

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

DRAFT MINUTES

Regular Meeting

March 1, 2011

Call to Order The regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 3:02 p.m., Tuesday, March 1, 2011, in the Board Chambers, Stafford County Administration Center.

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

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

Legislative; Presentations by the Public:

No persons desired to speak.

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

- | | | |
|----------------|---|---|
| Gary Snellings | - | Thanks for condolences extended to the family |
| | - | Town Hall mtg., 3/21/11, 7:00 p.m. Berea Fire Station |
| Cord Sterling | - | Budget and Finance Committee |
| | - | Capital Improvement Plan |

- | | | |
|-----------------|---|---|
| Susan Stimpson | - | Deferred |
| Bob Woodson | - | Deferred |
| Harry Crisp | - | R-Board meeting/Recycling |
| | - | Eagle Scout ceremonies |
| | - | Ferry Farm Elementary School Science Fair |
| Paul Milde | - | Committee of 4,000 |
| | - | Form-based Code meeting |
| | - | BRAC |
| | - | R-Board Meeting |
| | - | VRE reached its 20,000 riders in-a-day mark |
| | - | Missed School Board joint committee meeting due to illness – respectfully disagrees with plan to build a replacement for Stafford High School |
| | - | Commented on Animal Shelter |
| Mark Dudenhefer | - | Commented on possible Animal Shelter alternatives |

Legislative; Report of the County Attorney Mr. Charles Shumate, County Attorney, reported that the County Attorney's office recently hired Assistant County Attorney Rysheda McClendon.

Legislative; Report of the County Administrator Mr. Anthony J. Romanello, County Administrator, gave a presentation on the FY2012 Proposed Budgets and answered Board members questions which included a request for clarification of the VRE subsidy, the total budget request submitted by the Central Rappahannock Regional Library, information on partner agency salaries, and a proposed date for a meeting with the School Board to discuss their budget. Mr. Dudenhefer noted that in conversation with the Sheriff, it was brought to his attention that the number of additional staff needed for work on the Gang Taskforce is five (5), not four (4) as was originally discussed.

At the conclusion of his presentation, Board members thanked Mr. Romanello for doing an outstanding job with the budget presentation and Mr. Sterling commented that Stafford County has the greatest Budget and Finance staff in the Country!

Legislative; Additions and Deletions to the Regular Agenda and Closed Meeting Agenda.

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

The Voting Board tally was:

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

Nay: (0)

Following the vote to accept the agenda, Mr. Dudenhefer stated that he wished to change the order of the agenda. Mr. Sterling inquired about the need for a “super majority” vote. Ms. Stimpson quoted Section 5.1A from the Board’s adopted by-laws. County Attorney, Charles Shumate, suggested that the Board take a brief recess.

Recess At 4:07 P.M., the Chairman declared a recess.

Call to Order At 4:19 P.M., the Chairman called the meeting back to order.

When the Board reconvened, Mr. Shumate said that the Chairman cannot change the order of the agenda without a two-thirds majority vote. Mr. Dudenhefer rescinded his request to change the order of the agenda.

Legislative; Consent Agenda Mr. Woodson motioned, seconded by Mr. Crisp, to adopt the Consent Agenda, consisting of Items 4 thru 10, omitting Item 4. (Item 11 was removed from the agenda prior to the start of the meeting.)

The Voting Board tally was:

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

Nay: (0)

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R11-74 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED FEBRUARY 15, 2011 THROUGH FEBRUARY 28, 2011

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March 2011 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Modify Authorization for Remaining Communications

System Financing and Recognize Debt Service Savings

Resolution R11-81 reads as follows:

A RESOLUTION TO MODIFY AUTHORIZATION FOR REMAINING RADIO COMMUNICATIONS SYSTEM FINANCING AND RECOGNIZE DEBT SERVICE SAVINGS

WHEREAS, in December 2007, the Board authorized the financing of public facilities projects in one or more series through the Economic Development Authority (EDA) Lease Revenue Bonds; and

WHEREAS, in December 2007, the Board budgeted and appropriated a portion of the Lease Revenue Bond proceeds for the radio communications system project (the “Project”); and

WHEREAS, in March 2008, the EDA issued its Series 2008 Bonds, the proceeds of which were used in part to finance a portion of the costs related to the Project; and

WHEREAS, as of the date hereof, the County has expended that portion of the Series 2008 Bonds allocable to the Project; and

WHEREAS, there remains approximately \$8.8M in costs necessary to complete the Project; and

