

# BOARD OF SUPERVISORS

## STAFFORD, VIRGINIA

### MINUTES

Regular Meeting

October 20, 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, October 20, 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; and Robert “Bob” Thomas, Jr. Cord A. Sterling was absent from the afternoon session due to a work commitment.

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.

Recognition of the 2015 “Fill the Boot” Campaign Mr. Snellings presented the proclamation to Master Technician Jon Hensen. He thanked the Board and noted that all of the money collected went to the Muscular Dystrophy Association, and paid for children to attend summer camps who may be otherwise unable to afford to do so.

Presentation to Deputy of the Year, Robert J. Grella Mr. Snellings, Sheriff Charles Jett, and Major David Decatur presented a proclamation to 1<sup>st</sup> Sgt. Grella. Sheriff Jett noted that there were 9500 deputies and sheriffs’, saying this was a very significant award for 1<sup>st</sup> Sgt. Grella.

Employees with 25+ Years of Service Mr. Snellings and Mr. Romanello introduced the following employees with 25+ years of service to Stafford County: Denise Gibson (Finance) 25 years; Derrick Carr and Judy Sokolowski (Parks & Recreation) 25 years; Craig Cain and Tim Covington (Sheriff’s Office) 25 years; Darrell English (Sheriff’s Office) 35 years; Karen Delano (Social Services) 25 years; Kathryn Burner (Social Services) 35 years; Joe Graninger and Mike Jones (Utilities) 25 years; and Robert Gillespie (Utilities) 35 years. Also attending was Robert Gillespie’s wife, Linda, a 35 year employee with the Commissioner of the Revenue’s office.

Chamber of Commerce Rappahannock Goodwill Award Mr. Snellings and Mr. Romanello recognized Ms. Donna Krauss, Assistant to the County Administrator for Human Services. Ms. Krauss accepted the award on behalf of the County at a recent Chamber of Commerce event.

Cultural Resource Study of Slavery-Related Buildings and Sites in Stafford County Ms. Kathy Baker, Assistant Director for the Department of Planning and Zoning, introduced Sara Poore and Emily Anderson with Dovetail Cultural Resource Group, and Mr. Dennis Pogue, with Dennis Pogue LLC. The Study consisted of three tasks; the first phase included stakeholders meetings, background review, archival research, and GIS mapping; Phase Two included stakeholder meetings, additional archival research, fieldwork on 20 above-ground properties, and 10 cemeteries. Phase Three included a synthesis of the data, Department of Historical Resources property resource form completion, report production, and the public presentation. The group selected 30 resources for field study, focusing on those places that had not been previously extensively studied and/or were threatened. Each resource was recorded through photographs, written notes, measured drawings, and GIS mapping.

A summary of the analysis showed that according to U.S. Census records for 1860, 60% of Stafford households and businesses had slave labor; in 1860, there were 499 “slave houses” in the County. Based on the Study, only 1.4% was still standing today. It was noted that the Sanford-Burgess log cabin was located on County-owned property. Mr. Snellings asked that staff look at it with the intent of possible restoration.

Virginia Department of Transportation Quarterly Report Mr. Robert Poutier, Assistant Residency Administrator addressed the Board and provided an update on VDOT projects in the County.

Mr. Cavalier asked about Arkendale Road and the horrible condition of the road due to CSX truck traffic, saying that it was dangerous to the point that some cars have broken axels while attempting to navigate the potholes. Mr. Poutier replied that CSX told VDOT that there would be an 85% reduction in truck traffic on Arkendale Road within a week.

Ms. Bohmke thanked Mr. Poutier for VDOT’s work on the Falmouth Intersection. She asked about two large holes being dug along the side of the road. Mr. Poutier said they were dug to accommodate two large trees that were a part of the landscaping plan for the corridor. She also asked that he thank Mr. Kyle Bates with VDOT, saying that Mr. Bates had an excellent attitude and readiness to be of service when called upon.

Mr. Thomas agreed with Ms. Bohmke about the good quality of work done at the Falmouth Intersection. He said that it makes a good “Welcome to Stafford” statement and would like a before and after picture of the Intersection.

Mr. Milde talked about Marlborough Point and the need for work where the road around the pipe was collapsing. He thanked VDOT for striping the roads, saying that it made a big difference. Mr. Poutier said he would look into the issue about the road and pipe in need of replacement and have an answer within fourteen days.

Mr. Snellings thanked Mr. Poutier and agreed with Ms. Bohmke and Mr. Thomas about the tremendous improvements to the Falmouth Intersection.

Presentations by the Public The following persons desired to speak:

Michael Coughlin - On behalf of the Westlake Development and its proximity to the Crucible; asked that item be pulled from Consent regarding outdoor uses in M-1 Zoning Districts.

Charlie Payne - Responded to Mr. Coughlin; his client submitted the request for a look at outdoor uses in M-1 Zoning Districts because of inconsistencies and possible grandfathered uses at the Crucible.

Tylor Underwood - Stafford Village/clarifications regarding comments made at a previous meeting about Dr. Bellus' report and financial analyses of the project.

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

Ms. Bohmke - Public Safety Committee update included the purchase of 2 fire boats, an exhaust system for several fire stations, a contract with an emergency services company, and Fredericksburg mutual aid responses leaving possible voids in County coverage.

Mr. Cavalier - Attended the Fredericksburg Leadership Prayer Breakfast; Visited classrooms at North Stafford High School and Kate Waller Barrett Elementary School, received a reading certificate from the 4<sup>th</sup> grade and was impressed with the amount of reading done by the students; Attended the Aquia Harbour annual meeting; Fredericksburg Regional Alliance; Affordable Suites Ribbon Cutting; and was looking forward to the Aquia Town Center "earth moving" event.

Mr. Milde - Clarified the exhaust was not affecting firemen (in response to Ms. Bohmke's report about exhaust systems coming to the Board for a vote on 11/17/15); Attended the Landfill cell tower meeting; Roast for Sheriff Jett, adding that Sheriff Jett was the best sheriff in the State, maybe the whole country; Attended VRE with Mr. Thomas; FAMPO meeting regarding HB2 transportation funding and traffic congestion in the County; possible Transurban extension of the terminus of HOT Lanes to a few miles south of Garrisonville Road/Route 610; Attended Station 2 open house, rivals Falmouth in the number of calls.

Ms. Sellers - Attended Joint BOS/School Board meeting, discussed forensic audit of Schools finance office; new name for Chaplin Group Home; Attended Jail Authority meeting, budget is tight; Played knocker-soccer on County team; working the GWRC on issue of homelessness in recently released inmates.

Mr. Snellings - Knocker-soccer is rough, played once/never again! Mr. Snelling asked that a tour of the new high school be arranged for the Board.

Mr. Sterling - Absent from the afternoon session

Mr. Thomas - Stafford High School ordered more tables and chairs, 3 lunch periods should be sufficient with additional furniture; October 15<sup>th</sup>, attended the first event at the new high school; November 9<sup>th</sup> at Mountain View High School is the Band Together to Fight Hunger event to benefit area food banks; Overview of the Finance, Audit, and Budget Committee meeting including a 1<sup>st</sup> quarter review; updates to the County's financial policies; overview of the health insurance RFP; uptick in turnover, HR is looking into possible reasons.

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

Report of the County Administrator Mr. Romanello introduced Mr. Chris Rapp who provided an update on road projects in the County. Following Mr. Rapp's presentation, Mr. Hoppe gave an update on the County's capital projects.

There were no deletions to the Agenda and the addition of Item 31, proposed Resolution R15-380, supporting the School Board's intention to have a forensic audit.

Additions/Deletions to the Regular Agenda Mr. Milde motioned, seconded by Ms. Sellers, to adopt the agenda with the above-referenced addition.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Sterling

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Cavalier, to adopt the Consent Agenda, which consisted of Items 4 through 17, omitting Items 11 and 15 at the request of Mr. Milde.

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 October 6, 2015 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R15-375 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)  
DATED OCTOBER 6, 2015 THROUGH OCTOBER 19, 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 20<sup>th</sup> day of October, 2015 that the above-mentioned EL be and hereby is approved.

Item 6. Finance and Budget; Authorize the County Administrator to Budget and Appropriate Cash Proffer Fund Proceeds

Resolution R15-350 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO  
BUDGET AND APPROPRIATE CASH PROFFER FUND PROCEEDS

WHEREAS, cash proffer funds totaling \$919,829 are available for use on Board-approved transportation projects included in the County’s Capital Improvements Program (CIP); and

WHEREAS, cash proffer funds in the amount of \$50,000 are available to support Parks projects, specifically projects at the Stafford Civil War Park;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that it be and hereby does budget and appropriate the following in cash proffer funds to:

Capital Projects (Parks)	\$ 50,000
Transportation Fund	<u>\$919,829</u>
Total Proffer Funds	\$969,829

Item 7. Petition VDOT to Include March Court within Celebrate Virginia, Section 17, Sanford Ferry Court within Celebrate Virginia, Section 19, and Scotts Ford Lane within Celebrate Virginia, Section 21, into the Secondary System of State Highways

Resolution R15-345 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE MARCH COURT WITHIN CELEBRATE VIRGINIA, SECTION 17, SANFORD FERRY COURT WITHIN CELEBRATE VIRGINIA, SECTION 19, AND SCOTTS FORD LANE WITHIN CELEBRATE VIRGINIA, SECTION 21, ALL LOCATED IN THE HARTWOOD ELECTION DISTRICT, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include March Court within Celebrate Virginia, Section 17, Sanford Ferry Court within Celebrate Virginia, Section 19, and Scotts Ford Lane within Celebrate Virginia, Section 21, located approximately two miles east on Celebrate Virginia Parkway (SR-1968) from the intersection with Warrenton Road (US-17), located in the Hartwood Election District; and

WHEREAS, VDOT inspected March Court, Sanford Ferry Court, and Scotts Ford Lane, and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that VDOT be and it hereby is petitioned to include the following streets within Celebrate Virginia Sections 17, 19, and 21, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
March Court (SR-2163)	From: Intersection of Celebrate Virginia Parkway (SR-1968) To: 0.10 mile South to the Cul-de-sac	0.10 mi. ROW 50'
Sanford Ferry Court (SR-2164)	From: Intersection of Celebrate Virginia Parkway (SR-1968) To: 0.25 mile South to the Cul-de-sac	0.25 mi. ROW 50'
Scotts Ford Lane (SR-2165)	From: Intersection of Celebrate Virginia Parkway (SR-1968) To: 0.17 mile East to the Cul-de-sac	0.17 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, Celebrate Virginia, Section 17, recorded on Plat Map Number PM050000176, Celebrate Virginia, Section 19, recorded on Plat Map Number PM060000105, and Celebrate Virginia, Section 21, recorded on Plat Map Number PM060000243; 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.

