

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

May 17, 2016

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Robert “Bob” Thomas, Jr., Chairman, at 3:00 p.m., on Tuesday, May 17, 2016, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Robert “Bob” Thomas, Jr., Chairman; Laura A. Sellers, Vice Chairman; Meg Bohmke; Jack R. Cavalier; Wendy E. Maurer; Paul V. Milde, III; and Gary F. Snellings.

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

Presentation to Rick Hurley upon his Retirement as President of the University of Mary Washington (UMW) Mr. Thomas presented a proclamation to Mr. Hurley and thanked him for his service to the community and for the close relationship shared between Stafford County and the University of Mary Washington. Mr. Hurley thanked the Board, Mr. Romanello, and Deputy County Administrator, Mr. Tim Baroody.

Presentation to Recognize Emergency Medical Services Week Mr. Thomas presented a proclamation to Fire Chief Mark Lockhart in recognition of Emergency Medical Services week.

Presentation to Recognize Glenn and Sylvia Sullivan Mr. Snellings presented a proclamation to Glenn and Sylvia Sullivan, noting that Mr. Sullivan began serving as a volunteer firefighter in 1956, giving him 59+ years of service to the citizens of the County.

Presentation to Recognize George and Vicky Langford Mr. Milde presented a proclamation to George and Vicky Langford and thanked them for their years of service as volunteer firefighters.

Presentations by the Public The following persons desired to speak:

- Robert Merritt - Tax relief for citizens on Lake Mooney
- Roger Murphy - Tax relief for citizens on Lake Mooney
- Donald Lawlor - Tax relief for citizens on Lake Mooney
- Joe Brito - Tax relief for citizens on Lake Mooney
- David Hamm - No benefits to waterfront property on Lake Mooney

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

Ms. Bohmke - Attended the Campers Inn RV ribbon cutting, been in business since 1966 and have locations in Raleigh and Myrtle Beach, headquartered in Merrimack, New Hampshire and Stafford is its 15th location; Attended the Germanna Community College (GCC) Commencement, the keynote speaker was Katrina Richardson, a graduate from Orange County High School that earned her AS degree in Applied Science from GCC and after many years commuting, Ms. Richardson earned a Master's Degree from George Mason University, and is now the Principal at the elementary school that she attended; Attended Business Leadership event welcoming new UMW President, Dr. Troy Paino, who is very interested in working together as a region; Attended the quarterly OPEB meeting, had a large dip in revenues in January due to market conditions but are ahead for the year; GWRC approved a letter to the Governors of Maryland and Virginia about repairs to the Harry Nice Bridge, asking that the repairs not be pushed back further as the bridge is in need of the roadwork now/Route 301 is a well-known alternate for I-95 and increased traffic has resulted in choke points on the bridge; FAMPO agreed to further study the I-95 corridor; the Public Safety Committee toured the Courthouse, which is inefficient and insufficient for the number of cases that go through the process; Offered prayers and support to the Smith Family that lost their home in a fire, thanked the community for its support and outreach, saying that the Smith Family is very grateful.

Mr. Cavalier - Attended Fredericksburg Regional Alliance meeting; Provided an update on the Finance, Audit, and Budget (FAB) meeting including shared services and a recommendation for full Board approval to move ahead with shared financial services and approval of a contract specialist position; Also discussed shared services for fields and ground maintenance.

Mrs. Maurer - Attended the Business Leadership event welcoming Dr. Troy Paino, new president of UMW; Attended first Eagle Scout ceremony for William Haynie, less than 1% of Scout achieve the rank of Eagle Scout, which is a high honor and Stafford County is fortunate to have several Eagle Scouts in residence; Attended PRTC meeting; Attended Mayfest at the Rappahannock Adults Activities Center, which included baked goods, pottery, plants, a stage donated by Hilldrup on which the County's

elementary school children performed; It was a great event, held annually and not only for plant sales; Met with Al and Jane Conner whose basement is full of artifacts that they plan to donate to the Stafford Museum; looking forward to working with the Historical Commission and to helping preserve the Conner's collection; Plans to attend the Armed Services Memorial fund-raising breakfast and inquired if the Memorial funds are being kept separate from other County funds (Mr. Romanello assured Mrs. Maurer that the Memorial funds were kept in an entirely separate account, not included with County funds in any way); Attended the FAB meeting, talked about transparency in accounting, shared financial services and funds not belonging to the Schools or the County but to the taxpayers, and that better decision-making and financial reporting was necessary.

Mr. Milde - Attended the Commonwealth Transportation Board (CTB) meeting; spoke at the GCC Spotsylvania Campus on behalf of the Virginia Railway Express (VRE) regarding revenue sharing and HOT Lanes, the audience was very receptive and took note of the concerns expressed; Attended a meeting with Mr. Cavalier regarding the Aquia Town Center, held at the Marina, which was well attended and about a second entrance to the Harbour; Attended FAMPO with Ms. Bohmke.

Ms. Sellers - Attended GWRC with Ms. Bohmke, heard a presentation about TABLE, held at St. George's Episcopal Church in the City of Fredericksburg and is interested in getting a similar program started in Stafford; the upcoming Relay for Life event is scheduled for Saturday, May 21st at the Fredericksburg Fair Grounds.

Mr. Snellings - A fund-raiser/breakfast scheduled for May 26, 2016 at the Stafford Regional Airport to benefit the Armed Services Memorial; the Committee is about half way to its financial goal, having raised \$332,000 of the \$675,000 goal; encouraged people to purchase a memorial brick (\$200) commemorating a family member or friend that was (or is) in the Armed Services; Mr. Snellings said the bricks are selling quickly.

Mr. Thomas - Attended a lunch meeting with School Superintendent, Dr. Benson; Chairman of the School Board, Ms. Holly Hazard, and Ms. Sellers, discussed shared services goals; Mr. Thomas noted that Item #16 (Consider Reappropriating the Schools' FY2015 Carryover Funds) was deleted from the agenda pending School Board action.

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

Report of the County Administrator Mr. Romanello introduced Mr. Chris Rapp, Director of Public Works. Mr. Rapp provided an update on road projects in the County. Mr. Cavalier asked about the number of Wayfinding signs in the County. Mr. Rapp replied that there were 39 Wayfinding signs in the County.

Ms. Sellers asked that attention be paid to the area of Garrisonville Road in front of the Wal-Mart, where drivers made U-turns and got stuck in a huge pothole. She requested that VDOT install “No U-Turn” signs and fix the pothole.

Ms. Bohmke asked about Butler Road East, the church that is in the old post office building, and drivers making turns across double yellow lines, which caused other drivers to slam on their brakes and cause accidents. She suggested that church attendees should go to Colonial Avenue, and turn right into the Church parking lot rather than turning off of Butler Road. Mr. Rapp said he would look into possible restraints preventing the turn across the double yellow lines, and would work with VDOT.

Mr. Chris Hoppe, Capital Projects Manager, addressed the Board and provided an update on Parks projects in the County. The Jeff Rouse Swim and Sport Center received its temporary occupancy permit last Friday and was open for public use.

