

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

August 18, 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, August 18, 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; Paul V. Milde, III; Cord A. Sterling; and Robert “Bob” Thomas, Jr.

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.

“Hope Over Heroin” Initiative Rev. Tami Smoot addressed the Board with information about the “Hope Over Heroin” initiative taking place in Stafford County. The initiative originated in Ohio and the event scheduled for September 25/26, 2015, at Pratt Park, is the first of its kind being held on the east coast of the United States.

Following Rev. Smoot’s presentation, the Commonwealth’s Attorney, Eric Olsen, spoke to the Board and expressed that his office, as well as the Sheriff’s Office, was in full support of the initiative. Mr. Olsen’s office provided the first \$5,000 donation to the initiative; funds were from the drug forfeiture fund. There were 16 overdose deaths in the County in the past two years. Mr. Olsen stated that he was sick of the problem destroying families. He added that publicity was the key; that the upcoming event was in the evening, not during the day-time hours that would interfere with work schedules and invited all members of the Board, County staff, and the audience to attend.

Mr. Snellings thanked Rev. Smoot and Mr. Olsen, adding that he would be at the event.

Recognize Stafford County’s Participants in the 2015 World Police and Fire Games Mr. Snellings recognized participants in the Games including (from the Sheriff’s Office): 1st Sgt. C. W. Reed, 1st Sgt. Jeff Adams, and Deputies Burton Collins, Bryan Mabry, Chris Smith, Michael Powell, and Tyler Johnson.

Participating from the Department of Fire and Rescue were: Don Goff, Aubrey McDowell, Jeremy Heck, Justen Moreland, Justin Harrison, Paul Hines, Blake Williams, Mikel Commers, Amy Wilmerton, Darren Hendricks, Eric Chenault, Tim Lelercq, Brian Kline, Tyler Lamond, Katie Jones, Jon Henson, and Brice Long.

Presentation of the Government Finance Officers Association (GFOA) Award for Financial Reporting Mr. Snellings noted that the GFOA Award was received for the 33rd year in a row. Assistant Finance Director, Mickey Kwiatkowski, Randy Helwig, and Shrawan Timilsena from the Finance Department; and Katie Bailey from the Treasurer’s Office accepted the award.

Recognize Laura Rudy, Treasurer, for Winning The “2015 Statescoop 50” Award for Innovation of the Year; and the State Leadership Award Mr. Snellings acknowledged Treasurer, Laura Rudy, Kathy Cox, and Erin Brooks from the Treasurer’s Office, as well as Erin Botkin (IT), and Jeanine Denno (Utilities), and congratulated them on winning both awards.

National Association Of Counties (NACO) 2015 Achievement Awards to Stafford County for the “350th Anniversary Celebration and Legacy” in the Category of Civic Education and Public Information; and for “Operations Staffing and Deployment Pilot Program” in the Category of Emergency Management and Response Former George Washington District Supervisor, Dr. Harry Crisp, accepted the 350th award on behalf of all members of the 350th Blue Ribbon Committee. Chief Mark Lockhart accepted the “Operations Staffing and Deployment Pilot Program” award on behalf of his department and recognized Asst. Chief Joe Grainger for heading up the program.

Presentations by the Public The following persons desired to speak:

Sarah Chase - \$8.3 million School surplus should be used for retaining teachers and recruiting new, qualified teachers

Tylor Underwood - Discrepancies in Abberly proffers and presentation at the July 7th Board of Supervisors meeting

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

Ms. Bohmke - National Night Out/Hickory Ridge new participants; Airport meeting (Airport Overlay District should be incorporated into the Comprehensive Plan); would like to see the County host more town hall meetings; thanked “Hope Over Heroin” presenters; congratulated Eagle Scout, Will Lombardo.

Mr. Cavalier - Infrastructure Committee Update including House Bill 2, transportation funding and the County’s transportation priorities; thanked “Hope Over Heroin” presenters/attended three funerals in the past year due to overdose deaths.

Mr. Milde - Attended FAMPO, VRE, Stafford Research and Technology Park Board of Directors meeting; entered drug rehab at age 18, has been active in programs like “Hope Over Heroin” for many years.

Ms. Sellers - Commended Girl Scout Troop 3111 for three Gold Award recipients, in 22 years, the troop had 65 Gold Award members; attended the VACo, Board of Supervisors Summit in Richmond; Private Day School Committee; acknowledged work being done by groups such as “Hope Over Heroin;” only one hospital in the region provides medical detox for heroin addicts.

Mr. Snellings - National Night Out; thanked staff for working towards the County’s AAA bond rating (only 23 localities in Virginia have achieved a AAA rating)

Mr. Sterling - Deferred

Mr. Thomas - Attended the VACo, Board of Supervisors meeting in Richmond and participated in the VACo Finance Steering Committee; provided update to the Finance, Audit, and Budget Committee (FAB) meeting including an auditor’s update; Medicaid processing is behind (DSS Director, Michael Muse, gave an overview of steps being taken to catch up on Medicaid); County will now have to carry one-half of the VRS liability; recognized Dr. Harry Crisp as a founding member of the FAB Committee.

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

Report of the County Administrator Mr. Romanello introduced Mr. Chris Rapp and Mr. Chris Hoppe. Each provided an update on transportation and parks projects respectively. A staff member from Parks, Recreation, and Community Facilities, John Kindred, identified an annual savings of approximately \$6,000 by exchanging light bulbs at Porter Library with more efficient bulbs. 120 stuffed bears were donated to Human Services by a resident whose wife passed away (it was her collection). Ms. Donna Krauss is seeing that the County’s neediest children are the recipients of the bears.

