

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting
April 21, 2009

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:03 P. M., Tsday, April 21, 2009, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Robert “Bob” Woodson; M. S. “Joe” Brito; Harry E. Crisp, Vice Chairman; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; and Cord A. Sterling.

Also in attendance were: Anthony Romanello, County Administrator; Joe Howard, County Attorney and Marty Beard, Chief Deputy Clerk.

Legislative; Work Session on FY2010 Budgets. Ms. Nancy Collins, Budget Director, gave a presentation and responded to Board members questions.

Ms. Maria Perrotte, Chief Financial Officer, commented further.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-151 with the following amendments:

FY 2010

- School transfer increased by \$1.3M
- Reservation of \$500,000 to fund balance
- Fire and Rescue Department increased by \$800,000 for staffing for two 24/7 ambulance crews
- Implementation of the early retirement incentive in July instead of June - \$272,000
- Reduction in the Board of Supervisors budget of \$10,000
- Contract out internal audit services; reduction of \$140,000
- Increase revenues by \$600,000 for Payment in Lieu of Taxes (PILOT) from the Utility Fund to the General Fund
- Reduce contingency reserve by \$194,406

FY 2009

- Retain \$1.3 M of the Schools anticipated \$6M in cost savings, in addition to the \$2 M already saved Board action on the funds saved above the \$3.3M at the first Board meeting in September
- Delay retirement of employees under retirement incentive until July 2009
- Direct the CA to bring to the Board a PILOT program - \$300,000 in FY 2009 and \$600,000 annually thereafter.
- Transfer and appropriate \$1,031,000 from the Tourism fund to the General Fund (when the museum project moves forward, use excess library construction funds to cover this cost)
- Miscellaneous costs savings of \$596,707 including estimated health insurance savings.

Discussion ensued.

Mr. Crisp offered a friendly amendment to take \$37,000 from Contingency Reserve and apply towards the Internal Auditor to fund that position thru September 2009.

The following persons commented:

Dr. David E. Sawyer, Division Superintendent of Schools

Fire Chief Rob Brown

Sheriff Charles E. Jett

Discussion further ensued.

Mr. Dudenhefer suggested that the County withdraw membership from the Virginia Municipal League for FY2010 deleting the dues in the amount of \$30,674.

Discussion continued.

Hearing no objections from the Board, Ms. Tina Skinner, Executive Director of the Rappahannock Emergency Medical Services Council, Inc. commented and responded to Board members questions.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to Call the Question.

The Voting Board tally on the Call the Question was:

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

Nay: (2) Milde, Brito

The Voting Board tally on the original motion as amended was:

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

Nay: (2) Brito, Milde

Mr. Brito motioned, seconded by Mr. Milde, to reinstate the budget for the REMS Council.

Discussion ensued.

Yea: (3) Milde, Brito, Crisp

Nay: (4) Dudenhefer, Schwartz, Sterling, Woodson

Discussion further ensued.

Resolution R09-151 reads as follows:

A RESOLUTION TO APPROVE THE FISCAL YEAR 2010 COUNTY
BUDGETS

WHEREAS, a public hearing on the proposed Fiscal Year 2010 Budget was held on Tuesday, April 7, 2009, at 7:00 P.M. in the Auditorium of Colonial Forge High School, 550 Courthouse Road, Stafford, Virginia, 22554; and

WHEREAS, the Board has held budget work sessions at which members have analyzed, deliberated and reviewed citizen comments; and

WHEREAS, the Board re-commits the County to restoring and maintaining the undesignated fund balance at or above 10% of revenues by the following FY 2009 actions:

1. Retain \$1.3 million of the Schools anticipated \$6 million FY 2009 cost savings, in addition to the \$2 million already committed to the County
2. Delay retirement of employees under the retirement incentive program until July 2009
3. Direct the County administrator to bring to the Board a Payment in Lieu of Taxes Program for the Utilities fund
4. Transfer and appropriate \$1,031,293 from the Tourism Fund to the General Fund

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the Fiscal Year 2010 Budgets for the various General Government Funds be and they hereby are adopted as follows:

I. GENERAL GOVERNMENT FUNDS:

General Fund:

School Operating Transfer	102,736,533
School Debt Service	29,260,623
Board of Supervisors	543,054
Capital Projects	198,400
Central Rappahannock Regional Library	4,254,098
Commissioner of the Revenue	2,724,039
Commonwealth's Attorney	2,800,725
Comprehensive Services Act Office	4,227,358
Cooperative Extension	196,426
Corrections	8,225,515
County Administration	1,061,761
County Attorney	1,062,337
Courts	2,372,046
Debt Service	12,185,406
Economic Development/Legislative Affairs	1,005,410
Finance and Budget	1,525,682
Fire and Rescue	13,330,184
Human Resources	647,057
Information Technology	2,091,526
Internal Audits, Office of	86,066
Non-Departmental	1,765,005
Parks, Recreation & Community Facilities	9,597,958
Partner Agencies	1,686,815
Planning and Zoning	2,504,751
Public Works	3,881,843
Registrar & Electoral Board	386,290
Sheriff	17,795,186
Social Services	8,409,342
Treasurer	1,924,227
Total all Expenditures	<u><u>238,485,663</u></u>