Item 8. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Garrisonville Road Widening Project

Resolution R15-311 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE GARRISONVILLE ROAD WIDENING PROJECT, FOR RIGHT-OF-WAY ACQUISITIONS AND/OR TEMPORARY AND PERMANENT EASEMENTS ON TAX MAP PARCEL NOS. 20Y, 20-112, 20D-1-34, 20D-1-35, 20-39, 20-39A, 20-111, 20-109A, 20-109H, 20-106, 20-105B, 20-105, 20PP-1, 20-107, 20VV-2, 20VV-1, 20-127, 20PP-5, 20-99, 20ZZ-A, 20-98, AND 20-96B, IN THE GARRISONVILLE AND GRIFFIS-WIDEWATER ELECTION DISTRICTS

WHEREAS, the Board identified the completion of road improvements on Garrisonville Road (SR-610) between Shenandoah Lane (SR-1236) and Onville Road (SR-6416) (Project), as a critical part of the County's road improvement plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, the Board determined that there are currently 22 parcels containing land and easements that staff is unable to obtain through negotiations between the Parcels' owners and the County's consultant; and

WHEREAS, Tax Map Parcel 20Y consists of approximately 2.072 acres of land owned by the Stafford Pointe Condominium Unit Owners Association; and

WHEREAS, due to the design of the Project, the Board must acquire 2,310 square feet of fee simple right-of-way, 3,995 square feet of temporary construction easement, 2,071 square feet of temporary entrance easement, 920 square feet of permanent drainage easement, 2,586 square feet of permanent signal easement, 3,447 square feet of permanent utility easement to be conveyed to Verizon South, 535 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 535 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20Y (proposed Resolution R15-316); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20Y, together with damages, if any, to the remainder of the Parcel is Three Hundred Sixty-nine Thousand Three Hundred Twenty-four Dollars (\$369,324), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-112 consists of approximately 2.733 acres of land owned by WAWA, Inc.; and

WHEREAS, due to the design of the Project, the Board must acquire 1,723 square feet of fee simple right-of-way, 2,038 square feet of temporary construction easement, 2,627 square feet of temporary entrance easement, 2,010 square feet of permanent signal easement, 5,155 square feet of permanent utility easement to be conveyed to Verizon South, 8,232 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 8,232 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-112 (proposed Resolution R15-353); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-112, together with damages, if any, to the remainder of the Parcel is One Hundred Six Thousand Three Hundred Forty-eight Dollars (\$106,348), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20D-1-34 consists of approximately 0.279 acres of land owned by Phyllis Dabney-Clark; and

WHEREAS, due to the design of the Project, the Board must acquire 550 square feet of fee simple right-of-way, 238 square feet of temporary construction easement, 386 square feet of temporary entrance easement, 613 square feet of permanent drainage easement, 318 square feet of permanent signal easement and 721 square feet of permanent utility easement to be conveyed to Verizon South on Tax Map Parcel 20D-1-34 (proposed Resolution R15-354); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20D-1-34, together with damages, if any, to the remainder of the Parcel is Eighteen Thousand Nine Hundred Fifty-three Dollars (\$18,953), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20D-1-35 consists of approximately 0.283 acres of land owned by Phyllis M. Dabney; and

WHEREAS, due to the design of the Project, the Board must acquire 2,525 square feet of fee simple right-of-way, 707 square feet of temporary construction easement, 4,507 square feet of temporary demolition easement, 580 square feet of permanent signal easement, 1,005 square feet of permanent utility easement to be conveyed to Verizon South, and 799 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20D-1-35 (proposed Resolution R15-355); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20D-1-35, together with damages, if any, to the remainder of the Parcel is One Hundred Two Thousand Two Hundred Sixty-three Dollars (\$102,263), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-39 consists of approximately 0.376 acres of land owned by Nariman Dash and Haleh Rajae; and

WHEREAS, due to the design of the Project, the Board must acquire 1,823 square feet of fee simple right-of-way, 612 square feet of temporary construction easement, 339 square feet of temporary entrance easement, 23 square feet of permanent signal easement, and 2,470 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-39 (proposed Resolution R15-356); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-39, together with damages, if any, to the remainder of the Parcel is Forty-four Thousand Six Hundred Ninety-one Dollars (\$44,691), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-39A consists of approximately 0.374 acres of land owned by Nariman Dash and Haleh Rajae; and

WHEREAS, due to the design of the Project, the Board must acquire 1,118 square feet of fee simple right-of-way, 615 square feet of temporary construction easement, 1,211 square feet of permanent utility easement to be conveyed to Verizon South, and 2,775 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-39A (proposed Resolution R15-357); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-39A, together with damages, if any, to the remainder of the Parcel is Thirty-seven Thousand Five Hundred Fifteen Dollars (\$37,515), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-111 consists of approximately 1.932 acres of land owned by Garrisonville, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 1,496 square feet of fee simple right-of-way, 2,549 square feet of temporary construction easement, 1,887 square feet of temporary entrance easement, 3,553 square feet of permanent utility easement to be conveyed to Verizon South, 1,207 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 1,207 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-111 (proposed Resolution R15-358); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-111, together with damages, if any, to the remainder of the Parcel is Fifty-four Thousand Seven Hundred Fifty-five Dollars (\$54,755), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-109A consists of approximately 7.497 acres of land owned by PS Southeast One, Inc.; and

WHEREAS, due to the design of the Project, the Board must acquire 375 square feet of fee simple right-of-way, 1,662 square feet of temporary construction easement, 1,025 square feet of temporary entrance easement, 119 square feet of permanent signage easement, 1,720 square feet of permanent utility easement to be conveyed to Verizon South, 2,400 square feet of permanent utility easement to be conveyed to Dominion

Virginia Power, and 2,400 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-109A (proposed Resolution R15-359); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-109A, together with damages, if any, to the remainder of the Parcel is Twenty-nine Thousand Five Hundred Sixty-nine Dollars (\$29,569), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-109H consists of approximately 0.304 acres of land owned by Urrutia, Inc.; and

WHEREAS, due to the design of the Project, the Board must acquire 1,754 square feet of fee simple right-of-way, 1,999 square feet of temporary construction easement, 2,285 square feet of temporary entrance easement, 4,996 square feet of temporary demolition easement, 310 square feet of permanent signage easement, and 1,801 square feet of permanent utility easement to be conveyed to Verizon South on Tax Map Parcel 20-109H (proposed Resolution R15-360); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-109H, together with damages, if any, to the remainder of the Parcel is Five Hundred Five Thousand One Hundred Twenty-four Dollars (\$505,124), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-106 consists of approximately 0.729 acres of land owned by Mollie Fleshman Goodman; and

WHEREAS, due to the design of the Project, the Board must acquire 1,837 square feet of fee simple right-of-way, 1,138 square feet of temporary construction easement, 1,064 square feet of permanent drainage easement, 475 square feet of permanent signage easement, and 2,588 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-106 (proposed Resolution R15-361); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-106, together with damages, if any, to the remainder of the Parcel is Seventy-one Thousand One Hundred Seventy-one Dollars (\$71,171), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-105B consists of approximately 0.113 acres of land owned by Mollie Fleshman Goodman; and

WHEREAS, due to the design of the Project, the Board must acquire 230 square feet of fee simple right-of-way, 355 square feet of temporary construction easement, 409 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 409 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-105B (proposed Resolution R15-362); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-105B, together with damages, if any, to the remainder of the Parcel is Six Thousand Five Hundred Fifty-three Dollars (\$6,553), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-105 consists of approximately 1.605 acres of land owned by Realty Income Corporation; and

WHEREAS, due to the design of the Project, the Board must acquire 3,777 square feet of fee simple right-of-way, 4,235 square feet of temporary construction easement, 336 square feet of permanent drainage easement, 4,377 square feet of permanent utility easement to be conveyed to Verizon South, 5,490 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 5,490 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-105 (proposed Resolution R15-363); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-105, together with damages, if any, to the remainder of the Parcel is One Hundred Seventy-three Thousand Eight Hundred Three Dollars (\$173,803), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20PP-1 consists of approximately 1.213 acres of land owned by Stafford Station, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 19 square feet of fee simple right-of-way, 1,147 square feet of temporary construction easement, 1,773 square feet of permanent signal easement, 5,614 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 5,614 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20PP-1 (proposed Resolution R15-364); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20PP-1, together with damages, if any, to the remainder of the Parcel is Thirty-seven Thousand Three Hundred Sixteen Dollars (\$37,316), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-107 consists of approximately 1.107 acres of land owned by Jerry F. and Linda S. Morton; and