Additions/Deletions to the Regular Agenda Items 14, 21, and 23 were deleted from the Agenda. Item 26 was added endorsing the nomination of Supervisor Bob Thomas to the VACo Executive Committee.

Mr. Thomas motioned, seconded by Mr. Milde, to adopt the Agenda with the additions and deletions listed above.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Cavalier motioned, seconded by Mr. Thomas, to adopt the Consent Agenda, which consisted of Items 5 through 19, omitting Item 16 at Ms. Bohmke’s request, and deleting of Item 14.

The Voting Board tally was:

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

Item 5. Legislative; Approve Minutes of the July 7 and 29, 2015 Board Meetings

Item 6. Finance and Budget; Approve Expenditure Listing

Resolution R15-261 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING
(EL) DATED JULY 7, 2015 THROUGH AUGUST 17, 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 18th day of August, 2015 that the above-mentioned EL be and hereby is approved.

Item 7. Public Works; Authorize the County Administrator to Execute a Contract for On-Call Engineering Consulting Professional Services

Resolution R15-266 reads as follows:

A RESOLUTION AUTHORIZING FIRMS TO PROVIDE ON-CALL (AS
NEEDED) PROFESSIONAL ENGINEERING CONSULTING SERVICES

WHEREAS, the County solicited proposals from qualified vendors for professional engineering services on an as-needed basis in a variety of disciplines; and

WHEREAS, committees evaluated proposals received, and conducted interviews with certain qualified vendors; and

WHEREAS, the committee recommends the following firms be approved for on-call (as needed) services; and

WHEREAS, further Board action is required for all professional services contracts in excess of \$100,000; and

WHEREAS, the term of these contracts shall be an initial period of one year with an option to renew for four additional one year terms for a total of five years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the County Administrator be and he hereby is authorized to execute contracts for an initial term of one year with an option to renew for four additional one-year terms with the following firms in the following disciplines:

REQUEST FOR PROPOSALS #629154

Geotechnical Engineering Services

CTI Consultants, Inc.	Midlothian, VA
DMY Engineering Consultants, Inc.	Dulles, VA
Dominion Engineering Associates, Inc.	Fredericksburg, VA
Engineering Consulting Services Mid-Atlantic, LLC (ECS)	Fredericksburg, VA
Froehling & Robertson, Inc.	Fredericksburg, VA
Rhea Engineers & Consultants, Inc.	Woodbridge, VA

Industrial Hygiene Engineering Services

Apex Companies, LLC	Manassas, VA
Engineering Consulting Services Mid-Atlantic, LLC (ECS)	Fredericksburg, VA
France Environmental, Inc.	Richmond, VA
Froehling & Robertson, Inc.	Fredericksburg, VA
Professional Service Industries, Inc. (PSI)	Fairfax, VA

Civil Engineering Services

A. Morton Thomas & Associates, Inc. (AMT)	Fredericksburg, VA
ADTEK Engineers, Inc.	Fairfax, VA
Bowman Consulting Group, Ltd.	Fredericksburg, VA
Legacy Engineering, P.C.	Fredericksburg, VA
Rinker Design Associates, P.C. (RDA)	Manassas, VA
Sullivan, Donahoe & Ingalls, P.C. (SDI)	Fredericksburg, VA
The Engineering Groupe, Inc.	Woodbridge, VA
Timmons Group	Richmond, VA

Environmental and Natural Resources Engineering

A. Morton Thomas & Associates, Inc. (AMT)	Fredericksburg, VA
Angler Environmental	Warrenton, VA
Stantec, Inc.	Fredericksburg, VA
Timmons Group	Richmond, VA

REQUEST FOR PROPOSALS #78153

Engineering Services for Roadway or Other Linear Improvement Projects with State or Federal Funds

A. Morton Thomas & Associates, Inc. (AMT)	Fredericksburg, VA
ATCS, P.L.C.	Herndon, VA
Bowman Consulting Group, Ltd.	Fredericksburg, VA
McCormick Taylor	Richmond, VA
Rinker Design Associates, P.C. (RDA)	Fredericksburg, VA
Sullivan, Donahoe & Ingalls, P.C. (SDI)	Fredericksburg, VA
Timmons Group	Richmond, VA

Item 8. Utilities; Authorize an Amendment to the Virginia Resources Authority Water and Sewer 2009B Bond Financing Agreement to Reduce the Interest Rate Paid by the County

Resolution R15-257 reads as follows:

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A FINANCING AGREEMENT BETWEEN THE COUNTY OF STAFFORD, VIRGINIA, AND THE VIRGINIA RESOURCES AUTHORITY, AS ADMINISTRATOR OF THE VIRGINIA WATER FACILITIES REVOLVING FUND, AND AN AMENDMENT TO THE STAFFORD COUNTY \$23,681,363 WATER AND SEWER SYSTEM REVENUE BOND, SERIES 2009B, TO DECREASE THE COST OF FUNDS THEREON

WHEREAS, on December 30, 2009, U. S. Bank National Association, on behalf of the Virginia Resources Authority (VRA), as Administrator of the Virginia Water Facilities Revolving Fund, acquired from the County of Stafford, Virginia (the Borrower) a Water and Sewer System Revenue Bond, Series 2009B (Local Bond), in the original principal amount of \$23,681,363, pursuant to a Financing Agreement dated as of December 1, 2009 (Financing Agreement) between the Borrower and VRA; and

WHEREAS, the Borrower, with the consent of VRA and the Virginia Department of Environmental Quality (DEQ), proposes to amend the Financing Agreement to decrease the interest rate on the Local Bond, and to reduce the debt service payments thereunder; and

WHEREAS, a draft of an Amendment to Financing Agreement (Amendment Agreement) between the Borrower and VRA, which, among other things, amends certain provisions of the Financing Agreement, including the continuing disclosure covenants and the debt service payments under the Financing Agreement, is on file with the County Administrator; and

WHEREAS, the form of an Allonge, which shall be attached to the Local Bond, that evidences the reduction in debt service payments of the Local Bond, is on file with the County Administrator; and

WHEREAS, it appears to be in the best interests of the Borrower to amend the Financing Agreement as set forth in the Amendment Agreement:

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015:

Authorization of Amendment Agreement and Form of Allonge. The Board of Supervisors (Board) hereby determines that it is in the best interest of the Borrower to execute and deliver the Amendment Agreement and the Allonge for the Local Bond. The Board authorizes the execution and delivery of the Amendment Agreement and the Allonge.