WHEREAS, the Board originally anticipated that the costs to complete the Project would be included in projects to be financed with the remainder of the 2007 Lease Revenue Bond authorization; and

WHEREAS, the Board desires to complete the Project in a fiscally responsible manner; and

WHEREAS, in May 2008, the Board authorized a Master Lease Agreement between the County and SunTrust Equipment Finance and Leasing Corp., for the purposes of financing certain County equipment in an amount not to exceed \$16M; and

WHEREAS, the County has approximately \$14.5M in unused authorized financing capacity remaining under the Master Lease Agreement; and

WHEREAS, projected project savings are approximately \$1.2M and projected debt service savings are approximately \$2.1M by using master lease financing; and

WHEREAS, the County has determined that there is economic benefit in utilizing a portion of the remaining unused authorized financing capacity under the Master Lease Agreement to finance the remaining Project costs, rather than including such costs in projects to be financed in any future lease revenue bonds issued under the 2007 authorization; and

WHEREAS, the Board desires to authorize financing of the costs to complete the Project with proceeds of the Master Lease Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 1st day of March, 2011 that the Board be and it hereby does:

1. Authorize the financing of the costs related to the completion of the Project through the Master Lease Agreement, so long as such amounts are within the Unused Financing Capacity under the Master Lease Agreement.

2. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate, are authorized to execute and deliver on behalf of the County such instruments, agreements, documents, or certificates and to do and perform such things and acts, as they deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing previously done or performed by such officers or agents of the County are in all respects approved, ratified and confirmed.

3. This Resolution shall take effect immediately.

Item 7. Public Works; Petition VDOT to Include Chet Atkins Court within Boscobel Estates into the Secondary System of Highways

Resolution R11-47 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO INCLUDE CHET ATKINS COURT WITHIN
BOSCOBEL ESTATES INTO THE SECONDARY SYSTEM OF STATE
HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Chet Atkins Court within Boscobel Estates into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011 that VDOT be and it hereby is petitioned to include the following street within Boscobel Estates into the Secondary System of State Highways:

<u>Street Name/Route Number</u>	<u>Station</u>	<u>Length</u>
Chet Atkins Court (SR-2113)	From: Int. Boscobel Road (SR-606)	0.19 mi.
	To: Chet Atkins Court (SR-2113) Cul-de-sac	ROW 50'

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Boscobel Estates, recorded in PM 080000195 with Instrument Number 080020962 on December 19, 2008; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Developer and to the Director of Transportation & Land Use/Area Land Use Engineer (North) at the VDOT Fredericksburg District Office.

Item 8. Public Works; Authorize a Public Hearing to Amend Stafford County Code, Section 15-56, Entitled “Designation of Restricted Parking Areas” to Establish a Restricted Parking Area in the Manors at Greenridge Subdivision

Resolution R11-72 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO ESTABLISH A RESTRICTED PARKING AREA IN THE MANORS AT GREENRIDGE SUBDIVISION

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

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

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

WHEREAS, the Manors at Greenridge Homeowners Association approved a resolution dated January 13, 2011, requesting the establishment of a restricted parking area within the Manors at Greenridge Subdivision and the resolution satisfies the requirements of Stafford County Code, Section 15-56; and

WHEREAS, the Manors at Greenridge Homeowners Association resolution requests that the following streets be designated as restricted parking areas:

- (A) Oleander Drive
- (B) Pergola Drive
- (C) Trellis Drive

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

WHEREAS, the Board desires to consider public comments concerning the proposed restricted parking area;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March 2011, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider designating a restricted parking area within the Manors at Greenridge Subdivision.

Item 9. Parks, Recreation and Community Facilities; Authorize a Public Hearing to

Lease County-Owned Property at Duff McDuff Green Memorial Park

Resolution R11-75 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED
PROPERTY AT DUFF MCDUFF GREEN MEMORIAL PARK

WHEREAS, Duff McDuff Green donated the remaining 125 acres of his property to the County, which contained a house, out buildings, and farm fields; and

WHEREAS, in recent years approximately 68 acres of the farm fields have been rented to an area farmer to cultivate and harvest crops for a fee; and

WHEREAS, benefits of continuing this farm use include keeping the fields looking attractive, reducing maintenance by department staff, and generating a modest amount of revenue; and

WHEREAS, definitive plans and funding do not exist to implement improvements that use the farm fields; and

WHEREAS, future uses of the house have not yet been determined by the master planning process; and

WHEREAS, benefits of having the house occupied include having an obvious presence in the structure, reducing degradation by keeping temperatures at optimal levels, keeping the systems operating properly, reducing maintenance by department staff, and generating revenue; and

WHEREAS, under Virginia Code Section 15.2-1800(B) a public hearing is required to lease County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that the County Administrator be and he hereby is authorized to advertise a public hearing to lease County-owned property at Duff McDuff Green Memorial Park.

