

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 16, 2015

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Gary F. Snellings, Chairman, at 3:00 p.m., on Tuesday, June 16, 2015, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Gary F. Snellings, Chairman; Laura A. Sellers, Vice Chairman; Meg Bohmke; Jack R. Cavalier; and Paul V. Milde, III; and Robert "Bob" Thomas, Jr. Cord A. Sterling was absent from the afternoon session due to a work commitment, and arrived for the evening session at 7:31 p.m.

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

Mr. Snellings said that there were concerns voiced by citizens that the audio portion of the Board meetings was very difficult to hear. Board members were encouraged to speak into the microphones to ensure that the listening audience would hear the dialogue.

Presentations by the Public The following person desired to speak:

Lorrie Hinterleitner - Courthouse Road over-development; no shoulder on road at Colonial Forge High School; stop development in the County until roads are improved; do not locate the Veteran's Care Center on Courthouse Road, use the site located by the Rowser Building.

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

Ms. Bohmke - Public Safety Committee update including Mutual Aid to the City of Fredericksburg, Volunteer staffing numbers decreasing, to be discussed at the next meeting; Of 285 applicants, 114 completed orientation, only 45 were assigned to a station (15% of the original group), Renovation or relocating the Courthouse due to space constraints at the existing facility; the Request for Proposal for the County's Animal Shelter due in late June, 2015 with recommendations expected in September, 2015; Attended the annual Business Appreciation Event, Stafford County #1 in job growth in Virginia from 2009-2014; County won two 2015 National Association of Counties

(NACo) awards for its 350th Anniversary Celebration, and for Fire and Rescue’s Advanced Life Support Pilot Program; Regarding the County’s new Dog Park, remarks made that it’s the best dog park in the nation, kudos to Ms. Jamie Porter and Parks staff; a future Eagle Scout project will be a sign telling people where the Dog Park is located.

Mr. Cavalier - Attended Brooke Point High School graduation, the Business Appreciation event with Secretary Karen Jackson as the featured speaker, Mission BBQ’s grand opening (Mission BBQ supports the Wounded Warrior project).

Mr. Milde - Responded to citizen comments about curtailing growth in Stafford County and the County’s road conditions; Worked as a “poll watcher” at the June 9, 2015 elections, said it was a fascinating job and the best election ever; Attended the Business Appreciation event; Secretary Jackson flew into Stafford Regional Airport prior to her speaking engagement; Attended Fredericksburg Rotary reverse raffle; Stafford Research and Technical Park; Attended the Fredericksburg Area Metropolitan Planning Organization (FAMPO) organizational meeting, discussed traffic back-up on I-95 since opening Hot Lanes at Garrisonville Road; VDOT, \$18 million in discretionary funds for work on I-95 at the Rappahannock River; Mr. Romanello asked questions about applying those funds to the (funding reduced) Exit 140 project. Mr. Snellings asked Mr. Romanello to write a letter to VDOT with the Board’s request that Exit 140 funding be considered.

Ms. Sellers - Attended a Commission on Youth meeting with Ms. Donna Krauss (Assistant to the County Administrator for Human Services); less information about private day schools was disseminated than was anticipated; Stafford County’s programs are “ahead of the curve,” and the State will be working with Stafford on reviewing its programs.

Mr. Snellings - Attended the Lake Mooney ribbon cutting; Lake Mooney should be open for recreational opportunities (but no swimming) by Memorial Day, 2016; Lake Mooney has been stocked with fish but no fishing will be allowed for three years.

Mr. Sterling - Absent from the afternoon session.

Mr. Thomas - Deferred

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

Report of the County Administrator Mr. Romanello introduced Mr. Chris Rapp, Director of Public Works. Mr. Rapp updated the Board on transportation projects in the County.

Mr. Snellings asked if Truslow Road was going to be closed due to recent road work. Mr. Rapp will get clarification and update the Board. Ms. Sellers asked about the Mine Road sidewalk project. Mr. Rapp replied that work with VDOT was on-going. Ms. Bohmke talked about the right turn lanes off Truslow Road and asked about the No Left Turn sign. Mr. Rapp clarified that the no left turn restriction was only in place during construction.

Mr. Milde asked that Mr. Romanello write to VDOT about the use of its \$18 million discretionary funds. Ms. Bohmke noted that she was not in favor of VDOT's divergent diamond design proposed for Exit 140/I-95.

Mr. Romanello introduced Mr. Chris Hoppe, Capital Projects Manager. Mr. Hoppe provided the Board with an update on parks projects in the County. Mr. Cavalier asked if there would be four fields at Embrey Mill. Mr. Hoppe clarified that there would be four synthetic turf fields and two grass Bermuda grass fields at Embrey Mill.

Mr. Romanello noted that proposed Resolution R15-249 was added to the agenda as item 16a (under New Business). Proposed Resolution R15-249, if adopted, gave the Planning Commission a 60-day time extension to work on the Planned-Traditional Neighborhood Development (P-TND) Ordinance and to give additional review to restrictions placed on the original ordinance when it was originally referred to the Planning Commission.

Additions/Deletions to the Regular Agenda Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt the agenda with the addition of Item 16a.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Thomas motioned, seconded by Ms. Sellers, to adopt the Consent Agenda, which consisted of Items 4 through 14, omitting items 7 and 8 as requested by Ms. Bohmke.

The Voting Board tally was:

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

Item 4. Legislative; Approve Minutes of the June 2, 2015 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R15-233 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED JUNE 03, 2015 THROUGH JUNE 15, 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 16th day of June 2015 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize Renewal of the County's Annual Property and Casualty Insurance Contracts

Resolution R15-189 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT RENEWALS WITH VACORP RISK MANAGEMENT PROGRAMS AND SELECTIVE INSURANCE COMPANY OF AMERICA FOR INSURANCE COVERAGE FOR FY2016

WHEREAS, staff reviewed the County's insurance coverage claims experience and related costs for FY2015; and

WHEREAS, the Board budgeted and appropriated funds for the County's insurance needs for FY2016; and

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

WHEREAS, VACORP Risk Management Programs submitted a policy addition for the proposal to the County for accident and sickness insurance for the Volunteer Fire and Rescue personnel, the Sheriffs' Special Deputies, and the Sheriffs' Auxiliary Groups; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that it be and hereby does authorize the County Administrator to execute the following contracts:

1. Contract renewal with VACORP Risk Management Programs for general liability, property, automobile, Line of Duty, and Workers’ Compensation. This will include the addition of Accident & Sickness for the volunteer Fire and Rescue, Sheriff’s Special Deputies, and Sheriff’s Auxiliary Groups, insurance coverage for FY2016 in an amount not to exceed One Million Four Hundred Eighty Thousand Three Hundred Ninety-four Dollars (\$1,480,394).
2. Contract renewal with Selective Insurance Company of America, through Wells Fargo Insurance Services USA, Inc., for career and volunteer Fire and Rescue Services for liability, property, and automobile insurance coverage for FY2016 in an amount not to exceed Two Hundred Eight Thousand One Hundred Twenty-five Dollars (\$208,125).

Item 9. Public Works; Petition VDOT to Include Naples Road, Rye Creek Drive, Runyon Drive, and Egret Court within Brentsmill Subdivision, Section 2; and Foundation Drive within Caisson Crossing Subdivision, Section 1; into the Secondary System of State Highways

Resolution R15-216 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE NAPLES ROAD, RYE CREEK DRIVE, RUNYON DRIVE, AND EGRET COURT WITHIN BRENTSMILL SUBDIVISION, SECTION 2, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to include Naples Road, Rye Creek Drive, Runyon Drive, and Egret Court, within Brentsmill Subdivision, Section 2, located approximately 0.4 miles east of Telegraph Road (SR-637) and 0.09 miles off Bismark Drive (SR-2233), into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected Naples Road, Rye Creek Drive, Runyon Drive, and Egret Court and found them satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that VDOT be and it hereby is petitioned to include the following streets within Brentsmill Subdivision, Section 2, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Naples Road (SR-2235)	From: 0.09 mi. SE Inter. of Bismark Drive (SR-2233) To: Inter. of Rye Creek Drive (SR-2236)	0.13 mi. ROW 52'
Naples Road (SR-2235)	From: Inter. of Rye Creek Drive (SR-2236) To: 0.03 mi. SE Inter. of Rye Creek Drive (SR-2236)	0.03 mi. ROW 52'