Approval of Amendment Agreement. The form of the Amendment Agreement in the form on file with the County Administrator is hereby approved. The County Administrator and the Chief Financial Officer, either of whom may act, are hereby authorized to execute the Amendment Agreement in substantially such form, with such completions, omissions, insertions, and changes that are not inconsistent with this Resolution, as may be approved by the County Administrator or the Chief Financial Officer, whose approval shall be evidenced conclusively by the execution and delivery of the Amendment Agreement.

Execution of Allonge. The form of the Allonge in the form on file with the County Administrator is hereby approved. The Chairman of the Board and the County Administrator, either of whom may act, are hereby authorized and directed to execute and deliver the Allonge in substantially such form, to reflect the same amended terms as contained in the Amendment Agreement, together with such other completions, omissions, insertions, and changes that are not inconsistent with this Resolution and the Amendment Agreement, as may be approved by the Chairman or County Administrator, whose approval shall be evidenced conclusively by the execution and delivery of the Allonge. The Clerk or any Deputy Clerk of the Board is hereby authorized to attest or countersign the Allonge and affix the seal of the Borrower thereon.

Tax Covenants. The County Administrator and the Chief Financial Officer, either of whom may act, are hereby authorized and directed to execute and deliver such covenants and certifications as may be required by VRA (Tax Documents) in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (Cod), including the provisions of Section 148 of the Code and applicable regulations relating to "arbitrage bonds." The Board hereby covenants on behalf of the Borrower that the Borrower shall comply with the covenants and representations contained in the Tax Documents.

Other Actions. All other actions of the officers of the Borrower in conformity with the purposes and intent of this Resolution, and in furtherance of the execution and delivery of the Amendment Agreement and Allonge are ratified, approved, and confirmed. The officers of the Borrower are authorized and directed to execute and deliver all certificates and other instruments, including, but not limited to, an amendment to or a new tax certificate related to the Local Bond, that such officer may consider necessary or desirable in connection with the transactions authorized pursuant to this resolution.

Filing of Resolution. The County Attorney or such officer as he may designate is hereby authorized and directed to file a certified copy of this resolution in the office of the Clerk to the Board and with the Clerk of the Circuit Court of Stafford County, Virginia.

Effective Date. This resolution shall become effective immediately upon adoption.

Item 9. Utilities; Authorize the County Administrator to Execute Contracts for the Purchase of Ferris Sulfate for Water Treatment Plants; and Aluminum Sulfate for Odor Control

Resolution R15-267 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CHEMTRADE CHEMICALS US LLC AND A CONTRACT RENEWAL WITH KEMIRA WATER SOLUTIONS, INC., FOR WASTEWATER AND WATER CHEMICALS

WHEREAS, the Utilities Department has a contract with Kemira Water Solutions, Inc. for liquid ferric sulfate; and

WHEREAS, this contract contains a renewal clause and is in need of renewal; and

WHEREAS, the renewal amount of this contract has been evaluated and is determined to be reasonable; and

WHEREAS, bids were solicited and received for the provision of aluminum sulfate; and

WHEREAS, Chemtrade Chemicals US LLC was the lowest responsive and responsible bidder for this chemical; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the County Administrator, or his designee, be and he hereby is authorized to execute a contract and contract renewal with the following:

Kemira Water Solutions, Inc. to provide liquid ferric sulfate in an amount not to exceed Two Hundred Thirty-two Thousand Dollars (\$232,000), unless amended by a duly-executed contract amendment; and

Chemtrade Chemical US LLC to provide aluminum sulfate in an amount not to exceed Two Hundred Forty-seven Thousand Three Hundred Twenty Dollars (\$247,320), unless amended by a duly-executed contract amendment.

Item 10. Utilities; Authorize the County Administrator to Advertise a Public Hearing for Condemnation and Quick-Take Powers of Easements for the Ethyl Lane Shor Extension Project

Resolution R15-270 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF THE COUNTY'S QUICK-TAKE POWERS TO ACQUIRE A PERMANENT WATER-SANITARY SEWER EASEMENT ON TAX MAP PARCEL NO. 45C-4-1, OWNED BY MATTHEW J. RENNA, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the County is in the process of acquiring the necessary easements for the construction of the Ethyl Lane Low Pressure Sewer Line (Project) to serve Tax Map Parcel No. 45C-4-11 (9 and 11 Ethyl Lane), within the George Washington Election District; and

WHEREAS, 0.02736 acres of permanent water-sanitary sewer easement is required on Tax Map Parcel No. 45C-4-1, consisting of approximately 0.2235 acres of land (Property), and owned by Matthew J. Renna (Property Owner), to construct the Project; and

WHEREAS, the fair market value for the easement area on the Property, together with damages, if any, to the remainder of the property is Four Thousand Six Hundred Fifty Dollars and Fourteen Cents (\$4,650.14), based upon the 2014 tax assessed value; and