Item 10. Legislative; Approve Appointment of Mr. Bernard Storck to the Rappahannock Area Agency on Aging Advisory Council

Item 4. Legislative; Approve Minutes of the February 15, 2011 Regular Board Meeting

Ms. Stimpson motioned, seconded by Mr. Sterling, to withdraw authority from the County Administrator to accept SAFER Grant and to correct the draft minutes from the February 15, 2011 meeting to reflect that the Board did not vote to approve proposed Resolution R11-69 but rather, only voted to accept the SAFER Grant. Following the motion, Ms. Stimpson requested that the SAFER Grant be placed on the next meeting agenda. Staff was instructed to bring a corrected version of the minutes back to the Board for further consideration and approval on March 15, 2011. No vote was taken on the original motion. Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to defer approval of the February 15, 2011 minutes to the March 15th meeting.

The Voting Board tally was:

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

Nay: (0)

Finance and Budget; Mid-Year Review Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R11-66.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-66 reads as follows:

A RESOLUTION TO ADJUST THE FY 2011 APPROPRIATION
FOLLOWING THE MID-YEAR REVIEW

WHEREAS, the FY 2010 Audit and FY 2011 Mid-Year Review shows sufficient funds to appropriate the remaining FY 2011 General Government budget; and

WHEREAS, County departments have identified savings;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that it be and hereby does appropriate the General Fund Budget for FY 2011 as follows:

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	Original 7% Appropriation Hold	Midyear 4% Appropriation Release	Savings Identified	Appropriation Release
Public Safety				
Sheriff	\$ 1,243,937	\$ 710,288		\$ 533,649
Fire and Rescue	931,703	532,002		399,701
Total	\$ 2,175,640	\$ 1,242,290	\$ -	\$ 933,350
Partner Agencies				
Central Rappahannock Regional Library	\$ 321,000	\$ 183,291		\$ 137,709
Partner Agencies	116,996	66,805		50,191
Corrections	408,018	232,978		175,040
Total	\$ 846,014	\$ 483,074	\$ -	\$ 362,940
General Government				
Board of Supervisors	\$ 37,562	\$ 21,448	\$ -	\$ 16,114
Capital Projects	72,351	72,351	-	-
Commissioner of the Revenue	177,871	101,564	(38,000)	38,307
Commonwealth's Attorney	195,283	111,507	-	83,776
Cooperative Extension	12,854	7,340	-	5,514
County Administration	68,767	39,266	(15,000)	14,501
County Attorney	71,183	40,645	-	30,538
Courts	161,550	92,245	-	69,305
Economic Development/Legislative Affairs	58,586	33,453	-	25,133
Finance and Budget	105,311	25,311	(80,000)	-
Human Resources	39,531	-	(39,531)	-
Human Services, Office of	295,824	168,916	-	126,908
Information Technology	142,525	59,525	(83,000)	-
Non-Departmental	150,421	149,484	-	937
Parks, Recreation and Community Facilities	682,481	389,697	-	292,784
Planning and Zoning	168,611	96,277	(30,000)	42,334
Public Works	272,138	155,391	(80,000)	36,747
Registrar & Electoral Board	26,938	-	(26,938)	-
Social Services	560,602	320,104	(150,000)	90,498
Treasurer	131,483	75,077	-	56,406
Total	\$ 3,431,872	\$ 1,959,601	\$ (542,469)	\$ 929,802

Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Resolution R11-67.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-67 reads as follows:

A RESOLUTION TO APPROPRIATE FY 2011 SCHOOL OPERATING
MIDYEAR FUNDS

WHEREAS, the FY 2010 Audit and FY 2011 Mid-Year Review show sufficient funds to appropriate the remaining FY 2011 School Operating budget; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that it be and hereby does appropriate Three Million Twenty-three Thousand Eight Hundred Thirty-four Dollars (\$3,023,834) to the FY 2011 School Operating Budget.

Economic Development; Master Redevelopment Plan Brad Johnson, Redevelopment Administrator, gave a presentation and answered Board members questions.