GENERAL GOVERNMENT FUNDS

Asset Forfeiture Fund	105,000
E-911 Fund	2,832,381
Fleet Services Fund	3,644,421
General Capital Improvements Fund	34,793,774
Hidden Lake Special Revenue Fund	72,938
Road Impact Fee -West Fund	1,800,000
Tourism Fund	1,205,000
Transportation Fund	4,645,270
Utilities Funds	168,497,846

BE IT STILL FURTHER RESOLVED that the Fiscal Year 2010 School Budget be and it hereby is approved in the following amounts; and

II. SCHOOL FUNDS

Construction Fund	21,479,336
Grants Fund	15,051,207
Health Services Fund	23,084,264
Nutrition Services Fund	11,609,917
School Operating Fund	243,780,087
Workers' Compensation Fund	867,187

BE IT STILL FURTHER RESOLVED that the Board intends to contract out internal audit services and that the position of Chief Internal Auditor is eliminated as of September 30, 2009; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is directed to develop and bring to the Board a program whereby the Utilities Fund makes an annual payment in lieu of taxes to the General Fund; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and hereby is authorized to add twelve full-time positions to staff two 24/7 ambulances in the Department of Fire and Rescue; and

BE IT STILL FURTHER RESOLVED that \$1,031,293 identified in the Tourism Fund for a future Stafford County Museum be budgeted and appropriated in FY 2009 and transferred to the General Fund; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and hereby is directed to bring a resolution to the Board at the first meeting in September to request re-appropriation to the Schools any FY09 Schools' savings in excess of \$3,300,000.

Mr. Crisp motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-152.

Mr. Milde made a substitute motion, seconded by Mr. Schwartz, to set the aircraft tax at \$0.0001.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (4) Schwartz, Crisp, Dudenhefer, Milde

Nay: (3) Sterling, Woodson, Brito

The Voting Board tally on the original motion to adopt proposed Resolution R09-152 as amended was:

Yea: (4) Schwartz, Sterling, Brito, Crisp,

Nay: (3) Milde, Woodson, Dudenhefer

Resolution R09-152 reads as follows:

A RESOLUTION TO ESTABLISH THE TAX YEAR 2009 PROPERTY
TAX RATES

WHEREAS, the Code of Virginia requires that the governing body establish an annual levy of certain taxes for the calendar year; and

WHEREAS, the Commissioner of the Revenue requires the timely establishment of tax levies to allow time for tax bills to be processed and received by the citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the following rates be and they hereby are established for the tax year beginning January 1, 2009:

<u>Classification</u>	<u>Rate Per One Hundred Dollars of Assessed Valuation</u>
Real Estate (Section 58.1-3200, Code of Virginia (1950), as amended.)	.84
Tangible Personal Property (Section 58.1-3500, Code of Virginia (1950), as amended. Includes all other classifications of personal property not specifically enumerated.)	6.89*
Boats or watercraft. (Section 58.1-3506 (1.a)(1.b)(12)(28)(29), Code of Virginia (1950), as amended.	5.49
Motor Vehicles Specially Equipped for the Disabled (Section 58.1-3506 (14), Code of Virginia (1950), as amended.	.10
Personal Property Volunteer Fire & Rescue (Section 58.1-3506 (15)(16), Code of Virginia (1950), as amended.)	.0001

Camping trailers and recreational vehicles (Section 58.1-3506 (18)(30), Code of Virginia (1950), as amended.	5.49
One motor vehicle owned and regularly used by a veteran who has either lost, or lost the use of, one or both legs, or an arm or a hand, or who is blind or who is permanently and totally disabled as certified by the Department of Veterans Services. In order to qualify, the veteran shall provide a written statement to the commissioner of revenue or other assessing officer from the Department of Veterans Services that the veteran has been so designated or classified by the Department of Veterans Services as to meet the requirements of this section, and that his disability is service-connected. For purposes of this section, a person is blind if he meets the provisions of § 46.2-739 . (Section 58.1-3506 (19), Code of Virginia (1950), as amended.	.0001
Motor Carrier Transportation (Section 58.1-3506 (25), Code of Virginia (1950), as amended.)	.75

<u>Classification</u>	<u>Rate Per One Hundred Dollars of Assessed Valuation</u>
All tangible personal property employed in a trade or business other than that described in A 1 through A 18, except for subdivision A 17, of §58.1-3503. (Section 58.1-3506 (26), Code of Virginia (1950), as amended.	5.49
Programmable computer equipment and peripherals employed in a trade or business (Section 58.1-3506 (27), Code of Virginia (1950), as amended.	5.49
Machinery and Tools (Section 58.1-3507, Code of Virginia (1950), as amended.)	.75
Merchant's Capital (Section 58.1-3509, Code of Virginia (1950), as amended.)	.50
Mobile Homes (Section 58.1-3506, Code of Virginia (1950), as amended.)	.84