Mr. Romanello said that Eastern Sports Management was hosting an open house at the Jeff Rouse Swim and Sport Center on Sunday, June 5th at 3:00 p.m., and the County would hold a ribbon cutting ceremony at that same date and time, although it was not yet going to be the dedication for recognizing the Olympic athletes, which would come at a later date. The featured speaker at the Thursday, 5/19/16, Economic Development Business Appreciation event, also being held at the Jeff Rouse Swim and Sport Center, was John Lugbill, a former Olympian, who would speak on sports tourism.

Mr. Thomas asked Mr. Romanello to schedule a meeting of the Joint BOS/SB Committee to discuss shared services.

Mr. Romanello noted that a presentation to Mrs. Jane Conner, on behalf of her husband, Mr. Al Conner was added to the evening session of the meeting. Deletions from the agenda were Item 15, Information Technology; Authorize the County Administrator to Execute a Contract to Upgrade the Computer-Aided Dispatch (CAD) Standard SQL Database to an Enterprise SQL Database; and Item 16, Finance and Budget; Consider Reappropriating Schools’ FY2015 Carryover Funds. Added to the agenda were appointments to the Citizens Transportation Advisory Group (#24) by Ms. Bohmke, and to the Parks and Recreation Commission (#25) by Mr. Thomas.

Additions/Deletions to the Regular Agenda Mrs. Maurer motioned, seconded by Ms. Sellers, to accept the agenda with the additions and deletions noted above.

The Voting Board tally was:

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

Legislative; Consent Agenda Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt the Consent Agenda, which consisted of Items 4 through 15, omitting Item 11 at the request of Ms. Bohmke.

The Voting Board tally was:

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

Item 4. Legislative; Approve Minutes of the May 3, 2016 Board Meeting

Item 5. Finance and Budget; Approve Expenditure Listing

Resolution R16-153 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED MAY 03, 2016 THROUGH MAY 16, 2016

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 17th day of May, 2016 that the above-mentioned EL be and hereby is approved.

Item 6. Public Works; Authorize the Installation of Watch for Children Signs on Daffodil Lane (SR-2272) in the Moncure Estates Subdivision

Resolution R16-145 reads as follows:

A RESOLUTION AUTHORIZING THE INSTALLATION OF “WATCH FOR CHILDREN” SIGNS ON DAFFODIL LANE (SR-2272) AND ORCHID LANE (SR-2273), WITHIN MONCURE ESTATES SUBDIVISION, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board is concerned with transportation safety on residential streets; and

WHEREAS, on February 19, 2008, the Board adopted the Residential Traffic Management Plan (RTMP) to provide Stafford County citizens with various programs to address traffic-related concerns; and

WHEREAS, the installation of “Watch for Children” signs is authorized pursuant to Virginia Code § 33.2.251; and

WHEREAS, the Moncure Estates Homeowners' Association requested the purchase and installation of "Watch for Children" signs in the subdivision; and

WHEREAS, the Virginia Department of Transportation's (VDOT) policy permits the installation of these signs along Daffodil Lane and Orchid Lane; and

WHEREAS, based on the County's current RTMP, the proposed locations meet the essential criteria for the installation of "Watch for Children" signs, as Daffodil Lane and Orchid Lane meet the definition of a residential local road and there is an existing playground nearby which is defined as a high concentration area; and

WHEREAS, the Board finds that installing these signs promotes the health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that the Board be and it hereby does approve the purchase and installation of "Watch for Children" signs at the following two locations within the Moncure Estates subdivision in the Aquia Election District, as permitted by the Virginia Department of Transportation (VDOT):

- Approximately 200 feet past the posted speed limit sign on Daffodil Lane near the main entrance of the Moncure Estates subdivision; and
 - Approximately 200 feet in front of the posted stop sign on Orchid Lane
- ; and

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

Item 7. Public Works; Petition VDOT to Include Bonnie Lee Court within Serena Forest, into the Secondary System of State Highways

Resolution R16-146 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE BONNIE LEE COURT WITHIN SERENA FOREST, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS, WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT,

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Bonnie Lee Court within Serena Forest, located on the northerly side of Ebenezer Church Road approximately 0.22 mile east from the intersection of Onville Road into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May 2016, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Serena Forest, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Bonnie Lee Court (SR-2045)	From: Inter. Ebenezer Church Road (SR-696) To: 0.08 mi. north inter. Ebenezer Church Road (SR-696)	0.08 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Serena Forest, recorded among the Land Records of Stafford County, Virginia as Plat Book 31, Pages 267-268 with Land Record No. 980008752 on May 15 1998; and

BE IT FURTHER RESOLVED, that the Board hereby guarantees the performance of the street requested herein in the amount of \$4,000 to become a part of the state maintained Secondary System of State Highways, for a period of one year from the VDOT effective date and will reimburse all costs incurred by VDOT to repair faults in the streets and related drainage facilities associated with construction, workmanship or materials as determined exclusively by VDOT; and

BE IT FURTHER RESOLVED that Stafford County will fund the inspection fee of \$300 and an administration cost recovery fee of \$700 to process the Bonnie Lee Court acceptance package for its inclusion in the Secondary System of State Highways; and

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

Item 8. Public Works; Authorize the County Administrator to Execute a Contract for the Route 1/Garrisonville Road Right-Turn Lane Project

Resolution R16-155 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FINLEY ASPHALT & SEALING, INC., FOR THE CONSTRUCTION OF THE ROUTE 1 AND GARRISONVILLE ROAD RIGHT TURN LANE PROJECT, IN THE AQUIA ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Jefferson Davis Highway (US-1), at the intersection of Garrisonville Road (SR-610) (Route 1 and Garrisonville Road Right Turn Lane Project), as a critical part of the County's road improvement plan; and

WHEREAS, the Board desires to begin construction of the improvements on Jefferson Davis Highway, at the intersection of Garrisonville Road; and

WHEREAS, improvements to the Jefferson Davis Highway and Garrisonville Road intersection will be funded through the County’s Transportation Fund and the Virginia Department of Transportation’s (VDOT) Revenue Sharing Program; and

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

WHEREAS, four bids were submitted, with the lowest bid being provided by Finley Asphalt & Sealing, Inc., in the amount of \$511,714; and

WHEREAS, staff reviewed the bids and determined that Finley Asphalt & Sealing, Inc., is the lowest responsive and responsible bidder; and

WHEREAS, half of the cost of this contract is reimbursable through the VDOT Revenue Sharing Program; and

WHEREAS, VDOT reviewed the bids and approved the Finley Asphalt & Sealing, Inc., bid;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that the County Administrator be and he hereby is authorized to execute a contract with Finley Asphalt & Sealing, Inc., in an amount not to exceed Five Hundred Eleven Thousand Seven Hundred Fourteen Dollars (\$511,714) for the construction of the Route 1 and Garrisonville Road Right Turn Lane Project (Project), unless modified by a duly-authorized change order; and

BE IT STILL FURTHER RESOLVED, that the amount of Five Hundred Eleven Thousand Seven Hundred Fourteen Dollars (\$511,714), in the Transportation Fund (FY2015), and is budgeted and appropriated for this Project in FY2016.