WHEREAS, due to the design of the Project, the Board must acquire 3,826 square feet of fee simple right-of-way, 1,021 square feet of temporary construction easement, 675 square feet of permanent signal easement, 2,338 square feet of permanent utility easement to be conveyed to Verizon South, 784 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 799 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-107 (proposed Resolution R15-365); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-107, together with damages, if any, to the remainder of the Parcel is Eighty-five Thousand Eight Hundred Eighteen Dollars (\$85,818), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20VV-2 consists of approximately 1.193 acres of land owned by Misto Real Estate, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 2,672 square feet of fee simple right-of-way, 167 square feet of temporary construction easement, 607 square feet of temporary entrance easement, 1,183 square feet of permanent signal easement, and 2,468 square feet of permanent utility easement to be conveyed to Verizon South on Tax Map Parcel 20VV-2 (proposed Resolution R15-366); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20VV-2, together with damages, if any, to the remainder of the Parcel is Seventy-six Thousand Four Hundred Ten Dollars (\$76,410), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20VV-1 consists of approximately 1.003 acres of land owned by Midline Holdings, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 2,857 square feet of fee simple right-of-way, 253 square feet of temporary construction easement, 259 square feet of temporary entrance easement, 338 square feet of permanent drainage easement, 1,097 square feet of permanent signal easement, 1,614 square feet of permanent utility easement to be conveyed to Verizon South, 1,575 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 1,575 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20VV-1 (proposed Resolution R15-367); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20VV-1, together with damages, if any, to the remainder of the Parcel is Seventy-eight Thousand Two Hundred Ninety-nine Dollars (\$78,299), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-127 consists of approximately 12.302 acres of land owned by Russell D. Knight and Josephine D. Knight; and

WHEREAS, due to the design of the Project, the Board must acquire 11,321 square feet of fee simple right-of-way, 5,165 square feet of temporary construction easement, 4,615 square feet of temporary demolition easement, 2,818 square feet of permanent drainage easement, 7,349 square feet of permanent utility easement to be conveyed to Verizon South, 453 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 7,572 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-127 (proposed Resolution R15-368); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-127, together with damages, if any, to the remainder of the Parcel is One Hundred Fifty-four Thousand Five Hundred Seventy-seven Dollars (\$154,577), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20PP-5 consists of approximately 2.508 acres of land owned by LSREF2 Newton, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 35 square feet of fee simple right-of-way, 1,389 square feet of temporary construction easement, 458 square feet of permanent signal easement, 6,117 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 6,117 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20PP-5 (proposed Resolution R15-369); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20PP-5, together with damages, if any, to the remainder of the Parcel is Forty Thousand Eighty-five Dollars (\$40,085), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-99 consists of approximately 1.072 acres of land owned by Mehrdad Mabudian and Khandan Mojdehbakhsh; and

WHEREAS, due to the design of the Project, the Board must acquire 237 square feet of fee simple right-of-way, 2,102 square feet of temporary construction easement, 1,081 square feet of temporary entrance easement, 455 square feet of permanent drainage easement, 350 square feet of permanent signal easement, 3,025 square feet of permanent utility easement to be conveyed to Verizon South, 6,624 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 6,624 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-99 (proposed Resolution R15-370); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-99, together with damages, if any, to the remainder of the Parcel is Fifteen Thousand Eighty-four Dollars (\$15,084), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20ZZ-A consists of approximately 3.307 acres of land owned by Garrisonville Holdings, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 254 square feet of temporary entrance easement on Tax Map Parcel 20ZZ-A (proposed Resolution R15-371); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20ZZ-A, together with damages, if any, to the remainder of the Parcel is One Thousand Dollars (\$1,000), based upon 2014 assessed values; and

WHEREAS, Tax Map Parcel 20-98 consists of approximately 0.952 acres of land owned by Stafford AA, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 195 square feet of fee simple right-of-way, 1,745 square feet of temporary construction easement, 454 square feet of temporary entrance easement, 1,449 square feet of permanent utility easement to be conveyed to Verizon South, and 2,834 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-98 (proposed Resolution R15-372); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-98, together with damages, if any, to the remainder of the Parcel is Twenty-six Thousand Nine Hundred Four Dollars (\$26,904), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, Tax Map Parcel 20-96B consists of approximately 1.603 acres of land owned by 610 Shopping Center L.P.; and

WHEREAS, due to the design of the Project, the Board must acquire 1,542 square feet of fee simple right-of-way, 1,853 square feet of temporary construction easement, 1,457 square feet of temporary entrance easement, 96 square feet of permanent drainage easement, 2,301 square feet of permanent utility easement to be conveyed to Verizon South, 998 square feet of permanent utility easement to be conveyed to Dominion Virginia Power, and 998 square feet of permanent utility easement to be conveyed to VDOT on Tax Map Parcel 20-96B (proposed Resolution R15-373); and

WHEREAS, the fair market value for the required areas of Tax Map Parcel 20-96B, together with damages, if any, to the remainder of the Parcel is Seventy-five Thousand Ninety-seven Dollars (\$75,097), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, the Board, through its consultant, made bona fide, but ineffectual, efforts to purchase the above-referenced affected areas of the listed Parcels by offering said fair market value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consultant was unsuccessful in negotiating a final settlement with the respective property owners, but will continue to work with the property owners to attempt to reach an acceptable settlement; and

WHEREAS, to acquire the land and easements for the construction of the Garrisonville Road Widening Project by condemnation and exercise of its quick-take powers, the Board desires and is required to hold a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, temporary construction, entrance, and demolition easements, permanent signage

easements, permanent signal easements, permanent drainage easements, and permanent utility easements to be conveyed to Verizon South, Dominion Virginia Power, and the Virginia Department of Transportation on the properties of Stafford Pointe Condominium Unit Owners Association, Tax Map Parcel 20Y; WAWA, Inc., Tax Map Parcel 20-112; Phyllis Dabney-Clark, Tax Map Parcel 20D-1-134; Phyllis M. Dabney, Tax Map Parcel 20D-1-35; Nariman Dash and Haleh Rajaei, Tax Map Parcels 20-39 and 20-39A; Garrisonville, LLC, Tax Map Parcel 20-111; PS Southeast One, Inc., Tax Map Parcel 20-109A; Urrutia, Inc., Tax Map Parcel 20-109H; Mollie Fleshman Goodman, Tax Map Parcels 20-106 and 20-105B; Realty Income Corporation, Tax Map Parcel 20-105; Stafford Station, LLC, Tax Map Parcel 20PP-1; Jerry F. and Linda S. Morton, Tax Map Parcel 20-107; Misto Real Estate, LLC, Tax Map Parcel 20VV-2; Midline Holdings, LLC, Tax Map Parcel 20VV-1; Russell D. Knight and Josephine D. Knight, Tax Map Parcel 20-127; LSREF2 Newton, LLC, Tax Map Parcel 20PP-5; Mehrdad Mabudian and Khandan Mojdehbakhsh, Tax Map Parcel 20-99; Garrisonville Holdings, LLC, Tax Map Parcel 20ZZ-A; Stafford AA, LLC, Tax Map Parcel 20-98; and 610 Shopping Center L.P., Tax Map Parcel 20-96B; all in connection with the Garrisonville Road Widening Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 9. Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with Abberly at Stafford Courthouse

Resolution R15-343 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS FOR RIGHT-OF-WAY ACQUISITIONS AND PERMANENT EASEMENTS ON TAX MAP PARCELS 38-88, 39-16D, AND 39-8B IN CONNECTION WITH THE CONSTRUCTION OF SOUTH CAMPUS BOULEVARD, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of South Campus Boulevard between Jefferson Davis Highway (US-1) and Old Potomac Church Road (Project), as an important piece of the County's road infrastructure; and

WHEREAS, the Board approved rezoning requests by HHHunt (Applicant) in 2009 and 2013 that identified South Campus Boulevard as a necessary public road improvement that will serve a proposed community college campus and become part of the road network for the Courthouse Redevelopment Area; and

WHEREAS, acquisition of the land and easements is necessary for completion of the Project, and the Applicant is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, the Board determined that there are currently three parcels containing land and easements that the Applicant is unable to obtain through negotiations between the Parcels' owners and the Applicant; and

WHEREAS, Tax Map Parcel No. 38-88 (Property 1) consists of approximately 4.388 acres of land (191,128 square feet) owned by Kristin Elizabeth Simenson Maxson (Property Owner 1); and

WHEREAS, the Board must acquire fee simple right-of-way and a permanent storm drainage easement because the design of the Project requires 1,369 square feet of fee simple right-of-way and 1,551 square feet of permanent storm drainage easement on Property 1; and

WHEREAS, the fair market value for the required areas of Property 1, together with damages, if any, to the remainder of Property 1 is One Thousand Six Hundred Thirty Dollars (\$1,630), based upon the 2015 appraisal conducted by the Applicant's consultant; and

WHEREAS, Tax Map Parcel 39-16D (Property 2) consists of approximately 1.542 acres of land (67,169 square feet) owned by Suk Hyun Nam (Property Owner 2); and

WHEREAS, the Board must acquire fee simple right-of-way and a permanent storm drainage easement because the design of the Project requires 547 square feet of permanent sight distance easement and 1,177 square feet of permanent storm drainage easement on Property 2; and

WHEREAS, the fair market value for the required areas of Property 2, together with damages, if any, to the remainder of Property 2 is Ten Thousand Four Hundred Fifty Dollars (\$10,450), based upon the 2015 appraisal conducted by the Applicant's consultant; and

WHEREAS, Tax Map Parcel 39-8B (Property 3) consists of approximately 4.725 acres of land (205,821 square feet) owned by Tabor Associates (Property Owner 3); and

WHEREAS, the Board must acquire a permanent storm drainage easement because the design of the Project requires 81 square feet of permanent storm drainage easement on Property 3; and

WHEREAS, the fair market value for the required areas of Property 3, together with damages, if any, to the remainder of Property 3 is Three Hundred Dollars (\$300), based upon the 2015 appraisal conducted by the Applicant's consultant; and

WHEREAS, the Applicant made bona fide, but ineffectual, efforts to purchase the above-referenced affected areas of Property 1, 2, and 3 (collectively Properties) by offering said fair market value on behalf of the County to Property Owners 1, 2, and 3 (collectively Property Owners); and

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

WHEREAS, to acquire the land and easements for the construction of South Campus Boulevard by condemnation and exercise of the County’s quick-take powers, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Board be and it hereby does authorize the County Administrator to advertise public hearings to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way and permanent sight distance and drainage easements on the properties of Kristin Elizabeth Simenson Maxson, Tax Map Parcel No. 38-88; Suk Hyun Nam, Tax Map Parcel No. 39-16D; and Tabor Associates, Tax Map Parcel No. 39-8B, all in connection with the construction of South Campus Boulevard, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 10. Request Reimbursement from the Potomac and Rappahannock Transportation Commission (PRTC) for Transportation Expenditures for the Fourth Quarter of FY2015 and First Quarter of FY2016