Mr .Crisp motioned, seconded by Mr. Woodson, to adopt proposed Resolution R11-77.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-77 reads as follows:

A RESOLUTION IN ACCORDANCE WITH § 15.2-2229 OF THE CODE OF VIRGINIA (1950) AS AMENDED, DIRECTING THE STAFFORD COUNTY PLANNING COMMISSION ("COMMISSION") TO SUBMIT THE MASTER REDEVELOPMENT PLAN TO PUBLIC HEARING AS AN AMENDMENT TO THE COMPREHENSIVE PLAN, AND PROVIDE THE COMMISSION'S RECOMMENDATIONS TO THE BOARD ON AMENDING THE COMPREHENSIVE PLAN TO INCLUDE THE MASTER REDEVELOPMENT PLAN, AND FURTHER DIRECTING THE COUNTY ADMINISTRATOR TO SUBMIT A COPY OF THIS RESOLUTION TO THE COMMISSION

WHEREAS, under § 15.2-2229 of the Code of Virginia (1950) as amended, the Board may amend the Comprehensive Plan; and

WHEREAS, on October 3, 2006, the Board adopted Resolution R06-454 which authorized staff to hire a Redevelopment Administrator and to issue a Request for Proposals to seek professional services to guide work on redevelopment planning for the areas around Boswell's Corner, the Courthouse, Falmouth, and US-17; and

WHEREAS, on March 18, 2008, the Board adopted Resolution R08-197 authorizing work on the first phase of a Master Redevelopment Plan; and

WHEREAS, on February 17, 2009, the Board adopted Resolution R09-89 authorizing work on the final phase of the Master Redevelopment Plan, and

WHEREAS, on February 2, 2010, work on the Master Redevelopment Plan was completed and endorsed by the Board per Resolution R10-38 and forwarded to the Planning Commission for its review and recommendation; and

WHEREAS, on August 18, 2010, the Planning Commission reviewed the Master Redevelopment Plan and recommended changes to the Falmouth Redevelopment Plan; and

WHEREAS, the Master Redevelopment Plan dated March 1, 2011, was delivered to the Board for its consideration and to determine whether the Plan should be adopted as was recommended by the Commission; and

WHEREAS, the Board desires that the Commission submit the Master Redevelopment Plan to public hearing on March 1, 2011; and

WHEREAS, pursuant to § 15.2-2229 of the Code of Virginia (1950) as amended, the Board directs the Planning Commission to conduct its public hearing on the Master Redevelopment Plan as an amendment to the Comprehensive Plan, and provide the Board with its recommendations within sixty (60) days of the Commission's receipt of a copy of this Resolution; and

WHEREAS, the Board wishes to direct the County Administrator to submit a copy of this Resolution to the Planning Commission, as the Board's written request directing the Commission to submit the Master Redevelopment Plan to public hearing, and present the its recommendations to the Board in accordance with this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of March, 2011, be and it hereby directs the Commission to submit the Master Redevelopment Plan dated March 1, 2011, to public hearing, including recommendations by the Planning Commission, as an amendment to the Comprehensive Plan; and

BE IT FURTHER RESOLVED that the Commission is hereby directed to submit the Master Redevelopment Plan to public hearing and provide the Board with its recommendations within sixty (60) days after the Commission's receipt of a copy of this Resolution; and

BE IT STILL FURTHER RESOLVED that the County Administrator is hereby directed to submit forthwith a copy of this Resolution to the Commission as the Board's written request under §15.2-2229 of the Code of Virginia (1950), as amended, directing the Commission to submit the Master Redevelopment Plan to public hearing, and present the Commission's recommendations to the Board within sixty (60) days after the Commission's receipt of a copy of this Resolution.

Planning and Zoning; Consider a Zoning Text Amendment, Adding a New Zoning District and Discussion of Potential Implementation Strategies for the Boswell's Corner Redevelopment Area Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Staff was instructed to bring back information at the March 15th meeting on funding mechanisms to build infrastructure. In response to Mr. Crisp's question, Mr. Harvey responded that proposed Resolution R11-80 refers the matter to the Planning Commission and it does give them authority to make any changes they feel are necessary. Mr. Woodson said that he would like for the Planning Commission to consider this before scheduling a public hearing.

Mr. Milde questioned when there would be an opportunity to make changes to the amendment. Mr. Baroody responded that there was an opportunity (now) and after the Planning Commission completes their deliberation. Mr. Milde said that he is attending a steering committee meeting on March 9th. Mr. Sterling asked that it be noted on the proposed resolution that Quantico's concerns be considered when it is sent to the Planning Commission.