Item 9. Planning and Zoning; Refer Street Name Changes Associated with the Courthouse Road Interchange Project to the Planning Commission

Resolution R16-147 reads as follows:

A RESOLUTION REFERRING TO THE PLANNING COMMISSION
AMENDMENTS TO THE INDEX OF OFFICIAL ROAD NAMES
REGARDING THE NAMING OF NEW STEETS AND RENAMING OF
EXISTING STREETS DUE TO THE RECONSTRUCTION OF THE
COURTHOUSE ROAD AND INTERSTATE 95 INTERCHANGE

WHEREAS, the Board established a County-wide system for naming of all roads, and numbering all principal buildings in the County; and

WHEREAS, Virginia Code § 15.2-2019 authorizes the Board to name roads; and

WHEREAS, reconstruction of the Courthouse Road (Route 630) and Interstate 95 interchange will require the relocation of existing roads, and the construction of new roads, resulting in the need to change the County’s official index of road names; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does refer proposed amendments to the Official Index of Road Names, pursuant to proposed Ordinance O16-22, to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications, as it deems appropriate, to proposed Ordinance O16-22.

Item 10. County Administration; Approve the Dissolution of the Widewater Community Development Authority

Resolution R16-144 reads as follows:

A RESOLUTION CONCURRING WITH THE DISSOLUTION AND
TERMINATION OF THE WIDEWATER COMMUNITY DEVELOPMENT
AUTHORITY

WHEREAS, the Widewater Community Development Authority (Authority) was created pursuant to Ordinance O97-16, adopted on April 1, 1997, by the Board; and

WHEREAS, pursuant to Resolution R97-293, the Authority filed its Articles of Incorporation with the Commonwealth of Virginia State Corporation Commission on August 12, 1997; and

WHEREAS, the Authority was created to finance certain transportation improvements (Authority Infrastructure) in connection with the proposed new four-lane road, the proposed Widewater Parkway (Parkway); and

WHEREAS, construction of the Parkway is no longer necessary and was removed from the Stafford County, Virginia Comprehensive Plan, and there is no need for the Authority to finance the Authority Infrastructure; and

WHEREAS, by a majority vote the Authority adopted a Resolution on April 25, 2016 (Authority Resolution), declaring that the purposes for which the Authority was created are impractical or impossible, the Authority has not issued any bonds or incurred any debt, and any other obligations that may have been incurred by the Authority have been paid; and

WHEREAS, the Authority requested that the Board concur with the declarations made in the Authority Resolution and take such action as may be necessary to dissolve the Authority; and

WHEREAS, the Board desires to concur with the declarations made in the Authority Resolution and dissolve the Authority;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors that on this the 17th day of May, 2016, that it be and hereby does find and declare the following:

1. Pursuant to Virginia Code § 15.2-5109, the Board (a) determines that the affairs of the Widewater Community Development Authority (Authority) have been finalized and the Authority has no assets; (b) concurs with the declarations and findings in the Authority’s Resolution dated April 25, 2016; and (c) concurs with the Authority’s request to dissolve the Authority.
2. The Chairman of the Authority is authorized to execute any and all necessary documents to dissolve the Authority, including but not limited to, Articles of Dissolution and Articles of Termination, and to take such further actions and execute and deliver such documents and instruments as may be necessary or desirable to accomplish the purposes of this Resolution, in accordance with the Authority’s Resolution.
3. The County Attorney is authorized and directed to take such other and further actions as may be necessary to dissolve the Authority, including but not limited to, filing the Articles of Dissolution and Articles of Termination with the Commonwealth of Virginia State Corporation Commission.
4. This Resolution shall take effect immediately upon adoption by the Board.

Item 12. County Administration; Authorize the Reappointment of Emmett Price to the Rappahannock Emergency Medical Services Council, Inc.

Item 13. Public Information; Recognize Timothy J. Barody for his Service and Dedication to the Citizens of Stafford County

Proclamation P16-17 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND
MR. TIMOTHY J. BARODY FOR HIS SERVICE AND DEDICATION
TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, Mr. Timothy J. Barody earned a B.S. in Political Science with a minor in History from Frostburg State University in Maryland, and a Masters of Public Administration at Virginia Tech; and

WHEREAS, Mr. Barody joined Stafford County in 2003 as the Director of Economic Development and Legislative Affairs; and

WHEREAS, before joining the County, Mr. Barody served as the Deputy Chief of Staff and Legislative Director for the late U.S. Congresswoman Jo Ann Davis, and was a Legislative Aide to U.S. Congressman Bud Shuster of Pennsylvania; and

WHEREAS, on January 1, 2008, Mr. Barody was promoted to Deputy County Administrator, while continuing to serve as the Director of Economic Development; and

WHEREAS, Mr. Baroody’s primary areas of responsibilities have been in economic development, tourism, legislative affairs, matters related to Marine Corps Base Quantico including the Joint Land Use Study (JLUS) and staffing the Quantico Regional Executive Steering Committee, and oversight of the Departments of Parks, Recreation and Community Facilities, and Information Technology; and

WHEREAS, during Mr. Baroody’s tenure with the County, the number of businesses in the County increased from 1,630 to 25,091, and during that same time period, (2003 to 2015) employment numbers grew from 26,000 to 42,000; and

WHEREAS, the totality of Mr. Baroody’s work in his primary areas greatly contributed to Stafford County receiving a AAA bond rating from Standard & Poor’s; and

WHEREAS, Mr. Baroody was very effective in pursuing the “softer side” of economic development, which is community building, including the opening of Stafford Hospital, welcoming Germanna Community College, opening Government Island, the Belmont to Ferry Farm trails, roads and utilities having been expanded and modernized, enhanced Base relations, redevelopment advancements, working on bond upgrades, executing the 350th anniversary celebrations, and building premier athletic tournament venues and encouraging sports tourism; and

WHEREAS, Mr. Baroody’s skill and acumen greatly enhanced furthering Stafford County’s legislative agenda each year in the General Assembly; and

WHEREAS, Mr. Baroody’s numerous contributions to Stafford County have served to make Stafford County one of the Commonwealth’s premier localities in which to live, work, and play;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does recognize and commend Timothy J. Baroody for his service and dedication to the citizens of Stafford County.