Resolution R15-347 reads as follows:

A RESOLUTION REQUESTING REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) FOR TRANSPORTATION EXPENDITURES DURING THE FOURTH QUARTER OF FY2015 AND THE FIRST QUARTER OF FY2016

WHEREAS, the County budgeted funds in the FY2015 and the FY2016 Transportation Fund for various programs, including financial services, FREDericksburg Regional Transit, Stafford Regional Airport Authority, project advertisement, street name signs, road improvements, Social Services client transportation, and road construction; and

WHEREAS, the County expended \$3,441,688 in qualifying reimbursable transportation-related expenses during the fourth quarter of FY2015 and the first quarter of FY2016; and

WHEREAS, the County may request PRTC to reimburse the County for these qualifying transportation-related expenses from the County Motor Fuels Tax Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Potomac and Rappahannock Transportation Commission (PRTC) be and it hereby is requested to reimburse the County Three Million Four Hundred Forty-one Thousand Six Hundred Eighty-eight Dollars (\$3,441,688) from the County Motor Fuels Tax Fund; and

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

Item 12. Authorize the County Administrator to Request Funding From the FY2017 VDOT Transportation Alternatives Program (TAP)

Resolution R15-348 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO REQUEST FUNDING FOR FISCAL YEAR 2017 FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION, TRANSPORTATION ALTERNATIVES PROGRAM, FOR THE CONTINUED PLANNING, DESIGN, AND CONSTRUCTION OF A SIDEWALK ALONG MINE ROAD

WHEREAS, the Transportation Alternatives Program (TAP) is a part of the *Moving Ahead for Progress in the 21<sup>st</sup> Century Act* (MAP-21) which became effective on October 1, 2012, and replaced the Transportation Enhancement (TE) Program; and

WHEREAS, the Virginia Department of Transportation (VDOT) is accepting applications for TAP established by MAP-21, and will select applications to forward to the Fredericksburg Area Metropolitan Planning Organization (FAMPO) and the Commonwealth Transportation Board (CTB) for project selection; and

WHEREAS, qualifying activities include, but are not limited to, infrastructure projects such as sidewalk improvements, traffic calming and speed reduction improvements, pedestrian and bicycle crossing improvements, on-street bicycle facilities, off-street bicycle and pedestrian facilities, secure bicycle parking facilities, and traffic diversion improvements in the vicinity of schools; and

WHEREAS, VDOT, FAMPO, and the CTB will only consider projects for FY2017 appropriation that have held a public hearing prior to submission of an application; and

WHEREAS, the Mine Road sidewalk project (Project) is an existing County project eligible for TAP funding, and a public hearing for this Project was conducted on January 16, 1996; and

WHEREAS, the Project is ready for design and construction; and

WHEREAS, the County was awarded \$163,215 from unallocated FY2015 and FY2016 Transportation Management Area (TMA) TAP funds, as initial funding, to begin preliminary engineering for the Project; and

WHEREAS, in accordance with VDOT's TAP application procedures, the Board must adopt a resolution committing to the sponsorship of the Project and verifying the availability of the 20% local match; and

WHEREAS, sufficient funds are available in the County's Transportation Fund to provide the required local match of \$131,357;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the County Administrator be and he hereby is authorized to apply for FY2017 Transportation Alternatives Program (TAP) funds in an amount not to exceed Six Hundred Fifty-Six Thousand Seven Hundred Eighty-five Dollars (\$656,785), to be used for the planning, design and construction of the Mine Road (SR684) Sidewalk Project; and

BE IT FURTHER RESOLVED that the Board does hereby verify that the 20% local match, in the amount of One Hundred Thirty-one Thousand Three Hundred Fifty-seven Dollars (\$131,357), is available in the County's Transportation Fund should the County be awarded the TAP funds; and

BE IT STILL FURTHER RESOLVED that the Board hereby grants authority for the County Administrator or his designee to execute project administration agreements for any approved funding associated with the Mine Road Sidewalk Project.

Item 13. Authorize the County Administrator to Advertise a Public Hearing to Consider Condemnation and Exercise of Quick-Take Powers to Acquire Permanent Utility and Temporary Construction Easements in Connection with Sanford Drive to Olde Forge Drive Water Line Improvement Project

Resolution R15-269 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE PERMANENT UTILITY AND TEMPORARY CONSTRUCTION EASEMENTS ON PORTIONS OF PROPERTIES OWNED BY KS STAFFORD, LLC, TAX MAP PARCELS 53K-21A, 53K-22A, AND 53K-23A, IN CONNECTION WITH THE SANFORD DRIVE TO OLDE FORGE DRIVE WATER LINE IMPROVEMENT PROJECT, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the 2006 Utilities Water and Sewer Master plan recommends construction of a new water line from the Lake Mooney Water Treatment Facility to the 342 Water Pressure Zone, adjacent to Olde Forge Drive; and

WHEREAS, the County requires the necessary easements for the construction of the Sanford Drive to Olde Forge Drive portion of the Water Line Improvement Project (Project); and

WHEREAS, Tax Map Parcels 53K-21A, 53K-22A, and 53K-23A consist of approximately 4.02 acres, 16.81 acres, and 21.10 acres of land respectively (the Property) owned by KS Stafford, LLC, (Property Owner); and

WHEREAS, the Board must acquire permanent utility and temporary construction easements to construct the Project; and

WHEREAS, the design for the Project requires 0.617 acre of permanent utility and 0.313 temporary construction easements on the Property in the following amounts on each property: 61 square feet of permanent water line easement on Tax Map Parcel No. 53K-21A; 7,285 feet of permanent water line easement and 3,620 square feet of temporary construction easement on Tax Map Parcel No. 53K-22A; and 19,532 square feet of permanent water line easement and 10,012 square feet of temporary construction easement on Tax Map Parcel No. 53K-23A (collectively easements); and

WHEREAS, the fair market value for the Easements on the Property, together with damages, if any, to the remainder of the property is Seventeen Thousand Seven Hundred Eighty Dollars (\$17,780), based upon a certified appraisal and the County is offering the same for the acquisition of the Easements; and

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

WHEREAS, the Property Owner has not responded to requests to sign the Deed of Easement or Purchase Agreement; and

WHEREAS, the terms of purchase cannot be 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 easements; and

WHEREAS, the Board desires to consider the condemnation and use of its quick-take powers to acquire 0.617 acre of permanent utility and 0.313 acre of Easements on the Property; and

WHEREAS, the Board desires to receive public testimony, at a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of October, 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 0.617acre of permanent utility and 0.313 acre temporary construction easements on Tax Map Parcel Nos. 53K-21A, 53K-22A, and 53K-23A, for the Sanford Drive to Olde Forge Drive portion of the Water Line Improvement Project.

Item 14. Authorize the County Administrator to Amend an Agreement with VDOT Governing the Relocation of Water and Sewer Utilities at the Onville Road/Garrisonville Road Intersection

Resolution R15-376 reads as follows:

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

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

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

WHEREAS, betterments are required for the sewer infrastructure to accommodate increases in flows from Quantico; and

WHEREAS, the County will bear the cost for the betterments associated with the sewer infrastructure, with the estimated cost not to exceed \$473,063; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the County Administrator be and he hereby is authorized to amend an agreement with VDOT for the relocation of water and sewer utilities at the Onville Road/Garrisonville Road Intersection and the County Administrator is authorized to pay VDOT for the betterment improvements to the County sewer system in an amount not to exceed Four Hundred Seventy-Three Thousand Sixty-three Dollars (\$473,063) unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that this project will be funded using FY2016 operating funds; and

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

Item 16. Authorize the Appointment of Mark M. Elkins to the Celebrate Virginia North Community Development Authority

Resolution R15-304 reads as follows:

A RESOLUTION TO APPOINT MR. MARK M. ELKINS TO THE CELEBRATE VIRGINIA NORTH COMMUNITY DEVELOPMENT AUTHORITY BOARD

WHEREAS, on November 4, 1999, the Board adopted Ordinance O99-54 (Ordinance), creating the Celebrate Virginia North Community Development Authority (CDA); and

WHEREAS, the affairs of the CDA shall be conducted and the powers of the CDA exercised by a CDA Board of five members, as established in the Ordinance; and

WHEREAS, the Board is authorized to appoint members to the CDA Board pursuant to Virginia Code § 15.2-5113, Paragraph 5 of the Ordinance, and Article V of the Celebrate Virginia North CDA Articles of Incorporation; and

WHEREAS, under the Ordinance, 51% of the Owners of the real property included within the CDA (Petitioners), are entitled to nominate CDA Board members; and

WHEREAS, Mr. Michael Paul, a CDA Board member, resigned leaving a vacancy on the CDA Board; and

WHEREAS, the Petitioners propose Mr. Mark M. Elkins as its nominee to fill the vacancy on the CDA Board; and

WHEREAS, the Board considered the Petitioners' request and desires to appoint Mr. Elkins to the CDA Board;

NOW THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors, on this the 20<sup>th</sup> day of October, 2015, that Mr. Mark M. Elkins be and he hereby is appointed as a member of the Celebrate Virginia North Community Development Authority Board for a term of four years, which shall coincide with the term of the seat vacated by Michael Paul; and

BE IT FURTHER RESOLVED, that this resolution shall be effective upon adoption; and

BE IT STILL FURTHER RESOLVED, that the County Attorney or his designee shall forward a copy of this resolution to the Petitioners.

