred Ninety Dollars (\$111,790), unless amended by a duly-executed contract amendment.

Item 13. Parks, Recreation and Community Facilities; Execute a Contract for Back-up Generator Services

Resolution R14-191 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CARTER MACHINERY COMPANY INC., FOR BACK-UP GENERATOR SERVICES

WHEREAS, the County has back-up generators located at various sites throughout the County; and

WHEREAS, professional generator services, including service, maintenance, and repair, which are beyond the capacity of County staff, are needed at these facilities; and

WHEREAS, Carter Machinery Company, Inc., has an existing contract with the University of Virginia for these services, which includes a cooperative procurement provision; and

WHEREAS, funds for these services are available in the FY2015 Adopted Budget; and

WHEREAS, staff determined that the proposed contract with Carter Machinery Company, Inc., pursuant to the University of Virginia's contract cooperative procurement provision is reasonable for the proposed scope of services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the County Administrator be and he hereby is authorized to execute a contract with Carter Machinery Company, Inc., to service, maintain, and repair back-up generators at various County facilities, in an amount not to exceed One Hundred Twenty-eight Thousand Five Hundred Forty Dollars (\$128,540) unless amended by a duly-executed contract amendment.

Item 14. Utilities; Execute a Contract for the Purchase of Viper IP Routers and Wireless Modems to Enable Connectivity with all County Pump Station Radios

Resolution R14-197 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH STERLING ENGINEERING SOLUTIONS, INC., FOR VIPER IP ROUTERS AND WIRELESS MODEMS TO ENABLE CONNECTIVITY WITH ALL COUNTY PUMP STATIONS

WHEREAS, the Utilities Department must update its Telemetry System, including purchasing new routers and wireless modems, to enable connectivity with all County pump stations; and

WHEREAS, the Board appropriated funds in FY14 for the purchase of wireless IP routers and modems by the Utilities Department; and

WHEREAS, sufficient funds have been budgeted and appropriated for this project; and

WHEREAS, the County solicited bids and Sterling Engineering Solutions, Inc., submitted the sole bid; and

WHEREAS, staff determined the proposed equipment and pricing is reasonable and provides a good value to the County; and

WHEREAS, the Utilities Commission considered this matter at its August 12, 2014 meeting, and voted 4 to 0 (Mr. Howard, Mr. Lovitt and Mr. Harris were absent) to recommend award of the contract to Sterling Engineering Solutions, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of August, 2014, that it be and hereby does authorize the County Administrator to execute a contract with Sterling Engineering Solutions, Inc., for Viper IP routers and wireless modems, in an amount not to exceed One Hundred and One Thousand Three Hundred Forty Dollars (\$101,340), unless amended by a duly-executed contract amendment.

Item 16. Planning and Zoning; Authorize the County Administrator to Initiate Planning and Permit Applications for a Walking Trail at Park Ridge Elementary School

Resolution R14-188 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE NECESSARY PLAN AND PERMIT APPLICATIONS FOR CONSTRUCTION OF A WALKING TRAIL AT PARK RIDGE ELEMENTARY SCHOOL, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Park Ridge Elementary School Parent Teacher Organization (PRPTO) raised funds for the construction of a walking trail at Park Ridge Elementary School located within the Garrisonville Election District; and

WHEREAS, PRPTO requested assistance from the Board and the School Board to facilitate approval and construction of the project; and

WHEREAS, the Board finds that construction of the walking trail would benefit Park Ridge Elementary School and the community in general; and

WHEREAS, the Board desires to assist the PRPTO with this project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and hereby does authorize the County Administrator to initiate any and all necessary development plan and permit applications for construction of a walking trail at Park Ridge Elementary School.

Item 18. Public Information; Posthumously Recognize Mr. John MacDonald for his Service to the Citizens of Stafford County

Proclamation P14-20 reads as follows:

A PROCLAMATION TO POSTHUMOUSLY RECOGNIZE JOHN “JOHNNY MAC” MCDONALD FOR SERVICE TO HIS COUNTRY AND THE CITIZENS OF STAFFORD COUNTY

WHEREAS, John “Johnny Mac” McDonald was a lifelong Stafford resident, a devoted husband, father, friend, and mentor to many who took great pride in service to his country and to the citizens of Stafford County; and

WHEREAS, Johnny Mac served his country for four years in the United States Navy; and

WHEREAS, a career fireman at Naval District Washington Fire and Emergency Services Central Division, Johnny Mac was a Battalion Chief at the time of his death; and

WHEREAS, having joined as a junior member in 1974, Johnny Mac was a life member of the Stafford Volunteer Fire Department and served three terms as Volunteer Fire Chief; and

WHEREAS, from 2008 to 2010, Johnny Mac served the Stafford County Fire and Rescue Department as Division Chief of Training and Volunteer Battalion Chief from 2010 until his untimely passing; and

WHEREAS, over the course of his career, Johnny Mac received seven life-saving accommodations; and

WHEREAS, Johnny Mac also served as Vice President of the Fire and Iron Motorcycle Club Station 161;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and hereby does honor and recognize the selfless contributions of John “Johnny Mac” McDonald for his service to the citizens of our country and Stafford County.