Rye Creek Drive (SR-2236)	From: Inter. of Naples Road (SR-2235) To: Inter. of Runyon Drive (SR-2237)	0.13 mi. ROW 52'
Runyon Drive (SR-2237)	From: 0.12 mi. W Inter. of Rye Creek Drive (SR-2236) To: Inter. of Rye Creek Drive (SR-2236)	0.12 mi. ROW 52'
Runyon Drive (SR-2237)	From: Inter. of Rye Creek Drive (SR-2236) To: 0.07 mi. E/SE Inter. of Rye Creek Drive (SR-2236)	0.07 mi. ROW 52'
Egret Court (SR-2237)	From: 0.07 mi. E/SE Inter. of Rye Creek Drive (SR-2236) To: 0.29 mi. SE Inter. of Rye Creek Drive (SR-2236)	0.22 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Brentsmill, Section 2, recorded at Plat Map Number 070000171 with Land Record Number 070022804 on September 21, 2007; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R15-221 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE FOUNDATION DRIVE WITHIN CAISSON CROSSING SUBDIVISION, SECTION 1, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to include Foundation Drive within Caisson Crossing Subdivision, Section 1, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) inspected Foundation Drive and found it satisfactory to be accepted into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that VDOT be and it hereby is petitioned to include the following street within Caisson Crossing Subdivision, Section 1, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Foundation Drive (SR-1440)	From: Intersection of Caisson Road (SR-603) To: 0.28 miles east of Caisson Road (SR-603)	0.28 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Caisson Crossing, Section 1, recorded as PM 070000107 with LR 070015096 recorded on June 21, 2007; and Plat Map Number 150000021 with Land Record Number 150002211, recorded on February 11, 2015; and

BE IT FURTHER RESOLVED, that this Board hereby guarantees the performance of the street requested herein to become a part of the state maintained Secondary System of State Highways for a period of one year from the VDOT effective date and will reimburse all costs incurred by VDOT to repair faults in the street and related drainage facilities associated with construction, workmanship or materials as determined exclusively by VDOT; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 10. Public Works; Authorize the County Administrator to Execute a Contract for Construction Engineering Inspection Services with A. Morton Thomas & Associates, Inc.; and Execute a Contract with Phillips Construction, LLC. For Construction of the Centreport Parkway Realignment Project

Resolution R15-235 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES TO A. MORTON THOMAS & ASSOCIATES, INC., FOR THE CENTREPORT PARKWAY REALIGNMENT PROJECT, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Centreport Parkway, at the intersection of Ramoth Church Road (Centreport Parkway Realignment Project), as a critical part of Stafford County's road improvement plan; and

WHEREAS, the Board desires to begin construction of the improvements on Centreport Parkway (SR-8900) at the intersection of Ramoth Church Road (SR-628); and

WHEREAS, improvements to Centreport Parkway will be funded through a combination of Federal and State Secondary Road Funds and State Telecommunication Fees; and

WHEREAS, A. Morton Thomas and Associates, Inc. (AMT) submitted a cost proposal in the amount of \$138,066 to perform the construction engineering and inspection services; and

WHEREAS, staff determined that AMT is best qualified to provide these services; and

WHEREAS, staff determined that this proposal is reasonable for the scope of work proposed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to award a contract to A. Morton Thomas and Associates, Inc. (AMT), in an amount not to exceed One Hundred Thirty-eight Thousand Sixty-six

Dollars (\$138,066), for construction engineering and inspection services for the Centreport Parkway Re-alignment Project (Project), unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED, that the amount of One Hundred Thirty-eight Thousand Sixty-six Dollars (\$138,066) be budgeted and appropriated in the Transportation Fund for the Project.

Resolution R15-236 read as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PHILLIPS CONSTRUCTION, LLC., FOR CONSTRUCTION OF THE CENTREPORT PARKWAY RE-ALIGNMENT PROJECT, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Centreport Parkway, at the intersection of Ramoth Church Road (Centreport Parkway Re-alignment Project), as a critical part of Stafford County's road improvement plan; and

WHEREAS, the Board desires to begin construction of the improvements on Centreport Parkway (SR-8900) at the intersection of Ramoth Church Road (SR-628); and

WHEREAS, the design of the road improvements were completed and offered for public bid; and

WHEREAS, improvements to Centreport Parkway will be funded through a combination of Federal and State Secondary Road Funds and State Telecommunication Fees; and

WHEREAS, three bids were submitted, with the lowest bid provided by Phillips Construction, LLC., in the amount of \$1,011,251; and

WHEREAS, staff reviewed the bids and determined that Phillips Construction, LLC., is the lowest responsive and responsible bidder; and

WHEREAS, VDOT reviewed the bids and approved the Phillips Construction, LLC., bid for award;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to execute a contract with Phillips Construction, LLC., in an amount not to exceed One Million Eleven Thousand Two Hundred Fifty-one Dollars (\$1,011,251) for the construction of the Centreport Parkway Re-alignment Project (Project), unless modified by a duly-authorized change order; and

BE IT FURTHER RESOLVED, that the amount of One Million Eleven Thousand Two Hundred Fifty-one Dollars (\$1,011,251) be budgeted and appropriated in the Transportation Fund for the Project.

Item 11. Planning and Zoning; Authorize the County Administrator to Advertise a Public Hearing Regarding Chesapeake Bay Fees

Resolution R15-237 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND REORDAINING DEVELOPMENT APPLICATION FEES FOR SERVICES PROVIDED BY THE DEPARTMENT OF PLANNING AND ZONING

WHEREAS, the Board is authorized by the Code of Virginia to set reasonable fees and charges for the development review services provided by the Department of Planning and Zoning; and

WHEREAS, at its meeting on December 16, 2014, the Board adopted Ordinance O14-11 which amended the Stafford County Code to create Chapter 27B, Chesapeake Bay Protection Area; and

WHEREAS, Chapter 27B includes the creation of a Chesapeake Bay Board to consider requests for special exceptions, which will require public hearings; and

WHEREAS, the Board desires to set the fees for the hearing of special exceptions by the Chesapeake Bay Board to be commensurate with the services provided by the County in reviewing and processing such applications;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and reordaining the fees for land development application review services provided by the Department of Planning and Zoning, pursuant to proposed Ordinance O15-29.

Item 12. Public Information; Recognize Mr. Doug Barnes upon his Retirement as the Spotsylvania County Administrator

Proclamation P15-15 reads as follows:

A PROCLAMATION TO RECOGNIZE MR. DOUG BARNES UPON HIS RETIREMENT AS SPOTSYLVANIA COUNTY ADMINISTRATOR

WHEREAS, Mr. Doug Barnes retired as Spotsylvania County Administrator in May 2015; and

WHEREAS, Mr. Barnes began his career with Spotsylvania County in 1977 when he was hired as a landfill supervisor, and was then promoted to Director of Solid Waste Management; and

WHEREAS, over the course of Mr. Barnes' 38 years with Spotsylvania County, he also served as the General Services Director, Deputy County Administrator, Acting County Administrator, and, in 2009 was promoted to County Administrator; and

WHEREAS, during his tenure, he saw Spotsylvania’s population grow from 26,000 to 129,188 according to a U.S. Census Bureau estimate; and

WHEREAS, Mr. Barnes’ spirit of public service has been a constant theme throughout his profession career, serving on the Spotsylvania Volunteer Rescue Squad;

WHEREAS, Mr. Barnes also remains an active member of his church, drawing on his deep faith and devotion to his family to carry him through good times and bad;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that it be and hereby does recognize Mr. Doug Barnes upon his retirement as Spotsylvania County Administrator.

Item 13. County Administration; Authorize the County Administrator to Execute Utility Easements for the Jeff Rouse Swim and Sport Center and Embrey Mill Park

Resolution R15-242 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO GRANT AN ELECTRICAL RIGHT-OF-WAY TO DOMINION VIRGINIA POWER AND A GAS PIPELINE EASEMENT TO COLUMBIA GAS OF VIRGINIA, INC., ON COUNTY-OWNED PROPERTY, TAX MAP PARCEL 29-53-C, AT EMBREY MILL PARK

WHEREAS, electrical services are needed to develop Embrey Mill Park (Park);
and

WHEREAS, Dominion Virginia Power requested a right-of-way easement to install, operate, and maintain underground conduit and cable lines for transmitting and distributing electric power to the Park; and

WHEREAS, natural gas services are needed to develop the Park; and

WHEREAS, Columbia Gas of Virginia, Inc. requested an easement to install, operate, and maintain an underground conduit and natural gas lines for transmitting and distributing natural gas to the Park; and

WHEREAS, the Board desires to grant the respective easements to Dominion Virginia Power and Columbia Gas of Virginia, Inc;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to grant an electrical easement, as shown and in the general location on that certain plat entitled, “Plat to Accompany Right-of-Way Agreement,” on Tax Map Parcel 29-53C; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to grant a gas pipeline easement to Columbia Gas of Virginia, Inc. as shown and in the general location on that certain plat entitled, “20’ Wide Gas Pipeline Easement Across the

Property of Stafford County Virginia,” dated May 5, 2015, as last revised on Tax Map Parcel 29-53C; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee is authorized to execute any documents necessary to effectuate the granting of these easement.