Item 17. Recognize 1st Sgt. Robert J. Grella, Awarded “Deputy of the Year” by the Virginia Sheriff’s Association

Proclamation P15-27 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND 1<sup>st</sup> SGT.  
ROBERT J. GRELLA, AWARDED “DEPUTY OF THE YEAR” BY THE  
VIRGINIA SHERIFF’S ASSOCIATION

WHEREAS, 1st Sgt. Robert J. Grella Jr. received the 2015 Deputy Sheriff of the Year Award at the Virginia Sheriffs’ Association’s 82nd Annual Conference and Exhibition; and

WHEREAS, 1st Sgt. Robert J. Grella, Jr. began his law enforcement career with the Stafford Sheriff's Office in 2001;

WHEREAS, during his tenure in the Patrol Division, 1st Sgt. Grella received numerous letters of appreciation and commendations from citizens, his supervisors and local, state and federal law enforcement agencies; and

WHEREAS, in 2012, he was promoted to the position of First Sergeant within the Special Problems Unit. His attention to detail and persistence in criminal investigations led him to spearhead working on prostitution and human trafficking cases. Since 2012, numerous reports have been generated and arrests have been made of prostitution within our jurisdiction. Several cases have led to the arrest of those who have been transporting innocent females up and down the east coast selling them for sex and drugs; and

WHEREAS, 1st Sgt. Grella has done much work towards helping those caught up in the human trafficking epidemic, where his team initiated 46 investigations of possible human trafficking, which resulted in 30 arrests, many of which were young women who were victims of human trafficking; and

WHEREAS, 1st Sergeant Grella created a program to teach hotel staff on the signs of prostitution, within their businesses. He currently travels to all hotels within the County's jurisdiction teaching hotel staff, managers and owners. This has led to multiple tips and sparked investigations into the human trafficking problem that is currently being prosecuted at this time. This community based initiative is primarily predicated by First Sergeant Grella's proactive approach and problem solving skills in addressing the area's prostitution issues;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that it be and hereby does recognize and commend 1st Sgt. Robert J. Grella Jr. for receiving the 2015 Deputy Sheriff of the Year Award at the Virginia Sheriffs' Association's 82nd Annual Conference and Exhibition.

Item 11. Authorize the County Administrator to Execute a Contract for Design of the Mine Road Sidewalk Project

Following discussion, Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-349.

The Voting Board tally was:

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

Resolution R15-349 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE TIMMONS GROUP FOR THE DESIGN OF THE MINE ROAD SIDEWALK PROJECT, IN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the County received initial grant funding from the Transportation Alternatives Program (TAP) from the Virginia Department of Transportation (VDOT) for the design and construction of the Mine Road Sidewalk project (Project); and

WHEREAS, staff solicited a proposal for design services from the Timmons Group, who is an approved on-call engineer for the County; and

WHEREAS, the County and VDOT reviewed the design proposal and determined it to be acceptable and reasonable for the scope of the work to be performed; and

WHEREAS, the TAP grant requires a 20 percent local match from the County; and

WHEREAS, funding is available for this contract within the County's Transportation Fund to cover the Project expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the County Administrator be and he hereby is authorized to award a contract with the Timmons Group, in an amount not to exceed One Hundred Eighteen Thousand and Eighty-five Dollars (\$118,085) for design services for the Mine Road Sidewalk Project, unless modified by a duly-authorized contract amendment; and

BE IT FURTHER RESOLVED, that an amount not to exceed One Hundred Eighteen Thousand Eighty-five Dollars (\$118,085) be budgeted and appropriated from the County's Transportation Fund upon the execution of the Transportation Alternatives Program project agreement.

Item 15. Refer to the Planning Commission a Zoning Text Amendment for Regulations of Outdoor Uses in the M-1, Light Industrial Zoning District

Following discussion, Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-06.

The Voting Board tally was:

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

Resolution R15-06 reads as follows:

A RESOLUTION REFERRING AN ORDINANCE TO THE PLANNING COMMISSION TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-35, TABLE 3.1 “DISTRICT USES AND STANDARDS,” AND SEC. 28-39 “SPECIAL REGULATIONS”

WHEREAS, the Board is requested to consider an amendment to the County Code to allow with the approval of a conditional use permit outdoor uses in a M-1, Light Industrial Zoning District; and

WHEREAS, currently all uses within the M-1 Zoning District shall be conducted within an enclosed building; and

WHEREAS, the Board desires to forward this proposed text amendment pursuant to proposed Ordinance O15-02, to the Planning Commission for its consideration and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that it be and hereby does refer proposed Ordinance O15-02 to the Planning Commission for its review, to hold a public hearing, and to provide its recommendations to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications, as it deems appropriate, to proposed Ordinance O15-02.

Planning and Zoning; Consider a Reclassification Request from R-1, Suburban Residential to P-TND, Planned Traditional Neighborhood Development (Stafford Village Center); and

Planning and Zoning; Consider a Conditional Use Permit to Allow Vehicle Fuel Sales within the HC, Highway Corridor Overlay Zoning District (Stafford Village Center)

Mr. Jeff Harvey, Director of Planning and Zoning, gave a combined presentation of both the reclassification and the conditional use permit.

Mr. Cavalier read the following statement: “I have no conflict of interest that would prevent me from participating in the Stafford Village rezoning reclassification. I am a member of Ebenezer United Method Church, which will benefit as a result of the transaction; however, I do not provide or receive financial benefit to/from the church. The Clerk will please record my declaration into the record today, and at any future meeting where the Board discusses or considers this matter.”

Ms. Sellers motioned, seconded by Ms. Bohmke, to defer these items to the 7:00 session of the Board meeting.

The Voting Board tally was:

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

MS4/Stormwater Management Update This item was deferred to the November 17, 2015 meeting.

Employee Engagement Presentation This item was deferred to the November 17, 2015 meeting.

Legislative; Closed Meeting. At 4:46 p.m., Mr. Thomas motioned, seconded by Mr. Cavalier, to adopt proposed Resolution CM15-18.

The Voting Board tally was:

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

Resolution CM15-18 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members regarding the procedure for holding public hearings relative to quick-take condemnations; (2) discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in open session would adversely affect the bargaining position or negotiating strategy of the Board; and (3) consultation with legal counsel and briefings by staff members regarding the *Metts v. Board of Supervisors of Stafford County* litigation; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(7) and (29), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 20th day of October, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 5:09 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 CM15-18(a).

The Voting Board tally was:

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

Resolution CM15-18(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON OCTOBER 20, 2015

WHEREAS, the Board has, on this the 20th day of October, 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 20th day of October, 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 5:10 p.m., the Chairman adjourned the afternoon session of the meeting.

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

Mr. Sterling arrived.

Invocation Ms. Bohmke gave the invocation.

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

Presentations by the Public – II

- Karen Bingham - Band Together to Fight Hunger
- Gina DiMola - Brooke Point High School Drum Major
- Summer Pauley - Brooke Point High School Drum Major
- Matt Roca - Colonial Forge High School, Captain
- Laura Watson - Mountain View High School Drum Major
- Savannah Reinink - North Stafford High School Drum Major
- Becca Millson - Stafford High School Drum Major
- Shane Daveler - Stafford High School Drum Major

- Chuck Feldbush - Why staff turnover in Sheriff’s Office; Violent crimes up 66% in 9 years; \$7 million budget increase 2009-2016; where is money being spent?
- Ruth Carlone - Changes to the comprehensive plan; naming Aquatic Center; requested quarterly Town Hall meetings in each district.

Planning and Zoning; Amend Proffered Conditions on Tax Map Parcel 46-27, Zoned R-1, Suburban Residential (Stafford Crossing Church); and  
Planning and Zoning; Consider an Amendment to a Conditional Use Permit for a Place of Worship in the R-1 Suburban Residential Zoning District on Tax Map Parcel 46-27 (Stafford Crossing Church)

Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation on both items and answered Board members questions. Pastor Darrell Moseley also addressed the Board. Congregants from the church stood in support of the amended proffered conditions and the conditional use permit amendment.

The Chairman opened the public hearing.  
 No persons desired to speak.  
 The Chairman closed the public hearing.

Ms. Bohmke motioned, seconded by Mr. Milde, to adopt proposed Ordinance O15-39.

The Voting Board tally was:

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

Ordinance O15-39 reads as follows:

AN ORDINANCE TO AMEND THE PROFFERED CONDITIONS ON TAX MAP PARCEL 46-27, ZONED R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Stafford Community Church, applicant, submitted application RC15150767 requesting an amendment to proffered conditions on Tax Map Parcel No. 46-27, consisting of 54.33 acres, zoned R-1, Suburban Residential Zoning District; and

WHEREAS, Tax Map Parcel No. 46-27, is subject to proffered conditions pursuant to Ordinance O09-57, adopted by the Board on October 20, 2009; and

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

WHEREAS, the Board determined that the requested amendments to the 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 property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the proffered conditions on Tax Map Parcel No. 46-27, as specified in the proffer statement entitled “Proffers,” dated September 23, 2015.

Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution R15-336.

The Voting Board tally was:

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

Resolution R15-336 reads as follows:

A RESOLUTION TO APPROVE AN AMENDMENT TO A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP15150746 FOR A PLACE OF WORSHIP IN THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON TAX MAP PARCEL 46-27, WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Stafford Community Church, applicant, requested an amendment to a conditional use permit (CUP), pursuant to Application CUP15150746, to conditions of development on Tax Map Parcel No. 46-27, consisting of 54.33 acres, zoned R-1, Suburban Residential Zoning District, located within the Falmouth Election District; and

WHEREAS, on October 20, 2009, the Board adopted Resolution R09-342, allowing a place of worship on Tax Map Parcel No. 46-27, in the R-1 Zoning District, with conditions; and

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

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public 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 an amendment to a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that a conditional use permit (CUP), pursuant to application CUP15150746, be and it hereby is approved with the following conditions:

1. This CUP is to allow a place of worship in an R-1, Suburban Residential Zoning District, located on Assessor's Parcel ~~46-21, 46-24, 46-25, 46-26,~~ 46-27 (Property) ~~and 46-29A.~~
2. The structure shall not exceed the maximum height of 35 feet, which includes a steeple.
3. The capacity of the structure shall be limited to 22,450 square feet of gross floor area and no more than 550 seats.
4. Sprinklers shall be installed in the structure to meet all requirements of the NFPA-13 (National Fire Protection Association).
5. An automated external defibrillator shall be installed prior to occupancy permit, in an area designated by the Fire Marshal.
6. The building shall be in conformance with the Proposed Elevations Plan dated August 25, 2009.
7. Building facade for the proposed building shall be in conformance with the Proposed Elevation Plan.
8. All building entrances shall be illuminated in accordance with Crime Prevention through Environmental Design (CPTED) principles.
9. The temporary trailer shall be removed from the property within 30 days of the issuance of the occupancy permit.
10. All existing and proposed onsite easements shall be recorded prior to site plan approval for the expansion.
11. Landscaping shall be provided as represented on the approved site plan, and dead or dying landscaping shall be replaced prior to issuance of the occupancy permit.
12. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, state, or federal laws, codes, ordinances, or regulations.