Mr. Crisp motioned, seconded by Mr. Milde to adopt proposed Resolution R11-80 with changes.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-80 reads as follows:

A RESOLUTION TO REFER A TEXT AMENDMENT TO THE PLANNING COMMISSION TO (1) AMEND AND REORDAIN THE STAFFORD COUNTY CODE BY AMENDING SECTION 28-25, DEFINITIONS OF SPECIFIC TERMS; SECTION 28-33, DISTRICTS GENERALLY; SECTION 28-34, PURPOSE OF DISTRICTS; SECTION 28-35, TABLE OF USES AND STANDARDS; SECTION 28-39, SPECIAL REGULATIONS; AND, SECTION 28-137, TYPES OF SIGNS PERMITTED IN THE P-TND

DISTRICTS; AND (2) ENACT, ADOPT, AND ORDAIN STAFFORD COUNTY CODE, SECTION 28-39, TABLE 3.6(a), RESIDENTIAL USES WITHIN TRANSECT ZONES; TABLE 3.6(b), LODGING USES WITHIN TRANSECT ZONES; TABLE 3.6(c), OFFICE USES WITHIN TRANSECT ZONES; TABLE 3.6(d), INSTITUTIONAL USES WITHIN TRANSECT ZONES; TABLE 3.6(e), RETAIL/EATING ESTABLISHMENTS USES WITHIN TRANSECT ZONES; TABLE 3.6(f), CULTURAL /ENTERTAINMENT USES WITHIN TRANSECT ZONES; TABLE 3.6(g), PUBLIC/CIVIC USES WITHIN TRANSECT ZONES; TABLE 3.7(a), PARKING REQUIREMENTS PER USE AND TRANSECT ZONES; TABLE 3.7(b), SHARED PARKING FACTOR; TABLE 3.7(c), PARKING FOR BICYCLES; TABLE 3.8(a), ADDITIONAL RESTRICTIONS AND LIMITATIONS FOR SPECIFIC USES; TABLE 3.8(b), OPEN AND PARK SPACE; TABLE 3.9(a), ALLOCATION OF TRANSECT ZONES; TABLE 3.9(b), BASE RESIDENTIAL DENSITY; TABLE 3.9(c), LOT OCCUPANCY; TABLE 3.9(d), SETBACKS, MAIN BUILDING; TABLE 3.9(e), SETBACKS, ACCESSORY BUILDINGS; TABLE 3.9(f), HEIGHT/NUMBER OF STORIES; AND, TABLE 3.9(g), BUILDING HEIGHT TO STREET RATIO OF THE ZONING ORDINANCE

WHEREAS, the Board desires to amend and reenact certain portions of Stafford County Code, Chapter 28, to add a new zoning district entitled “RDA-1, Redevelopment Area 1, Boswell’s Corner”; and

WHEREAS, currently the Stafford County Zoning Ordinance does not contain a specific zoning district that would promote the type of compact mixed-use development envisioned in this area, consistent with the Boswell’s Corner Redevelopment Plan; and

WHEREAS, the Board desires to establish development standards that promote redevelopment in the Boswell’s Corner area consistent with a more compact mixed-use development pattern; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that the amendment to the Zoning Ordinance by proposed Ordinance O11-14 be and it hereby is referred to the Planning Commission for a public hearing and recommendation to be returned to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission be and it hereby is directed to conduct a public hearing on the proposed Ordinance for the purpose of making its recommendation to the Board within 60 days after the Commission's receipt of a copy of this Resolution; and

BE IT FURTHER RESOLVED that the Planning Commission be and it hereby is directed to review, consider and adjust the residential density ranges for the proposed

zoning district and the residential density ranges of each transect zone within the ordinance as it deems necessary; and

BE IT STILL FURTHER RESOLVED, that the Planning Commission be and it hereby is authorized to make modifications to the amendment as it deems necessary.

BE IT STILL FURTHER RESOLVED, that the Planning Commission consider Quantico's concerns when revising the proposed ordinance.

Discuss SAFER Grant Ms. Stimpson motioned, seconded by Mr. Sterling, to pull authorization, investigate, and request that the Public Safety Committee come back with recommendations at the March 15th meeting. It was further recommended that a representative from the Department of Homeland Security be invited to attend the Public Safety Committee meeting prior to the SAFER Grant being readdressed by the Board on March 15th. County Administrator, Anthony Romanello, and Fire Chief, Rob Brown, addressed the Board and responded to comments and questions. No vote was taken on the original motion.

