

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Annual Meeting

January 6, 2015

Call to Order The annual/organizational meeting of the Stafford County Board of Supervisors was called to order by Anthony J. Romanello, County Administrator, at 7:31 p.m., on Tuesday, January 6, 2015, in the Board Chambers, George L. Gordon, Jr. Government Center.

Roll Call The following Board members were present: Meg Bohmke, Jack R. Cavalier; Paul V. Milde III; Laura A. Sellers; Gary F. Snellings; 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.

Invocation Mr. Romanello gave the Invocation.

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

Mr. Romanello wished everyone a Happy New Year.

Legislative; Election of Chairman Mr. Romanello opened the nominations.

Mr. Sterling nominated Mr. Snellings for Chairman. Hearing no objections from the Board, the nominations were closed. Ms. Sellers seconded Mr. Sterling’s nomination.

The Voting Board tally was:

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

Legislative; Election of Vice Chairman The Chairman opened the nominations.

Mr. Cavalier nominated Ms. Sellers for Vice Chairman. Hearing no objections from the Board, the nominations were closed. There was no second recorded to Mr. Cavalier's nomination.

The Voting Board tally was:

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

Recess At 7:33 P. M., the Chairman declared a recess.

Call to Order At 7:41 P. M. the Chairman called the meeting back to order.

Legislative; 2015 Board of Supervisors Meeting Calendar

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R15-02.

The Voting Board tally was:

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

Resolution R15-02 reads as follows:

A RESOLUTION TO ESTABLISH THE STAFFORD COUNTY
BOARD OF SUPERVISORS' 2015 MEETING SCHEDULE

WHEREAS, pursuant to Virginia Code § 15.2-1416, and the Board's By-laws and Rules of Procedure, the time and place of regular meetings of the Board shall be established at the Board's organizational/annual meeting; and

WHEREAS, the Board desires that regular meetings be held in the Board Chambers at the George L. Gordon, Jr., Government Center, 1300 Courthouse Road, Stafford, Virginia, on the first and third Tuesday of each month, beginning at 3:00 P.M.; and

WHEREAS, regular meetings, without further public notice, may be adjourned from day-to-day, from time-to-time, or from place-to-place, not beyond the time fixed for the next regular meeting, until the business of the Board is completed; and

WHEREAS, should the Board subsequently prescribe any meeting time or place other than that initially established, it will be in compliance with Virginia Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2015, that the Board be and it hereby does establish the following dates for its 2015 regular meetings:

January 6	June 2
January 20	June 16
February 3	July 7
February 17	August 18
March 3	September 1
March 17	September 15
April 14 (Budget Public Hearing)	October 6
April 21	October 20
May 5	November 17
May 19	December 15

Legislative; Appoint Members to Boards, Authorities, Commissions and Committees The following appointments/reappointments were approved:

ADA Grievance Committee Mr. Sterling motioned, seconded by Mr. Thomas, to approve all reappointments.

The Voting Board tally was:

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

Advisory Board on Law Enforcement Towing Mr. Cavalier motioned, seconded by Ms. Sellers, to approve all reappointments.

The Voting Board tally was:

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

Advisory Board Private Trespass Mr. Cavalier motioned, seconded by Ms. Sellers, to approve all reappointments.

The Voting Board tally was:

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

Agricultural Commission/Purchase of Development Rights – Ms. Sellers will offer a nomination at a later date to fill the vacancy for the Garrisonville District.

Board of Zoning Appeals Mr. Sterling motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R15-01, which reappointed Ms. Heather Stefl as an alternate to the BZA. Mr. Sterling will offer a nomination at a later date to fill the vacancy for the Rock Hill District.

The Voting Board tally was:

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

Resolution R15-01 reads as follows:

A RESOLUTION TO RECOMMEND REAPPOINTMENT AN ALTERNATE MEMBER TO THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, Virginia Code § 15.2-2308, and County Code Sec. 28-341, provide for a Board of Zoning Appeals (BZA) whose members shall be appointed by the Circuit Court; and

WHEREAS, County Code Sec. 28-341 authorizes the BZA to consist of seven members; and

WHEREAS, the term of Ms. Heather Stefl, an alternate BZA member, expired on December 31, 2014; and

WHEREAS, the Board desires to recommend the reappointment of Ms. Heather Stefl as an alternate to the BZA;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this 6th day of January, 2015, that

<u>NAME</u>	<u>DISTRICT</u>	<u>EXPIRATION DATE</u>
Heather Stefl	Alternate Member	December 31, 2019

be and she hereby is recommended for reappointment as an alternate to the Stafford County Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this resolution to the Circuit Court.