Planning and Zoning; Consider an Amendment to the Zoning Ordinance to Increase the Maximum Percentage of Multi-family Dwellings in the RBC, Recreational Business Campus Zoning District Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on both items and answered Board members questions. He noted that the Planning Commission recommended approval.

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 Ordinance O15-35.

The Voting Board tally was:

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

Ordinance O15-35 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-39(i), “PERFORMANCE STANDARDS IN RBC DISTRICTS”

WHEREAS, Chris Hornung, on behalf of Silver Properties, LLC, applicant for the Celebrate Virginia North zoning reclassification requests, petitioned the County to amend a portion of the RBC, Recreational Business Campus Zoning District standards in the Zoning Ordinance; and

WHEREAS, the percentage of multi-family dwellings allowed in an RBC development is 1.5% of the total acreage of the project; and

WHEREAS, the Board desires to amend and reordain Stafford County Code, Sec. 28-39(i) “Performance standards in RBC districts,” to allow a greater percentage of an RBC development to be used for multi-family dwellings; 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 public necessity, convenience, general welfare, and good zoning practices require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that Stafford County Code Sec. 28-39(i), "Performance standards in RBC districts," be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

**Sec. 28-39. - Special regulations**

(i) *Performance standards in RBC districts.* The following standards shall be the minimum required for all uses in the RBC, recreational business campus district.

- (10) The gross area of all commercial retail uses shall not exceed ten (10) percent of the gross area of the district. The gross area of all retirement housing communities shall not exceed thirty (30) percent of the gross area of the district. The gross area of all multifamily dwelling communities shall not exceed ~~one two~~ and one-tenth (4½ 2 1/10) percent of the gross area of the district.

; and

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

Planning and Zoning; Amend Proffered Conditions to Modify Development Conditions of a Multi-Family Residential Community on 24 Acres Zoned RBC, Recreational Business Campus Zoning District;

Planning and Zoning; Consider a Reclassification Request from the M-2, Heavy Industrial Zoning District to the RBC, Recreational Business Campus Zoning District to Allow for Multi-Family Residences; and

Planning and Zoning; Consider a Conditional Use Permit to Allow Multi-Family Dwellings in the RBC, Recreational Business Campus Zoning District

Mr. Jeff Harvey, Director of Planning and Zoning, addressed all three items together, gave a presentation, and answered Board members questions. Mr. Richard Stuart, for the applicant, also addressed the Board.

Mr. Sterling asked for the additional number of units requested. Mr. Harvey replied that it was 86 more than the original plan. 13 units would have 3 bedrooms; 40% would be 1 bedroom units; and the remainder would have two bedrooms. Ms. Sellers asked about the number of bathrooms. Mr. Sterling asked about architectural details and if they were required in the proffers. Mr. Thomas said he read the architectural standards for the pool area, and the Planning Commission reviewed the application and recommended approval.

Mr. Stuart, for the applicant, said that the pictured elevations were proffered and, in response to Mr. Sterling's question about structural materials, he said there would be no vinyl, no aluminum, it would be hardi-plank or masonry. Mr. Stuart said there would be a full bathroom for each bedroom in the 1 and 2 bedroom units, with a 42" soaking tub. The 3 bedroom units would have 2 bathrooms with 42" soaking tubs. A hand-out showing a similar development in Charlotte, NC was given to Board members. Mr. Stuart commented that the proposed Silver Cos. development would be nicer than the one in North Carolina; there would have luxury resort-style apartments in Stafford that would target empty-nesters and young professionals, not families with school-aged children. Weekly events were planned for residents and amenities included quartz counter-tops, stainless steel appliances, a dog park and spa, a bar, and kitchen pool-side, etc.

Ms. Sellers asked if the developers would consider leasing parking spots to commuters, a program that GWRC was working on. She asked that they think about it but did not have to provide an answer at that time.

Mr. Sterling asked what was to keep the developer from asking, at a later date, for further adjustments to its application. Mr. Stuart said he understood the concern but that the project as was presented was in its final iteration.

Mr. Thomas asked why the cash proffered amount was reduced to \$7,000 from \$7,500. Mr. Stuart said that the projected number of school-aged children went down; therefore, there would not be the need to accommodate as many new children in the School system.

Mr. Snelling asked about rental rates in the upscale development. Mr. Stuart said that tentatively, the rate for a 1-bedroom would be \$1200; 2-bedrooms, \$1500; and 3-bedroom rental rate would be \$1800/month.

Referring to Mr. Sterling's question about architectural standards, Mr. Harvey said that proffered condition #6 required all visible area to be at least 30% brick or stone; proffered condition #7 required that siding be fiber cement, i.e., hardi-plank siding; and proffered condition #8 called for varied roof planes with ornamental soffits and brackets, craftsman style with step-out patios and stoops.

The Chairman opened the public hearing.

The following persons desired to speak:

Ruth Carlone

The Chairman closed the public hearing.

Mr. Sterling asked if there would be on-site managers. Mr. Stuart replied that a project such as was being proposed required 24/7 managers, on-site to maintain the development and respond to tenants requests. Each unit would have fire suppression sprinklers. Mr. Hornung, applicant, talked about the size of the fitness center and amenities around the pool area. Ms. Bohmke asked if a market analysis had been done. Mr. Stuart assured Ms. Bohmke that a thorough market analysis was completed before the project was brought to the Board for consideration.

Mr. Snellings said that he met with Del Webb residents and they had no objections to the proposal, and he hoped that it would help with retail in the vicinity.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-37.

The Voting Board tally was:

Yea: (4) Bohmke, Milde, Sellers, Snellings

Nay: (3) Cavalier, Sterling, Thomas

Ordinance O15-37 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE PROFFERED CONDITIONS ON TAX MAP PARCEL 44W-2B

ZONED RBC, RECREATIONAL BUSINESS CAMPUS ZONING DISTRICT, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, submitted application RC15150707 requesting an amendment to proffered conditions on Tax Map Parcel 44W-2B, zoned RBC, Recreational Business Campus, within the Hartwood Election District; 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 zoning and proffer amendments 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 proffered conditions on the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the proffered conditions on Tax Map Parcel 44W-2B zoned RBC, Recreational Business Campus Zoning District, as specified in the final proffer statement entitled, “Proffer Statement Celebrate Virginia North, Parcel 44W-2B,” dated October 9, 2015.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-38.

The Voting Board tally was:

Yea: (4) Bohmke, Milde, Sellers, Snellings

Nay: (3) Cavalier, Sterling, Thomas

Ordinance O15-38 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE AND ZONING MAP BY RECLASSIFYING FROM M-2, HEAVY INDUSTRIAL ZONING DISTRICT TO RBC, RECREATIONAL BUSINESS CAMPUS ZONING DISTRICT, TAX MAP PARCEL NO. 44W-2A, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, submitted application RC15150708 requesting a reclassification from the M-2, Heavy Industrial Zoning District, to RBC, Recreational Business Campus Zoning District, on Tax Map Parcel No. 44W-2A, consisting of 14.73 acres, located within the Hartwood Election District; and

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Zoning Map and Zoning Ordinance for Stafford County be and it hereby is amended and reordained by reclassifying from M-2, Heavy Industrial Zoning District to RBC, Recreational Business Campus Zoning District, Tax Map Parcel 44W-2A, consisting of 14.73 acres, as depicted on the plat entitled, “Subdivision of Parcel 2 (Part of T.M. 44 Parcel 90) in Celebrate Virginia Commercial,” prepared by D & D Surveyors, Inc., dated October 23, 2009, as last revised July 14, 2010, with proffers entitled, “Proffer Statement Celebrate Virginia North, Portions of Parcel 44W-2A,” dated October 9, 2015.

Mr. Snellings motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-328.

The Voting Board tally was:

Yea: (4) Bohmke, Milde, Sellers, Snellings  
Nay: (3) Cavalier, Sterling, Thomas

Resolution R15-328 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP15150709 TO ALLOW MULTI-FAMILY DWELLINGS WITHIN AN RBC, RECREATIONAL BUSINESS CAMPUS ZONING DISTRICT, ON TAX MAP PARCEL NOS. 44W-2A AND 44W-2B, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Silver Companies, applicant, submitted application CUP15150709 requesting a conditional use permit (CUP) to allow multi-family dwellings in an RBC, Recreational Business Campus Zoning District, on Tax Map Parcel Nos. 44W-2A and 44W-2B, within the Hartwood Election District; and

WHEREAS, the application was submitted pursuant to County Code, Section 28-35, Table 3.1, which permits this use in an RBC, Recreational Business Campus 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 public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that a conditional use permit (CUP)

pursuant to application CUP15150709 be and it hereby is approved with the following conditions:

1. This CUP is to allow multi-family dwellings within the RBC, Recreational Business Campus Zoning District, on Tax Map Parcel Nos. 44W-2A and 44W-2B (Property).
2. Subject to adjustments for final engineering and to comply with the requirements of the applicable County Code and Ordinances, and Virginia Department of Transportation (VDOT) regulations and standards, development of the Property shall be in general conformance with the Generalized Development Plan entitled “Generalized Development Plan at Celebrate Virginia North for Multi-family Residential Conditional Use Permit, Zoning Reclassification, and RBC Proffer Amendment,” dated August 14, 2015 (GDP).
3. The maximum number of multi-family dwelling units permitted on the Property shall not exceed 278.
4. Upon completion, the Property shall contain a total of no more than 5 percent three-bedroom apartment units, and no less than 40 percent one-bedroom apartment units.
5. Prior to the issuance of an occupancy permit for any multi-family dwelling unit, power shall be extended, connected, and maintained to the existing light poles along the Celebrate Virginia Parkway bike trail adjacent to the Property.
6. All building exteriors visible from Celebrate Virginia Parkway shall be a minimum of 30 percent brick or stone, excluding detached garages and accessory buildings. Stone material shall be Norstone® or similar stacked stone –appearing composite material.
7. Siding materials shall consist of fiber cement or similar composite material such as Hardiplank® or market equivalent. Aluminum, vinyl, or tin siding material shall be prohibited.
8. The following architectural elements shall be incorporated into the design and construction of the multi-family buildings, as illustrated in the “Celebrate Virginia North Building and Site Illustrations,” dated August 17, 2015 (Site Illustrations): varied roof planes; building corner features such as a staggered roof plane “tower;” ornamental soffit brackets on the street facing side; embellished gable roof line on the street facing side; craftsman style details including moldings, soffits, corner boards, rake boards, and fixtures; and balconies, step-out balconies, patios or stoops.
9. The following recreational amenities shall be completed prior to the issuance of the occupancy permit for the 130<sup>th</sup> multi-family unit: a dog park and a clubhouse at least 10,000 square feet in size with amenities including, but not limited to, a resort pool, dog spa, fitness center, sports bar, and cyber-café.