Mr. Crisp offered a friendly amendment, seconded by Ms. Stimpson, to direct the County Administrator to not accept the Grant (if it were to come back within the next two weeks) without further Board authorization and that a review be done by the Public Safety Committee. It was also requested that further consideration being given to reducing the number of personnel requested in the Grant.

The Voting Board tally was:

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

Legislative; Closed Meeting. At 6:03 P.M., Mr. Sterling motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM11-04.

The Voting Board tally was:

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

Resolution CM11-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting legal advice regarding (1) Proposed Comprehensive Plan Amendments; and (2) Acceptance of SAFER Grant; and

WHEREAS, pursuant to Section 2.2-3711 A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of March, 2011, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 6:53 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Crisp motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM11-04(a).

The Voting Board tally was:

Yea: (4) Crisp, Woodson, Dudenhefer, Stimpson

Nay: (0)

Absent: (3) Milde, Snellings, Sterling

Resolution CM11-04(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MARCH 1, 2011

WHEREAS, the Board has, on this the 1st day of March, 2011 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 1st day of March, 2011, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Mr. Crisp motioned, seconded by Mr. Woodson, to add a discussion of the Comprehensive Plan to the agenda.

The Voting Board tally was:

Yea: (5) Crisp, Woodson, Dudenhefer, Sterling, Stimpson

Nay: (0)

Absent: (2) Milde, Snellings

Recess At 6:54 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order At 7:02 P.M., the Chairman called the meeting back to order.

Invocation Mr. Woodson gave the Invocation.

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

Legislative; Presentations by the Public

The following persons desired to speak:

Ryan Middleton - Rebuilding Stafford High School

Jennifer Bowles - Rebuilding Stafford High School

Paul Waldowski - Trash ordinance / F&R Station 14

Human Services; Consider the Conveyance of County-Owned Real Estate to Greater Fredericksburg Habitat for Humanity Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Bruce Seeger

Robert Mahone

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-32.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-32 reads as follows:

A RESOLUTION TO AUTHORIZE CONVEYANCE OF COUNTY-
OWNED REAL ESTATE TO GREATER FREDERICKSBURG
HABITAT FOR HUMANITY

WHEREAS, Virginia Code § 15.2-953 authorizes a locality to make appropriations of real estate to any charitable institution or association, including Habitat for Humanity, located within the County, or outside of the County if it provides services to County residents; and

WHEREAS, Stafford County owns the real estate known as Tax Map Parcels 8B-G-18 and 8B-G-19, which it received by Deed of Gift, dated January 20, 2006, recorded as Instrument Number LR060003197 in the land records of the Circuit Court Clerk's Office; and

WHEREAS, Greater Fredericksburg Habitat for Humanity owns Tax Map Parcels 8B-G-20 and 8B-G-21; and

WHEREAS, Greater Fredericksburg Habitat for Humanity has proposed constructing one single family residence on Tax Map Parcel 8B-G-19 and one single family residence on Tax Map Parcel 8B-G-21; and

WHEREAS, Greater Fredericksburg Habitat for Humanity will construct the single family residences to help provide affordable housing to lower-income County residents; and

WHEREAS, the Board desires to appropriate and convey County-owned real estate to Greater Fredericksburg Habitat for Humanity; and

WHEREAS, the Deed of Gift will specify no more than two homes to be built on the four parcels; and

WHEREAS, the Board finds that appropriating and conveying the County-owned real estate serves the public health, safety, and welfare; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that the County Administrator be and he hereby is authorized to convey Tax Map Parcels 8B-G-18 and 8B-G-19 to Greater Fredericksburg Habitat for Humanity.

Utilities; Authorize Condemnation and Exercise of Quick-Take Powers to Acquire an Easement on a Portion of Property Located at Tax Map Parcel 53D-1-84B in Connection with the Falls Run Phase 1 Sewer Project Dale Allen, Assistant Director of Utilities, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Ms. Stimpson motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-60.