Item 14. Public Information; Recognize May as Older Virginians Month

Proclamation P16-18 reads as follows:

A PROCLAMATION RECOGNIZING THE MONTH OF MAY, 2016
AS OLDER VIRGINIANS MONTH

WHEREAS, there are approximately 1.6 million adults in the Commonwealth who are over 60 years old, and this population will expand to more than 2 million by 2030; and

WHEREAS, each May the U.S. Administration for Community Living recognizes older adults for their contributions to the nation; and

WHEREAS, the focus this year is on how older adults are trailblazers-advocating for themselves, their peers, and their communities, paving the way for future generations; and

WHEREAS, this year's theme for May is "Blaze a Trail," which emphasizes the value of raising awareness about issues facing older adults and helping all individuals to thrive in communities of their choice for as long as possible; and

WHEREAS, the Virginia Area Agencies on Aging and Senior Centers, integral parts of Virginia's aging network for wellness and supportive services, have welcomed this year's theme and will raise the importance of community engagement; and

WHEREAS, together they will work with local school districts to incorporate a poster contest as an activity to honor older adults in the community; and

WHEREAS, celebrating Senior Olympics, senior proms, senior dances, senior days, picnics, talent shows, health fairs, and finally, short hikes that "Blaze a Trail" will take place, all in honor of seniors; and

WHEREAS, the Department for Aging and Rehabilitative Services, in collaboration with state level and community partners, is responsible for planning and oversight of aging, disability, adult and adult protective services that make community living a reality for older adults;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does proclaim the month of May, 2016 as Older Virginians Month.

Item 15. Information Technology; Authorize the County Administrator to Execute a Contract to Upgrade the Computer Aided Dispatch (CAD) Standard SQL Database to an Enterprise SQL Database This item was deleted from the agenda.

Item 11. County Administration; Authorize the County Administrator to Execute a Contract for Grading the Animal Shelter Site Ms. Bohmke asked that this item be pulled, saying that she had no problem with the contractor but questioned the line item about quality control; that it was not a large building and it seemed to be an inordinate amount of money for something that staff may be able to do in-house. Deputy County Administrator, Mr. Keith Dayton, said that is was an estimate of additional costs that could occur once work was underway on the Shelter. It included follow-up inspections by the architect, retaining walls, concrete, sub-grade inspections, and others to ensure the highest quality work was being done. Ms. Bohmke said that even then in the worst case scenario, the cost would most likely be under \$175,000. Mr. Dayton agreed.

Mr. Milde said that he, too, was going to pull the Animal Shelter item from the Consent Agenda, to celebrate it after ten long years of complaining about the present, inadequate Shelter. It was moved back years in the Capital Improvement Program (CIP) on several occasions when conditions at the Shelter were/are dismal and it wasn't until the State stepped in and began to fine the County that a new Shelter was finally in the works.

Ms. Bohmke asked why a new Animal Shelter cost \$5 Million. Mr. Dayton said that the \$885,000 grading fees were not just for the Shelter, it included additional land by the Jail that was slated for future County projects.

Mr. Snellings said that conditions at the Shelter were not necessarily deplorable but that Captain Mike Null and staff did the best they could with what they had to work with. He added that he was glad that the project was finally moving forward. Mr. Milde said that a new Shelter didn't move forward because Captain Null did not want it, it got pushed back on the CIP in favor of other projects. He said in the past, the Shelter euthanized 900+ animals each year but that things were better now in spite of the inadequate facilities.

Captain Null addressed the Board and thanked them for building a new Shelter. He said that in the past a large number of feral cats contributed to the extremely high euthanasia rates but that was now under better control. Mr. Milde said that the County built a lot of buildings and one of the cheapest, the new Animal Shelter, he had to beg for.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-154.

The Voting Board tally was:

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

Nay: (0)

Resolution R16-154 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RISING SUN, INC. FOR CLEARING, GRADING, AND STORMWATER MANAGEMENT IMPROVEMENTS AT THE NEW STAFFORD COUNTY ANIMAL SHELTER

WHEREAS, the existing Stafford County Animal Shelter (Shelter) was constructed approximately 25 years ago, is inadequate in size, and out of compliance with State requirements for animal shelters; and

WHEREAS, the County could be assessed fines up to \$1,000 per day for continuing to operate a shelter that does not meet the State's requirements for animal care; and

WHEREAS, the Board approved approximately \$5.7 million in funding to replace the existing facility with a new shelter that meets current standards for animal care (New Shelter); and

WHEREAS, on September 15, 2015, the Board approved the design of a New Shelter; and

WHEREAS, staff solicited public bids for the completion of the early grading plan improvements, consisting of construction of the entrance road, clearing and grading of approximately six acres for the New Shelter and parking, installation of the erosion and sediment control features, and the stormwater management basin, to complete the New Shelter in a timely, cost-effective manner; and

WHEREAS, the County received two bids in response to this solicitation, and determined that Rising Sun, Inc. was the lowest responsive and responsible bidder with a bid in the amount of \$885,000; and

WHEREAS, staff reviewed this bid and determined it was reasonable for the scope of services requested;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that the County Administrator be and he hereby is authorized to execute a contract with Rising Sun, Inc., in an amount not to exceed Eight Hundred Eighty-five Thousand Dollars (\$885,000), for construction of the entrance road, clearing and grading of approximately six acres for the New Shelter and parking, installation of the erosion and sediment control features, and the stormwater management basin, at the new Stafford County Animal Shelter, unless amended by a duly-authorized change order; and

BE IT FURTHER RESOLVED the County Administrator is authorized to budget and appropriate FY2017 Capital Improvement Program funding in the amount of \$885,000 effective July 1, 2016; and

BE IT STILL FURTHER RESOLVED that the Board declares its intent to be reimbursed for the new Animal Shelter project be and it hereby is adopted as follows:

**NOTICE OF INTENT TO REIMBURSE
CERTAIN CAPITAL IMPROVEMENT EXPENDITURES**

Section 1: Statement of Intent. The County presently intends to finance the Animal Shelter project with tax-exempt or taxable bonds or other obligations (Bonds) and to reimburse capital expenditures paid by Stafford County (including expenditures previously paid by the County to the extent permitted by law) in connection with the Animal Shelter project before the issuance of the Bonds.

Section 2: Source of Interim Financing and Payment of Bonds. Stafford County expects to pay the capital expenditures related to the Animal Shelter project incurred before the issuance of the Bonds with an inter-fund loan or loans from the General Fund or from temporary appropriations or loans from the Capital Reserve Fund. Stafford County expects to pay debt service on the Bonds from the General Fund consisting of general tax revenues for the Animal Shelter project.

Section 3: Effective Date; Public Inspection. This Resolution is adopted for the purposes of complying with Treasury Regulation Section, 1.150-2, or any successor regulation, and shall be in full force and effect upon its adoption. The Clerk of the Board shall file a copy of this Resolution in the records of Stafford County available for inspection by the general public during Stafford County's normal business hours.

Finance and Budget; Consider Reappropriating the Schools' FY2015 Carryover Funds

This item was deleted from the agenda.