Item 19. Public Information; Recognize Mr. Harry Critzer, Director of Utilities, Upon his Retirement

Proclamation P14-17 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING MR. HARRY CRITZER UPON HIS RETIREMENT FOLLOWING MORE THAN 36 YEARS OF SERVICE AND DEDICATION TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, Harry Critzer will retire on August 30, 2014, after more than 36 years as a dedicated public servant; and

WHEREAS, Mr. Critzer started his career with the County on August 7, 1978, as the Superintendent of Operations in the Department of Utilities; and

WHEREAS, on July 10, 1989, Mr. Critzer was promoted to Assistant Director of Operations in the Department of Utilities, a position in which he served for 19 years; and

WHEREAS, when Mr. Critzer began his career with Stafford County, there was a single water treatment facility in operation at Smith Lake, with a capacity of 0.8 million gallons per day (mgd), and 4.5 mgd wastewater treatment facility capacity; and

WHEREAS, during Mr. Critzer's tenure, he directed the expansion of the utility system to 18 mgd of water capacity and 18 mgd of wastewater treatment capacity; and

WHEREAS, all of these treatment facilities operate under, and comply with, some of the toughest treatment quality standards in the United States; and

WHEREAS, during his time as Assistant Director for Operations he developed and obtained approval for the Industrial Pretreatment Program, the Backflow and Cross-Connection Control Program, and the Water Supply Plan, maintaining excellent working relationships with members of state and federal regulatory agencies; and

WHEREAS, on December 1, 2008, Mr. Critzer was promoted to Director of the Department of Utilities. In his role as Director, Mr. Critzer continued to align the Department's activities with its mission, focused on maintaining reliability and sustainability of the County's water and sewer infrastructure, enhancing the knowledge skills and abilities of staff members, and ensuring that exemplary service was provided to customers; and

WHEREAS, Mr. Critzer is recognized for his unassuming, professional manner and dedication to his Department's purpose and for his career-long devotion to improvement of the County's water and wastewater systems; and

WHEREAS, during Mr. Critzer's tenure, Aquia Wastewater Treatment Facility received recognition from the National Association of Clean Water Agencies (NACWA)'s Peak Performance Awards at the Gold level performance six times, and Little Falls Run Wastewater Treatment Facility has received one silver, eight gold, and seven platinum level awards;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and hereby does recognize and commend Harry Critzer for more than 36 years of dedicated service to the citizens of Stafford County.

Item 20. Public Information; Recognize Mr. Al Payne for 35 Years of Service to the Boy Scouts of America, Troop 179

Proclamation P14-21 reads as follows:

A PROCLAMATION TO RECOGNIZE MR. ALFRED “AL” PAYNE  
FOR 35 YEARS OF SERVICE TO THE BOY SCOUTS OF AMERICA  
AND TROOP 179

WHEREAS, Mr. Alfred “Al” Payne spent 35 years in Scouting, with most of those years with Troop 179; and

WHEREAS, his leadership and guidance enabled more than 100 boys to become Eagle Scouts, the most prestigious award in Boy Scouts; and

WHEREAS, after high school, Mr. Payne worked as a truck driver until he was drafted in the Vietnam War, during which he was injured and medically discharged; and

WHEREAS, upon his return home, Mr. Payne looked for ways to contribute, whether at home or in his community, becoming involved with Scouting, and also devoting himself to caring for his children and the family home; and

WHEREAS, Mr. Payne has been a member of Falmouth Volunteer Fire Department for 50 years, and now helps with support activities such as bingo or sergeant-at-arms duties; and

WHEREAS, Troop leaders estimated that Mr. Payne filled out forms for more than 5,000 merit badges and 1,200 rank advancements, and also prepared the paperwork for more than 100 Courts of Honor and 1,200 Scout conferences;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and hereby does recognize Mr. Al Payne for 35 years of service to the Boy Scouts of America and Troop 179.

Item 21. Public Information; Recognize September, 2014 as Childhood Cancer Awareness Month in Stafford County

Proclamation P14-22 reads as follows:

A PROCLAMATION TO RECOGNIZE SEPTEMBER, 2014 AS CHILDHOOD  
CANCER AWARENESS MONTH IN STAFFORD COUNTY

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection report that cancer is the leading cause of death by disease among U.S. children between infancy and age 15. This tragic disease is detected in more than 15,000 of our country's young people each and every year; and

WHEREAS, one in five of our nation's children loses his or her battle with cancer. Many infants, children and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

WHEREAS, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at Walter Reed National Military Medical Center, Children's National Medical Center in Washington, D.C., as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor nationwide Courageous Kid recognition award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of August, 2014, that it be and hereby does recognize September, 2014 as childhood cancer awareness month in Stafford County.

Item 22. County Administration; Approve Appointment of Mr. Brian Roinestad to the Telecommunications Commission Representing the Aquia District

Item 23. County Administration; Approve Appointment of Mr. Jack Bailey as a Citizen Representative to the Advisory Board/Law Enforcement Towing and Advisory Board/Private Trespass

Item 24. County Administration; Execute a Contract for the Purchase of Stream Mitigation Credits for Embrey Mill Park

Resolution R14-192 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE PURCHASE AGREEMENTS FOR STREAM AND WETLANDS MITIGATION CREDITS FOR THE EMBREY MILL PARK PROJECT

WHEREAS, as part of the Embrey Mill Park project construction, the County must disturb wetlands and protected streams, which necessitates permits from USACE and DEQ; and

WHEREAS, the U. S. Army Corps of Engineers and the Virginia Department of Environmental Quality (DEQ) issued permits, requiring that the County acquire .83 wetland and 612 stream credits from DEQ-approved mitigation banks as mitigation for the wetland and stream impacts caused by the Embrey Mill Park project construction activities; and

WHEREAS, the purchase of the required credits was advertised for public bid; and

WHEREAS, four bids were submitted for the wetland credits, with Marsh Resource providing the lowest responsive and responsible bid; and

WHEREAS, two bids were submitted for the stream credits, with Marsh Resource having 307 credits available at the lowest unit price, and Falling Springs, LLC, having the remaining 305 credits available at the next lowest price; and

WHEREAS, staff determined that these bidders were responsible and responsive, and the bids reasonable for the credits provided and were consistent with other wetland and stream mitigation credits purchased by the County in the area and with market conditions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014 that the County Administrator or his designee be and he hereby is authorized to execute purchase agreements with Marsh Resource in an amount not to exceed One Hundred Eighty Four Thousand and Ten Dollars (\$184,010) for the purchase of 0.83 wetland credits and 307 stream credits; and with Falling Springs, LLC, in an amount not to exceed One Hundred Eighty-one Thousand Four Hundred Seventy-five Dollars (\$181,475) for the purchase of 305 stream mitigation credits for the Embrey Mill Park project; and

BE IT FURTHER RESOLVED that the County Administrator or his designee be and he hereby is authorized to execute any other documentation that he deems necessary and/or appropriate to purchase/acquire these credits.