Aircraft (Section 58.1-3506, Code of Virginia (1950), as amended.)(2)(3)	.0001
Garrisonville Road Special Service District (Section 15.2-2400 through 15.2-2403)	.076
Warrenton Road Special Service District (Section 15.2-2400 through 15.2-2403)	.081
Hidden Lake Special Service District (Section 15.2-2400 through 15.2-2403)	.22
Hartlake Special Service District (Section 15.2-2400 through 15.2-2403)	.00
Countywide Fire and Emergency Medical Services Tax District (Section 27-23.1)	.00

* The tax rate for personal property is based on assessed value which is established at forty percent (40%) of the estimated fair market value. The effective tax rate would be stated as \$2.76 per \$100 of estimated fair market value.

In 2004 the General Assembly capped the amount of relief the State will provided for Personal Property Tax Relief (PPTRA) at \$950 million per year. The PPTRA cap took effect on January 1, 2006. Stafford County's share of the state allotment is \$12.5 million. This allotment is to be distributed among all the qualifying vehicles. For tax year 2009, vehicles qualifying will be granted 50% relief.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-202 inclusive of changes in Resolution R09-151.

The Voting Board tally was:

Yea: (6) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (1) Milde

Resolution R09-202 reads as follows:

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2010
COUNTY BUDGETS

WHEREAS, the Board has held budget work sessions at which members have analyzed, deliberated and reviewed citizen comments at the public hearing held on April 7, 2009; and

WHEREAS, the Board is committed to maintaining the undesignated fund balance and wishes to retain adequate budgetary control given the challenging economic climate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the General Fund General Government expenditures (other than debt service) and Local School Transfer be and they hereby are appropriated at 93% of the Adopted Budget; and

BE IT FURTHER RESOLVED that the Fiscal Year 2010 Budgets for the various General Government Funds be and they hereby are appropriated as follows:

III. GENERAL GOVERNMENT FUNDS:

<u>General Fund:</u>	224,016,224
School Operating Transfer	95,544,976
School Debt Service	29,260,623
Board of Supervisors	532,940
Capital Projects	184,512
Central Rappahannock Regional Library	3,956,311
Commissioner of the Revenue	2,533,356
Commonwealth's Attorney	2,604,674
Comprehensive Services Act Office	3,931,443
Cooperative Extension	182,676
Corrections	7,649,729
County Administration	987,438
County Attorney	987,973
Courts	2,206,003
Debt Service	12,185,406
Economic Development/Legislative Affairs	935,031
Finance and Budget	1,530,597
Fire and Rescue	11,653,071
Human Resources	601,763
Information Technology	1,945,119
Internal Audits, Office of	158,161
Non-Departmental	1,602,772
Parks, Recreation & Community Facilities	8,814,388
Partner Agencies	1,568,738
Planning and Zoning	2,329,418
Public Works	3,610,114
Registrar & Electoral Board	359,250
Sheriff	16,549,523
Social Services	7,820,688
Treasurer	1,789,531
Total all Expenditures	<u>224,016,224</u>

GENERAL GOVERNMENT FUNDS (continued)

Asset Forfeiture Fund	105,000
E-911 Fund	2,832,381
Fleet Services Fund	3,644,421
General Capital Improvements Fund	34,793,774
Hidden Lake Special Revenue Fund	72,938
Road Impact Fee -West Fund	1,800,000
Tourism Fund	1,205,000
Transportation Fund	4,645,270
Utilities Funds	168,497,846

IV. SCHOOL FUNDS

Construction Fund	21,479,336
Grants Fund	15,051,207
Health Services Fund	23,084,264
Nutrition Services Fund	11,609,917
School Operating Fund	236,588,530
Workers' Compensation Fund	867,187

BE IT FURTHER RESOLVED that the Board will consider the appropriation of the 7% balance of the General Government budget (less debt service) and the Local School transfer following the midyear review and the FY 2009 audit completion, in light of economic conditions; and

BE IT FURTHER RESOLVED that at the close of the fiscal year, all appropriations lapse for budget items other than capital projects and grants. Appropriations designated for capital projects will remain appropriations until the completion of the project or until the Board, by resolution or ordinance, changes or eliminates the appropriation. Appropriation of grant funds remain appropriations for the

duration of the grant or until the Board, by resolution or ordinance, changes or eliminates the appropriation; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to increase budgets and appropriations for the following items of non-budgeted restricted revenue that may occur during the fiscal year; and

1. Insurance recoveries received for damages to County properties for which County funds have been expended to make repairs;
2. Defaulted developer and builder securities to be used for uncompleted projects.

BE IT STILL FURTHER RESOLVED to ensure that the taxpayers of Stafford County are paying the lowest tax rate possible, all outside funding sources such as State Funds, Federal Funds, Proffers, and User Fees will be designated to be spent first, with any local matches that are required. After all these funds are spent, local tax dollars will be spent.