Planning and Zoning; Consider Waiver Request of Winding Creek Owner, LLC, Regarding Time Limitations to File a New Rezoning Application

Mr. Jeff Harvey, Director of Planning and Zoning, addressed this issue with the Board. Mr. Snellings asked for an explanation. Ms. Sellers responded that it was denied last September and with the newly approved proffer regulations (in the General Assembly's 2016 session), there was an urgency for this to be refiled prior to July 1, 2016. County Code prohibited refileing for one year and waiting until September would be problematic to both the developer and the County. Ms. Sellers said that she believed approving the requested waiver was a positive solution. Mr. Milde noted that it was not approving the rezoning; just the requested waiver would be approved by an affirmative vote. Mr. Thomas said that he would support the waiver request as it was not the application on the final project.

Mrs. Maurer said that she would not support the request because she believed in consistent rules of engagement. Mr. Milde repeated that it was not a request to approve the rezoning but rather just a waiver of the year-long time limit; that waiver requests had been considered and approved by the Board on other occasions. He said that the waiver process was subscribed in the law; that the Board was not being asked to bend the rules. County Attorney, Charles Shumate, said that while the waiver process was not in County Code, it was inherent in the Board's powers. He said that 1.9 acres was being removed to successfully work on the road issue and he was comfortable with the inherent authority of the Board to grant a waiver. Mr. Shumate added that the application would have to be re-filed with the Planning Commission, another public hearing would have to be held, and then it would come back to the Board for a public hearing before the Board voted consent or denial of the refiled application.

Mr. Thomas said that if the waiver request failed, and the applicant had to wait the full one-year time period to refile, it would fall under the new proffer guidelines. Ms. Bohmke asked if the Board would hear the application request by July 1st. Mr. Shumate said that the applicant would file by July 1st but that it would not come back to the Board by that time. Ms. Bohmke said that she was not into breaking the rules but she would support the application for a waiver.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Resolution R16-114.

The Voting Board tally was:

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

Resolution R16-114 reads as follows:

A RESOLUTION APPROVING A WAIVER OF STAFFORD COUNTY CODE SEC. 28-207, “LIMITATION ON FILING NEW APPLICATION AFTER DENIAL OF REQUEST,” FOR WINDING CREEK OWNER, LLC, ON TAX MAP PARCEL NO. 29-4, LOCATED WITHIN THE GARRISONVILLE AND ROCK HILL ELECTION DISTRICTS

WHEREAS, on September 1, 2015, the Board denied a zoning reclassification, application RC1400221, submitted by Winding Creek Owner, LLC; and

WHEREAS, Stafford County Code Sec. 28-207 limits the filing of a reclassification application to the same Zoning District within 12 months of denial by the Board; and

WHEREAS, Winding Creek Owner, LLC has requested a waiver of the time bar provision in County Code Sec. 28-207; and

WHEREAS, the Board believes that the time ban provision of County Code Sec. 28-207 should be waived, as the proposed new reclassification request is not substantially the same as before;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does grant a waiver of the 12-month time restriction, pursuant to County Code Sec. 28-207, such that Winding Creek Owners, LLC may apply for a reclassification of Tax Map Parcel No. 29-4.

Discuss Tax Relief for Property Owners on Lake Mooney Mr. Snellings said that he heard from several of his constituents that were shocked by their new real estate assessments. He said that the situation was created by the County over 25 years ago, that the property owners were given no say in whether the lake would go there and now their property values had skyrocketed. Mr. Snellings said that Mr. Hamm, a speaker during the public presentation portion of the meeting, did not buy his property as an investment, he purchased it so that he could raise a family in Stafford County. Several of the owners with property that fronted on Lake Mooney were senior citizens, living on a fixed income, and could not afford to pay their real estate taxes with the new assessment. He added that the Commissioner of the Revenue advised him that there would be another reassessment in two years.

Mr. Snellings asked that the County Attorney provide a resolution at the next Board meeting asking the General Assembly to do whatever it took to grant tax relief to the Lake Mooney property owners. He said that for those who questioned why Abel Lake and Smith Lake were not included, there were no houses on property surrounding those lakes at the time they were constructed.

Mr. Milde said that in addition to being paid for their land, many of the Lake Mooney property owners were paid damages. Mrs. Maurer said that it was no different than for agriculture, and talked about roll-back taxes. Mr. Snellings said that the land did not qualify for roll-back taxes. Ms. Sellers asked if this would go to the next (2017) session of the General Assembly. Mr. Shumate said that except for the elderly and veterans, there was no enabling legislation that permitted the County to reduce taxes.

Mr. Thomas asked if the Commissioner of the Revenue could pursue another category of land use. Mr. Shumate said that his office would prepare a resolution. Mr. Snellings asked that he do whatever he could and “leave no stone unturned.” Mr. Milde asked if roll-back taxes would apply. Mrs. Maurer said it was worth considering given the current value of the property, which was worth considerably more than when the property was purchased. Ms. Bohmke asked about the number of affected properties. Mr. Snellings said there were 34 separate property owners from which the County purchased land.

Legislative; Closed Meeting. At 4:09 p.m., Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-11.

The Voting Board tally was:

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

Resolution CM16-11 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of a prospective candidate for employment as Chief Technology Officer, and discussion concerning the resignation of specific public employees of the County, including the Deputy County Administrator and Director of Economic Development positions; (2) discussion concerning the expansion of an existing business where no previous announcement has been made of the business’ interest in expanding its facilities in the community; (3) consultation with legal counsel pertaining to actual litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Board; (4) discussion of the performance of a specific public appointee of the Board; and (5) consultation with legal counsel employed by the Board regarding specific legal matters requiring the provision of legal advice by such counsel; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(1), (5), and (7), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17th day of May, 2016, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 5:10 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM16-11(a).

The Voting Board tally was:

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

Resolution CM15-11(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON MAY 17, 2016

WHEREAS, the Board has, on this the 17th day of May, 2016, 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 17th day of May, 2016, 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.

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

Invocation Ms. Bohmke gave the invocation.

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

Mrs. Maurer presented a proclamation to Mrs. Jane Conner on behalf of her husband, Mr. Al Conner, saying that she was grateful for everything that Mr. Conner did for conservation and the history of Stafford County, one of the oldest counties in Virginia. Mrs. Conner said that Al was home watching on television, that he loves Stafford County and that it is nationally significant in the history of the United States. Mrs. Conner said that her husband wanted to ensure that Stafford's school children realized how important Stafford County's history is and that he was honored and grateful for the Board's recognition.

Presentation of Historic Preservation Awards Mr. Thomas introduced Ms. Anita Dodd, Vice-Chairman of the Stafford County Historical Commission (SCHC). Ms. Dodd said that the month of May was Historic Preservation Month and in honor of that designation, the SCHC presented awards to those individuals or groups that contributed to the preservation of Stafford County's cultural heritage.

The first recipient was Ms. Barbara Decatur, retired Clerk of the Circuit Court. She was honored for recognizing the importance of the archival record. Ms. Decatur oversaw the repair of many old books and papers housed in the Courthouse. She also made available many of the County's books that were not readily accessible to genealogists, title examiners, lawyers, surveyors, students, and authors.