WHEREAS, the Board, through the County staff, made bona fide but ineffectual efforts to purchase the easement on the Property, by offering said determined value on behalf of the County to the Property Owner; and

WHEREAS, the terms of purchase have not been agreed upon, and County staff was unsuccessful in acquiring a final settlement, but will continue to work with the Property Owner in attempt to acquire the easement; and

WHEREAS, the Board desires to consider the condemnation and use of its quick-take powers to acquire 0.02736 acre of permanent water-sanitary sewer easement on the Property; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board is required and desires to receive the public's testimony at a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that it be and hereby does authorize the County Administrator to advertise a public hearing to be scheduled pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), to consider the necessity for condemnation and exercise of the County’s quick-take powers, to immediately acquire 0.02736 acre of permanent water-sanitary sewer easement on Tax Map Parcel No. 45C-4-1.

Item 11. Utilities; Authorize the County Administrator to Advertise a Public Hearing for Condemnation and Quick-Take Powers to Acquire Property in Connection with the Falls Run Sewer Interceptor Project

Resolution R15-271 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF THE COUNTY’S QUICK-TAKE POWERS TO ACQUIRE A PORTION OF TAX MAP PARCEL NO. 53D-1-84B, OWNED BY LARRY A. GARMON AND CAROL A. GARMON, IN CONNECTION WITH THE FALLS RUN INTERCEPTOR SEWER PROJECT, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the County is the owner of Tax Map Parcel 53D-1-84G, on which sanitary sewer facilities were constructed as part of the Falls Run Interceptor Sewer Project (Project); and

WHEREAS, during the Project’s construction, the County inadvertently constructed a permanent sanitary sewer grinder vault less than one foot over the County’s property line on to Tax Map Parcel No. 53D-1-84B (Property) within the George Washington Election District; and

WHEREAS, the County must acquire a portion of the Property for this structure; and

WHEREAS, the Property consists of approximately 0.877 acre of land owned by Larry A. Garmon and Carol A. Garmon (Property Owners); and

WHEREAS, the as-built condition for the Project requires 0.001 acre (43 square feet) of fee simple land from the Property; and

WHEREAS, the fair market value for the 0.001 acre fee simple portion of the Property, together with damages, if any, to the remainder of the Property is \$129.00, based upon the 2014 tax assessed value and the County is offering the same for the acquisition of that portion of the Property; and

WHEREAS, the Board, through County staff, made bona fide but ineffectual efforts to purchase the portion of the Property by offering said determined value on behalf of the County to the Property Owners; and

WHEREAS, the terms of purchase cannot be agreed upon, and County staff was unsuccessful in negotiating a final settlement, but will continue to work with the Property Owners in an attempt to reach an acceptable settlement; and

WHEREAS, the Board desires to consider condemnation and use of the County's quick-take powers to acquire a 0.001 acre fee simple portion of the Property; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board is required and desires to receive public testimony at a public hearing; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the County Administrator be and he hereby is authorized to advertise a public hearing to be scheduled pursuant to Virginia Code §§ 15.2-1903(B) and 15.21905(C), to consider the necessity for the Board's fee simple ownership of a 0.001 portion of Tax Map Parcel No. 53D-1-84B, for the Falls Run Interceptor Sewer Project.

Item 12. Utilities; Authorize a Low Pressure Sewer System at the Reserve at Woodstock Lane Subdivision

Resolution R15-272 reads as follows:

A RESOLUTION AUTHORIZING THE USE OF A LOW PRESSURE SEWER SYSTEM ON TAX MAP PARCEL NOS. 21-167 AND 21-170

WHEREAS, at its meeting on October 7, 2003, the Board adopted Resolution R03-361, which limits the use of low pressure sewer systems for new residential subdivisions to those specifically authorized by the Board, after the Board determines that such a system is in the best interest of the County; and

WHEREAS, Tax Map Parcel Nos. 21-167 and 21-170 (the Property) are inside the Urban Services Area (USA) as designated in the Comprehensive Plan; and

WHEREAS, County Code Sec. 25-71(b) requires properties located within the USA to utilize the public sewer system; and

WHEREAS, there is no public sewer downstream from portions of the Property to permit the use of a gravity sewer; and

WHEREAS, the Board finds that allowing the Property to use a low pressure sewer system with a grinder pump is in the best interest of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that it be and hereby does authorize the use of a low pressure sanitary sewer system, with grinder pumps, on Tax Map Parcel Nos. 21-167 and 21-170 (the Property); and

BE IT FURTHER RESOLVED that the owner(s) of the Property shall comply with the following requirements:

1. Ensure that any deeds for each lot on the Property contain a clause that the lot owner(s) shall be required to maintain a contract with a qualified repair firm for maintenance and repair of the grinder pumps should any pump fail.
2. Ensure that the recorded subdivision plat for each lot contains a notice to the public that the grinder pumps shall be owned by the individual lot owner(s) and that the lot owner(s) are required to have a maintenance contract with a qualified repair firm for maintenance and repair of the grinder pumps should any pump fail.
3. Install and maintain a grinder pump outside of each house.
4. Provide and maintain a backup power source for each grinder pump.
5. Provide and maintain a manual transfer switch for each grinder pump located outside of each house.