Item 14. County Administration; Authorize the County Administrator to Accept Donation of Property Located in Crow’s Nest Harbour, Tax Map Parcel 49D-A-90

Resolution R15-243 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT THE DONATION OF PROPERTY IN CROW’S NEST HARBOUR, TAX MAP PARCEL 49D-A-90, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, William H. and Kathleen M. Lewis (Property Owners), desire to donate their property to the County, located in Crow’s Nest Harbour, Tax Map Parcel 49D-A-90 (Parcel), within the Aquia Election District; and

WHEREAS, as a condition of accepting the donation of the Parcel, the Property Owners are requesting the County to cover any and all closing and recordation costs; and

WHEREAS, the Board desires to accept donation of the Parcel;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that it be and hereby does authorize the County Administrator to accept the donation of Tax Map Parcel 49D-A-90 in Crow’s Nest Harbour; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute all documents, and pay any and all closing and recordation costs necessary and appropriate to transfer the Parcel to the County.

Item 7. Utilities; Authorize the County Administrator to Execute Contract Extensions for Water Meters, Water System Components, and the Purchase of Water Treatment Chemicals

Ms. Bohmke said that she asked that Items 7 and 8 be pulled from the Consent Agenda so that she could make note of the fact that the Utilities Commission had scheduled a public hearing to vote on the two items prior to the Board being asked to vote on them. However, due to the lack of a quorum, the public hearing was cancelled and the Utilities Commission did not vote on either item. Ms. Bohmke said that lack of attendance by some members of the Utilities Commission was a chronic problem.

Mr. Milde shared that he recently found out that Mr. Jeff Dunn, the Aquia District representative on the Utilities Commission had resigned, and he was looking for a replacement.

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-166.

The Voting Board tally was:

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

Resolution R15-166 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS AND CONTRACT RENEWALS FOR WATER METERS AND WATER SYSTEM COMPONENTS, AND FOR THE PURCHASE OF TREATMENT CHEMICALS

WHEREAS, the Utilities Department has an annual sole-source contract with Sensus Metering Systems, Inc., for water meters and accessories compatible with its automated meter reading system; and

WHEREAS, the Utilities Department has an annual contract with HD Supply for lead-free brass water system components; and

WHEREAS, the Utilities Department has an annual sole-source contract with Source Technologies, Inc. for proprietary odor-control reagents; and

WHEREAS, each of these annual contracts contains a renewal clause and each is currently in need of renewal for another year; and

WHEREAS, the renewal amount of each of these contracts has been closely evaluated and determined to be reasonable by staff; and

WHEREAS, bids were solicited and received for these chemicals; and

WHEREAS, Univar USA, Incorporated provided the lowest bid for Ammonium Hydroxide, Caustic Soda, Sodium Hypochlorite, Calcium Hydroxide, and Liquid Aluminum Sulfate; and

WHEREAS, Premier Magnesia LLC provided the lowest bid for Magnesium Hydroxide; and

WHEREAS, sufficient funding is available in the adopted FY2016 Department of Utilities operating budget; and

WHEREAS, funds have been appropriated in the FY2016 Department of Utilities operating budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to execute the following contracts and contract renewals, as follows, unless amended by a duly-executed contract amendment:

Sensus Metering Systems, Inc. to provide meters and accessories, in an amount not to exceed One Million, Seven Hundred and Four Thousand, Six Hundred Forty Six Dollars (\$1,704,646);

Source Technologies, Inc. to provide odor-control chemicals, in an amount not to exceed One Hundred Fifty Thousand Dollars (\$150,000);

HD Supply Waterworks Ltd – Falmouth to provide water system fittings and supplies, in an amount not to exceed One Hundred Twenty Five Thousand Dollars (\$125,000);

Univar USA, Inc. to provide Ammonium Hydroxide, Caustic Soda, Sodium Hypochlorite, Calcium Hydroxide and Liquid Aluminum Sulfate, in an amount not to exceed Nine Hundred Ninety-seven Thousand Six Hundred Forty-seven Dollars (\$997,467);

Premier Magnesia, LLC to provide Magnesium Hydroxide, in an amount not to exceed Three Hundred One Thousand Nine Hundred Twenty-two Dollars (\$301,922).

Item 8. Utilities; Authorize the County Administrator to Execute Contract Extensions for Construction and Maintenance, Sludge Transportation, and Billing and Printing Services

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-206.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Resolution R15-206 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT EXTENSIONS FOR CONSTRUCTION AND MAINTENANCE, SLUDGE TRANSPORTATION, AND BILLING AND PRINTING SERVICES

WHEREAS, the Utilities Department has an annual contract with DataProse, Inc., for Utilities billing and mailing services; and

WHEREAS, the Utilities Department has an annual contract with Recyc System, Inc., for waste solids management services; and

WHEREAS, the Utilities Department has annual contracts with Kruckenberg Service Company (primary responder) and Rising Sun, Inc. (secondary responder), for water and sewer maintenance and construction services; and

WHEREAS, the renewal amount for each of these contracts has been closely evaluated and determined to be reasonable by staff; and

WHEREAS, sufficient funding is available in the adopted FY2016 Department of Utilities operating budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the County Administrator be and he hereby is authorized to execute the following contract renewals, as follows, unless amended by a duly-executed contract amendment:

DataProse, Inc., to provide utility bill printing and mailing services, in an amount not to exceed Two Hundred Forty-five Thousand Dollars (\$245,000);

Recyc Systems, Inc., for waste solids management services, in an amount not to exceed One Hundred Eighty Thousand Two Hundred Sixty-seven Dollars (\$180,267);

Kruckenberg Service Company, for water and sewer maintenance and construction services, as primary responder, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000); and

Rising Sun, Inc., for water and sewer maintenance and construction services, as secondary responder, in an amount not to exceed One Hundred Thousand Dollars (\$100,000).

Utilities; Consider Amendments to the County’s Pump and Haul Policy Mr. Mike Smith, Director of Utilities gave a presentation and answered Board members questions.

Ms. Bohmke asked for verification that in the amended policy, the five year “grandfathered” time period was extended to seven years. Mr. Smith confirmed that it was seven years in the revised Pump and Haul Policy. Mr. Thomas asked if the haulers had to pay a drop-off fee at the Landfill. Mr. Smith said that for Pump and Haul, they did not pay a drop-off fee.

Mr. Milde motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-106.

The Voting Board tally was:

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

Resolution R15-106 reads as follows:

A RESOLUTION TO AMEND THE COUNTY’S PUMP AND HAUL PROGRAM

WHEREAS, on September 5, 2006, the Board adopted Resolution R06-240, which revised the County’s established policy pertaining to the use of pump and haul services to provide sewer service to existing residences at a subsidized rate, when there are no feasible alternatives for repair or replacement of failed on-site sewage disposal systems, and it is not cost-effective to extend public sewer; and

WHEREAS, also on September 5, 2006, the Board adopted Resolution R06-339, which established a similar policy to address property owners with failed on-site sewage disposal systems, but who did not qualify for the subsidized pump and haul services provided under R06-240; and

WHEREAS, the County desires to combine these two policies into one program, thereby repealing Resolutions R06-240 and R06-339; and

WHEREAS, the County desires to continue to maintain a Pump and Haul Sewer Service Policy to address public health problems caused by malfunctioning on-site sewer disposal systems; and

WHEREAS, the County desires to continue to permit temporary pump and haul sewer service for properties planned to be served by proposed sewer extension projects; and

WHEREAS, the Utilities Commission held a public hearing and recommended adoption of these amendments; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that Resolution R06-240 and Resolution R06-339 be and they hereby are repealed; and

BE IT FURTHER RESOLVED that the following Pump and Haul Sewer Service Policy is adopted.