The second recipient, on behalf of HH Hunt, was Mr. Thomas Hudson. HH Hunt was recognized for its preservation efforts at Abberly at Stafford Courthouse. They contracted for five cultural resource studies of the project area including the delineation and investigation of a cemetery, which resulted in the remains being relocated to the Register Chapel Methodist Church cemetery. HH Hunt also donated \$50,000 for the acquisition of cannons at the Stafford County Civil War Park.

The third recipient, on behalf of Miller and Smith, was Mr. Steven Aylor, Vice President. Miller and Smith was recognized for its preservation efforts at the Courthouse Manor development. They completed a Phase I and Phase II study of the project area, which provided significant information that added to the understanding of Stafford County's cultural heritage.

The fourth and final recipient, Walton Development and Management, was represented by Mr. Kevin Crown, Senior Planning and Development Manager. Walton Development undertook the task of stabilizing the 1840's manor house at Sherwood Forest and the restoration of its kitchen dependency. It also made the slave quarters on the property available for study and recordation.

Ms. Dodd concluded her remarks saying that all of the recipients contributed significantly to the preservation of Stafford County's cultural heritage and thanked them for their efforts in restoration, preservation, and contributions to the County's history.

Presentations by the Public – II No persons spoke.

Joint Public Hearing with VDOT; FY2017-2022 Secondary System Six-Year Plan (SSYP), and the Secondary System Construction Budget Mr. Keith Dayton, Deputy County Administrator, gave a presentation and answered Board members questions. The County's proposed FY2017 allocation was \$444,439, with an estimated \$414,200 for each year in the SSYP to come from Tele fees.

Mr. Dayton went on to say that much of the funding was assigned to the completion of the Poplar and Mountain View Road intersection, and the Courthouse Road widening project. Bells Hill Road showed funding for improvements included in last year's SSYP. Raven Road (Phase I) was proposed to receive surplus funds from the Leeland-Primmer House signal project for paving and to have the .4 mile section added to the State System. Funding is also provided for rural paving projects as follows: Southern View Drive – FY2017; Quarry Road – FY2020; Juggins Road – FY2021; and Raven Road (Phase 2) – FY2022.

Mr. Milde asked about the history of funding for Raven Road, Phases I and II. Mr. Dayton said that a recreational access grant was applied for but not awarded, after which the project lay dormant for a few years, until it was brought back to VDOT's attention and included in the FY2017-2022 SSYP. Mr. Milde asked for a description of planned improvements to the .4 mile section of Raven Road. Mr. Dayton said that it would be added to the Rural Rustic System of State Roads, which meant that all work would be within Raven Road's existing footprint. Grading would be done, along with tar and chip, or possibly paving. Mr. Milde said that it would be better than gravel and asked if that portion of the road would then be open to the public. Mr. Dayton said that private roads were technically not open to the public but that in exchange for passage, VDOT graded and graveled the road. Mr. Milde asked about school bus usage. Mr. Dayton said that school buses did use that portion of Raven Road to avoid weight restrictions on Bailey's Bridge. Mr. Dayton said that best case scenario, the work on Raven Road, Phase I, would be done by the end of the year.

The Chairman opened the public hearing.

The following persons desired to speak:

John Van Vleet	Bob Waller
David Crado	Cecelia Kirkman

The Chairman closed the public hearing.

Following the public hearing, Mr. Milde talked about replacing Bailey's Bridge, and the work would take place at the end of the school year. Crow's Nest would be open full-time after the new bridge was in place. Mr. Milde said that years ago, he went door-to-door getting signatures on a petition to pave Raven Road, and he met with only one homeowner that was against it. He asked how much money was spent on Crow's Nest. Mr. Romanello replied that the County spent just under \$10 million, and the overall purchase price was \$30 million. Mr. Milde asked if there was any way to stop people from traveling on a private road. Mr. Dayton said there was no easy way but that No Trespassing signs could be erected and law enforcement could be asked to intervene.

Ms. Sellers asked that Mr. Dayton describe Raven Road. In response to Ms. Sellers' questions, Mr. Dayton displayed a graphic of the area of Crow's Nest and Raven Road. Ms. Sellers spoke about the "scary bridge," saying that school buses and emergency vehicles used that bridge.

Ms. Bohmke asked why homeowners were not notified of the meeting and/or the public hearing (after several of the public hearing speakers noted that they found out about the public hearing by accident). Mr. Dayton said that the public hearing was advertised twice in the Free Lance-Star, and on the County's webpage. He added that the public hearing was for all proposed SSYP projects, not specifically about improvements to Raven Road. Ms. Bohmke asked if once included, a project ever came out of the SSYP. Mr. Dayton said that priorities could change, and that changes were up to the Board. Ms. Bohmke noted that the Leeland Station improvements were not funded by proffers but rather with State money. She said there were other transportation needs in the Falmouth District and did not wish to see that money all go to other districts.

Mrs. Maurer asked who owned Raven Road. Mr. Dayton said that each homeowner most likely owned to the center-line of the road but that he would have to look at each plat to confirm that. She then asked what authority the County had to pave the road. Mr. Milde said there were prescriptive easements. Mr. Dayton said that homeowners would have a say, the same as homeowner's did when road improvements were planned for Truslow Road, Garrisonville Road, etc. There would be attempts to negotiate equitable settlements with each property owner.

Ms. Sellers asked if it would be a County or a VDOT project. Mr. Dayton said that it would be a VDOT project. Mr. Thomas asked if the cost of land acquisition was included. Mr. Dayton replied that not a lot of land was necessary, just enough for engineering, surveying, and plat preparation. Mr. Thomas said that there would be several more meetings before final decisions were made. Mr. Dayton agreed, saying that citizens would have every opportunity to provide input. Ms. Bohmke said if she lived on a private road, she would want the opportunity to negotiate and to be heard.

Mrs. Maurer asked how many owners were involved. Mr. Dayton said that he did not know but would provide that information to the Board as soon as possible. Mr. Milde said that this was just the very early beginnings of the project and that public notification would take place before any actual work was done on Raven Road. He added that providing access to a nature preserve was a great problem to have, and that the other option was development of 650 homes, and it would be very short-sighted to not approve.

Mrs. Maurer asked if there was another way to access Crow's Nest. Mr. Dayton said there were two access points; Brooke Road to the East, and via the "scary bridge." Mrs. Maurer said she would vote for the SSYP but that she had serious reservations about the

project not having proper public notification and input. Ms. Sellers said she was in favor of it and added that it was important for connectivity and to provide additional access to Crow's Nest.

Mr. Milde apologized if he missed meeting the first speaker (Mr. Van Vleet) when he canvased the neighborhood with the petition seven or eight years ago. Mr. Snellings said that he was voting in favor of the proposed SSYP, not Raven Road, and that Mountain View and Poplar Roads were the priority right now. Ms. Bohmke said she was happy to see Southern View Road on the list.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-134.