Item 25. Fire and Rescue; Accept Donation of the Aquia Harbour Rescue Squad Building and Land to the County

Resolution R14-204 reads as follows:

**A RESOLUTION TO ACCEPT THE CONVEYANCE TO THE COUNTY  
OF THE AQUIA HARBOUR RESCUE SQUAD BUILDING AND THE  
PROPERTY ON WHICH IT'S LOCATED**

WHEREAS, the Aquia Harbour Volunteer Rescue Squad, Inc., (AHVRS), a/k/a the Aquia Harbour Rescue Squad, operates Fire and Rescue Station No. 9 (Station 9), on Tax Map Parcel 21B-9 (the Parcel), located within the Aquia District; and

WHEREAS, the Aquia Harbour Property Owners Association, Inc., a/k/a the Aquia Property Owners Association (AHPOA), owns the Parcel; and

WHEREAS, AHPOA currently leases the Parcel to the Squad, pursuant to a lease, dated April 24, 1990, which expires on April 30, 2020; and

WHEREAS, AHPOA desires to convey the Parcel, including Station 9, to the County; and

WHEREAS, AHVRS desires to convey its interest in the lease, including any interest in Station 9, to the County; and

WHEREAS, the Board desires to accept the conveyance of the Parcel, including Station 9; and

WHEREAS, the Board desires to continue using the Parcel, including Station 9, for fire and rescue purposes as part of the County’s Fire and Rescue Department; and

WHEREAS, the Board finds that accepting the conveyance of the Parcel, including Station 9, will secure and promote 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 19th day of August, 2014, that it be and hereby accepts conveyance of the Parcel, including Station 9, to the County; and

BE IT FURTHER RESOLVED that the Board authorizes the County Administrator, or his designee, to execute a deed conveying the Parcel, including Station 9, to the County; and

BE IT FURTHER RESOLVED that the Board authorizes the County Administrator, or his designee, to execute any and all other documents that he deems necessary and/or appropriate to convey the Parcel, including Station 9, to the County; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, may include a provision in the deed or any other document under which the Parcel, including Station 9, would revert to AHPOA’s ownership, under reasonable, mutually-agreeable terms and conditions, if the County stops using the Parcel, including Station 9, for fire and rescue purposes in the future.

Item 15. Planning and Zoning; Refer to the Planning Commission Elimination of the Requirement for Board Approval of Community Drainfields Mr. Sterling clarified that this item was a referral to the Planning Commission and was required to conform to State Code.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R14-201.

The Voting Board tally was:

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

Nay: (1) Sterling

Resolution R14-201 reads as follows:

A RESOLUTION TO REFER PROPOSED ORDINANCE O14-31 TO THE PLANNING COMMISSION TO CONSIDER AMENDMENTS TO STAFFORD COUNTY CODE 22-118, “WATER AND SEWER,” TO ELIMINATE THE REQUIREMENT FOR BOARD OF SUPERVISORS’ APPROVAL OF THE USE OF COMMUNITY SEWAGE DISPOSAL SYSTEMS FOR SUBDIVISIONS

WHEREAS, County Code Sec. 22-118(4)(g) requires the Board to approve the use of community sewage disposal systems (community drainfields) for new subdivisions; and

WHEREAS, under Virginia Code § 15.2-2157, the County shall not prohibit the use of, nor require maintenance standards for, alternative onsite sewage disposal systems (AOSS); and

WHEREAS, Virginia Administrative Code Section 12VAC5-613-10 defines a community drainfield as a large AOSS; and

WHEREAS, the Board finds that Virginia Code § 15.2-2157 renders County Code Sec. 22-118(4)(g) ineffective; and

WHEREAS, the Board finds that consideration of this ordinance is consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that proposed Ordinance O14-31, be and it hereby is referred to the Planning Commission for a public hearing and its recommendations.

Item 17. Planning and Zoning; Refer to the Planning Commission Amendments to the Traditional Neighborhood Development (TND) Ordinance Mr. Thomas noted that he pulled this item in response to a request made during Public Commentary. Mr. Harvey confirmed that no changes were being made at that time; it was a referral to the Planning Commission.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution R14-203.

The Voting Board tally was:

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

Nay: (0)

Resolution R14-203 reads as follows:

A RESOLUTION TO REFER PROPOSED ORDINANCE O14-33 TO THE PLANNING COMMISSION TO CONSIDER AMENDMENTS TO STAFFORD COUNTY CODE SEC. 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS,” AND SEC. 28-56, “APPLICATION FOR PLANNED DEVELOPMENTS”

WHEREAS, Stafford County Code Sec. 28-35, Table 3.1, establishes standards for development within the P-TND, Planned-Traditional Neighborhood Development Zoning District; and

WHEREAS, Stafford County Code Sec. 28-56 establishes application requirements within the P-TND, Planned-Traditional Neighborhood Development Zoning District; and

WHEREAS, the minimum gross tract area within the P-TND Zoning District is 75 acres; and

WHEREAS, the Board desires to consider reducing the minimum gross tract area within the P-TND Zoning District to 40 acres; and

WHEREAS, the Board desires to consider amending the County Code so that development within the P-TND Zoning District shall conform to the generalized development plan submitted and approved with reclassification applications; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that proposed Ordinance O14-33, be and it hereby is referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications to proposed Ordinance O14-33 as it deems necessary and appropriate.

Planning and Zoning; Consider Reclassification on Assessor’s Parcel 44-120B from A-1, Agricultural to B-2, Urban Commercial; and Consider a Conditional Use Permit to Allow Two Drive-Through Facilities within the HC, Highway Corridor Overlay District Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions regarding transportation issues brought up at the Board meeting on 7/1/14. He said that the applicant proffered an additional right-turn lane to enhance the free flow of traffic. Mr. Snellings said that he was satisfied with the application as submitted.