10. The resort pool shall include the following features, as illustrated in the Site Illustrations: the pool deck shall include architectural cast stone paver system, or similar composite material system, and shall not be black asphalt or stamped concrete; and an outdoor entertaining area including grills and refrigeration, covered by a pavilion.
11. All trash receptacles, dumpsters, and utility boxes shall be screened on three sides with a masonry wall of the same color and texture as the main buildings, and be at least as high as the enclosed dumpster, utility boxes, or trash receptacles. The enclosure shall also incorporate a heavy wooden or vinyl gate; a chain link fence is prohibited.
12. One curb cut for a transit or school bus stop pull-off shall be constructed along Celebrate Virginia Parkway, in front of the multi-family dwelling complex prior to the issuance of the occupancy permit for the first unit. A shelter and bench for the bus stop shall be installed and maintained.
13. The development sign, if constructed, shall be a monument style sign not exceeding 15 feet in height, located at the main entrance road into the development, and externally illuminated.
14. No less than 40 percent of the units shall include a garage integral to the dwelling buildings.
15. Bike racks shall be installed at each building. The location of the bike racks shall be in close proximity to the main entrance to each building and shall be oriented to not block sidewalks, parking spaces, or travelways.
16. If fencing is installed along Celebrate Virginia Parkway, fencing shall be made of decorative iron or, if a different material, shall be of similar appearance to a decorative iron fence. Chain-link fencing, along Celebrate Virginia Parkway, shall be prohibited.
17. Any gated vehicular entry system shall incorporate an activator device for automatic opening for emergency vehicles.
18. Handicap accessible entrances shall be provided to at least 50 percent of all ground floor dwelling units.
19. Subject to VDOT approval, the applicant shall construct a pedestrian cross-walk shall be constructed across Celebrate Virginia Parkway at the intersection of each access point into the subject property.
20. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, state, or federal law, regulation, ordinance, or requirement.

and Zoning, gave a presentation and answered Board members questions. The Board’s Community and Economic Development Committee recommended this to the full Board.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Ms. Bohmke asked if the Board voted in favor of the fee reduction, could it apply to Stafford Crossing Church’s recently approved application. Mr. Snellings said that the Board would be glad to consider it and asked that it be brought back on the next meeting agenda.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Ordinance O15-34.

The Voting Board tally was:

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

Ordinance O15-34 reads as follows:

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

WHEREAS, pursuant to Virginia Code § 15.2-2286(A)(6), the Board is authorized 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 County’s schedule of fees to add a review fee specifically for minor conditional use permit (CUP) amendment and minor proffer amendment applications, when submitted simultaneously with the same amendments; and

WHEREAS, the proposed review fee for each minor amendment application should be half the amount of the standard review fee because the proposed amendments are the same between the applications; and

WHEREAS, on July 30, 2015, the Board adopted Ordinance O15-26, which last amended the County’s land development application service fees; and

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

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

NOW, THEREFORE BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 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 Change</u>
<u>Minor Proffer Amendment (when submitted simultaneously with Minor Conditional Use Permit Condition Amendment*) - General Fee</u>	<u>\$0</u>	<u>\$3,095</u> <u>+2.75% technology fee</u>	100%
<u>Minor Proffer Amendment (when submitted simultaneously with Minor Conditional Use Permit Condition Amendment*) - Adjacent Property Notification</u>	<u>\$0</u>	<u>\$6.48/adjacent property notification</u>	100%
<u>Minor Conditional Use Permit Condition Amendment (when submitted simultaneously with Minor Proffer Amendment*) - General Fee</u>	<u>\$0</u>	<u>\$3,095</u> <u>+2.75% technology fee</u>	100%
<u>Minor Conditional Use Permit Condition Amendment (when submitted simultaneously with Minor Proffer Amendment*) - Adjacent Property Notification</u>	<u>\$0</u>	<u>\$6.48/adjacent property notification</u>	100%

\*Only applies to applications that are amending comparable proffers and conditions that remain similar after amendment, in accordance with County Code Sec. 28-162(f) regarding minor amendments to approved proffers, and County Code Sec. 28-185(5) regarding minor amendments to approved conditional use permit conditions.

; and

BE IT FURTHER ORDAINED that this ordinance shall become effective on November 1, 2015.

Public Works; Consider Abandonment of a Prescriptive Easement on Old Stefaniga Road  
Mr. Chris Rapp, Director of Public Works, gave a presentation and answered Board members questions. He noted that there was no lot yield increase and the land would revert back to the adjacent land owners, Augustine Homes.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Resolution R15-334.

The Voting Board tally was:

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

Nay: (0)

Resolution R15-334 reads as follows:

A RESOLUTION PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON A PORTION OF AN UNUSED PRESCRIPTIVE EASEMENT FOR STEFANIGA ROAD (SR-648), FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, prior to 1969, a portion of Stefaniga Road (SR-648) was relocated to eliminate a curve and improve safety; and

WHEREAS, the relocated segment of Stefaniga Road (SR-648) is located 0.30 miles east of the intersection with Poplar Road (SR-616), and extends to 0.37 miles east of the intersection with Poplar Road, for a distance of approximately 0.09 miles; and

WHEREAS, the prescriptive easement associated with the former alignment of Stefaniga Road (SR-648) was not officially abandoned; and

WHEREAS, the Virginia Department of Transportation (VDOT) received a request from Augustine Land and Development, LLC (Augustine), the property owner of Tax Map Parcel No. 27-17B, desiring that the prescriptive easement be officially abandoned and formally conveyed to Augustine; and

WHEREAS, VDOT requested that the Board, after holding a public hearing, formally petition VDOT to abandon the unnecessary prescriptive easement, to allow the Commonwealth Transportation Board (CTB) to officially convey the abandoned prescriptive easement to Augustine; and

WHEREAS, the prescriptive easement associated with the former Stefaniga Road (SR-648) no longer serves a public need; and

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

WHEREAS, the Board desires to petition VDOT to abandon the unused prescriptive easement associated with the former alignment of Stefaniga Road (SR-648);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 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 easement, consisting of approximately 0.09 miles, which is associated with the former alignment of Stefaniga Road (SR-648), pursuant to Virginia Code § 33.2-909; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall forward a copy of this resolution to the VDOT Residency Administrator.

Utilities; Approve the Vacation of Existing Sanitary Sewer Easements in Connection with the Claiborne Run Sewer Interceptor Replacement Project Mr. Mike Smith, Director of Utilities, gave a presentation on the proposed vacation.

The Chairman opened the public hearing.  
No persons desired to speak.  
The Chairman closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R15-324.

The Voting Board tally was:

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

Resolution R15-324 reads as follows:

A RESOLUTION TO APPROVE THE VACATION OF EXISTING SANITARY SEWER EASEMENTS ON TAX MAP PARCEL 23-6 IN CONNECTION WITH THE CLAIBORNE RUN SEWER INTERCEPTOR REPLACEMENT PROJECT, IN THE FALMOUTH AND GEORGE WASHINGTON ELECTION DISTRICTS

WHEREAS, the Board identified the replacement of a portion of the Claiborne Run Sewer Interceptor as a critical part of Stafford County's Capital Improvements Program; and

WHEREAS, Stafford County holds non-exclusive easements for the installation and maintenance of the existing sewer interceptor on Tax Map Parcel No. 23-6 (Property); and

WHEREAS, CSX Transportation, Inc. offered to amend the existing easements to accommodate the new sewer line alignment when it overlaps with the existing easements; and

WHEREAS, portions of the existing easements that do not overlap with the proposed easements under the new alignment will be required to be vacated; and

WHEREAS, the Board held a public hearing to solicit input into the matter of vacating portions of the existing sewer easement on the Property; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Board be and it hereby does approve of the vacation of a portion of the existing sewer easement on Tax Map Parcel No. 23-6, as more accurately described on that plat entitled “Plat Showing Various Easements Across the Property of CSX Railroad to be Vacated and Various Easements to be Dedicated,” dated April 2, 2015, prepared by the Timmons Group, in association with the Claiborne Run Sewer Interceptor Replacement Project; and

BE IT FURTHER RESOLVED, that the County Administrator or his designee is authorized to execute any necessary documents incident to approval of this vacation.

Add-on A Resolution Supporting the School Board’s Decision to Have a Forensic Audit Completed Concerning School Payroll Budget and Budget Execution Ms. Sellers said that the request came out of the recent Joint BOS/SB meeting. Mr. Sterling questioned why they were hiring an internal auditor when they could be hiring teachers instead, adding that the Schools’ Finance Department should be policing themselves. He added that he hoped a portion of the \$8.3 Million wasn’t going to pay for something that the Schools’ should already be doing.