The Voting Board tally was:

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

Nay: (0)

Resolution R16-134 reads as follows:

**A RESOLUTION TO ADOPT THE VIRGINIA DEPARTMENT OF
TRANSPORTATION'S FY2017-2022 SECONDARY SYSTEM SIX-
YEAR IMPROVEMENT PROGRAM**

WHEREAS, the Board sets priorities for the road improvement projects in the County for the Secondary System Six-Year Improvement Program (SSYP); and

WHEREAS, the Board desires to receive the funding provided by the FY2017-2022 SSYP to complete road improvement priorities in the County; and

WHEREAS, pursuant to Virginia Code § 33.2-331, the Board and representatives of the Virginia Department of Transportation (VDOT) conducted a joint public hearing on the FY2017-2022 SSYP; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that the FY2017-2022 Secondary System Six-Year Improvement Program be and it hereby is adopted; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Virginia Department of Transportation (VDOT) Residency Administrator.

Public Works; Garrisonville Road Widening Project

Consider the Condemnation and Exercise of Quick-Take Powers to Acquire Fee Simple Right-of-Way, Temporary Construction Easement, and Temporary Entrance Easement on Tax Map Parcel 20-111 (Professional Collision); and

Consider the Condemnation and Exercise of Quick-Take Powers to Acquire Fee Simple Right-of-Way, Temporary Construction Easement, and Temporary Entrance Easement, Temporary Demolition Easement, and Signage Easement on Tax Map Parcel 20-109H (Mike’s Diner)

Mr. Chris Rapp, Director of Public Works, gave a presentation on both of the above-referenced properties and answered Board members questions.

Mrs. Maurer talked about the necessary grading, which made the Mike’s Diner property unusable, while it would have minimal impact on the Professional Collision property. She said that Professional Collision’s owner’s concern was the right-of-way being too close to his building.

The Chairman opened the public hearing regarding the Professional Collision property. No persons desired to speak.

The Chairman closed the public hearing.

Ms. Sellers motioned, seconded by Mr. Milde, to adopt proposed Resolution R16-129.

The Voting Board tally was:

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

Resolution R16-129 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A TEMPORARY CONSTRUCTION EASEMENT, AND A TEMPORARY ENTRANCE EASEMENT ON TAX MAP PARCEL NO. 20-111, IN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Garrisonville Road (SR-610) between Shenandoah Lane (SR-1236) and Onville Road (SR-641) (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, Tax Map Parcel No. 20-111 (Property) consists of approximately 1.932 acres of land owned by Garrisonville, LLC (Property Owner); and

WHEREAS, the Board must acquire fee simple right-of-way, a temporary construction easement, and a temporary entrance easement, because the design of the Project requires 1,496 square feet of fee simple right-of-way, 2,549 square feet of temporary construction easement, and 1,887 square feet of temporary entrance easement for the Project on Tax Map Parcel No. 20-111; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Thirty-eight Thousand Four Hundred Thirty-seven Dollars (\$38,437), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, the Board, through its consultant, made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said fair market value on behalf of the County to the Property Owner; and

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on May 17, 2016 to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced fee simple right-of-way, a temporary construction easement, and a temporary entrance easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a temporary construction easement, and a temporary entrance easement on Tax Map Parcel No. 20-111 (Property) for the Garrisonville Road Widening Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Thirty-eight Thousand Four Hundred Thirty-seven Dollars (\$38,437) as just compensation for the fee simple right-of-way, a temporary construction easement, and a temporary entrance easement, including damages, if any, to the remainder of the Property, that the Board and Garrisonville, LLC (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 1,496 square feet of fee simple right-of-way, 2,549 square feet of temporary construction easement, and 1,887 square feet of temporary entrance easement, on the Property for the construction and

operation of the Garrisonville Road Widening Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Thirty-eight Thousand Four Hundred Thirty-seven Dollars (\$38,437) with the Clerk of the Stafford County Circuit Court, for the Property Owner’s benefit, before entering and taking possession of the fee simple right-of-way, a temporary construction easement, and a temporary entrance easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Mr. Rapp presented additional information on the Mike’s Diner property.

The Chairman opened the public hearing regarding the Mike’s Diner property.

No persons desired to speak.

The Chairman closed the public hearing.

Ms. Sellers said that the County negotiated for months on the Mike’s Diner issue and thought it reached a settlement with the owner. The owner’s representative, Mr. Scott Surovell, interceded and provided a counter-offer demanding nearly \$500,000 more than the County’s (thought to be) agreed upon offer of \$775,000. Mrs. Maurer asked if State Senator Surovell tried to shake down his own district. Ms. Sellers replied, “Yes.”

Ms. Sellers motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R16-141.

The Voting Board tally was:

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

Nay: (0)

Resolution R16-141 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, A TEMPORARY CONSTRUCTION EASEMENT, TEMPORARY ENTRANCE EASEMENT, TEMPORARY DEMOLITION EASEMENT, AND A PERMANENT SIGNAGE EASEMENT ON TAX MAP PARCEL NO. 20-109H, FOR THE GARRISONVILLE ROAD WIDENING PROJECT IN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Garrisonville Road (SR-610) between Shenandoah Lane (SR-1236) and Onville Road (SR-641) (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, Tax Map Parcel No. 20-109H (Property) consists of approximately 0.304 acres of land owned by Urrutia, Inc. (Property Owner); and

WHEREAS, the Board must acquire fee simple right-of-way, a temporary construction easement, a temporary entrance easement, a temporary demolition easement, and a permanent signage easement because the design of the Project requires 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, and 310 square feet of permanent signage easement for the Project on Tax Map Parcel No. 20-109H; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Four Hundred Ninety-eight Thousand Six Hundred Forty Dollars (\$498,640), based upon the 2015 appraisal conducted by the County's consultant; and

WHEREAS, the Board, through its consultant, made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said fair market value on behalf of the County to the Property Owner; and

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on May 17, 2016, to determine the necessity for condemnation and exercise of the County's quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced fee simple right-of-way, temporary construction easement, temporary entrance easement, temporary demolition easement, and permanent signage easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a temporary construction easement, a temporary entrance easement, a temporary demolition easement, and a permanent signage easement on Tax Map Parcel No. 20-109H (Property) for the Garrisonville Road Widening Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Four Hundred Ninety-eight Thousand Six Hundred Forty Dollars (\$498,640) as just compensation for the fee simple right-of-way, a temporary construction easement, a temporary entrance easement, a temporary demolition easement, and a permanent signage easement, including damages, if any, to the remainder of the Property, that the Board and Urrutia, Inc. (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise the County's quick-take powers to enter upon and immediately 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, and 310 square feet of permanent signage easement, on the Property for the construction and operation of the Project, under the provisions of Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and the Chief Financial Officer, or their designees, to sign the Certificate and to deposit Four Hundred Ninety-eight Thousand Six Hundred Forty Dollars (\$498,640) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a temporary construction easement, a temporary entrance easement, a temporary demolition easement, and a permanent signage easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Planning and Zoning; Consider a Conditional Use Permit to Allow a Telecommunications Tower on Tax Map Parcel 18-64A; and

Planning and Zoning; Consider Leasing a Portion of County-Owned Property on Tax Map Parcel 18-64A, to Milestone Communications Management, Inc. for a Telecommunications Facility

Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions about the above-referenced items, which were heard jointly as one public hearing. He said that Verizon Wireless would be the primary tenant on the tower but that it could accommodate four other carriers. Mr. Snellings asked about space to accommodate the County's E911 System. Mr. Harvey replied that the County was guaranteed space on the tower in perpetuity. Ms. Bohmke asked if the County Attorney's office had vetted the lease agreement. Mr. Shumate said that his office had seen the lease agreement.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-89.