Recess. At 2:52 P.M, the Chairman declared a recess.

Call to Order. At 3:10 P.M., the Chairman called the meeting back to order.

Legislative; Consent Agenda. Mr. Dudenhefer motioned, seconded by Mr. Crisp, to adopt the Consent Agenda consisting of Items 3 thru 14, omitting Item 13.

The Voting Board tally was:

Yea:	(6)	Woodson, Brito, Crisp, Dudenhefer, Schwartz, Sterling
Nay:	(0)	
Absent:	(1)	Milde

Item 4. Legislative; Approve Proclamations.

Proclamation P09-07 reads as follows:

A PROCLAMATION TO DESIGNATE MAY 15, 2009 AS
POLICE OFFICERS' MEMORIAL DAY AND MAY 10 – 16,
2009 AS NATIONAL POLICE WEEK IN STAFFORD

WHEREAS, the President and the Congress of the United States have designated May 15, 2009, as Police Officers' Memorial Day, and the week in which that date falls as National Police Week; and

WHEREAS, the members of the Stafford County Sheriff's Office play an essential role in safeguarding the rights and freedoms of all citizens; and

WHEREAS, it is important that all citizens understand the duties, responsibilities, hazards and sacrifices made by their law enforcement personnel, and that members of the Sheriff's Office recognize their duty to serve residents by safeguarding life and property, defending them against violence and civil disorder, and protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Stafford Sheriff's Office unceasingly provide a vital public service that too often involves the ultimate sacrifice, as evidenced by these three brave law enforcement personnel who gave their lives in the line of duty:

Deputy Sheriff Ford "Toby" Humphrey

Deputy Sheriff Jason Mooney

Virginia State Police Trooper Jessica Cheney; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the critical job performed each day by the members of the Stafford County Sheriff's Office to ensure the rights and security of all citizens, and to urge residents to participate in special

ceremonies and observances sponsored by patriotic, civic and educational organizations commemorating law enforcement officers;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that May 15, 2009 be and it hereby is designated as Police Officers' Memorial Day in Stafford; and

BE IT FURTHER PROCLAIMED that the week of May 10 – 16, 2009 be and it hereby is designated as National Police Week in Stafford.

Proclamation P09-08 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND
STAFFORD COUNTY'S OUTSTANDING CITIZEN VOLUNTEERS

WHEREAS, one foundation of an honorable and compassionate society is the willingness of people to work together for the common good through volunteers dedicated to helping those experiencing a variety of problems; to give of their time to recreational and cultural programs; and to contribute their expertise to local governments; and

WHEREAS, volunteers provide essential switchboard, reception and ombudsman services in the Administration and Judicial Centers, and have responded more than 110,000 times to requests for information since May 2008; and

WHEREAS, Citizen Assistance Volunteer Teams have contributed more than 8,230 hours of service during the past year, providing data entry and traffic and transportation services to the Sheriff's Office; assisting with clerical and reception duties in the Circuit, General District and Juvenile and Domestic Relations courts; and providing general clerical support in every County department; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the contributions of these dedicated volunteers and, in particular, to recognize 12 volunteers who have contributed significant hours of service, including Charlotte Crismond, 1,017 hours; Al Thompson, 458 hours; Jay Lockhart, 406 hours; Nick Kopchinsky, 369 hours; Valerie Hart, 291 hours; Ida Ansell, 271 hours; Bill Smith, 268 hours; Wilma Smith, 263 hours; Bill Bowers, 226 hours; Ann Vignerot, 208 hours; Clevo Wheeling, 205 hours; and Al Fleitell, 201 hours;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that Stafford's outstanding citizen volunteers be and they hereby are recognized for their service to the citizens of the County.

Proclamation P09-09 reads as follows:

A PROCLAMATION TO DESIGNATE MAY 17 – 23, 2009 AS
EMERGENCY MEDICAL SERVICES WEEK IN STAFFORD COUNTY

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are prepared to offer lifesaving care to citizens in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, this critical system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteers, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the significance and accomplishments of emergency medical services providers, and encourage them to observe Emergency Medical Services Week by taking part in programs, ceremonies and activities;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that May 17 – 23, 2009, be and it hereby is designated as Emergency Medical Services Week in Stafford County.

Item 5. Fire and Rescue; Accept Department of Homeland Security's Assistance to Firefighters Grant (AFG) Program.