PUMP AND HAUL SEWER SERVICE POLICY

1. Policy Objectives

- A. To provide for the public health needs of the citizens of the County;

- B. To provide an emergency means of wastewater disposal for property owners whose on-site sewage disposal systems have failed and for which there is no other feasible means of sewage disposal;
- C. To provide a solution for existing public health problems caused by failed on-site systems without encouraging growth on adjacent properties;
- D. To provide an interim solution for failed on-site systems until it is cost-effective to extend public sewer service; and
- E. To assist citizens with failed on-site sewer systems who are financially unable to bear the full cost of pump and haul services.

2. Pump and Haul Classifications

A. Subsidized Pump and Haul Customers

- (1) Grandfathered Customers – Customers that have been approved for subsidized pump and haul services before the date of Resolution R15-106. These customers will pay the fees as outlined in Section 3.I.;
- (2) Prorated Customers – Customers that have been approved for subsidized pump and haul services after the date of Resolution R15-106. These customers will pay a prorated portion of the actual hauling costs in accordance with the guidelines in Section 3.S.(5) of this Policy; and
- (3) Temporary Customers – Customers who meet the guidelines in Section 3.O. of this Policy.

- B. Non-Subsidized Pump and Haul Customers – Property owners who have no feasible means of sewage disposal and who do not qualify for, or do not desire to participate in the subsidized pump and haul program, but would still like to be included on the County’s Pump and Haul Permit.

3. Policy Elements for Subsidized Customers

- A. All Grandfathered Customers shall be eligible to remain in this program for seven years after the effective date of Resolution R15-106, if there is no alternative available and they continue to meet the requirements of the subsidized program as outlined in Section 3.E. of this Policy, which the County will review. If the property does not meet the requirements, it will be removed from the subsidized pump and haul list and will be added to the non-subsidized pump and haul list. If after five years, there is no alternative available, the property will be permitted to continue on the County’s Pump and Haul Permit with the Board-approved prorated subsidies.
- B. The County will hire, within two years of the effective date of Resolution R15-106, at its expense, a licensed Authorized On-site Soil Evaluator (AOSE) to re-evaluate each Grandfathered Customer’s subsidized pump and haul property with the goal of determining if new technology or

revised regulations can make a repair or replacement feasible. If a repair or replacement is deemed feasible, the County will inform the Grandfathered Customer and discontinue subsidized pump and haul services after a suitable period, not to exceed six months, for the owner to construct the needed repair or replacement upon request. The Department of Utilities will provide an opportunity for the owner to enter into an agreement for a loan in the amount required for construction of the alternative system. The agreement will require a lien on the property and will be recorded with the Circuit Court. Any owner whose pump and haul contract is not renewed, shall be entitled to a refund of the original availability fee paid. The Grandfathered Customer will be required to sign a new contract for pump and haul service for subsequent 10-year periods, or less, if there continues to be no feasible means of repairing or replacing the failed drainfield. The Grandfathered Customer will also be required to provide proof that the pump and haul contract has been recorded with the Circuit Court, linking it to the property.

- C. Properties whose original on-site sewage disposal system was constructed after August 19, 1997, are not eligible for subsidized pump and haul services.
- D. New applicants for pump and haul service are responsible for working with the Virginia Department of Health (VDH) and a licensed AOSE to investigate all on-site alternatives and technically feasible off-site alternatives for correction of the problem.
- E. The County Administrator, or his designee, may approve a property meeting the following criteria for subsidized pump and haul service:
 - (1) VDH must certify in writing that there are no technically feasible conventional on-site alternatives for replacement or repair of the failed system or installation of a new system;
 - (2) A licensed AOSE must certify in writing that there are no technically feasible on-site alternative systems for sewage disposal;
 - (3) The property owner must demonstrate that there are no technically feasible and practicable off-site alternatives for a sewage disposal system;
 - (4) There must be no feasible opportunity for use of a direct discharge system;
 - (5) The property owner must have submitted an application for Pump and Haul Service to the Department of Utilities, and the County Administrator, or his designee, must have recommended approval of the application; and
 - (6) It must be an owner-occupied residential dwelling or place of worship; or
 - (7) It must be temporary pump and haul customers who meet the requirements outlined in Section 3.O. of this Policy.
- F. If a property is determined to qualify for subsidized pump and haul service, the property owner must obtain a storage facility construction permit from VDH. The property owner will be required to install a new

watertight 2,000-gallon storage tank that is accessible for pumping. The tank will be required to have an alarm to indicate when it is almost full and must be constructed to prevent any overflows. The construction permit for the storage facility will be conditioned upon the property owner recording with the Circuit Court, attached to the Deed of the property, the construction permit for the tank and the fact that the property is on pump and haul.

- G. The property owner and the County shall enter into a contract for services for a period not to exceed ten years. If the property is sold, the contract shall be transferable to the new owner, upon approval of the County.
- H. Upon certification from VDH that the 2,000-gallon storage tank has been satisfactorily completed, the County will have the property added to its Pump and Haul Permit from VDH.
- I. Subsidized pump and haul customers (Grandfathered, Temporary, and Prorated) shall be responsible for the following fees and charges in accordance with rates established by the Board:
 - (1) Availability and Connection Charge: These fees shall only become payable should public sewer become available, and the property is physically connected to the public sewer system. The amount of the fees shall be the fees in existence at the time actual connection to the public sewer is made and shall be the same as all other new customers pay.
 - (2) User Fees: Monthly charges that shall include a demand charge, a service fee, and a consumption fee. The consumption fee will be based on the pump and haul monthly service charge as determined by the Board of Supervisors on the Utility Rate Schedule for Grandfathered Customers, and for Temporary Customers, it will be based on the prorated actual cost for Prorated Customers as outlined in Section 3.S.(5) of this policy.
 - (3) The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with the terms of the pump and haul contract.
- J. In some cases, it may be possible to use pump and haul on a seasonal basis. In other cases, after several years have elapsed, the drainfield may recover and could be used again. In both cases, the property owner must obtain VDH approval prior to resuming use of the drainfield. In addition, a valve and/or overflow device would have to be installed to allow any water backing up from the on-site septic tank to flow to the 2,000-gallon storage tank.
- K. The property owner is responsible for the scheduling and cost of pumping the storage tank in accordance with all applicable regulations. In addition, the property owner is responsible for ensuring that no sewage overflows from the tank or plumbing system occur.

- L. The property owner is responsible for having water saving devices installed on the building plumbing before the pump and haul services begin.
- M. The property owner may not expand and/or modify the existing structure unless such expansion or modification is approved, in advance, by the Utilities Commission and the County Administrator.
- N. The County may choose to extend public sewer service to an area when there are sufficient pump and haul properties in the area to warrant the public service. The decision to extend public sewer will be based on the cost-effectiveness of the extension and the impact on growth in the area. The Utilities Commission shall review this Pump and Haul Sewer Service Policy periodically; make appropriate revisions, as necessary, subject to Board approval; and determine areas where it may be cost-effective to extend sewer mains to eliminate the need for pump and haul services.
- O. If a Sewer Extension Project has been approved under the County's Water and Sewer Line Extension Policy (R04-217/R94-122(R-3)), temporary pump and haul service may be provided as follows:
 - (1) The Sewer Extension Project must be scheduled for completion within 24 months of the request for pump and haul service.
 - (2) In lieu of constructing a 2,000-gallon storage tank under paragraph 3.F. of this policy, the existing on-site tank may be utilized if it is watertight and holds at least 1,000 gallons.
 - (3) The property owner shall pay the charges required in paragraph 3.I. and comply with the remaining provisions of this Policy.
 - (4) If the contemplated Sewer Extension Project is delayed beyond 24 months, the County may place the property on its Pump and Haul Permit, require the construction of a 2,000-gallon storage tank, and enter into a revised contract for services with the owner. The Director of Utilities may terminate service if the property owner fails to comply with these requirements.
 - (5) The Director of Utilities may approve temporary pump and haul service for properties planned to be served by Short Extension Projects constructed under adopted Resolutions R04-217/R94-122(R-3). Authorization by the County Administrator is required to provide temporary pump and haul services for properties planned to be served by Neighborhood Projects, Large Scale Projects, and Capital Improvement Program Projects.
- P. Should VDH revoke or amend the County's Pump and Haul Permit, the County may require termination of, or changes to, each property owner's contract.

Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:

- (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out;
- (2) The County becomes aware of sewage overflows or other discharges to the environment;
- (3) County officials are denied access to the property for the purpose of inspection; or
- (4) The property no longer meets the criteria for subsidized pump and haul.