Central Rappahannock Regional Library Board of Trustees Mr. Milde motioned, seconded by Ms. Sellers to approve the reappointment of Dr. Smart and Mr. Thomas.

The Voting Board tally was:

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

Civilian-Military Community Relations Council Mr. Milde motioned, seconded by Ms. Sellers, to approve the appointment of Mr. Cavalier, and the reappointment of Mr. Thomas. Mr. Sterling will no longer retain membership on the Council.

The Voting Board tally was:

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

Community Policy and Management Team Mr. Milde motioned, seconded by Ms. Bohmke, to approve the reappointment of Ms. Sellers.

The Voting Board tally was:

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

Embrey Mill Community Development Authority – Staff awaits a response from two members as to their willingness to be reappointed.

Fredericksburg Area Metropolitan Planning Organization (FAMPO) Mr. Sterling motioned, seconded by Mr. Milde, to approve all reappointments including the appointment of Ms. Sellers as the primary member, and the reappointment of Mr. Sterling as the alternate member.

The Voting Board tally was:

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

Fredericksburg Regional Alliance Mr. Sterling motioned, seconded by Ms. Sellers, to approve the reappointment of Mr. Cavalier.

The Voting Board tally was:

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

George Washington Regional Commission (GWRC) Mr. Milde motioned, seconded by Ms. Sellers, to approve all reappointments.

The Voting Board tally was:

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

Local Finance Board (OPEB) Mr. Milde motioned, seconded by Mr. Sterling, to approve the reappointment of Ms. Bohmke.

The Voting Board tally was:

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

Military Affairs Council (MAC) Mr. Milde motioned, seconded by Mr. Thomas, to appoint Mr. Cavalier to replace Mr. Sterling on the MAC.

The Voting Board tally was:

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

Parks and Recreation Commission – Ms. Sellers will offer a nomination at a later date to fill the vacancy for the Garrisonville District.

Rappahannock Area Agency on Aging (Advisory Council) – Staff is awaiting a response from Ms. Leigh Wade, Executive Director of the RAAA, as to the status of the RAAA Advisory Council.

Rappahannock Area Agency on Aging (Board of Directors) Mr. Snellings motioned, seconded by Mr. Thomas, to approve Mr. Snellings reappointment. Ms. Betty Schwartz indicated that she did not wish to be reappointed. Therefore, a vacancy exists for a member-at-large on the RAAA Board of Directors.

The Voting Board tally was:

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

Rappahannock Regional Criminal Justice Academy (Board of Directors) Mr. Milde motioned, seconded by (inaudible), to reappoint Mr. Romanello.

The Voting Board tally was:

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

Rappahannock Juvenile Detention Commission Mr. Milde motioned, seconded by Ms. Sellers to reappoint Ms. Nancy Collins to serve as the alternate to the County Administrator.

The Voting Board tally was:

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

Rappahannock Regional Criminal Justice Academy Mr. Milde motioned, seconded by Ms. Sellers, to reappoint Sheriff Charles Jett and Mr. Romanello.

The Voting Board tally was:

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

Rappahannock Regional Solid Waste Management Board Mr. Milde motioned, seconded by Ms. Sellers, to reappoint Mr. Milde, Mr. Snellings, and Mr. Thomas (alternate).

The Voting Board tally was:

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

Rappahannock River Basin Commission Mr. Milde motioned, seconded by Ms. Sellers, to reappoint Mr. Thomas to be the primary member, and reappoint Ms. Meg Bohmke as the alternate.