Resolution R09-166 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT TO PURCHASE PERSONAL PROTECTIVE
EQUIPMENT AND APPROPRIATE FUNDS

WHEREAS, the Department of Homeland Security/Federal Emergency Management Agency has awarded the Fire and Rescue Department a grant award in the amount of \$359,985; and

WHEREAS, these funds will be used to purchase NFPA compliant personal protective gear for 110 members of the Fire and Rescue Department; and

WHEREAS, the Fire and Rescue Department desires to purchase personal protective equipment from Maryland Fire Equipment Corporation; and

WHEREAS, this contract would be in accordance with Montgomery County, Maryland's contract 6451000101-AA with Maryland Fire Equipment Corporation for protective clothing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the County Administrator be and he hereby is authorized to award a contract to Maryland Fire Equipment Corporation for purchase of personal protective equipment in an amount not to exceed Three Hundred Fifty-nine Thousand Nine Hundred Eighty-five Dollars (\$359,985) of which Two Hundred Eighty-seven Thousand Nine Hundred Eighty-eight Dollars (\$287,988) is Federal funds and Seventy-one Thousand Nine Hundred Eighty-seven Dollars (\$71,987) is County funds; and

BE IT FURTHER RESOLVED that the grant from the Department of Homeland Security's Assistant to Firefighters Grant (AFG) program in the amount of Two Hundred Eighty-seven Thousand Nine Hundred Eighty-eight Dollars (\$287,988) be and it hereby is budgeted and appropriated to the General Fund, Fire and Rescue Department to purchase personal protective equipment.

Item 6. Parks and Recreation; Execute Agreements to Operate Youth Summer Swim Team Programs at Curtis Park and Woodlands Pool.

Resolution R09-183 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE CURTIS PARK SWIM TEAM

WHEREAS, the Curtis Park Swim Team is presently operating the Youth Competitive Swimming Program at Curtis Memorial Park; and

WHEREAS, the Curtis Park Swim Team has operated the program successfully;
and

WHEREAS, at a meeting on April 16, 2009, the Parks and Recreation Commission reviewed the Agreement and unanimously recommended renewal;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the County Administrator be and he hereby is authorized to execute a two-year agreement with the Curtis Park Swim Team to operate the Youth Competitive Swimming Program at Curtis Memorial Park.

Resolution R09-184 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE WOODLANDS SWIM TEAM

WHEREAS, the Woodlands Swim Team is presently operating the Youth Competitive Swimming Program at Woodlands Pool; and

WHEREAS, the Woodlands Swim Team has operated the program successfully;
and

WHEREAS, at a meeting on April 16, 2009, the Parks and Recreation Commission reviewed the Agreement and unanimously recommended renewal;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the County Administrator be and he hereby is authorized to execute a two-year agreement with the Woodlands Swim Team to operate the Youth Competitive Swimming Program at Woodlands Pool.

Item 7. Parks and Recreation; Approve Spending of Contingency Funds at Smith Lake Park for Fencing.

Resolution R09-190 reads as follows:

A RESOLUTION TO APPROVE SPENDING OF CONTINGENCY FUNDS AT SMITH LAKE PARK

WHEREAS, at a meeting on December 2, 2008, the Board approved R08-532 awarding a contract to General Sports Venue for construction of synthetic turf fields at Smith Lake Park in an amount not to exceed \$1,540,476; and

WHEREAS, a contingency in the amount of 5% of the construction contract amount, \$77,024 was approved for unforeseen conditions; and

WHEREAS, fencing of the new fields is necessary to control use and limit access to the synthetic turf fields by motorized vehicles to protect this significant asset; and

WHEREAS, funding in the amount of \$66,848 remains available in the project of which staff proposes to use up to \$40,000 to accomplish fully fencing the new fields;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st of April 2009, that the County Administrator is authorized to use project contingency funding to install fencing around the two synthetic turf athletic fields at Smith Lake Park.

Item 8. Parks and Recreation; Budget and Appropriate Funds to Parks and Recreation from the Fredericksburg/Stafford Park Authority.

Resolution R09-191 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS
FOR PARKS AND RECREATION

WHEREAS, in 2008 the Fredericksburg-Stafford Park Authority Board allocated \$100,000 to the Stafford County Parks and Recreation Department for reimbursement of the cost of capital improvements in their parks; and

WHEREAS, expenditures have been made and are planned to be made in FY 2009 in the amount of \$75,537; and

WHEREAS, the Fredericksburg-Stafford Park Authority has issued checks totaling \$75,537 to Stafford County to reimburse the County for expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st of April 2009, that that an additional Seventy-five Thousand Five Hundred Thirty-seven Dollars (\$75,537) be budgeted and appropriated to Parks and Recreation budget for FY 2009.

Item 9. Transportation; Petition VDOT to Include Kirkley Place, Locksley Lane and Maid Marion Court within Sherwood Estates Subdivision, Section 3A, into the Secondary System of State Highways.

Resolution R09-187 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INCLUDE KIRKLEY PLACE, LOCKSLEY
LANE AND MAID MARION COURT WITHIN SHERWOOD ESTATES
SUBDIVISION, SECTION 3A, INTO THE SECONDARY SYSTEM OF
STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Kirkley Place, Locksley Lane and Maid Marion Court within Sherwood Estates Subdivision, Section 3A, into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April 2009, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Sherwood Estates Subdivision, Section 3A, into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Kirkley Place (SR-1796)	Fr: Locksley Lane (SR-1972) To: Nottingham Drive (SR-1795)	0.26 Miles 50' ROW
Locksley Lane (SR-1972)	Fr: Eley Road (SR-734) To: Kirkley Place (SR-1796)	0.25 Miles 50' ROW
Locksley Lane (SR-1972)	Fr: Kirkley Place (SR-1796) To: Maid Marion Court (SR-1973)	0.22 Miles 50' ROW
Maid Marion Court (SR-1973)	Fr: Locksley Lane (SR-1972) To: Cul-de-Sac	0.11 Miles 50' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record

entitled Sherwood Estates Subdivision, Section 3A, LR 0300006502, PM 030000040 recorded February 21, 2003; and

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

Item 10. Utilities; Authorize Contract Amendments for Purchase of Chemicals.