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O14-23.

The Voting Board tally was:

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

Ordinance O14-23 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM AN A-1, AGRICULTURAL ZONING DISTRICT, TO A B-2, URBAN COMMERCIAL ZONING DISTRICT, ON ASSESSOR’S PARCEL 44-120B, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Frontier Development, LLC, applicant, submitted application RC1300290 requesting a reclassification from an A-1, Agricultural Zoning District to a B-2, Urban Commercial Zoning District, on Assessor’s Parcel 44-120B, located within the Hartwood Election District; and

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

WHEREAS, the Board determined that the requested zoning is compatible with the surrounding land uses and zoning; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from an A-1, Agricultural Zoning District, to a B-2, Urban Commercial Zoning District, on Assessor’s Parcel 44-120B, as depicted on the plat prepared by Foroughi & Associates Engineering, PLLC, dated May 9, 2013, as last revised June 3, 2014, with proffers entitled “Proffer Statement,” dated June 3, 2014.

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Resolution R14-107.

The Voting Board tally was:

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

Resolution R14-107 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP13000291 TO ALLOW TWO DRIVE-THROUGH FACILITIES IN AN HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON ASSESSOR'S PARCEL 44-120B, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Frontier Development, LLC, applicant, submitted application CUP1300291 requesting a conditional use permit (CUP) to allow two drive-through facilities in an HC, Highway Corridor Overlay Zoning District, on Assessor's Parcel 44-120B, located within the Hartwood Election District; and

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

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

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that a CUP, pursuant to application CUP1300291, be and it hereby is approved with the following conditions:

1. This CUP shall be limited to two drive-through facilities within an HC, Highway Corridor Overlay Zoning District, on Assessor's Parcel 44-120B, as shown in the general locations depicted on the generalized development plan (GDP), prepared by Foroughi and Associates Engineering, PLLC, dated May 9, 2013, as last revised June 3, 2014, entitled "McWhirt Loop Commercial."
2. Loading spaces and truck delivery spaces shall be located outside of any required travel lane. Such spaces shall be designed to allow for adequate turning radius to accommodate free-flowing turning movements to prevent temporary obstruction of travel lanes.
3. Loading areas, dumpster pads, and trash compactors shall be located and designed in a manner so that they are completely screened from view from Warrenton Road.
4. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state-maintained roadways. Where orienting the drive-through away from the corridor highway is not feasible, the applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate any headlight glare onto the corridor highway.

5. Stacking lanes for drive-through facilities shall be designed so as not to impede traffic circulation.
6. All drive-through facilities shall include a by-pass lane for vehicles that are not utilizing the drive-through area.
7. All drive-through canopies shall be of coordinated color and materials as the primary structure on the site.
8. Any canopy lighting shall be recessed within the canopy.
9. No carnival style signs, banners, lights, balloons, or windsocks shall be utilized on the property, except on a strictly temporary basis for the grand opening of a business. The use of temporary and portable electronic and variable message signs and flashing signs shall be prohibited at all times.
10. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, requirement, or regulation after applicant has been notified in writing by the County of said violation(s) and applicant is given a reasonable opportunity to cure said violation(s).

County Administration; Authorize Naming the Rocky Pen Run Reservoir for Jason Mooney, Killed in the Line of Duty, 2007 Mr. Snellings spoke about Deputy Jason Mooney’s untimely death and his wish that the Rocky Pen Run Reservoir be named after Deputy Mooney. Several members of the Sheriff’s Office attended in support of Mr. Snellings’ recommendation. Deputy Mooney’s father thanked the Board.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R14-196.

The Voting Board tally was:

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

Resolution R14-196 reads a follows:

A RESOLUTION TO NAME THE ROCKY PEN RUN RESERVOIR  
AFTER DEPUTY JASON E. MOONEY, KILLED IN THE LINE OF  
DUTY IN 2007

WHEREAS, Jason Edward Mooney served in the Sheriff’s Office for 16 months before his tragic death in a traffic accident on October 19, 2007; and

WHEREAS, Deputy Mooney, a graduate of Colonial Forge High School, served a tour of duty with the Marine Corps in Iraq, where he was awarded the National Defense Operation Iraq Freedom Award and the Armed Forces Reserve Medal; and

WHEREAS, Deputy Mooney was also a dedicated firefighter with the Stafford County Volunteer Fire Department and the Coles District Volunteer Fire Department in Prince William County; and

WHEREAS, the Rocky Pen Run Reservoir (Reservoir), located in the Hartwood District, was completed in 2014; and

WHEREAS, the Reservoir, at full elevation, will hold 5.5 billion gallons of water; the deepest point is 118 feet; and the perimeter of the Reservoir is approximately 13 miles; and

WHEREAS, in naming the County’s newest Reservoir posthumously after Deputy Mooney, the Board desires to bring to the attention of citizens everywhere the ultimate sacrifice made by Deputy Mooney in service to his fellow citizens, and to honor those who survive him, including his beloved parents, Ed and Mary Mooney, and his siblings, Kimberly, Joshua, and Molly;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that it be and it hereby does approve naming the Rocky Pen Run Reservoir in honor and memory of Deputy Jason Edward Mooney.

County Administration; Approve Reappointment of Ms. Jo Knight to the Economic Development Authority Mr. Cavalier read the following statement, *“I am voluntarily abstaining from any discussion or vote on this matter because I have an employment arrangement with Ms. Knight. The Clerk will please note my abstention and the reason in the record today.”*

Mr. Milde motioned, seconded by Mr. Thomas, to approve the reappointment of Ms. Jo Knight to the Economic Development Authority.

The Voting Board tally was:

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

Legislative; Closed Meeting. At 4:04 p.m., Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM14-15.