Q. The County will remove the property from its Pump and Haul Permit if public sewer becomes available to the property.

Subsidies provided by the County for Pump and Haul costs:

- (1) In some instances, the County may, with approval from the Board, provide a subsidy covering some, or all, of the property owner’s cost to install the required 2,000-gallon storage tank and to have the storage tank pumped out. Subsidies are only available for owner-occupied properties.
- (2) For Prorated Customers, the degree to which the costs for pump and haul are subsidized by the County shall be based upon the relationship of the documented gross annual income of the property owner and immediate family living in the home, as reflected on the most recent Federal tax return(s), to the current poverty level income for the family size as reported by the U. S. Department of Health & Human Services and published annually in the *Federal Register*.
- (3) The prorated customer will be responsible for payment to the septage hauler at the time the tank is pumped. The customer will then be required to submit to the Department of Utilities receipts of the actual amount hauled and paid to receive the allotted subsidy. Receipts must be submitted to the County between the first and tenth of each month for the prior month’s pumping. The Department of Utilities will remit the subsidy to the customer within 30 days of receipt of the paid invoices.
- (4) No property owner shall be eligible for pump and haul services if the problem, as determined by the Utilities Commission, is self-inflicted, such as failure to pump out the septic tank on a regular basis, avoidable damage to the reserve drainfield site, or similar causes for failure.
- (5) The amount of any subsidy provided for Prorated Customers will be determined as follows, and will be based on the annual gross income of the property owner as shown on the previous year’s Federal tax return, which must be submitted annually to the Department of Utilities:

Percent of Poverty Guidelines * Percent Subsidy	
<u>Family Size</u>	<u>Provided</u>

200% or less	Grandfathered rated based on gallons
210%	90%
220%	80%
230%	70%
240%	60%
250%	50%
260%	40%
270%	30%
280%	20%
290%	10%
300% or more	0%

* As issued each year in the *Federal Register* by the U.S. Department of Health and Human Services

- T. If an applicant is not approved for subsidized pump and haul, or does not agree with the amount of subsidy, he may, within ten (10) days of the date of notification of such a decision, appeal the decision to the Board, through the Utilities Commission. Such appeal shall be made in writing to the Director of Utilities and shall state the specific act or interpretation which is being appealed.

4. Policy Elements for Non-Subsidized Pump and Haul Permits

- A. The property owner of a failing on-site sewage disposal system is responsible for working with VDH to investigate all on-site alternatives for sewage disposal.
- B. Only those properties with existing structures with a history of occupation for which VDH certifies in writing that no “feasible” means of on-site sewage disposal exists, and the County Department of Utilities finds that extension of public sewer at the property owner’s expense is not cost effective, are eligible to be placed on the County’s Pump and Haul Permit. New structures will not be considered unless they are being used for the direct marketing of aquaculture, agricultural or silvacultral products or unless they are commercial, industrial or instructional uses and public sewer is anticipated to become available in the near future.
- C. Upon certification from VDH that the 2,000-gallon storage tank has been completed in a satisfactory manner, the County Administrator or his designee may add the property to the County’s permanent Pump and Haul Permit with VDH.
- D. The County and property owner shall enter into a contract governing conditions under which the property will be added to the County’s Pump and Haul Permit. At a minimum, the contract shall grant the County the right to enter the property to inspect facilities related to sewage holding and disposal, and require the property owner to submit evidence that the holding tank is being pumped on a regular basis. The contract shall be transferable to a new owner if the property is sold. The construction

permit for the sewage facility shall be conditional upon the property owner recording it with the deed to the property.

- E. The property owner must obtain a storage facility construction permit from the VDH. The property owner will be required to install, at his or her sole expense, a new watertight 2,000-gallon storage tank, which is accessible for pumping. The tank shall be equipped with an alarm system to indicate when it is almost full and shall be constructed as to not overflow. All sewage generated on the property shall be discarded in the holding tank.
- F. The property owner is responsible for the administration and cost of pumping the storage tank in accordance with all applicable regulations. All property owners are responsible for ensuring that no sewage overflows from the tank or plumbing system.
- G. The property owner may not expand and/or modify the existing structure. Exceptions to this policy require approval on a case-by-case basis by the Board, in consultation with the Utilities Commission.
- H. The County may assess an annual administrative charge for the Department of Utilities to monitor conformance with the terms of the contract.
- I. Should the VDH revoke or amend the County's Pump and Haul Permit, the County may require termination or changes to each property owner's contract.
- J. Under the following circumstances, the County may, without prior notice, remove a property from its Pump and Haul Permit:
 - (1) The property owner fails to supply the County with proof that the storage tank is being regularly and legally pumped out;
 - (2) The County becomes aware of sewage overflows or other discharges to the environment; or
 - (3) County officials are denied access to the property for the purpose of inspection.
- K. The County will remove the property from its Pump and Haul Permit if public sewer becomes available to the property.

BE IT STILL FURTHER RESOLVED that this Policy is adopted for pump and haul services for properties with failed on-site sewage disposal systems.

County Administration; Endorse Locating a Virginia Veterans Care Facility in Stafford County Mr. Tim Baroody, Deputy County Administrator, gave a presentation and answered Board members questions.

Mr. Snellings clarified that there were three sites that would be offered for consideration, Courthouse Road (CH) West of Route 1; CH East of Route 1; and CH South, north of the

Rowser Building on Route 1. Ms. Sellers asked if the Board got to choose its preferred site. Mr. Baroody said that the Board could identify one site but it gave the application further credibility if the State had the option of choosing its preference of the three sites.

Mr. Milde said that chances were slim (at best) that the facility would be located in Stafford County but that it was worth a try. Mr. Thomas said that he believed that the site located on Route 1 north of the Rowser Building was the most compatible site.

Ms. Bohmke asked if the site on Route 1 north of the Rower Building was chosen, would there be room for additional development that was previously discussed. Mr. Baroody said that there was room for additional building on the 15-acre site.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-238.

The Voting Board tally was:

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

Resolution R15-238 reads as follows:

A RESOLUTION TO ENDORSE AN APPLICATION FOR LOCATING A VIRGINIA VETERANS CARE CENTER IN STAFFORD COUNTY

WHEREAS, the Commonwealth of Virginia plans to construct long-term care centers for veterans in Hampton Roads and Northern Virginia; and

WHEREAS, the Commonwealth currently operates two veterans care centers, the Sitter & Barfoot Veterans Care Center in Richmond, and the Virginia Veterans Care Center in Roanoke; and

WHEREAS, Virginia's veterans care centers provide a mix of long-term skilled nursing care, Alzheimer's/dementia care, short-term rehabilitation, and assisted living care; and

WHEREAS, the Governor and the General Assembly authorized state bond funding to design and construct the new care centers, but no funds have been appropriated for land purchase; and

WHEREAS, the Virginia Department of Veterans Services (DVS) seeks to partner with local governments in Hampton Roads and Northern Virginia to identify, evaluate, and have transferred to state ownership, a parcel (or parcels) of land, approximately 25 acres in size, that is suitable for the construction of a new single-story veterans care center; and

WHEREAS, DVS will also consider a site with a minimum of 15 acres suitable for a two- to three-story facility; and

WHEREAS, the County currently owns the following three sites within the Courthouse Redevelopment Area that meet, or very nearly meet, the minimum acreage requirement, and which are suitable sites for a Veterans Care Center: *Courthouse West* (24.897 acres on Courthouse Road across from the Ford T. Humphrey Public Safety Building), *Courthouse East* (13.298 acres on Courthouse Road adjacent to Mullins Funeral Home), and *Courthouse South* (37.599 acres on US-Route 1, north of the Rowser Building); and

WHEREAS, the construction of a one, two or three story facility on any of the sites is consistent with the Board's Redevelopment Master Plan for the Courthouse Area, and is compatible with the healthcare cluster emerging in the Courthouse area; and

WHEREAS, the application deadline for local governments to nominate sites for consideration is July 13, 2015; and

WHEREAS, the Board desires to endorse an application for consideration of the Courthouse East, West, and South sites for a new Virginia Veterans Care Center;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that it be and hereby does authorize the County Administrator to nominate the County-owned *Courthouse West*, *Courthouse East*, and *Courthouse South* sites as available and potential sites for the Virginia Department of Veterans Services (DVS) location of a new Veterans Care Center in the Northern Virginia area; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to express the County's intent, if one of the County sites is selected, to convey title of the site to the Commonwealth, at no cost, free and clear of any liens or encumbrances, in a manner consistent with DVS' application process and requirements.