Item 13. Utilities; Authorize the County Administrator to Advertise a Public Hearing to Consider a Lease Agreement on County-Owned Property at the Embrey Mill Water Tank for a Cellular Communications Facility; and to Provide an Easement to Dominion Virginia Power on the Embrey Mill Water Tank Property

Resolution R15-282 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A LEASE AGREEMENT ON COUNTY-OWNED PROPERTY AT THE EMBREY MILL WATER TANK, TAX MAP PARCEL 29G-BB, FOR A CELLULAR TELECOMMUNICATIONS FACILITY, AND TO CONVEY A UTILITY EASEMENT TO DOMINION VIRGINIA POWER ON THE EMBREY MILL WATER TANK PROPERTY, LOCATED IN THE GARRISONVILLE DISTRICT

WHEREAS, CELLCO PARTNERSHIP d/b/a Verizon Wireless, desires to lease space in and on County-owned property at the Embrey Mill Water Tank (Tank) site, Tax Map Parcel No. 29G-BB, for a cellular telecommunications facility; and

WHEREAS, Dominion Virginia Power requested a non-exclusive utilities right-of-way easement across the Tank site to provide electrical service to the telecommunications facility; and

WHEREAS, Dominion Power requires 3,996 square feet for a non-exclusive utilities right-of-way easement; and

WHEREAS, the Board is required and desires to hold a public hearing to consider conveying an easement on, or leasing, County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August 2015, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider granting a lease to Verizon Wireless for use as a cellular telecommunication facility and conveying 3,996 square feet as a non-exclusive utilities right-of-way easement to Dominion Virginia Power, both on the Embrey Mill Water Tank site, Tax Map Parcel No. 29G-BB.

Item 14. This item was deleted from the agenda.

Item 15. Planning and Zoning; Authorize the Planning Commission’s Request for a Time Extension for Work on the Comprehensive Plan

Resolution R15-286 reads as follows:

A RESOLUTION GRANTING A TIME EXTENSION UNTIL JANUARY 31, 2016, FOR THE PLANNING COMMISSION TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE PLAN

WHEREAS, at its meeting on July 7, 2015, the Board requested that the Planning Commission (Commission) consider amendments to the Comprehensive Plan (Plan) regarding Urban Development Areas (UDAs) and a five-year update; and

WHEREAS, the Board requested that the Commission consider the following during its consideration of amendments to the Plan:

- Adding the Blaisdell tract to the Southern Gateway Targeted Growth Area (TGA); and
- Any other amendments deemed necessary.

WHEREAS, the Board requested the proposed Plan amendments from the Commission be returned by October, 2015; and

WHEREAS, at its meeting on July 22, 2015, the Commission requested additional time to consider the proposed amendments and additional amendments; and

WHEREAS, the Board desires to provide the Commission with a reasonable time extension; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good planning practice require that the Commission be given additional time to consider and draft the amendments to the Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the Planning Commission be and it hereby is granted a time extension until January 31, 2016, to consider and/or draft proposed amendments to the Comprehensive Plan regarding Urban Development Areas (UDAs) and a five-year update.

Item 17. Sheriff; Authorize the County Administrator to Execute a Contract Renewal with Motorola Solutions, Inc. for Maintenance of the County’s Public Safety Radio Communications System

Resolution R15-265 reads as follows:

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

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

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

WHEREAS, Motorola Solutions, Inc., proposes to renew the maintenance services contract for the Public Safety radio communications system in an amount not to exceed \$706,917; and

WHEREAS, sufficient funding for the contract renewal with Motorola Solutions, Inc., is available in the FY2016 adopted budget; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that it be and hereby does authorize the County Administrator to execute a contract renewal with Motorola Solutions, Inc., for maintenance services for the Public Safety radio communications system, in an amount not to exceed Seven Hundred Six Thousand Nine Hundred Seventeen Dollars (\$706,917), unless amended by a duly-executed contract amendment; and

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

Item 18. County Administration; Appoint Ms. Robin Long t the Agricultural/Purchase of Development Rights Committee Representing the Garrisonville District

Item 19. Public Information; Recognize Mr. Woody Van Valkenburgh, Retiring Director of Goodwill Industries

Proclamation P15-17 reads as follows:

A PROCLAMATION RECOGNIZING WOODY VAN VALKENBURGH
ON THE OCCASION OF HIS RETIREMENT AFTER 35 YEARS OF
SERVICE TO RAPPAHANNOCK GOODWILL INDUSTRIES, INC.

WHEREAS, Woody Van Valkenburgh came to Fredericksburg in 1980 to work as Executive Director as the Rappahannock Rehabilitation Facility, the predecessor to Rappahannock Goodwill Industries, Inc., and is retiring after 35 years of service as President and CEO of Goodwill; and

WHEREAS, Mr. Van Valkenburgh's accomplishments include the 2011 Joseph L. Argenzio Award, from the Fredericksburg Regional Chamber of Commerce (Chamber) for outstanding volunteer service; the 2015 Matthews Entrepreneurial Award from Goodwill Industries International; and being named by the Chamber as a 2015 "Local Legend"; and

WHEREAS, under Mr. Van Valkenburgh's leadership, Rappahannock Goodwill Industries added stores, is one of the area's top employers of those with disabilities, employing more than 500 employees in the Fredericksburg region alone; and moved its headquarters to the 80,000 square-foot site of the former Gallahan's furniture store; and

WHEREAS, under Mr. Van Valkenburgh's leadership, Rappahannock Goodwill Industries won the Chamber's 2015 Green Frontier Award for Goodwill's devotion to recycling and salvaging items to sell at its stores, and helping to provide vocational and educational services to people with disabilities. It is estimated that through its recycling efforts, 2,978 tons of waste was kept out of local landfills;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 18th day of August, 2015, that it be and hereby does commend Mr. Woody Van Valkenburgh on the occasion of his retirement from Rappahannock Goodwill Industries, Inc., and for his tremendous and lasting impact on the lives of those in Stafford County and the region.