The Voting Board tally was:

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

Resolution CM14-15 reads as follows:

## A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of confidential proprietary records, voluntarily provided by a private business pursuant to a promise of confidentiality from the County, used by the County for business, trade, and tourism development and retention, and County-prepared records related to a business that is considering locating in the County, where competition is involved and where, if such records are made public, the County's financial interest would be adversely affected; and (2) discussion of the award of a contract for the operation of the Embrey Mill indoor recreational facility, involving the expenditure of County funds, where discussion in open session would adversely affect the County's bargaining and/or negotiating strategy; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(29) and (A)(40), and 2.2-3705.6(3), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 19th day of August, 2014, does hereby authorize discussion of the aforestated matters in Closed Meeting.

Call to Order At 4:35 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM14-15(a).

The Voting Board tally was:

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

Nay: (0)

Resolution CM14-15(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON AUGUST 19, 2014

WHEREAS, the Board has, on this the 19th day of August, 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 19th day of August, 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 4:36 p.m., the Chairman declared a recess until 7:00 p.m.

Call to Order At 7:03 p.m. the Chairman called the meeting back to order.

Invocation Ms. Bohmke gave the invocation.

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

Presentation to Posthumously Recognize Mr. John McDonald for his Service to the Citizens of Stafford County Mr. Milde presented the proclamation to the McDonald family.

Presentation to Recognize International Assistance Dog Week Mr. Cavalier presented the proclamation to Matt and his parents (and his service dog, Cal); to Juanita Maley (and Kahn, the Victim/Witness dog); and Diane Drew (and Harley, a service dog in training).

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

Alex Long	Presentation, Renaissance Industrial Park overview
Dean Fetterolf	Media comments; toxic tire burner; “F” rating, American Lung Association
Becky Reed	Incinerator; do not import garbage; create local jobs and increase tax revenue
Ruth Carlone	Hold Town Hall meetings in each district; “No one knows what is going on in the County;” Attitude toward speakers, speakers care about the County, do not show indifference and disrespect; ethical question re. Item #28
Angie Grove	No incinerator; hold off on Oakenwold; enhance recycling
Paul Waldowski	2019 candidate for office in 3 districts, will save \$384k with 5 members of the BOS and 5 SB members instead of 7; retiring from federal government; TDR; UDA; Empty Sheriff cars; “Airpork;” “Rocky Pork Run;” Water bill; Need to be eco-friendly, not making any more land; Vertical parking lots; dog spelled backwards is God

Planning and Zoning; Consider Reclassification on Assessor's Parcel 13C-F from M-1, Light Industrial to B-2, Urban Commercial (Quantico Commercial Center) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Sherman Patrick, for the applicant, also addressed the Board.

Mr. Thomas read the following statement, *"I am voluntarily abstaining from any discussion or vote on the Quantico Corporate Center zoning reclassification this evening and in the future, because my company may consider leasing space in Quantico Corporate Center in the future. The Clerk will please note my abstention and the reason in the record today and in the record at any future meeting where the Board discusses or considers this matter."*

Mr. Milde inquired about the 40' height restriction. Mr. Harvey answered that the GDP (Generalized Development Plan) dictated the height at no more than two stories. Mr. Milde asked who on the Planning Commission voted no. Mr. Harvey replied that it was Mr. Darrell English.

Mr. Milde asked Mr. Patrick if Minnieland was visible from the main road, or if it would be located on the back side of the building. Mr. Patrick said that it would be located away from Corporate Drive.

Ms. Sellers asked Mr. Patrick if the proposed Minnieland was similar to the location off Garrisonville Road by the Home Depot. Mr. Patrick said that it was similar in footprint and scale but taller to meet architectural guidelines and the exterior was upgraded to match other building in the Quantico Corporate Center.

Ms. Bohmke asked if the proposed Minnieland would be a "drop-off" facility or require adults to walk the children into the building. Mr. Patrick responded that Minnieland did not permit any drop-offs; everyone was required to walk the children into the facility. Ms. Bohmke asked about the age variation of children at the proposed facility; pre-school or school-aged children. Mr. Patrick said that it would be a mix; that based on enrollment projections it would be 80% pre-school aged children. Ms. Bohmke asked if Minnieland would transport children to Widewater Elementary School and if there was room for school buses at the location. Mr. Patrick said that the Planning Commission shared the same concern. Therefore, Minnieland proffered to provide transportation from the facility and no school buses would be permitted.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

Jo Knight

The Chairman closed the public hearing.

Mr. Milde asked Mr. Harvey about possible uses if the rezoning was not approved. Mr. Harvey said that it could contain construction offices, buildings with bay doors for truck loading, etc. Mr. Patrick provided a list of 14 uses that were proffered out of the application. Mr. Milde said there was a Minnieland in Aquia Park, near I-95, and there were no complaints. He also said that parents were going to have to sign a release stating that they were aware of the facility's proximity to Quantico's demolition ranges. He added that many employees that work in the vicinity of Quantico Corporate Center may not live in Stafford and usage of the proposed Minnieland would help to alleviate traffic if they chose to use the center for daycare for their children. Mr. Milde said that he would support the rezoning. Ms. Sellers added that she would also support the request, that Minnieland provided great childcare and were well known.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O14-24.

The Voting Board tally was:

Yea: (5) Bohmke, Milde, Sellers, Snellings, Sterling  
 Nay: (1) Cavalier  
 Abstain: (1) Thomas

Ordinance O14-24 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT, ON A PORTION OF ASSESSOR'S PARCEL 13C-F WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Quantico Business Center, LLC, applicant, submitted application RC1400095 requesting a reclassification from the M-1, Light Industrial Zoning District to the B-2, Urban Commercial Zoning District, on a portion of Assessor's Parcel 13C-F, located within the Griffis-Widewater Election District; and

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

WHEREAS, the Board determined that the requested reclassification is compatible with the surrounding land uses and zoning; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the M-1, Light Industrial Zoning District, to the B-2, Urban Commercial Zoning District, on a portion of Assessor’s Parcel 13C-F, as depicted on the plat entitled, “Generalized Development Plan for Rezoning” prepared by Fairbanks & Franklin, dated February 21, 2014, as last revised June 2, 2014, with proffers entitled “Proffer Statement,” dated June 25, 2014.