(Add-on Item 16a). Planning and Zoning; Authorize Additional Time for the Planning Commission to Review the Planned-Traditional Neighborhood Development (P-TND) Ordinance Mr. Anthony Romanello, County Administrator, provided an update to the Board saying that at present, there was only one P-TND in the County, Aquia Towne Center. Proposed Resolution R15-249 gave the Planning Commission an additional 60 days to review the draft ordinance and return it for Board consideration.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-249.

The Voting Board tally was:

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

Resolution R15-249 reads as follows:

A RESOLUTION REFERRING AN ORDINANCE TO THE PLANNING COMMISSION TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25 “DEFINITIONS OF SPECIFIC TERMS;” SEC. 28-39, “SPECIAL REGULATIONS;” SEC. 28-56, “APPLICATION FOR PLANNED DEVELOPMENTS,” SEC. 28-66, “P-TND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT;” AND SEC. 28-137, “TYPES OF SIGNS PERMITTED IN P-TND DISTRICTS”

WHEREAS, the Planned-Traditional Neighborhood Development (P-TND) Zoning District was created pursuant to Ordinance O07-39 on July 7, 2007; and

WHEREAS, only one P-TND Zoning District currently exists in the County; and

WHEREAS, the P-TND Zoning District was intended to promote a mixed-use, urban form of development; and

WHEREAS, to date, no properties have been developed under the P-TND Zoning District regulations; and

WHEREAS, on May 5, 2015, the Board referred Ordinance O15-24 to the Planning Commission to hold a public hearing and to provide its recommendation to the Board; and

WHEREAS, the Board was made aware of additional amendments to the P-TND Zoning District Ordinance, specifically for redevelopment properties which it desires to consider; and

WHEREAS, the Board desires to add these additional provisions to proposed Ordinance O15-24 and refer it to the Planning Commission for its review, public hearing and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that additional provisions and amendments to the P-TND Zoning District for redevelopment properties pursuant to proposed Ordinance O15-24, be and they hereby are authorized for inclusion and are referred to the Planning Commission for a public hearing and its review and recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications within sixty (60) days from the date of the adoption of this Resolution.

Legislative; Closed Meeting. At 3:39 p.m., Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-13.

The Voting Board tally was:

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

Resolution CM15-13 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding permissible uses of donated property; and (2) discussion of the County Administrator’s performance evaluation; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1) and (A)(7) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 16th day of June, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 4:50 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 CM15-13(a).

The Voting Board tally was:

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

Resolution CM15-13(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JUNE 16, 2015

WHEREAS, the Board has, on this the 16th day of June, 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 16th day of June, 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.

At 4:50 p.m., the Chairman declared the meeting adjourned until 7:00 p.m.

Call to Order At 7:00 p.m., the Chairman called the evening session to order.

Invocation Mr. Snellings gave the invocation.

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

Presentations by the Public – II

Paul Waldowski - Speakers should be allowed four minutes; favorite four-letter words including hats, pray, army, navy, UCCG, USMC, USAF, Paul, Mark, John, frog, deer, bird, kind (Scout), bill (water bill), zone, acre, site, mail, bike, park, lots, road, land; 1662 registered voters in the Rock Hill District; and the “Rocky Pork Reservoir.”

Planning and Zoning; Consider a Reclassification from A-1, Agricultural Zoning District to R-1, Suburban Residential Zoning District on Tax Map Parcels 29-4 and 29-5C (Winding Creek); and

Planning and Zoning; Consider a Conditional Use Permit to Allow a Cluster Subdivision on Tax Map Parcels 29-4 and 29-5C (Winding Creek) Ms. Erica Ehly, Planning and Zoning, gave a combined presentation on the Winding Creek reclassification and conditional use permit. Mr. Charlie Payne, for the applicant, also addressed the Board.

Following Mr. Payne’s comments about requesting a waiver from VDOT, Ms. Bohmke asked for example of VDOT waivers. Mr. Payne said that he did not know of any waivers granted by VDOT. Mr. Jeff Harvey, Director of Planning and Zoning, said that he did not know of any waivers granted in Stafford County. Ms. Bohmke asked if the waiver was granted in perpetuity. Mr. Harvey said that it would be granted in perpetuity. Mr. Milde asked if a waiver was granted in the Poplar Hills Subdivision. Mr. Harvey said that it was a through-street in one subdivision; the Winding Creek waiver would involve two separate projects, and Fireberry Blvd. was maintained by VDOT.

Ms. Sellers said that she had several conversations with VDOT Residency Administrator, Ms. Marcy Parker, and was assured that VDOT would give every consideration to any waiver requests received, taking into account VDOT’s safety concerns as a first priority.

Ms. Bohmke asked Mr. Payne about the proposed open space in the development; that it would revert back to the County. However, if the County did not want the land, it would revert back to the home owner’s association. Mr. Payne said there would be covenants in place prohibiting and disturbance of the proposed open space site.

The Chairman opened the public hearing.

The following persons desired to speak:

- | | | |
|-----------------|------------------|--------------------|
| Mark Dudenhefer | Janelle Schopfel | Jennifer Musselman |
| Olivia Neason | Irma Clifton | Milton Allen |

Paul Tracy	Jeanette Hernandez-Guilleaume	Mark Cook
Chris Wemple, III	Lara Brittain	Melody Hamlin
Stacey Sykes	Melissa Scheiman	Vincent Foreman
Susan Burkett	Catherine Cook	Paul Waldowski
Jim Burkett	Alane Callander	Bryd Pritchett
William Musselman		

The Chairman closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Sterling, to defer Item 17 regarding the Winding Creek reclassification application. No return date was specified.

The Voting Board tally was:

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

Ms. Sellers motioned, seconded by Mr. Sterling, to defer Item 18 regarding a conditional use permit at Winding Creek. No return date was specified.

The Voting Board tally was:

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

Planning and Zoning; Consider a Conditional Use Permit to Allow a Drive-Through in an HC, Highway Corridor Overlay Zoning District on Assessor’s Parcel 44-56 (Portion) Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Roger Bowers, on behalf of the applicant, also provided information to the Board.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed resolution R15-187.

The Voting Board tally was:

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

Resolution R15-187 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP14150456 TO ALLOW A DRIVE-THROUGH FACILITY WITHIN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON

TAX MAP PARCEL 44-56 (PORTION), ZONED B-2, URBAN COMMERCIAL, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, McDonald's USA, LLC, applicant, submitted Application CUP14150456 requesting a Conditional Use Permit (CUP) to allow a drive-through facility in the HC, Highway Corridor Overlay Zoning District, on a portion of Tax Map Parcel 44-56, located within the Hartwood Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-59(e), which permits this use in the HC, 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; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require approval of this CUP request, with the below conditions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that a Conditional Use Permit (CUP) pursuant to application CUP14150456 be and it hereby is approved with the following conditions:

1. The area subject to the CUP shall be limited to one dual-lane drive-through facility within the HC, Highway Corridor Overlay Zoning District, on a 1.45-acre portion of Tax Map Parcel 44-56, as shown on the General Development Plan, prepared by Carter Design, last revised April 20, 2015 (GDP).
2. The restaurant and drive-through use may operate 24 hours a day, seven days a week.
3. There shall be no direct access to the site from Warrenton Road.
4. A sidewalk shall be constructed along the site's access road as shown on the GDP. Connections shall be made to the existing sidewalk along Warrenton Road, and the existing crosswalk south of the site's entrance, as shown on the GDP.
5. Directional signage for the drive-through shall be posted prior to issuance of an occupancy permit, as generally depicted on the exhibit entitled "Architectural Drawing #2," prepared by Everbrite, LLC, dated November 18, 2014.
6. The building shall be constructed in general conformance with the architectural rendering entitled "Proposed McDonald's Restaurant," dated August 13, 2014.
7. Any canopy lighting shall be recessed within a canopy or shall be downlit.
8. A berm shall be constructed along the frontage of Warrenton Road to shield headlight glare from drive-through vehicle traffic. The berm shall be a maximum 36 inches in height.
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 the

business and/or special events, such events not to exceed six such events per year. 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, or regulation, after the applicant has been notified in writing by the County of the violation(s) and the applicant is given a reasonable opportunity to correct the violation(s).

Recess At 8:48 p.m., the Chairman declared a recess.

Call to Order At 8:55 p.m., the Chairman called the meeting back to order.

Planning and Zoning; Consider Proposed Comprehensive Plan Amendment to Incorporate Airport Land Use Compatibility Guidelines (Guidelines) Mr. Mike Zuraf, Senior Planner, gave a presentation and answered Board members questions.