The Voting Board tally was:

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

Nay: (0)

Resolution R11-60 reads as follows:

A RESOLUTION TO AUTHORIZE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE EASEMENTS ON A PORTION OF THE PROPERTY OF LARRY K. GARMON AND CAROLE A. GARMON, TAX MAP PARCEL 53D-1-84B, IN CONNECTION WITH THE FALLS RUN SEWER INTERCEPTOR REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends construction of a new sewer line, the Falls Run Sewer Interceptor, from the Falls Run Pump Station following along Falls Run up to and including a crossing of I-95 to replace an older failing sewer, an approved public use; and

WHEREAS, the Board has approved and is in the process of acquiring the necessary easements for the construction of the Falls Run Sewer Interceptor; and

WHEREAS, Tax Map Parcel 53D-1-84B consists of approximately 0.878 acres of land and is owned by Larry K. Garmon and Carole A. Garmon (the “Property Owners”); and

WHEREAS, because the design for the project requires installation of the sewer interceptor and clearing and grading of approximately 0.0645 acres for a temporary construction easement and 0.0445 acres for a permanent sewer easement on Tax Map Parcel 53D-1-84B (the “Property”), the Board must acquire easements on the Property; and

WHEREAS, the fair market value for the easement areas of the Property, together with damages, if any, to the remainder of the Property is Two Thousand Nine Hundred Dollars (\$2,900), based upon the 2010 tax assessed value; and

WHEREAS, the Board, through its consulting negotiator and County staff, has made bona fide but ineffectual efforts to purchase the easement area of the Property by offering said determination of value on behalf of the County to the Property Owners; and

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

WHEREAS, the Board has conducted a public hearing in accordance with Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to determine the necessity for condemnation and the use of the County’s quick-take powers and has carefully considered the recommendations of staff and the testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.0645 acres of temporary construction easement and 0.0445 acres of permanent sewer easement on Tax Map Parcel 53D-1-84B;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 1st day of March, 2011, that the Board be and it hereby does find that public necessity exists for the Board’s easement ownership of the Property to complete construction and begin operation of the Falls Run Sewer Interceptor, an approved public use to meet the County’s sewer demand needs; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Two Thousand Nine Hundred Dollars (\$2,900) as just compensation for the Property, including damages, if any, to the remainder of the Property, that the Board and the Property Owners cannot agree on compensation to be paid or on other terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board determines it is necessary to do so and hereby declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire the Property for construction and operation of the Falls Run Sewer Interceptor, under the provisions of Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann; and

BE IT STILL FURTHER RESOLVED that the Board does hereby authorize the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Director of Finance and Budget, or their designees, to sign the Certificate and to deposit Two Thousand Nine Hundred Dollars (\$2,900), with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the Property in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending Proffered Conditions at 904 Garrisonville Road. Mr. Dudenhefer indicated that both this public hearing and the following would be held concurrently as they both involved the same property.

Planning and Zoning; Approve a Minor Amendment to a Conditional Use Permit at 904 Garrisonville Road Jeff Harvey, Director of Planning and Zoning, gave a presentation on both items and answered Board members questions. Mr. Woodson specifically inquired about why a traffic impact analysis had not been conducted. Mr. Harvey explained one had been done initially but that signage was the only change being considered at this time – from Sheetz to 7-Eleven – and therefore, another traffic analysis was not required.

The Chairman opened the public hearing.

The following persons desired to speak:

Heather Stefl

Paul Waldowski
Dana Brown
Clark Leming, representing the Applicant
Sandy Judy, Applicant

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Woodson, to defer both items to the March 15th meeting and requested that information be provided about the existing 7-Eleven location that will be vacated if the Board approves the two requests presented on March 1st.

The Voting Board tally was:

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

Planning and Zoning: Consider an Amendment to Section 22-190 of the Subdivision Ordinance Regarding Street Access Requirements Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Woodson motioned, seconded by Ms. Stimpson, to adopt proposed Ordinance O11-13.

The Voting Board tally was:

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

Ordinance O11-13 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 22-190, “STREET ACCESS,” OF THE SUBDIVISION ORDINANCE

WHEREAS, the Board desires to amend and reenact Stafford County Code, Section 22-190, entitled “Street Access”; and

WHEREAS, the Virginia Department of Transportation (VDOT) has adopted secondary street acceptance regulations; and

WHEREAS, the Board desires to bring the subdivision ordinance into compliance with VDOT regulations; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of March, 2011, that Stafford County Code, Section 22-190 be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Section. 22-190. Street access.

Streets shall be arranged to provide access to adjoining parcels where necessary to promote orderly development of the county. Major subdivisions shall provide access to adjoining parcels and subdivisions ~~as specified below~~ (i) that meet the state secondary street acceptance requirements adopted pursuant to Virginia Code §33.1-70.3, or (ii) as specified in the table below, whichever is more restrictive:

Total number of lots	Access connections required
6—35	0
36—50	1
51—100	2
100—200	3
>201	3 + (1/100 lots >200)

The agent may grant an exception for the required number of access connections as specified in the above table where it can be demonstrated that topography, floodplain, impact to wetlands or other sensitive environmental features make the connection impractical.