Planning and Zoning; Consider Conditional Use Permit on Assessor’s Parcels 44-120P and 44-121J to Allow Vehicle Sales in an M-1, Light Industrial Zoning District (Falls Run Industrial Park Auto Sales) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Ms. Kristen Thompson, for Mr. Samar Shalaby, the developer, also addressed the Board saying that the owner originally leased space from the landlord who took back the space. The CUP application was to alleviate the hardship created by the landlord.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas said that if the request were on a major artery, it would not have a chance but given its location, and its consistency with existing properties, it was a worthwhile project that he supported.

Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution R14-159.

The Voting Board tally was:

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

Nay: (0)

Resolution R14-159 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1400145 TO ALLOW MOTOR VEHICLE SALES IN THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT ON ASSESSOR’S PARCELS 44-120P AND 44-121J, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Ayman J. Awadallah, property owner, submitted application CUP1400145 requesting a conditional use permit (CUP) to allow motor vehicle sales in the M-1, Light Industrial Zoning District, on Assessor's Parcels 44-120P and 44-121J, located within the George Washington Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use in the M-1 Zoning District after a CUP is issued by the Board; and

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

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that a conditional use permit, pursuant to application CUP1400145 be and it hereby is approved with the following conditions:

1. This conditional use permit is to allow motor vehicle sales in the M-1, Light Industrial Zoning District, which shall be limited to automobiles and trucks with no more than two axles, and shall exclude box trucks and other commercial vehicles.
2. The access point on Parcel 44-121J shall meet all Virginia Department of Transportation (VDOT) and County access requirements, and shall be located a safe distance from the adjacent driveway located on Parcel 44-120F.
3. All outdoor storage of vehicles for sales and/or service shall be limited to the areas as identified on the Generalized Development Plan, entitled "635 Nelms Circle conditional use permit for vehicle sales," dated March 21, 2013, as last revised June 25, 2014.
4. All loading and unloading of vehicles that are being delivered to and transported from Parcels 44-120P and 44-121J shall occur in designated locations and away from the public right-of-way.
5. Display areas for vehicle sales shall only be located in areas designated for display as illustrated on the Generalized Development Plan, entitled "635 Nelms Circle, conditional use permit for vehicle sales," dated March 21, 2014, as last revised June 25, 2014.
6. The inter-parcel connection between Parcels 44-120P and 44-121J shall be maintained at all times, as shown on the Generalized Development Plan, entitled "635 Nelms Circle conditional use permit for vehicle sales," dated March 21, 2014, as last revised June 25, 2014.
7. The existing six-foot fence along all property lines shall be maintained at all times with the following exceptions:
  - a. The fence may be replaced to provide a greater level of screening, if required by the County Code; and

- b. Any replacement of the current fence shall provide the same or a greater level of screening.
8. This conditional use permit may be revoked or its conditions amended by the Board for violation of these conditions or any applicable county, state or federal code, law, ordinance, requirement, or regulation.

Planning and Zoning; Consider the Partial Vacation of a Plat in King James Village Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Ms. Jo Knight also addressed the Board on behalf of the applicant. Mr. Cavalier made the following statement, *“I am voluntarily abstaining from any discussion or vote on the Oakenwold rezoning and King James Village partial plat vacation this evening and in the future because I have an employment arrangement with one of the parties involved. The Clerk will please note my abstention and the reason in the record today and in the record at any future meeting where the Board discusses or considers these matters.”* Mr. Cavalier left the meeting and turned over the gavel to Mr. Snellings, Vice Chairman of the Board.

Mr. Harvey said that as per the subdivision plat recorded in 1975, the referenced parcel was not a buildable lot. Tax Map Parcel 20D-1-B (Parcel B) was noted with a “Park” designation and the public hearing was to consider removal of the “Park” designation so that it may be used/developed in the future, or conveyed to adjacent owners, and/or for the owners to request that the BZA grant a variance regarding lot width requirements. Mr. Milde inquired about the lot size. Mr. Harvey said that it was 1 ½ acres.

Mr. Sterling asked about the benefit of the owners going to the BZA requesting a variance. Mr. Harvey said it could address potential use of the lot. Mr. Sterling said that it was green space and asked why the request to eliminate the “Park” designation unless there was a plan to build on it. He added that he felt that it opened the door to development. Mr. Sterling asked who made the initial request and why. Mr. Harvey said that it was the owner that made the initial request but that he did not give a specific reason why.

Ms. Jo Knight, for the applicant, said that the property was owned by a Mr. Clifton and “Big Bob’s” widow (she stated that she did not wish to give his last name). “Big Bob” paid taxes on the land while he was alive; he died in a car accident. Since his death, “Big Bob’s” property’s taxes went into arrears. Mr. Clifton and “Big Bob’s” widow asked Ms. Knight to sell the property, which is when she discovered the “Park” determination. She said that they wished to sell the property as they needed money and the property, now, was being used for trash, etc.

Mr. Sterling said that if the “Park” designation was eliminated, that would make it a buildable lot. Mr. Harvey repeated that as it was, it did not meet criteria to make it a buildable lot without a BZA ruling. Ms. Knight confirmed Mr. Sterling’s statement, adding that her clients wished to sell it and would use some of the proceeds to pay back taxes owed on it. Mr. Milde inquired about the amount of taxes due. Ms. Knight said it was approximately \$17,000 (+/-).

The Vice Chairman opened the public hearing.

The following persons desired to speak:

Christina Montana

Paul Waldowski

The Vice Chairman closed the public hearing.