Ms. Sellers said that the forensic audit would look at a five-year history of payroll and School finances. Mr. Sterling asked if the results would name names. Ms. Sellers said that the auditor would ask hard questions and demand accountability.

Mr. Cavalier questioned the need to provide a resolution when it was the Board’s suggestion in the first place to audit the Schools finances. He said that it did need to be done, and that the Schools had to incur the expenses, not the County.

Ms. Bohmke asked if the School Board was ready for the repercussions of an audit. Ms. Sellers said that she believed that they were ready for the audit and results.

Mr. Milde said that he supported the Schools’ decision to have a forensic audit.

Mr. Thomas said that the Board was no way in the Schools’ business, just supporting the audit by adoption proposed Resolution R15-380.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Resolution R15-380.

The Voting Board tally was:

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

Nay: (0)

Resolution R15-380 reads as follows:

A RESOLUTION SUPPORTING THE SCHOOL BOARD’S DECISION TO HAVE A FORENSIC AUDIT COMPLETED CONCERNING SCHOOL PAYROLL BUDGET AND BUDGET EXECUTION

WHEREAS, the School Board is reporting substantial savings in the FY2015 budget, and is considering a forensic audit to examine School budget execution; and

WHEREAS, pursuant to the County’s financial policies, all unspent School funds from FY2015 are reserved for one-time school purposes; and

WHEREAS, the Board of Supervisors will consider re-appropriation of these funds at the mid-year review in January 2016, after the completion of the FY2015 audit, and in light of financial conditions at that time;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that it be and hereby does applaud the School Board’s decision to have a forensic audit completed regarding past practices concerning school payroll budget and budget execution; and

BE IT FURTHER RESOLVED that the Board recognizes that the School Board has allocated Seventy-five Thousand Dollars (\$75,000) to this important work, and while it appears this sum is sufficient for the report, should additional funds be necessary, the Board of Supervisors recommends the School Board give this analysis top priority within School expenditure savings identified in the FY2016 budget.

Planning and Zoning; Consider a Reclassification Request from R-1, Suburban Residential to P-TND, Planned Traditional Neighborhood Development (Stafford Village Center); and

Planning and Zoning; Consider a Conditional Use Permit to Allow Vehicle Fuel Sales within the HC, Highway Corridor Overlay Zoning District (Stafford Village Center)

New proffers were included in the Board’s add-on folder and a signed copy was on file.

Mr. Milde talked about the 610 Service District and said that the proposed project would pay more than the rest of the County by virtue of its location within the special Service District. Mr. Thomas spoke about the challenge of taxing buildings with residential on top of commercial (or retail). Mr. Harvey said that the tax formula would be up to the Commissioner of the Revenue. Mr. Milde said he did not want to discourage the mixed-use component of the planned development.

In response to Mr. Sterling's question about architectural standards, Mr. Harvey said that Neighborhood Design Standards would govern specific features of the buildings. Mr. Sterling asked if neighborhood design standards allowed vinyl. Mr. Harvey said that cast stone, concrete tile, hardi-plank siding were recommended. Mr. Sterling said that there was no prohibition against vinyl or aluminum. Mr. Harvey said that it could be used as a portion of a design element, limited to scale, like something on the façade.

Mr. Pence, applicant, thanked Mr. Romanello, Mr. Harvey, and Mr. Dayton, Mr. Baroody, and Mr. Zuraf, and the pastor and members of Ebenezer Baptist Church for the hard work and cooperative spirit working with him on this application. He talked about Stafford Marketplace and its development from an un-zoned piece of property to the development that it was now, it was done without proffers and was done right. Mr. Pence met with Mr. Milde at a McLean hotel property, which underwent a \$6 million renovation, adding that the best proof of what he would build at Stafford Village Center was to see what he did in other localities.

Responding to Mr. Sterling's concerns about the use of vinyl, Mr. Pence said that it may be used as a decorative element around windows but there would be no vinyl siding used in the development. He talked about tot lots and walking trails and negotiations being underway with a large health club provider, including a package deal for all residents. There would be large setbacks and two ponds, with the possibility of moving one of the ponds from the front of the development to the rear of the property. He said that quality was important to Pence, and he would not come back to make additional changes. There was already \$750,000 invested in Stafford Village Center, the contract with the church expired in December 2015, and with the timetable, development should start next week. Mr. Pence asked for the Board's support.

Mr. Sterling noted that the project was difficult for him, and he was very concerned and opposed to new apartments. He said though that he believed what Mr. Pence was saying and he would support the application.

Mr. Snellings asked Ms. Rysheda McClendon, Deputy County Attorney, if she was satisfied with the proffers that were turned in. Ms. McClendon replied, "Yes."

Ms. Sellers said that she trusted Mr. Pence and would vote in favor of the development. Mr. Cavalier said that the proposal represents exactly what was needed in Stafford. He said that he had been going door-to-door during his campaign for re-election and this was what his constituents were asking for. Mr. Pence did a nice job with Stafford Marketplace and even though Stafford was not Georgetown or McLean, he would do a nice job with Stafford Village Center as well.

Ms. Bohmke said she appreciated Mr. Pence's comments and explanation of the Board's concerns about the proposed development, but that while she meant nothing against the church, she could not support the project, she was just not there.

Mr. Thomas said that a lot of specificity was missing and with sequestration, etc. looming, the market may fall out, which was outside of anyone's control. Therefore, he, too, would not support the application.

Mr. Snellings said that he agreed with Mr. Sterling, that Mr. Pence's reputation preceded itself and he would make Stafford proud with the new development.

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O15-27.

The Voting Board tally was:

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

Ordinance O15-27 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT TO THE P-TND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT, TAX MAP PARCEL NO. 20-130, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, The Pence Group, Inc. (Applicant), submitted application RC15150541 requesting a reclassification from the R-1, Suburban Residential Zoning District to the P-TND, Planned-Traditional Neighborhood Development Zoning District, Tax Map Parcel No. 20-130, located within the Garrisonville Election District; 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 requested zoning amendment is 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 this Ordinance to reclassify the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the R-1, Suburban Residential Zoning District to the P-TND, Planned-Traditional Neighborhood Development Zoning District, Tax Map Parcel No. 20-130, in the location identified on the Boundary Survey, prepared by Urban, Ltd., dated April 24, 2015, with proffers entitled “Proposed Proffers,” dated October 12, 2015.

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-300.

The Voting Board tally was:

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

Resolution R15-300 reads as follows:

A RESOLUTION APPROVING A DEVIATION FROM STAFFORD COUNTY CODE SEC. 28-39(q)(21), TABLE 3.5(a), “ALLOCATION OF TRANSECT ZONES,” FOR THE STAFFORD VILLAGE CENTER DEVELOPMENT, TAX MAP PARCEL NO. 20-130, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, The Pence Group, Inc. (Applicant), submitted application RC15150541, requesting a reclassification from the R-1, Suburban Residential Zoning District to the P-TND, Planned-Traditional Neighborhood Development Zoning District, Tax Map Parcel No. 20-130, located within the Garrisonville Election District; and

WHEREAS, Stafford County Code Sec. 28-39(q)(5)a, allows for the deviation or modification from the density and intensity tables for the transect zones in the P-TND Zoning District, provided the request for the deviation or modification is approved by the Board at the time property is reclassified to the P-TND Zoning District; and

WHEREAS, the Applicant submitted a request for a deviation from Stafford County Code Sec. 28-39(q)(21), Table 3.5(a), to increase the maximum permitted amount of area in the T-6 Transect Zone from 40% to 49.2%; and

WHEREAS, the Board determined that the request is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that the Board be and it hereby does approve the deviation from Stafford County Code Sec. 28-39(q)(21), Table 3.5(a), to increase the maximum permitted amount of area in the T-6 Transect Zone from 40% to 49.2%, for the Stafford Village Center development on Tax Map Parcel No. 20-130, pursuant to rezoning application request RC15150541.

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R15-211.

The Voting Board tally was:

Yea: (5) Cavalier, Milde, Sellers, Snellings, Sterling

Nay: (2) Bohmke, Thomas

Resolution R15-211 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP15150542, TO ALLOW VEHICLE FUEL SALES WITHIN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT AND P-TND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT ZONING DISTRICT, ON A PORTION OF TAX MAP PARCEL NO. 20-130, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, The Pence Group, Inc. (Applicant), submitted application CUP15150542, requesting a conditional use permit (CUP) to allow vehicle fuel sales within the HC, Highway Corridor Overlay Zoning District and P-TND, Planned-Traditional Neighborhood Development Zoning District, on a portion of Tax Map Parcel No. 20-130 (Property), located within the Garrisonville Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use in the HC Overlay and P-TND Zoning Districts, after a CUP is issued by the Board; 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 public necessity, convenience, general welfare, and good zoning practices require adoption of this Resolution with the below conditions; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20<sup>th</sup> day of October, 2015, that a conditional use permit (CUP), pursuant to application CUP15150542, be and it hereby is approved with the following conditions:

1. This CUP is to allow motor vehicle fuel sales as shown in the general location depicted on the Generalized Development Plan (GDP), on sheet 3A of the “Rezoning Plan for Stafford Village Center,” dated December, 2014, as last revised September 29, 2015.
2. Access to the subject property from Garrisonville Road shall be limited to one right-in/right-out entrance.

3. No carnival style signs, banners, lights, balloons, or windsocks shall be utilized on the property, except for periodic events such as grand openings and special anniversaries, when use of these items shall be on a strictly temporary basis.
4. The use of electronic or variable message and flashing signs shall be prohibited at all times.
5. The canopy and signage shall be constructed in general conformance with the image and standards provided in the Stafford Village Center Neighborhood Design Standards, dated January 13, 2015, as last revised on June 8, 2015.
6. 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 notice is provided to the Applicant, or its successor in interest, is given an opportunity to correct the violation.

Adjournment At 9:07 p.m. the Chairman declared the meeting adjourned.

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Anthony J. Romanello, ICMA-CM  
County Administrator

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Gary F. Snellings  
Chairman