Item 16. Planning and Zoning; Refer to the Planning Commission a Zoning Text Amendment for Minimum Lot Width Ms. Bohmke asked for discussion on Item 16. Mr. Jeff Harvey, Director of Planning and Zoning, addressed the Board saying that Mr. Clark Leming, representing an Embrey Mill developer, asked that minimum lot width be reduced to provide more options for the size of single-family homes being built at Embrey Mill, saving on infrastructure costs, with the cost savings passed along to home owners. Ms. Bohmke said that the Planning Commission had finite resources and a lot on its plate; that it was too easy to send things down to the Commissioners, and that she would not support referring the item to the Planning Commission.

Mr. Sterling said that the basic laws of economics was that developers would charge whatever buyers would pay. He recently spoke with builders in Embrey Mill and was told that they were challenged to sell small lots; that most buyers wanted large yards.

Mr. Sterling said that he would not support sending it down to the Planning Commission based on what he knew after recent discussions with local builders.

Mr. Harvey said that narrower lots would be more affordable but he could not speak to the exact costs. Ms. Sellers noted that there was not an increased density, but reduced lot sizes. Mr. Harvey said that the density was 3.25 units per acre in Embrey Mill. Ms. Sellers asked how the Embrey Mill Community Development Authority (CDA) worked. Mr. Harvey said that he was not familiar with CDAs.

Mr. Milde talked about resource protection areas (RPA), and topography. Mr. Harvey said the lots were on public well and sewer so there was no constraints about placement of wells on the properties. Mr. Milde said that he was concerned about the County's budget and how the size of the dwelling-units may affect real estate taxes.

Mr. Thomas noted that the Community and Economic Development Committee (CEDC) took up text amendments at past meetings. He suggested that this item should have started at the committee level. Mr. Milde agreed with Mr. Thomas. Mr. Sterling said that it was not adding up; that a lot more detail was necessary before he would vote on it.

Ms. Sellers motioned, seconded by Mr. Thomas, to refer this item to the Community and Economic Development Committee for review and its recommendation.

The Voting Board tally was:

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

Planning and Zoning; Amend Proffer Conditions on 22 Acres Zoned UD-4, Urban Development (Abberly) Mr. Mike Zuraf, Principal Planner, gave a presentation and answered Board members questions. Mr. Zuraf noted that the item was heard by the Board on July 7th but deferred due to new proffers added without time being given for the Board to fully study the changes. A change included cannons donated to the Civil War Park, changed from at the time of site plan approval to the issuance of the first land disturbance permit. Mr. Milde asked if those changes were included in the new proffers. Mr. Romanello said they were not. Mr. Thomas said that the applicant had to nail down the Civil War Park proffers.

Mr. Charlie Payne, for the applicant, said that \$50,000 for cannons at the Civil War Park would be available with the first land disturbance permit, and that an early grading permit had been applied for. Ms. Sellers said she was not in favor of changing the proffers but that she would vote in favor of the project.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-21.

The Voting Board tally was:

Yea: (5) Cavalier, Milde, Sellers, Snellings, Thomas
Nay: (2) Bohmke, Sterling

Ordinance O15-21 reads as follows:

AN ORDINANCE TO AMEND THE PROFFERED CONDITIONS ON TAX MAP PARCEL NO. 39-16L AND PORTIONS OF TAX MAP PARCEL NOS. 39-16, 39-16B, 39-16H, AND 39-16J, ZONED UD-4, URBAN DEVELOPMENT, MIXED-USE VILLAGE CENTER, WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, HH Hunt Corporation, applicant, submitted application REC15150551 requesting an amendment to proffered conditions on Tax Map Parcel No. 39-16L and portions of Tax Map Parcel Nos. 39-16, 39-16B, 39-16H, and 39-16J, consisting of 22.02 acres, zoned UD-4, Urban Development Mixed-Use Village Center, within the Aquia Election District; and

WHEREAS, Tax Map Parcel No. 39-16L and portions of Tax Map Parcel Nos. 39-16, 39-16B, 39-16H, and 39-16J, are subject to proffered conditions pursuant to Ordinance O13-42, adopted by the Board on October 15, 2013; and

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

WHEREAS, the Board determined that the requested amendments to proffered conditions are compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an Ordinance to amend the proffered conditions on the subject properties;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the proffered conditions on Tax Map Parcel No. 39-16L and on portions of Tax Map Parcel Nos. 39-16, 39-16B, 39-16H, and 39-16J, consisting of 22.02 acres, zoned UD-4, Urban Development Mixed-Use Village Center, as specified in the proffer statement entitled “Proffer Amendment Statement,” dated July 7, 2015.

Legislative; Closed Meeting. At 4:19 p.m., Mr. Thomas motioned, seconded by Mr. Milde, to adopt proposed Resolution CM15-15.

The Voting Board tally was:

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

Resolution CM15-15 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) Discussion and consideration of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; (2) consultation with legal counsel regarding the George Washington Village applications; and (3) consultation with legal counsel and briefings by staff members regarding the extension of a pro rata agreement; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(3) 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 18th day of August, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 5:03 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Cavalier, to adopt proposed Resolution CM15-15(a).

The Voting Board tally was:

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

Resolution CM15-15(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON AUGUST 18, 2015

WHEREAS, the Board has, on this the 18th day of August, 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 18th day of August, 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.

Mr. Sterling left the meeting at the conclusion of the afternoon session.

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 Boy Scout Troops 2940 and 949 led the recitation of the Pledge of Allegiance.