Resolution R09-188 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT AMENDMENTS TO EXTEND THE CONTRACTS FOR THE PURCHASE OF LIQUID ALUMINUM SULFATE AND FERRIC SULFATE

WHEREAS, the Board has appropriated funds to be expended in FY2009 for the purchase of Liquid Aluminum Sulfate for use at the Aquia and Little Falls Run wastewater treatment facilities and at the Abel Lake Water Treatment Facility and Ferric Sulfate for use at the Smith Lake Water Treatment Facility; and

WHEREAS, the current contracts with General Chemical Performance Products, LLC contain provisions for an additional one-year contract renewal; and

WHEREAS, staff has reviewed the renewal prices offered by the vendor and has found them to be reasonable; and

WHEREAS, purchases made in FY2010 shall be subject to appropriation of funds in FY2010 for these purchases;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the County Administrator be and he

hereby is authorized to execute contract amendments with General Chemical Performance Products, LLC to extend the current contracts for Liquid Aluminum Sulfate and Ferric Sulfate for an additional one-year period with estimated total expenditures of Five Hundred Fifty-one Thousand Five Hundred Twenty Dollars (\$551,520) for Liquid Aluminum Sulfate and Four Hundred Two Thousand Seven Hundred Eighty-four Dollars (\$402,784) for Ferric Sulfate.

Item 12. Transportation; Request Reimbursement from the Potomac and Rappahannock Transportation Commission (PRTC) for Transportation Expenditures for the Third Quarter of FY09.

Resolution R09-197 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM
THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION
COMMISSION FOR TRANSPORTATION EXPENDITURES
FOR THE THIRD QUARTER OF FISCAL YEAR 2009

WHEREAS, the County budgeted funds in the FY2009 Transportation Fund for various programs, including transportation modeling, transportation impact fee analysis, transportation services, road improvements, street repair, street signs and transport of Social Services clients; and

WHEREAS, the County expended the following amounts for transportation projects and services during FY2009 January through March 31, 2009; and

<u>Item</u>	<u>Amount</u>
Professional Services – Transportation Modeling	\$ 1,563
Professional Services – Transportation Impact Fee Analysis	3,394
Transportation Services – FRED	119,414

Street Sign Program	7,411
Stafford Regional Airport Commission	28,571
Road Improvements	191,523
Public Street Repair	31,449
Transportation of Social Services Clients	<u>10,473</u>
Total Reimbursement Request	\$ 393,798

WHEREAS, these funds can be reimbursed from the County 2% Fuel Sales Tax funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April 2009, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Three Hundred Ninety-three Thousand Seven Hundred Ninety-eight Dollars (\$393,798) from the 2% Fuel Sales Tax funds.

Item 14. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees.

Resolution R09-201 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE COUNTYWIDE
ADVISORY TASK FORCE ON THE VIRGINIA PROPERTY
MAINTENANCE CODE

WHEREAS, the Virginia Code authorizes counties to adopt the Virginia Maintenance Code either in full or in part; and

WHEREAS, the Board, during the last year, has considered the benefits of adopting the Virginia Maintenance Code to address increasing concerns from citizens regarding the conditions of properties in the more urban areas of the County; and

WHEREAS, in an effort to address community concerns, the Board has requested Stafford's delegation to the Virginia General Assembly introduce legislation to allow counties greater flexibility in adopting the Virginia Maintenance Code in more urban parts of counties, while excluding more rural portions of local jurisdictions; and

WHEREAS, because of the wide difference in population and density in the various regions of the County, the potential application of the Virginia Maintenance Code Countywide has raised a number of questions regarding implementation, administration and enforcement; and

WHEREAS, in an effort to better understand the value of the Virginia Maintenance Code in regards to implementing local community property standards and to provide recommendations to possible application of the Virginia Maintenance Code in the County, it is proposed that a local Countywide Advisory Task Force be established by the Board; and

WHEREAS, the Task Force would be comprised of 11 members, one from each election district; two Board members appointed by the Chairman of the Board; the Director of Code Administration, Fire Chief, and a representative from the Sheriff's Department; and

WHEREAS, staff support would be provided by the Department of Code Administration with assistance from the County Administrator's Office; and

WHEREAS, the Task Force would be chartered to explore and report its findings to the Board within six months of appointment;

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Harry E. Crisp, II (Board of Supervisor)	Project
Mark Dudenhefer (Board of Supervisor)	Project
Keith Dayton (Director of Code Administration)	Project
Charles Jett (Sheriff)	Project
Chris Myers (Garrisonville District)	Project
Douglas Curtis (George Washington District)	Project
George Paxson (Hartwood District)	Project
_____	Project
(Aquia District)	
_____	Project
(Falmouth District)	
_____	Project
(Griffis-Widewater District)	

_____ Project
(Rock Hill District)

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009 that

<u>NAME</u>	<u>EXPIRATION</u>
Dana Brown (Rock Hill District)	Project
Rob Brown (Fire Chief)	Project

be and they hereby are appointed to a Countywide Advisory Task Force on the Virginia Property Maintenance Code.