Mr. Snellings asked if there was a formula used in determining compatibility zones, and how a future applicant would convince the Board that a particular parcel of land was compatible if the Guidelines determined it was not. Mr. Zuraf said that the applicant could use proffers or propose a down-zoning of the property, among other ways.

Mr. Zuraf said that the Guidelines were endorsed by the Stafford Regional Airport Authority (SRAA) and the Virginia Department of Aviation.

The Chairman opened the public hearing.

The following persons desired to speak:

Chris Jett	Will Carmine
Bradley Snyder	Paul Waldowski
Richard Owens	Hank Scharpenberg

The Chairman closed the public hearing.

Mr. Snellings asked if the City of Manassas had such guidelines for its regional airport. Mr. Zuraf replied that while there were guidelines, they were not as stringent as the Guidelines being proposed in Stafford County. Mr. Snellings then asked what sources the Committee used to arrive at the proposed Guidelines. Mr. Zuraf said the Committee referred to guidelines from other states and other regional airport locations.

Mr. Thomas talked about the proposed conical zones. Ms. Sellers asked who represented Stafford County on the SRAA, saying that there was no membership listing on the Airport’s website. She said that there was no information about the SRAA what they did. Mr. Scharpenberg agreed to update the Airport’s website with the requested information.

Mr. Milde questioned Mr. Zuraf’s use of the word “stringent.” Mr. Zuraf said that the Manassas guidelines did not go into the amount of detail as did the proposed Stafford

Guidelines. Mr. Milde said that he was sure that other airports had as “stringent” a set of guidelines.

Mr. Thomas asked about the Comprehensive Plan, passed in 2010, saying that the Comprehensive Plan had action steps regarding what the County should do. Mr. Zuraf said that the Guidelines were not complete as soon as staff would have liked. Mr. Thomas said that it was a lot of good work but that perhaps, “we were not there yet.”

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Resolution R15-226 (adoption of the Guidelines).

Mr. Sterling made a substitute motion, seconded by Ms. Sellers, to adopt proposed Resolution R15-227 (denial of the Guidelines).

Mr. Milde talked about the Oakenwold development having been voted down, and George Washington Village soon to come before the Board. He said there was no need to cram houses in every nook and cranny of the County. Ms. Sellers said that the Board could not say “no” all the time; that the Guidelines were inconsistent with land-use ideas. Mr. Thomas asked if a denial vote stopped the process altogether, leaving no guidelines in place whatsoever; and no indication of what the Board was thinking. Mr. Zuraf said it could be brought up at another time or in another format if the Board so desired.

Mr. Sterling said that the Guidelines assumed a northern flight pattern and that he was not in favor of any guidelines using a northern route with houses underneath. He said that there was no talk about compensating property owners that would lose property value if the Guidelines were adopted. Mr. Sterling said that taxpayers were subsidizing the Airport whether they realized it or not.

Mr. Cavalier said that each rezoning request was judged by the Board on its own merit. He said that the proposed Guidelines added an extra layer of bureaucracy. Mr. Cavalier said that he supported the SRAA, a northern route, and runway expansion, but that he did not support more restrictions around the Airport; he felt they were unnecessary.

Ms. Bohmke said that she liked the Guidelines and felt that it added it could be a guiding document for the County and for the Board. She added that it was for guidance, that it was not set in stone but permitted the Board to make educated decisions about development around the Airport.

Mr. Milde asked Deputy County Attorney, Ms. Rysheda McClendon, if she felt that it was taking property rights from land owners. Ms. McClendon recommended that the discussion should be taken into closed meeting. The Board took no action on Ms. McClendon’s recommendation.

Mr. Milde said it was a ridiculous notion to think that the County did not need the additional guidance. He said that planes do crash but that the area around airports was much safer than in years past. In response to Ms. Sellers’ questions, Mr. Zuraf pointed out an area of impact on a map.

Mr. Snellings said that the Airport was in his District; that it opened in December, 2001 and since then, 40% of his complaint calls were about the Airport. He said that it was built in the wrong location and was a total nightmare for the County. Mr. Snellings said that the proposed Guidelines added yet another level to an already complicated process and that he would vote for denial.

The Voting Board tally on the substitute motion was:

Yea: (4) Cavalier, Sellers, Snellings, Sterling

Nay: (3) Bohmke, Milde, Thomas

Resolution R15-227 reads as follows:

**A RESOLUTION TO DENY PROPOSED AMENDMENTS TO THE
STAFFORD COUNTY COMPREHENSIVE PLAN REGARDING THE
STAFFORD COUNTY REGIONAL AIRPORT PLANNING AREA**

WHEREAS, Virginia Code § 15.2-2229 authorizes the Board to amend the Comprehensive Plan; and

WHEREAS, pursuant to Virginia Code §§ 15.2-2229, the Planning Commission may prepare and recommend amendments to the Plan; and

WHEREAS, Policy 4.9.1 of the Stafford County Comprehensive Plan states that the County should develop land-use compatibility standards for new development to conform to within the aircraft approach patterns of airports and landing strips; and

WHEREAS, land-use compatibility guidelines have been developed through an ongoing effort between a joint subcommittee composed of members of the Planning Commission and the Stafford Regional Airport Authority; and

WHEREAS, Chapter 3, “The Land Use Plan,” of the Comprehensive Plan 2010-2030 document (Plan) provides guidance for future growth and development in the County; and

WHEREAS, the proposed amendments to the Plan would amend Chapter 3, “The Land Use Plan” to incorporate the Airport Land Use Compatibility Guidelines into the textual document (Amendments); and

WHEREAS, the Planning Commission conducted a public hearing on the Plan Amendments and provided its recommendations to 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 Plan amendments are not consistent with good planning practices in the vicinity of the Stafford County Regional Airport; and

WHEREAS, the Board does not desire to adopt the Plan amendments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that it be and hereby does deny the amendments to Chapter 3, “The Land Use Plan,” of the textual document entitled “Stafford County, Virginia Comprehensive Plan 2010-2030,” regarding to the Stafford County Regional Airport Planning Area.

Utilities; Authorize Conveyance of a Utility Easement to Dominion Virginia Power Mr. Mike Smith, 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.

Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution R15-184.

The Voting Board tally was:

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

Resolution R15-184 reads as follows:

A RESOLUTION AUTHORIZING THE CONVEYANCE OF A NON-EXCLUSIVE EASEMENT FOR A UTILITY RIGHT-OF-WAY TO DOMINION VIRGINIA POWER ON COUNTY-OWNED TAX MAP PARCEL 59-72C

WHEREAS, Dominion Virginia Power requested a utility right-of-way for overhead power lines along Tax Map Parcel 59-72C (Property); and

WHEREAS, the easement requested is a 15,000 square foot non-exclusive easement for a utility right-of-way; and

WHEREAS, the impacted portion of the Property for the right-of-way serves as access to the Little Falls Run Wastewater Treatment Facility (Facility); and

WHEREAS, the right-of-way does not adversely affect County operations at the Facility; and

WHEREAS, pursuant to Virginia Code § 15.2-1800, the Board is required and desired to hold a public hearing to consider conveying this right-of-way easement on the property; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the Board be and it hereby does authorize the conveyance of a 15,000 square foot non-exclusive easement for a utility right-of-way to Dominion Virginia Power on Tax Map Parcel 59-72C.

Public Works; Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Brooke Road Improvement Project Mr. Chris Rapp, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Richard Swan	Rajib Singh
Robyn Swan	Gerald Young

The Chairman closed the public hearing.

Mr. Milde noted that he had previous interaction with the Mr. and Mrs. Swan, whose concerns expressed at the public hearing seemed legitimate to him. He said that the public voted for the bond to fix James Hill and eight years later, property acquisition was not even complete on the project. Mr. Milde requested that the Swans' be given more time to resolve issues stated during the public hearing.

Mr. Thomas asked for clarification that Diversified also handled negotiations for Mountain View and Truslow Road. Mr. Rapp confirmed that it was Diversified that handled the property negotiations on all three road improvement projects. Mr. Thomas said that it seemed that there was a communication breakdown and suggested deferral of the item until the problems/concerns could be resolved to everyone's satisfaction.

Ms. Bohmke noted that a promise was made to some property owners (by VDOT) that following construction, property would be restored to its original condition. She cited a property in her neighborhood where that was definitely not the case, adding that VDOT's "feet should be held to the fire."