Presentations by the Public – II

Kandy Hilliard - Transportation Summit; I-95 congestion is an issue of national security

Chuck Feldbush - Supports “Hope Over Heroin” initiative; accusations of misconduct in the Sheriff’s Office/14-year employee slandered

Robert Starkweather - Did not like the conduct of the Board during Targeted Growth Area discussion at last meeting; the Board said the “Airport Overlay was too complicated and had to be redone;” not so because the Board only wants to control the area so as to have full power over what is built there

Paul Waldowski - Speakers should be given four, not three minutes; 77 days until the election; Divergent Diamond is good for rebuilt interchange at I-95, will help with bottlenecks there; Father was an Eagle Scout; he (Mr. Waldowski) earned 31 merit badges including a chess merit badge

Tylor Underwood - Checked to ensure the microphone was working because (he said) Board members paid no heed to his comments made at the afternoon session re. Abberly; Mr. Snellings replied that per the Board’s Bylaws, Board members do not respond to public comments made during presentations by the public; Mr. Underwood said that it was “very concerning” that citizens were not listened to nor responded to.

Public Works; Consider Abandonment of a Portion of State Route 813 (Former Richards Ferry Road) 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:

Tracy Lippincott

Paul Waldowski

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-245.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Resolution R15-245 reads as follows:

A RESOLUTION PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON A PORTION OF PRESCRIPTIVE RIGHT-OF-WAY FOR STATE ROUTE 813, (FORMER RICHARDS FERRY ROAD) IN THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, old State Route 752 (Richards Ferry Road) was relocated to improve its intersection with Route 17 (Warrenton Road); and

WHEREAS, in 1988 the Board adopted Resolution R88-238 renumbering a section of the former Richards Ferry Road from State Route 752 to State Route 813, but did not officially abandon the prescriptive right-of-way associated with the road; and

WHEREAS, the Virginia Department of Transportation (VDOT) received a request from Tracy J. Lippincott, the property owner of Tax Map Parcel No. 35-10, desiring the right-of-way be formally conveyed to her; and

WHEREAS, VDOT requested that the Board formally petition VDOT to abandon the unnecessary right-of-way to allow the Commonwealth Transportation Board to officially convey the abandoned right-of-way to Ms. Lippincott; and

WHEREAS, the prescriptive right-of-way associated with the former Richards Ferry Road (State Route 813) no longer serves a public need; and

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

WHEREAS, the Board desires to petition VDOT to abandon the prescriptive right-of-way associated with the former Richards Ferry Road (State Route 813);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the Virginia Department of Transportation (VDOT) be and it hereby is requested to make adjustments to the Secondary System of State Highways to abandon the prescriptive right-of-way, consisting of approximately 0.15 mile, which is associated with the former Richards Ferry Road (State Route 813), pursuant to Virginia Code Section 33.2-909; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to the VDOT Residency Administrator.

Planning and Zoning; Consider Proposed Fees for Applications Reviewed by the Chesapeake Bay Board Mr. Jeff Harvey gave a presentation and answered Board members questions. Mr. Milde asked that Mr. Harvey reassure the Board that the fees would only cover actual costs, there was no profit involved. Mr. Harvey confirmed Mr. Milde’s statement. Ms. Bohmke asked about a possible application in the Falmouth District, which involved wetlands and a RPA. Mr. Harvey said that the fees only applied to new applications, not existing subdivisions. Mr. Milde added that he had to get a waiver when building his house.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-29.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Ordinance O15-129 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN
DEVELOPMENT APPLICATION FEES FOR SERVICES
PROVIDED BY THE DEPARTMENT OF PLANNING AND
ZONING

WHEREAS, pursuant to the Code of Virginia, the Board is authorized 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 special exceptions requests, which require public hearings; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that the schedule of fees for development 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>Chesapeake Bay Board Special Exception, Individual Residential Property</u>	<u>\$0</u>	<u>\$600</u>
<u>Chesapeake Bay Board Special Exception, Other</u>	<u>\$0</u>	<u>\$1,375</u>

; and

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

Planning and Zoning; Consider Amendments to the Zoning Ordinance and Comprehensive Plan Regarding Cluster Development Standards Mr. Jeff Harvey gave a presentation and answered Board members questions. Mr. Harvey said that the 2015 General Assembly, in response to this being one of the County’s initiatives, came back with a decision that laws were already in place regarding cluster development standards. Included in the item being presented was additional density (additional dwelling-units) of 2.25 residences per acre. The added language to the Comprehensive Plan discouraged non-consolidated open space in cluster developments. It also prohibited buffers being counted as open space. Mr. Harvey clarified that a typographical error was made in referencing a conditional use permit. It should have read “exempt from this regulation” not the CUP number, and apologized for the error.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas asked if a storm water pond would be considered open space. Mr. Harvey said that it could count; that state law did not prevent its exclusion. He added that it may be used for fishing and considered recreational open space, due to loopholes in the state law. Mr. Thomas said that the proposed amendments got the County closer to where it needed to be.

Ms. Sellers asked about Mr. Harvey’s reference to an Airport Overlay District. Mr. Harvey explained that it was an existing overlay district. Mr. Milde noted that there was already an Overlay District, the same size as was proposed that the Board voted against. He talked about Courthouse Manor having to be redesigned due to the new buffer requirements.

Because of the Dillon Rule, counties do not have the authority that the General Assembly said they do. Ms. Rysheda McClendon, Deputy County Attorney, noted that the change would be effective when voted on, and would not apply to prior litigation. Ms. Bohmke said the revisions would make for better development in the County. Ms. Sellers said that contiguous open space was a good incremental improvement.