Resolution R09-203 reads as follows:

A RESOLUTION TO RECOMMEND AN APPOINTMENT TO THE
RAPPAHANNOCK EMS COUNCIL BOARD OF DIRECTORS

WHEREAS, the County has been allocated two Board seats on the Rappahannock EMS Council Board of Directors; and

WHEREAS, the Board has nominated and the Rappahannock EMS Council Board of Directors has previously appointed the following:

<u>MEMBER</u>	<u>EXPIRATION</u>
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James Hill	June, 2010
Joseph V. Saitta	June, 2009

WHEREAS, the term of Joseph V. Saitta will expire in June, 2009

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009 that

<u>MEMBER</u>	<u>EXPIRATION</u>
Joseph V. Saitta	June, 2012

be and he hereby is recommended for appointment to the Rappahannock EMS Council Board of Directors.

Transportation; Support and Authorize the County Administrator to Seek Federal Funding for the Project to Improve Warrenton Road. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-198.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson
Nay: (0)

Resolution R09-198 reads as follows:

A RESOLUTION IN SUPPORT OF AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SEEK FEDERAL FUNDING FOR THE PROJECT TO IMPROVE WARRENTON ROAD, US-17

WHEREAS, the Virginia Department of Transportation (VDOT) is currently conducting preliminary engineering activities on a project, VDOT UPC 71774, to improve capacity and safety on Warrenton Road, US-17, from McLane Drive to Stafford Lakes Parkway; and

WHEREAS, the US-17 improvement project is in VDOT's Six-Year Improvement Program and Statewide Transportation Improvement Program, and is in the Fredericksburg Area Metropolitan Planning Organization's 2035 Long-Range Transportation Plan and Transportation Improvement Program; and

WHEREAS, the estimated total cost of the US-17 improvement project, which will result in numerous local and regional benefits, is \$47 million with a current funding deficiency of \$40 million; and

WHEREAS, it is the desire of the Board to take advantage of all funding opportunities for the US-17 improvement project; and

WHEREAS, the U.S. Congress is currently developing the details of new federal transportation authorization legislation including the identification of high priority projects for earmarks; and

WHEREAS, the project to improve US-17, a National Highway System facility, has received previous allocations of federal monies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 21st day of April, 2009, that the Board be and it hereby does indicate its support for the improvements to Warrenton Road, US-17; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to seek federal funding for the Warrenton Road, US-17, improvement project.

Legislative; Additions to the Regular Agenda. Mr. Milde motioned, seconded by Mr. Crisp, to add proposed Resolution R09-208 – A Resolution to Appoint a Member to the Stafford County Historical Commission; a discussion on a committee of Mr. Brito and Mr. Milde to study public access to the Rappahannock River; a discussion on a trail along the Virginia Powerline easement; and a discussion regarding the Fredericksburg Area Metropolitan Planning Organization.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito
Nay: (0)

Legislative; Closed Meeting. At 3:30 P.M., Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution CM09-08.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp
Nay: (0)

Resolution CM09-08 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to discuss in Closed Meeting two Personnel matters; and

WHEREAS, pursuant to Section 2.2-3711 A.1 Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 21st day of April, 2009, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 4:05 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM09-08a.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution CM09-08a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 21, 2009

WHEREAS, the Board has, on this the 21st day of April, 2009, 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 21st day of April, 2009, 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. No member dissents from the aforesaid certification.

Legislative; Discuss a Committee of Mr. Brito and Mr. Milde to Study Public Access to the Rappahannock River. Mr. Brito commented.

Discussion ensued.

Hearing no objections from the Board, this item was referred to the Parks and Recreation Commission for further review.

Legislative; Discuss a Trail along the Virginia Powerline Easement. Mr. Brito commented.

Discussion ensued.

Hearing no objections from the Board, the Chairman appointed a committee of Mr. Brito and Mr. Sterling for further review.

Legislative; Appoint Members to Boards, Authorities, Commissions and Committees; Stafford County Historical Commission.