The Voting Board tally was:

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

Telecommunications Commission Mr. Milde motioned, seconded by Ms. Sellers, to reappoint Ms. Valerie Cottongim, Mr. Thomas Gregory, Mr. Jordan Hamilton, Mr. Daniel Lawlor, Mr. Russ Moulton, and Mr. Brian Roinstad. Mr. James Minor did not wish to be reappointed. Therefore, the Griffis-Widewater District seat on the TCC is vacant.

The Voting Board tally was:

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

Transportation Advisory Group – Ms. Vanessa Griffin notified the Board of her desire to resign her position on the TAG. Therefore, a vacancy exists for Ms. Griffin’s seat as well as vacancies for two alternate member positions.

Wetlands Board Mr. Milde motioned, seconded by Ms. Sellers, to reappoint Mr. Sam Hess and Mr. Jim Ruitta as members. Vacancies remain for two alternate members. Mr. Milde indicated that he may have an appointment at a later date.

The Voting Board tally was:

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

Following the appointment and reappointment of all members of the Boards, Authorities, Committees, and Commissions, Mr. Snellings thanked everyone for their willingness to serve and asked that he be provided a list of all state-mandates BACCs. Mr. Snellings also asked the Clerk to distribute the Board’s adopted By-laws to each member.

Legislative; Appointments to the Board of Supervisors Standing Committees

Bylaws Committee: Mr. Sterling motioned, seconded by Mr. Milde, to reappoint Mr. Thomas and Ms. Bohmke.

The Voting Board tally was:

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

Community and Economic Development Committee: Mr. Sterling motioned, seconded by Ms. Sellers, to reappoint Mr. Jack Cavalier, Mr. Paul Milde, and Mr. Bob Thomas.

The Voting Board tally was:

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

Finance, Audit and Budget Committee: Mr. Milde motioned, seconded by Ms. Sellers, to appoint Mr. Cavalier, Ms. Sellers, and Mr. Thomas. Mr. Sterling said that it was time for new blood and that he appreciated the time he spent working with staff on County financial items.

The Voting Board tally was:

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

Infrastructure Committee: Mr. Sterling motioned, seconded by Ms. Sellers, to appoint Mr. Cavalier, Mr. Milde, and Mr. Snellings.

The Voting Board tally was:

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

Legislative Committee: Mr. Cavalier motioned, seconded by Mr. Thomas, to appoint Ms. Bohmke and Ms. Sellers.

The Voting Board tally was:

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

Joint Board/School Board Working Committee: Mr. Cavalier motioned, seconded by Mr. Thomas, to reappoint Ms. Bohmke, Ms. Sellers, and Mr. Sterling.

The Voting Board tally was:

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

Public Safety Committee: Mr. Sterling motioned, seconded by Mr. Cavalier, to appoint Ms. Bohmke, Ms. Sellers, and Mr. Snellings.

The Voting Board tally was:

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

The Community and Economic Development Committee and the Infrastructure Committee will meet on the first Tuesday of each month at 12:00 noon and 1:30 p.m. respectively. The Public Safety Committee and the Finance, Audit and Budget Committee will meet on the third Tuesday of each month at 12:00 noon and 1:30 p.m. respectively. Other committees will meet on an as-needed basis.

Presentations by the Public The following persons spoke:

Paul Waldowski - Will not run in the George Washington District; Water Bills; Empty Sheriff's vehicles; Tow and Trespass Board membership; 2005, vehicle stolen by tow truck operator.

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

- Ms. Bohmke - Appointed to the Rappahannock Area Agency on Sexual Assault.
- Mr. Cavalier - Congratulated Mr. Snellings and Ms. Sellers; thanked the Board for its support while he was Chairman in 2014.
- Mr. Milde - Happy New Year; Attended the Quantico Regional Executive Steering Committee meeting re. Marine Corps Base interaction with neighboring localities; Stafford Technology and Research Park meeting to fulfill grant requirements; Last VRE meeting as Chairman; Attended Eagle Scout ceremony
- Ms. Sellers - Deferred
- Mr. Snellings - Thanked Mr. Sterling for his service; thanked the Board for its confidence in his ability to serve as Chairman in 2015, saying that there was a lot of work to be done and it would be an exciting year.