Ms. Knight said that if the Board chose to deny the request, she hoped they would look into the matter, including the “Park” designation on the property, and determine if any taxes were due or if the property was not correctly assessed.

Mr. Sterling asked Mr. Harvey for the current designation. Mr. Harvey said that the property was currently designated R-1. Mr. Milde said that the assessed value was \$86,200, which he believed was wrong for a lot that was not buildable. He asked staff to look into the current assessment and correct it, if necessary. Mr. Thomas said that it was similar to an issue in his district where a 1970’s assessment was not a true value of what the property was actually worth.

Mr. Sterling motioned, seconded by Mr. Mr. Milde, to adopt proposed Resolution R14-135 to deny.

The Voting Board tally was:

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

Nay: (0)

Abstain: (1) Cavalier

Resolution R14-135 reads as follows:

A RESOLUTION DENYING THE REQUEST TO VACATE A PORTION OF A SUBDIVISION PLAT KNOWN AS KING JAMES VILLAGE, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the subdivision plat known as King James Village was recorded in Plat Book 6, Page 151, among the Stafford County Land Records on September 5, 1975 (the Plat), within the Griffis-Widewater Election District; and

WHEREAS, Assessor's Parcel 20D-1-B (Parcel B) on the Plat was designated "Park;" and

WHEREAS, Big Bob's Mobile Home Heaven, Inc., the owner of Parcel B, submitted an application to vacate a portion of the Plat, specifically the "Park" designation on Parcel B; and

WHEREAS, the Board held a public hearing on the proposed vacation as required under Virginia Code § 15.2-2272(2) and Stafford County Code Sec. 22-108; and

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

WHEREAS, the Board finds that vacation of the "Park" designation and restriction on Parcel B, would not be appropriate; and

WHEREAS, the Board finds that this partial vacation is not consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19<sup>th</sup> day of August, 2014, that the request to vacate a portion of the subdivision plat known as King James Village, in Plat Book 6, Page 151, among the Stafford County Land Records, on September 5, 1975, specifically the "Park" designation on Assessor's Parcel 20D-1-B, be and it hereby is denied.

Recess At 8:44 p.m., the Vice Chairman declared a recess.

Call to Order At 8:53 p.m., the Vice Chairman reconvened the meeting.

Planning and Zoning; Consider Reclassification on Assessor's Parcel 37-80 form A-1, Agricultural to P-TND, Planned Traditional Neighborhood Development (Oakenwold)

Mr. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. Mr. Clark Leming and Mr. William Hooper addressed the Board on behalf of the applicant. Mr. Hank Scharpenberg spoke on behalf of Stafford Regional Airport (SRA).

Ms. Sellers asked how far the proposed development was from the SRA. Mr. Zuraf said he would check to ensure a correct response but that he believed the set-back was approximately 3000'. In response to Mr. Milde's question, Mr. Zuraf talked about phasing in the commercial portion of the proposed development. He said that there would be no more than 375 dwelling units before the first 20,000 s.f. of commercial; no more than 500 dwelling units prior to an additional 20,000 s.f. of commercial (equaling 40,000 square feet); and no more than 650 dwelling units prior to 60,000 s.f. of commercial development. He added that 80% of the first 40,000 s.f. commercial must be occupied.

Three acres off Mountain View Road would be set aside for public use, which would include amenities for use by Oakenwold residents, and preservation of the original Oakenwold home on the site, as well as six out buildings (which would be restored as much as was possible due to varying stages of decay). An archeological study of the Indian settlement would be done prior to construction and 116 acres of open space would be preserved. 100 acres would be given to the County for passive recreation.

Ms. Sellers asked if three acres was large enough to accommodate a new fire/rescue station. Mr. Zuraf confirmed that three acres was large enough for a new station. She asked about the possibility of placing a school on the 100 acres to be given to the County. Mr. Zuraf said that he would look into that possibility.

Two bald eagle nests were located along Potomac Creek. Federal regulations dictated that no buildings could be erected within a minimum of 330' of active eagle nests. Mr. Snellings asked about being 330' from eagle nests. Mr. Zuraf said that federal standards dictated 330' to 660'.

Ms. Bohmke asked about plans for the other house located on the property. Mr. Zuraf said that plans were for it to be torn down.

Mr. Zuraf talked about the transportation impact analysis, saying that it was based on full build-out in the year 2020. There would be a negative impact on the level of service on Centreport Parkway as well as Mountain View Road and southbound entrances to I-95 and US Route 1 (Jefferson Davis Highway). To mitigate those impacts, turn lane and intersection improvements were proffered.

Impacts were discussed regarding the SRA expanded flight patterns, as the landfill closed cells. Mr. Milde asked how far away the landfill was. Mr. Zuraf said that there had to be a 10,000 set-back. Mr. Milde asked about a special flight rules area, to which Mr. Zuraf said he did not know but would give time for a SRA representative to address the Board. Public safety response time was anticipated at 8 minutes, less if the 3 acre parcel was used to construct a Fire and Rescue station.

In talking about the positive and negative impacts, Mr. Sterling asked if the positive fully mitigated the negative impacts. Mr. Zuraf said that it did for the single-family homes but not for the townhouses. Mr. Thomas noted that home sites were pushed further from the north boundary. Mr. Milde asked about the civic component required in P-TND. Mr. Zuraf said that the community center and recreational amenities met the civic component. Mr. Thomas asked if the amenities would be available community-wide or just to residents of the proposed Oakenwold development. Mr. Zuraf said that he believed that they would be restricted to Oakenwold residents. He added that the garden area and trails would also be considered part of the required civic component, and that all homes were

within walking distance of the community center (1/4 mile, 15 minute walking time) where there would be a pool, tennis courts, and a playground in the vicinity of the restored home. Ms. Bohmke asked about guest parking. Mr. Zuraf said that it was not identified but would be noted at the preliminary site plan phase of the development.