Mr. Milde motioned, seconded by Mr. Brito, to adopt proposed Resolution R09-208.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R09-208 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE
STAFFORD COUNTY HISTORICAL COMMISSION

WHEREAS, the Board, by adoption of Resolution R92-304, established the Stafford County Historical Commission; and

WHEREAS, the Stafford County Historical Commission is composed of seven members who are appointed by the Board to serve at its pleasure; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Anita Dodd (Garrisonville District)	Pleasure of Board
Barbara Kirby (Hartwood District)	Pleasure of Board
Jane Henderson Conner (Rock Hill District)	Pleasure of Board
Cecelia S. Howell (Falmouth District)	Pleasure of Board
Ann Rolls (George Washington District)	Pleasure of Board

(Scott Kelley) Pleasure of Board
(Griffis-Widewater District)

(Vacant) Pleasure of Board
(Aquia District)

WHEREAS, a vacancy exists in the Aquia District; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 21st day of April, 2009, that:

<u>NAME</u>	<u>EXPIRATION</u>
Frank White (Aquia District)	Pleasure of Board

be and he hereby is appointed to the Stafford County Historical Commission.

Legislative; Discuss Fredericksburg Area Metropolitan Planning Organization (FAMPO) Matters. Mr. Dudenhefer commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to direct the FAMPO representatives to vote in favor of reprioritization in funds that are made available because of projects that were designated for one reason or the other that don't come to fruition.

The Voting Board tally was:

Yea:	(6)	Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz
Nay:	(0)	
Abstain:	(1)	Sterling

Recess. At 4:40 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:05 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Schwartz gave the Invocation.

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

Legislative; Presentations by the Public-II. The following persons spoke on topics as identified:

Chuck Feldbush	-	SPCA proposed facility
Dr. Frank Bwithrow	-	SPCA proposed facility
Maxine Ringle	-	SPCA proposed facility
Steve Clay	-	SPCA proposed facility
Bob Dawkins	-	SPCA proposed facility
Richard Kent Wilson	-	SPCA proposed facility
Eric Kelley	-	SPCA proposed facility
Lorraine Gardner	-	SPCA proposed facility
Smiley Gardner	-	SPCA proposed facility
Kandy Hilliard	-	SPCA proposed facility
Dorothy Gordon	-	SPCA proposed facility
Ruth Carlone	-	Belmont address
	-	Death of Dr. Stewart Jones, longtime Hartwood resident
Anne Sweet	-	SPCA proposed facility

Transportation; Amend the County Code Entitled “Maximum Speed Limits in Certain Residence Districts; Penalty” to Include Magnolia Drive in Magnolia Woods Subdivision

Mr. Fulton DeLamorton, Transportation Administrator, gave a presentation and responded to Board members questions.

The Chairman opened the public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O09-10.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Ordinance O09-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-4.1(c) ENTITLED “MAXIMUM SPEED LIMITS IN CERTAIN RESIDENCE DISTRICTS; PENALTY”

WHEREAS, the Board is interested in promoting public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles in certain residence districts; and

WHEREAS, Section 46.2-878.2 of the Code of Virginia (1950), as amended, authorizes a severe penalty for persons exceeding the maximum speed limit in certain residence districts; and

WHEREAS, the Board adopted Ordinance 097-29(R), which established criteria for the establishment of residence districts where a maximum speed limit fine could be levied; and

WHEREAS, the County conducted a traffic study and Magnolia Drive meets the established criteria based on the current Residential Transportation Management Plan, Residence District – Additional \$200 Fine Sign Program; and

WHEREAS, the County has received a petition to establish a Residence District within Magnolia Woods Subdivision; and

WHEREAS, the Board has conducted a public hearing in accordance with the notice provision of Sections 15.2-1426 and 15.2-1427 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 21st day of April 2009, that Section 15-4.1(c) of the Stafford County Code be and it hereby is amended and reordained as follows:

c. The following areas are hereby designated as residence districts:

(49) Magnolia Drive (SR-1880) between Spyglass Lane (SR-1878) and Joshua Road (SR-643)

BE IT FURTHER ORDAINED that the Virginia Department of Transportation (VDOT) be and it hereby is requested to designate Magnolia Drive (SR-1880) as a residence district for maximum speed limit fines; and

BE IT STILL FURTHER ORDAINED that VDOT is requested to install the appropriate signs displaying the maximum speed limit and the penalty for violations on Magnolia Drive (SR-1880); and

BE IT STILL FURTHER ORDAINED that a copy of this ordinance be forwarded to the Residency Administrator of the VDOT Fredericksburg Residency Office.

County Attorney; Authorize a Public Hearing to Consider Requiring a Two-Thirds Super-Majority Vote by the Board for Certain Tax Legislation. Mr. Dudenhefer withdrew this item from the Agenda and stated that it be brought back at a later date.

Legislative; Discuss Planning Commission's Communication to the Chairman of the Board of Supervisors Regarding the SPCA Application. The Chairman commented.

Mr. Woodson motioned to withdraw the application.

The motion failed for lack of a second to the motion.

Mr. Crisp motioned, seconded by Mr. Sterling, to refer this back to the Planning Commission without a recommendation and request that they complete their process and make recommendations back to the Board of Supervisors.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Adjournment. At 7:55 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

George H. Schwartz
Chairman