Mr. Sterling - Said that he was stepping aside from many of the committees on which he was a member due to a new job as the Deputy Staff Director of the Senate Armed Services Commission; announced that he would not be running for reelection as Supervisor of the Rock Hill District in November, 2015.

Mr. Thomas Deferred

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Romanello reported that the County was the recipient of a \$50,000 grant for the Purchase of Development Rights (PDR) program and that staff would continue to pursue additional funding for the PDR program.

On Monday, July 12, 2015, the Department of Economic Development presents a retail forum beginning at 7:00 p.m.

Mr. Romanello, along with Sheriff Jett, Mr. Beverly Cameron (Fredericksburg City Manager), and the Fredericksburg Chief of Police, is working on a joint study to replace the aging public safety communications system. The partnership between the two localities would save money for both the County and the City.

Director of Utilities, Mr. Michael Smith, gave the Board an update on Lake Mooney, saying that on December 13, 2014, the Lake was at 56 million gallons and continuing to fill at a rate of 2.8 million gallons per day. Abel Lake was taken out of service on December 16, 2014. Mr. Snellings asked when Lake Mooney would be full. Mr. Smith said that it would be full in early spring, 2015, depending on the flow of the Rappahannock River.

Mr. Romanello asked Board members to consider a date for its planning meeting. Mr. Thomas suggested skipping the planning meeting and working discussion items into the regular Board meeting schedule. Mr. Sterling motioned, seconded by Mr. Thomas, to skip the Board's annual planning meeting. No official vote was taken but the Board agreed to incorporate materials into the evening session of the January 20, 2015 meeting.

Additions and Deletions to the Regular Agenda Mr. Cavalier motioned, seconded by Ms. Sellers, to adopt the agenda with the deletion of Item 8 (Aquia Harbour, Station 9 purchase).

Legislative; Consent Agenda Mr. Cavalier motioned, seconded by Ms. Sellers, to adopt the Consent Agenda consisting of Items 5 through 7.

The Voting Board tally was:

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

Item 5. Approve Minutes of December 16, 2014 Board Meeting Minutes

Item 6. Finance and Budget; Approve Expenditure Listing (EL)

Resolution R15-08 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED DECEMBER 16, 2014 THROUGH JANUARY 05, 2015

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 6th day of January, 2015 that the above-mentioned EL be and hereby is approved.

Item 7. Utilities; Authorize the County Administrator to Execute an Agreement with VDOT Regarding the Relocation of Water and Sewer Utilities at the Onville Road/Garrisonville Road Intersection

Resolution R15-09 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE VIRGINIA DEPARTMENT
OF TRANSPORTATION REGARDING THE RELOCATION OF WATER
AND SEWER UTILITIES AT THE ONVILLE ROAD/GARRISONVILLE
ROAD INTERSECTION

WHEREAS, the Virginia Department of Transportation (VDOT) is designing, and will construct, improvements to the Onville Road/Garrisonville Road Intersection; and

WHEREAS, certain water and sewer utilities must be relocated for VDOT's proposed construction and completion of the project; and

WHEREAS, the County will bear the cost for the betterments, with the estimated cost not to exceed \$371,267; and

WHEREAS, the funds for this project are available in the FY2015 Utilities Department operating budget; and

WHEREAS, staff reviewed VDOT's estimates for the betterments' cost and determined that it is reasonable for the proposed scope of work; and

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

WHEREAS, it is necessary for VDOT and the County to enter into an agreement regarding the relocation of water and sewer utilities necessary for VDOT's proposed construction of the project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2015, that the County Administrator be and he hereby is authorized to execute an agreement with VDOT for the relocation of water and sewer utilities at the Onville Road/Garrisonville Road Intersection and the County Administrator is authorized to pay VDOT for the betterment improvements to the County sewer system in an amount not to exceed Three Hundred Seventy-one Thousand Two Hundred Sixty-seven Dollars (\$371,267), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that this project will be funded using FY2015 Utilities operating funds.

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee be authorized to execute any other necessary or appropriate documents related to the agreement.