Ms. Bohmke motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-231.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Resolution R15-231 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH VIRGINIA CODE § 15.2-2229, BY ADOPTING THE PROPOSED AMENDMENTS, TO CHAPTER 2, “THE FOUNDATION FOR THE FUTURE,” OF THE TEXTUAL DOCUMENT ENTITLED, “STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2010-2030,” DATED DECEMBER 14, 2010, LAST AMENDED FEBRUARY 24, 2015

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

WHEREAS, pursuant to Virginia Code §§ 15.2-2229 and 15.2-2230, the Planning Commission may prepare and recommend amendments to the Plan; and

WHEREAS, the proposed Plan amendments include guidelines in Chapter 2 of the Plan for cluster subdivisions with additional density as identified in Exhibit A, entitled “Comprehensive Plan Amendments – Guidelines for Cluster Subdivisions with Additional Density,” dated June 10, 2015; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed Plan amendments and provided its recommendations to the Board on such proposed Plan amendments; and

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

WHEREAS, the Board finds that the adoption of the proposed Plan amendments will guide and accomplish a coordinated, adjusted, and harmonious development in Stafford County, Virginia, which will, in accordance with the present and probable future needs and resources of the County, best promote the health, safety, and general welfare of the citizens of the County, including the elderly and persons with disabilities; and

WHEREAS, the Board finds that the proposed Plan amendments are consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that it be and hereby does adopt amendments to Chapter 2 of the textual document entitled, “Stafford County, Virginia, Comprehensive Plan, 2010-2030,” dated December 14, 2010, last amended on February 24, 2015, as identified in Exhibit A, entitled “Comprehensive Plan Amendments – Guidelines for Cluster Subdivisions with Additional Density,” dated June 10, 2015.

Mr. Milde motioned, seconded by Ms. Bohmke, to adopt proposed Ordinance O15-20.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Ordinance O15-20 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 22-153, “LOTS FOR REQUIRED BUFFERS;” SEC. 22-267, “OPEN SPACE LAND REGULATIONS;” SEC. 22-270, “REVIEW AND APPROVAL OF CLUSTER SUBDIVISION PLANS;” AND SEC. 28-82, “REQUIRED BUFFERS”

WHEREAS, the Board desires to amend the Stafford County Code to clarify and provide additional standards for the use of open space land in cluster subdivisions; and

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

WHEREAS, the Board finds that the adoption of the proposed amendments will guide and accomplish coordinated, adjusted, and harmonious development in Stafford County, which will, in accordance with the present and probable future needs and resources of the County, best promote the health, safety, and general welfare of the County and its citizens; and

WHEREAS, the Board finds that the proposed amendments are consistent with good planning practices and will ensure the orderly division of land in the County;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of August, 2015, that Stafford County Code, Sec. 22-153, “Lots for required buffers;” Sec. 22-267, “Open space land regulations;” Sec. 22-270, “Review and approval of cluster subdivision plans;” and Sec. 28-82, “Required buffers” be and they hereby are amended and reordained as follows, all other portions remain unchanged:

Sec. 22-153. - Lots for required buffers.

- (a) All required, transitional or street buffers in accordance with section 100 of the DCSL located in residential subdivisions shall be located on parcels conveyed to and maintained by a homeowner association, with the exclusion of the A-1, Agricultural and A-2, Rural residential zoning districts. Required open space land for cluster subdivisions are exempt from this requirement.
- (b) Open space parcels for the required buffers shall be exempt ~~for~~from the provisions of section 22-144 of this chapter and Table 3.1 of the zoning ordinance. If the open space parcel does not have frontage on a public street then some form of access shall be provided, even by an easement that is to be under the control of the HOA. Required open space land for cluster subdivisions are exempt from this requirement.

Sec. 22-267. - Open space land regulations.

~~The open space land requirements for cluster subdivisions are stated in the zoning ordinance within the allowed districts. The open space land in a cluster subdivision shall be used as defined in the definition of open space land and owned and maintained by a home owners association, a conservation association, an individual or any entity that can comply with the regulations of this chapter and chapter 28 of the Stafford County Code.~~

The percentage of land required as open space for a cluster subdivision is stated in the zoning ordinance (County Code, Chapter 28), within the districts in which cluster subdivisions are permitted. The required open space land shall be used as defined in the definitions, and owned and maintained by a home owners association, a conservation association, an individual or any entity that can comply with the regulations of this chapter and chapter 28 of the County Code. The required open space land for a cluster subdivision shall not be used to satisfy any buffer requirements.

All cluster subdivision plans shall be reviewed by the subdivision agent or his designee for compliance with the provisions of this chapter and chapter 28 of the County Code. This shall include review of the open space land and its designated use for compliance with applicable industry and county standards for minimum area, configuration, functionality, and other requirements for such use and to ensure it furthers the goals, policies and objectives of the Comprehensive Plan.

Sec. 22-270. - Review and approval of cluster subdivision plans.

- (4) *Final plats:* The requirement for the submission of final plats shall be the same as in article III of Chapter 22 of the County Code. On a cluster subdivision plat, the required open space land shall be clearly marked, the use stated, and the party responsible for owning and maintaining the open space be provided.

Sec. 28-82. - Required buffers.

General. Except within the boundaries of a public airport, no structure or land which abuts a boundary between two (2) land uses, fronts on a major thoroughfare or which is subject to special buffer requirements as specified in section 100 of the DCSL, shall hereafter be developed, used or occupied unless a buffer yard is provided in accordance with section 100 of the DCSL. All buffers shall meet the requirements illustrated in section 100 of the DCSL. Required open space land for cluster subdivisions shall not be used to satisfy any buffer requirements and landscaping buffer areas shall not be included as part of the required open space.

; and

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

Adjournment At 7:51 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Gary F. Snellings
Chairman