BE IT FURTHER ORDAINED that this Ordinance shall take effect on March 1, 2011.

Public Works; Amend Stafford County Code, Section 15-56, Entitled “Designation of Restricted Parking Areas” to Establish a Restricted Parking Area in Hampton Oaks Subdivision Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following person desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded Mr. Sterling, to adopt proposed Ordinance O11-09.

The Voting Board tally was:

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

Nay: (0)

Ordinance O11-09 reads as follows:

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

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

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

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

WHEREAS, on December 2, 2010, the Hampton Oaks Homeowners Association approved a resolution requesting the establishment of a restricted parking area within the Hampton Oaks Subdivision and the resolution satisfies the requirements of Stafford County Code Section 15-56; and

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 1st day of March 2011, that Stafford County Code, Section 15-56, entitled “Designation of Restricted Parking Areas,” be and it hereby is amended and reordained as follows, all other portions remain unchanged:

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

(9) Hampton Oaks Subdivision on the following named streets:

- (A) Arbor Lane;
- (B) Aston Court;
- (C) Bankston Court;
- (D) Baron Court;
- (E) Bentley Court;
- (F) Brantford Drive;
- (G) Bridgeport Circle;
- (H) Brittany Lane;
- (I) Brixham Court;
- (J) Burns Road;
- (K) Canaan Court;
- (L) Cathedral Lane;
- (M) Chelsea Court;
- (N) Christopher Way (921’ south of Neville Court to Northampton Boulevard);
- (O) Colonel Colin Court;
- (P) Cromwell Court;
- (Q) Danbury Court;
- (R) Dartmouth Avenue;
- (S) Devonshire Lane;
- (T) Dorchester Court;

- (U) Dunkirk Lane;
- (V) East Brook Court;
- (W) Exeter Lane;
- (X) Giles Court;
- (Y) Greenspring Drive (Northampton Boulevard to 111' north of Bridgeport Circle/East Brook Court);
- (Z) Halifax Court;
- (AA) Hampshire Court;
- (BB) Healy Court;
- (CC) Marquis Court;
- (DD) Mistro Court;
- (EE) Monarch Court;
- (FF) Neville Court;
- (GG) New Bedford Court;
- (HH) New Brunswick Court;
- (II) Northampton Boulevard;
- (JJ) North Vine Place (Mine Road to 159' south of Tolbelt Court);
- (KK) Oakbrook Court;
- (LL) Old English Way;
- (MM) Old Mineral Road (Northampton Boulevard to 127' south of Larkwood Court);
- (NN) Palace Lane;
- (OO) Remington Court;
- (PP) Rover Court;
- (QQ) Royal Drive;
- (RR) Royce Court;
- (SS) Sterling Court;
- (TT) Sydney Lane;
- (UU) Thames Court;
- (VV) Tolbelt Court;
- (WW) Tudor Court;
- (XX) Warwick Way;
- (YY) Westbrook Lane;
- (ZZ) Yorkshire Court;

Comprehensive Plan Mr. Sterling read the proposed Resolution and motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-89

The Voting Board tally was:

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

Resolution R11-89 reads as follows:

A RESOLUTION TO EXTEND THE DEADLINE IN RESOLUTION R10-377 AND RESOLUTION R11-78 FROM APRIL 1, 2011 TO MAY 4, 2011

WHEREAS, the Board may desire to take additional action regarding amendments to the Comprehensive Plan at its March 15, 2011 meeting; and

WHEREAS, the Board desires to extend the April 1, 2011 deadline included in Resolution R10-377 (adopted by the Board on December 14, 2010) and Resolution R11-78 (adopted by the Board on February 15, 2011) to May 4, 2011;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 1st day of March, 2011, be and it hereby extends the deadline from April 1, 2011 to May 4, 2011; and

BE IT FURTHER RESOLVED that the Board directs (1) the Planning Commission (“Commission”) to defer authorization of any public hearing pursuant to Resolution R10-377 and/or Resolution R11-78 until after March 15, 2011, and (2) staff not to advertise any public hearing pursuant to Resolution R10-377 and/or Resolution R11-78 until after March 15, 2011; and

BE IT STILL FURTHER RESOLVED that the County Administrator is hereby directed to submit forthwith a copy of this Resolution to the Commission.

Adjournment At 7:56 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Mark Dudenhefer
Chairman