The Voting Board tally was:

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

Nay: (0)

Resolution R16-89 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT, PURSUANT TO APPLICATION CUP15150841, TO ALLOW A TELECOMMUNICATIONS FACILITY IN THE A-1, AGRICULTURAL ZONING DISTRICT, ON TAX MAP PARCEL NO. 18-64A (PORTION), LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, Donohue and Stearns, PLC, applicant, submitted application CUP15150841 requesting a conditional use permit (CUP) to allow a telecommunications facility in the A-1, Agricultural Zoning District, on Tax Map Parcel No. 18-64A (portion), located within the Rock Hill 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 A-1, Agricultural 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 considered the criteria in Stafford County Code Sec. 28-185 and 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 17th day of May, 2016, that a conditional use permit (CUP) pursuant to application CUP15150841 be and it hereby is approved with the following conditions:

1. This CUP is to allow one telecommunications facility in the A-1, Agricultural Zoning District located on a portion of Tax Map Parcel No. 18-64A (Property).
2. There shall be one tower permitted on the Property. The tower shall be of a lattice type construction. The maximum height of the tower shall be 180 feet.
3. The location of the telecommunications facility on the Property shall be in conformance with the Generalized Development Plan (GDP) entitled "Mountain View Road," last revised on February 26, 2016.

4. Clearing associated with the compound shall be limited to the area designated on the GDP and located outside of the jurisdictional wetlands. Impacts to the wetlands shall be limited to the access road.
5. There shall be no lights on the telecommunications tower unless required by the Federal Aviation Administration.
6. There shall be no signs on the telecommunications tower other than an identification sign as and unless required by the Federal Communications Commission or other federal or state agencies.
7. Once the tower is no longer in use, written notice shall be sent to the County Administrator specifying discontinuance of the use of the facility. The applicant, or its successor, shall be responsible for the removal of all facilities and structures within six months of cessation of commercial public telecommunications use or the expiration of the lease, whichever comes first. This obligation shall be secured by a letter of credit, surety bond, or other security acceptable to the County. The Property must then be restored by the applicant, or its successor, to its original condition.
8. Prior to building permit approval, the applicant shall submit and obtain approval of an engineer's cost estimate, and post a letter of credit or other security acceptable to the County, for 110 percent of the cost of removal of the tower and facility.
9. The tower shall be designed to accommodate at least five carriers.
10. The tower shall be designed with a break point and maximum fall-zone radius of 90 feet, as identified on the GDP.
11. Prior to issuance of a final zoning permit for the facility, the applicant shall provide to the County copies of a certified as-built survey for the tower. The as-built survey shall identify the mean surface elevation for the base of the tower as well as the top of the tower, to include any lightning rods or similar appurtenances.
12. Any frequencies or signals emitted by equipment at the facility shall not interfere with or be incompatible with communications frequencies associated with Stafford County's Emergency 911 system or the Stafford Regional Airport. The applicant and any future lessees must provide an intermodulation study showing that the proposed telecommunications equipment will not interfere with Stafford County's Emergency 911 system or the Stafford Regional Airport prior to obtaining a building and/or zoning permit.
13. In the event that a County department, County agency, and/or the Stafford County Sheriff's Office desires to locate its telecommunications equipment on the facility, the applicant shall provide adequate space on the tower and on the ground lease area for a period of 30 years at no cost to the County. The parties shall mutually agree to the location of the antenna and equipment.

- 14. This CUP may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, federal, or state ordinances, codes, or regulations.

Mrs. Maurer motioned, seconded by Ms. Sellers, to adopt proposed Resolution R16-137.

The Voting Board tally was:

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

Resolution R16-137 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT WITH MILESTONE COMMUNICATIONS MANAGEMENT III, INC., ON A PORTION OF TAX MAP PARCEL NO. 18-64A, WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, Milestone Communications Management III, Inc., proposes leasing a portion of County-owned Tax Map Parcel No. 18-64A, for the construction of a cellular telecommunications facility, within the Rock Hill Election District; and

WHEREAS, the Board held a duly-advertised public hearing on the proposed lease of the County-owned property; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does authorize the County Administrator or his designee to execute a lease agreement with Milestone Communications Management III, Inc. for the construction of a cellular telecommunications facility on a portion of Tax Map Parcel No. 18-64A.

Addon Item 23. Mr. Cavalier motioned, seconded by Ms. Sellers, to adopt proposed Proclamation P16-20.

The Voting Board tally was:

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

Proclamation P16-20 reads as follows:

A PROCLAMATION TO RECOGNIZE MR. JEFF DECATUR ON HIS 80TH BIRTHDAY AND FOR HIS SERVICE AND DEDICATION TO THE WIDEWATER VOLUNTEER FIRE DEPARTMENT AND THE CITIZENS OF STAFFORD COUNTY

WHEREAS, on May 14, 2016, Mr. Jeff Decatur celebrated his 80th birthday; and

WHEREAS, Mr. Decatur was one of the charter members that helped to organize the Widewater Volunteer Fire Department (VFD), and one of only three surviving member of the original group that worked diligently to provide fire service to the Widewater area; and

WHEREAS, Mr. Decatur is a life member of the Widewater VFD, having served as Fire Chief for ten years and was elected President in 1988, a position I which he continues to serve; and

WHEREAS, a life-long Staffordian, Mr. Decatur served for four years in the United States Navy and four years in the Naval Reserves, and was the first school security guard at North Stafford High School, remaining in that capacity for 20 years until his retirement; and

WHEREAS, Mr. Decatur is a dedicated business man who also owned Decatur’s Gulf Station, Decatur’s Grocery Store, and the Double J Country Club, all in the Widewater area of the County; and

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of May, 2016, that it be and hereby does recognize and commend Mr. Jeff Decatur on his 80th birthday, and for his service and dedication to the Widewater Volunteer Fire Department and the citizens of Stafford County.

Add on Item 24. Ms. Bohmke motioned, seconded by Ms. Sellers, to appoint Ms. Michele Mansouri to the Citizens Transportation Advisory Group.

The Voting Board tally was:

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

Add on Item 25. Mr. Thomas motioned, seconded by Mrs. Maurer, to appoint Mr. Robert Duke to the Parks and Recreation Advisory Commission.

The Voting Board tally was:

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

Adjournment At 8:18 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Robert “Bob” Thomas, Jr.
Chairman