Consider Dates for the Board of Supervisors' Annual Planning Meeting This item was discussed earlier during the County Administrator's report. It was agreed that materials would be presented to the Board during its evening session on January 20, 2015. Mr. Sterling noted that the Board's Infrastructure and Community and Economic Development Committees dealt with land-use issues prior to being presented to the full Board. Mr. Snellings said that he attended a lot of retreats/planning meetings, and that while the budget and Capital Improvement Programs were challenging, they did not warrant using a half day to accomplish what could be accomplished at a regularly scheduled Board meeting. Ms. Bohmke asked Mr. Romanello for his opinion on whether the planning meeting should take place or not. Mr. Romanello said that it was a valuable tool to keep the Board informed and up-to-date on County issues and agreed that the evening session on January 20th would be scheduled to reflect items that would have been discussed in the Board's planning meeting.

Planning and Zoning: Consider a Conditional Use Permit to Allow a Drive-Through Facility on 1.8 Acres Zoned B-2 Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

Mr. Thomas asked Mr. Harvey about the project's floor area ratio. Mr. Harvey said that he would have to research the answer to Mr. Thomas' question.

Mr. Scott Little, applicant with Silver Companies, addressed the Board and thanked staff for working well with him on the proposed project. The proposed Freddy's Frozen Custard and other businesses in the Carter's Crossing project would cover 10,000 s.f., east of the Panera Bread in the Gateway project off I-95. There would be outdoor seating and pedestrian access offered; its hours of operation would be 10:00 a.m. to 10:00 p.m. and it was a family friendly operation.

Mr. Thomas asked about the door overhang, which was open metal, with a skeletal framework. Mr. Little said that design was necessary due to wind load. Mr. Thomas asked that a design with closed ends be considered. Mr. Little repeated that it was structural and had to do with wind load but that he would pursue other options.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas asked if the property taxes were up-to-date. It was confirmed that all taxes on the property were paid in full.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-03.

The Voting Board tally was:

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

Nay: (0)

Resolution R15-03 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP14150372 TO ALLOW A DRIVE-THROUGH FACILITY IN A HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON ASSESSOR'S PARCEL 45T-2A, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, submitted application CUP14150372, requesting a conditional use permit (CUP) to allow a drive-through facility in an HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel 45T-2A, 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 a HC, Highway Corridor Overlay, Zoning District, after the Board approves the issuance of a CUP; 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 6th day of January, 2015, that a conditional use permit, pursuant to application CUP14150372, be and it hereby is approved with the following conditions:

1. This CUP shall be limited to one (1) drive-through facility within the HC, Highway Corridor Overlay District, on Assessor's Parcel 45T-2A.
2. The drive-through facility, including the service window and stacking lane location, shall be sited as shown on the Generalized Development Plan, prepared by Fairbanks and Franklin, dated 12/02/14.
3. There shall be no direct access from the site onto South Gateway Drive, other than the existing right-in access onto the shared drive aisle.
4. Prior to the issuance of the first occupancy permit, the applicant shall install the directional signage identified in the document titled "Freddy's Restaurant Directional Signage Exhibit Carter's Crossing," prepared by Fairbanks and Franklin, dated 12/02/14.
5. All drive-through canopies shall be of the same coordinated color and materials as the primary structure on-site.
6. Any canopy lighting shall be recessed within the canopy.
7. 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 the business. The use of temporary and portable electronic and variable message signs, and flashing signs, shall be prohibited at all times.

8. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, or regulation, after the applicant has been notified in writing by the County of the violation(s) and applicant is given a reasonable opportunity to correct the violation(s).

Legislative; Closed Meeting. At 8:42 p.m., Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-01.

The Voting Board tally was:

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

Resolution CM15-01 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel regarding *In re: Zoning Variance of 12 Pickett Lane, Stafford, VA, 22556 Submitted by Amanda and Ronald Rowe, CL 11000192-00*; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(7) such discussion may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 6th day of January, 2015, does hereby authorize discussion of the above matter in Closed Meeting.

Call to Order At 9:12 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 CM15-01(a).

The Voting Board tally was:

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

Resolution CM15-01(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 6, 2015

WHEREAS, the Board has, on this the 6th day of January, 2015, 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 6th day of January, 2015, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Adjournment At 9:14 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Gary F. Snellings
Chairman