Mr. Milde motioned, seconded by Mr. Thomas, to defer this item.

The Voting Board tally was:

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

Nay: (0)

Planning and Zoning; Consider an Amendment to Land Development Application Review Services Fees Mr. 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. Milde motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-26.

The Voting Board tally was:

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

Nay: (0)

Ordinance O15-26 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN FEES FOR LAND DEVELOPMENT APPLICATION REVIEW SERVICES

WHEREAS, Virginia Code §§ 15.2-2240 and 15.2-2286 authorize the Board to set reasonable fees for land development application review services provided by the County’s Department of Planning and Zoning; and

WHEREAS, the Board desires to amend the Stafford County Schedule of Fees to add a review fee specifically for building additions greater than 2,500 and less than 10,000 square feet; and

WHEREAS, the Board last amended the County’s land development application service fees on July 1, 2014, with the adoption of Ordinance O14-22; and

WHEREAS, the Board desires and is required to keep fees current with the actual costs of providing this review service; and

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

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

NOW, THEREFORE BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that the schedule of fees for land development application review services provided by the Department of Planning and Zoning, be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

<u>Service</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Percent</u>
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Change

Building additions greater than 2, 500 square feet and less than 10,000 square feet

<u>Major Site Plan base fee</u>	<u>\$0</u>	<u>\$4,500</u> <u>+2.75% technology fee</u>	<u>100%</u>
<u>Utilities*</u>	<u>\$0</u>	<u>\$365</u> <u>+2.75% technology fee</u>	<u>100%</u>
<u>Fire*</u>	<u>\$0</u>	<u>\$125</u> <u>+2.75% technology fee</u>	<u>100%</u>
<u>Transportation*</u>	<u>\$0</u>	<u>\$160</u> <u>+2.75% technology fee</u>	<u>100%</u>
<u>SWM*</u>	<u>\$0</u>	<u>\$1,700+2.75% technology fee</u>	<u>100%</u>

*if applicable

; and

BE IT FURTHER ORDAINED that this ordinance shall become effective on July 30, 2015.

Planning and Zoning; Consider a Conditional Use Permit to Allow Motor Vehicle Sales, Repair, and Reconditioning in an M-1, Light Industrial Zoning District, Falls Run Industrial Park Car Web Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Ms. Tricia Irons, Operations Manager for Car Web, also provided information to the Board.

Mr. Milde asked about the number of designated parking spaces for used cars. Mr. Zuraf drew an outline on the Power Point slide in response to Mr. Milde's question. Ms. Irons said that Car Web accepted all conditions recommended by County staff.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Thomas said that the current zoning was M-1, and that the proposal was a great improvement over what could otherwise be located in that location.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-190.

The Voting Board tally was:

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

Nay: (1) Milde

Resolution R15-190 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT, PURSUANT TO APPLICATION CUP14150439, ON TAX MAP PARCELS 45-15G AND 45-15H, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Farshad Fakhriyazdi, applicant, submitted Application CUP14150439 requesting a conditional use permit (CUP) to allow motor vehicle sales in an M-1, Light Industrial Zoning District, on Tax Map Parcels 45-15G and 45-15H, 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 an M-1, Light Industrial 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; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this CUP request, with the below conditions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of June, 2015, that a Conditional Use Permit (CUP), pursuant to application CUP14150439, be and it hereby is approved with the following conditions:

1. This CUP is to allow motor vehicle sales in the M-1, Light Industrial Zoning District on Tax Map Parcel 45-15H.
2. The access points on Tax Map Parcel 45-15H shall be limited to one entrance on Falls Run Drive and one entrance on Nelms Circle, in the general location as depicted on the Proposed Site Layout plan, entitled “Proposed Car Sales Offices, Car Web, 1010 Falls Run Drive, Falls Run Industrial Park, Stafford County, Virginia,” dated November 8, 2014 (Proposed Site Layout Plan).
3. All outdoor storage of vehicles for sales and/or service shall be limited to the parking spaces within Tax Map Parcel 45-15H.
4. All loading of vehicles being transported from the site and all unloading of vehicles being delivered to the site, shall occur on site and be prohibited from occurring in the public right-of-way.
5. All motor vehicle repair, service, and reconditioning shall be conducted in an enclosed building.
6. Parking spaces shall not block any repair or service bays.

7. Display areas for vehicle sales shall only be located in parking spaces in areas designated as “Vehicles for Sale” as illustrated on the Proposed Site Layout Plan.
8. Motor vehicle sales including storage of vehicles for sale is prohibited from occurring on Tax Map Parcel No. 45-15G.
9. The appearance of the building shall be in general conformance with the submitted Building Elevations and Renderings entitled “Proposed Warehouse + Offices, Carweb, 1010 Falls Run Drive, Falls Run Industrial Park, Stafford County, Virginia,” dated June 9, 2014, with modifications permitted to comply with applicable federal, state and local codes.
10. This CUP 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 Amendments to County Code Sec. 28-25, “Definitions of Specific Terms” and Sec 28-39, “Special Regulations” Regarding Microcell Communication Facilities Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Ms. Stephanie Petaway, with Verizon, spoke at the public hearing in support of the text amendment.

Mr. Milde said that the Board, or possibly the Community and Economic Development Committee, reviewed the idea of microcell facilities so it was not an unfamiliar concept. Mr. Thomas said that even though there was not a slide showing a microcell, you would have no idea that a microcell was placed in a specific location. Mr. Harvey said they were intended to blend in with the surroundings.

Mr. Cavalier asked if the placement of a microcell would interfere with WIFI in houses. Mr. Harvey confirmed that it was for commercial use only and would not affect homes.

The Chairman opened the public hearing.

The following persons desired to speak:

Stephanie Petaway (Verizon)

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O15-16.

The Voting Board tally was:

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

Nay: (0)

Ordinance O15-16 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, “DEFINITIONS OF SPECIFIC TERMS,” AND SEC. 28-39, “SPECIAL REGULATIONS,” TO DEFINE MINI/MICROCELL COMMUNICATION FACILITY AND TO ALLOW THE USE AS AN ACCESSORY USE IN

SPECIFIED COMMERCIAL AND INDUSTRIAL ZONING
DISTRICTS WITH SPECIAL REGULATIONS

WHEREAS, the use of cell phones in highly populated areas is placing high demands on the telecommunications industry within the County; and

WHEREAS, the telecommunications industry developed technology that provides service to small concentrated areas, with equipment reduced in size, and disguised as an architectural feature to a building; and

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

WHEREAS, the Board desires to amend the Zoning Ordinance to allow for mini/microcell communication facilities as an accessory use, to provide adequate telecommunications service to the citizens of the County; 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 16th day of June, 2015, that Stafford County Code Sec. 28-25, “Definitions of specific terms,” and Sec. 28-39, “Special regulations,” be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

Sec. 28-25. - Definitions of specific terms.

Microcell communication facility (mini or micro communication facilities). Equipment consisting of a low wattage antenna and related equipment designed to supplement an existing service area by receiving and/or transmitting wireless communication signals. The antenna and related equipment shall be affixed as an accessory use to a building or structure in accordance with section 28-39(x).

Sec. 28-39. - Special regulations.

(x) Special provisions applicable to microcell communication facilities.

- (1) Equipment and antenna for microcell communication facilities shall be no more than 15 feet in height above the roof/eave line of the structure on which it is located, nor shall it be more than 80 feet in height above the average front grade of the structure.
- (2) The antenna shall not exceed 3 feet x 2 feet in size and not exceed an output of 60 watts.
- (3) The equipment and antenna shall be screened from view or installed and/or designed to be integrated within the architectural integrity of the

building or primary structure so as to be camouflaged, or use stealth technology when camouflaged techniques are not possible, so as to make the antenna and related equipment as visually unobtrusive as possible.

- (4) The area of the equipment cannot exceed 25% of the footprint of the structure on which it is located.
- (5) The applicant shall comply with all federal, state and local codes, regulations, and guidelines.
- (6) This use shall be considered an accessory use to all non-residential uses permitted by-right within the B-1, Convenience Commercial; B-2, Urban Commercial; M-1, Industrial light; M-2, Industrial heavy; PD-1, Planned Development-1; PD-2 Planned Development-2; P-TND, Planned-Traditional Neighborhood Development; and UD, Urban Development Zoning Districts.
- (7) Microcell communication facilities shall be allowed as an accessory use on all public facility structures regardless of the Zoning District in which it is located.

; and

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption.

Adjournment At 10:23 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Gary F. Snellings
Chairman