Ms. Sellers asked about public water and sewer. Mr. Zuraf confirmed that there was public water and sewer available, utilizing the Potomac Creek pump station, which would have to be upgraded (a project already identified in the Capital Improvement Plan with or without the Oakenwold development). Mr. Milde asked if the applicant proffered a GDP. Mr. Zuraf said that they did not.

Mr. Clark Leming addressed the Board on behalf of the applicant. He noted that Oakenwold was in conformance with the Land Use component of the Comprehensive Plan. He added that the Clift Farm proposal was closer to the SRA than Oakenwold. He said that the George Washington Village development was also on the fringe of the SRA. Mr. Leming said that Oakenwold complied with all aspects of a P-TND, that it was a development of the future with smaller pads and more open space. There was a 500' buffer from the SRA for commercial development. He distributed a hand-out entitled Economic Impact Analysis. Mr. Leming offered to have Dr. Bellis, a protégé of Dr. Fuller, to address the Board's concerns. Mr. Snellings said that there was a lot of information to be digested and asked Mr. Leming to continue.

Mr. Leming talked about the draft proffers fully mitigating staff's negative concerns, and an e-mail from SRA director, Mr. Hank Scharpenberg, as well as the question of legal issues and safety concerns. He said that there were no current, significant transportation concerns in the area of the proposed development; that school and congestion concerns were fully mitigated; and I-95 congestion was a regional problem, not local.

Mr. William Hooper spoke to the Board about noise/decibel levels and that buyers and renters would have to sign statements acknowledging Oakenwold's proximity to the SRA and resulting restrictive covenants. He said that the Virginia Dept. of Aviation was only concerned about possible complaints. He added that the issue was not about safety or LegoLand would never consider the adjoining property for future development. Mr. Hooper said that he was a responsible world-wide designer that planned aviation facilities, and nearby development to the SRA would not compromise safety. He noted that the proposed design was fully compliant and that safety concerns were more so aimed to the end of runways, not to the side where Oakenwold was located. Mr. Hooper said that funding would not be compromised as FAA funding was discretionary.

Mr. Snellings reminded Mr. Hooper that in the past, four people were killed in an accident that happened on the side of the SRA runway. Mr. Hooper said that in his experience, development to the side of the runways, in spite of the fatalities noted by Mr. Snellings, would not impact or hinder future funding. Mr. Thomas asked if the state had the same funding rules as the FAA. Mr. Hooper responded that the state had a different set of standards. Mr. Leming talked about development patterns, saying that they were compatible with mixed-use developments.

Mr. Hank Scharpenberg, Chairman of the Stafford Regional Airport Authority (SRAA), addressed the Board. He said that the SRA was 3.2 miles from the Air Defense Zone, which was a major attraction. He said that when additional landfill cells were closed, the SRAA would go back to the FAA requesting permission for new flight patterns, left turns and traffic north and south off the runway, whereas now traffic was predominately south. He said that the FAA currently restricts the height of structures around airports, not what was located underneath flight patterns. Mr. Sterling asked why. Mr. Scharpenberg said that it had to do with safety and quality of life issues in the event of a crash or when aircraft were practicing touch and go take-off/landings, and the noise potential and increased probability of accidents. He said that houses could be sound-proofed but that residents may wish to go outside, host outdoor parties, exercise outside of the house, etc., all of which would be impacted by the proposed development's proximity to the SRA. He said that residents, in spite of signing whatever notice was given to them by the developer, would be at Board meetings complaining about the noise. Mr. Scharpenberg added that the SRA was an all-weather, 24/7, operation. He said that LegoLand was a unique operation that would be closed in adverse weather and past dark and normal hours of operation.

So far as the SRAA being silent during the 2010 UDA/Comprehensive Plan reviews, Mr. Scharpenberg said that staff was never approached or it would have chimed in, particularly on the Clift Farm and George Washington Village developments, adding that Oakenwold fell into that same category. The SRAA was happy to be an active participant. Sterling asked if commercial development was a problem. Mr. Scharpenberg said that there was no concern with commercial development, only residential.

Mr. Milde asked about the length of runways at Manassas Regional Airport. Mr. Scharpenberg responded that there were 2 runways, side-by-side, 6400' in length. He said that the Instrument Landing System was recently restored in Stafford, and a new terminal was recently completed. Fuel sales increased by 4000 gallons and he did not wish to see any of the positives be overshadowed by a development like Oakenwold.

The Chairman opened the public hearing.

The following persons desired to speak (Note: some names were inaudible and/or speaker cards were not completed):

Phillip Hornung  
Ruth Carlone  
Marion Wahl  
Nick Karowski  
Randall Burdette  
Hamilton Palmer  
Travis Campbell  
Dean Fetterolf  
Alane Callander  
Paul Lof  
Mike Logan

Scott Huff  
Michelle Moncure  
Lindy Kirkland  
Tony Sallas  
Jack Bailey  
Paul Waldowski  
Marsha Lof  
Richard Bibb  
Teresa Groupe  
Jonathan Wright  
Bob Cayden

The Chairman closed the public hearing.

Mr. Leming said that the SRA’s operating zone crossed Courthouse Road, the Embrey Mill development, Route 1, etc., adding that the SRAA had no right to control so much land and open space, and how it was utilized. He said that a FRED bus stop was proffered, that the noise study (when it was done) was overwhelmed by existing I-95 noise. Mr. Snellings thanked Mr. Leming, Mr. Hooper, and Mr. Scharpenberg, and citizens for taking time to attend the public hearing.

Mr. Snellings motioned, seconded by Mr. Sterling, to defer this item to the September 16<sup>th</sup> meeting.

The Voting Board tally was:

Yea: (7) Bohmke, Milde, Sellers, Snellings, Sterling, Thomas  
Nay: (0)  
Abstain: (1) Cavalier

Mr. Sterling motioned, seconded by Mr. Milde to adjourn the meeting.

Adjournment: At 11:46 p.m. the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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Jack R. Cavalier  
Chairman