

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

April 7, 2009

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by George H. Schwartz, Chairman, at 1:04 P. M., Tuesday, April 7, 2009, in the Board Chambers, Stafford County Administration Center.

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

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

Legislative; Presentation of A Proclamation to Designate April 2009 as “Donate Life Month” in Stafford.

- The Chairman presented the proclamation to Vaviola Donato – Galindo, Community Education Specialist, Washington Regional Transplant Community and Wenda Heilman – Stafford Kidney Transplant Recipient

Legislative; Presentation of a Proclamation to Declare the Week of April 12, 2009 as Public Safety Telecommunicators Week in Stafford.

- The Chairman presented the proclamation to Karen Hileman, Operations Manager, Emergency Communications Center, Nic Stepaniak, Training Officer, and Karen Stephenson, Deb Lareza, and Suzanne Bartnek, Supervisors from the Emergency Communications Center.

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

- Donald Hart - President of the Virginia Association of Counties and Supervisor from Accomack County, gave a briefing on VACO.
- Hugh Beckford - Traffic calming.
- Donna Dawkins - Proposed Society for the Prevention of Cruelty to Animals (SPCA) facility issue.

Legislative; Report of the VDOT Resident Administrator. Mr. David Stanley, Virginia Department of Transportation Resident Administrator, gave a presentation and responded to Board members questions.

Legislative; Presentations and Committee Reports by Board Members. Board members spoke on topics as identified:

- Mr. Milde - No comments.
- Mr. Sterling - No comments.
- Mr. Woodson
 - Stonebridge Homeowners Association meeting.
 - Attended Department of Social Services Meeting.
 - Attended the Presidential Inauguration of Judy G. Hample, new President of the University of Mary Washington.
 - Widewater meeting.

- BRAC.
- Attended meeting on water hookups outside of the USA.

- Mr. Brito
- Attended 15 meetings and events.
 - Austin Ridge issues.
 - Victory Garden program.
 - Attended a meeting on Sports Booth Athletic Center.
 - Attended an Eagle Scout ceremony.

- Mr. Crisp
- Attended meeting regarding the civil war sites.
 - Technology Zones committee.
 - Attended Eagle Scout ceremony

- Mr. Dudenhefer
- Donate Life Month.
 - Grants.

- Mr. Schwartz
- Appointed Mr. Sterling and Mr. Crisp to a committee on Technology Zones.

Legislative; Report of the County Attorney. Mr. Joe Howard, County Attorney, had no comments.

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Legislative; Report of the County Administrator. Mr. Anthony Romanello, County Administrator, commented on the following:

- Fire Station #2 dedication.
- Groundbreaking for the new library.
- St. Clair Brooks Park Playground.
- Victory Garden at YMCA property.

Legislative; Consent Agenda. Mr. Woodson motioned, seconded by Mr. Dudenhefer, to adopt the Consent Agenda consisting of Items 2 thru 13, removing items 5, 7, and 10.

The Voting Board tally was:

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

Nay: (0)

Item 2. Legislative; Approve Minutes of Board Meeting. Regular Meetings of February 17, 2009, March 3, 2009, and March 17, 2009.

Item 3. Finance and Budget; Approve Expenditure Listing.

Resolution R09-158 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)

DATED MARCH 17, 2009 THROUGH APRIL 6, 2009

WHEREAS, the Board has 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 7th day of April 2009, that the above-mentioned EL be and it hereby is approved.

Item 4. Utilities; Refer Water and Sewer User Fees to Utilities Commission.

Resolution R09-155 reads as follows:

A RESOLUTION TO REFER THE ADEQUACY OF CURRENT WATER AND SEWER USER FEES TO THE UTILITIES COMMISSION FOR REVIEW AND RECOMMENDATIONS

WHEREAS, the Board has adopted a Fiscal Policy for the Department of Utilities; and

WHEREAS, the Board desires that water and sewer rates and fees be sufficient to cover all operation and maintenance costs, capital repair and replacement costs, capacity expansion costs, debt service costs and the costs to maintain the required cash reserves; and

WHEREAS, the Board previously referred the matter of availability fees to the Utilities Commission; and

WHEREAS, the Board desires the Utilities Commission to evaluate the adequacy of current water and sewer user fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the issue of the adequacy of current water and sewer user fees be referred to the Utilities Commission for review and recommendations.

Item 6. Economic Development; Approve a Memorandum of Understanding with Travelhost of Central Virginia and TimelessTV to Produce Videos Promoting Stafford Tourism to Air on Cable Channels.

Resolution R09-156 reads as follows:

A RESOLUTION TO APPROVE A MEMORANDUM OF UNDERSTANDING
WITH TRAVELHOST OF CENTRAL VIRGINIA AND TIMELESSTV™ TO
PRODUCE VIDEOS PROMOTING STAFFORD TOURISM TO AIR ON CABLE
CHANNELS

WHEREAS, the Department of Economic Development desires to enter into a Memorandum of Understanding (MOU) with Travelhost of Central Virginia (THCVA) and TimelessTV™ to produce a series of videos, in cooperation with Stafford's Tourism Office, promoting the historical and cultural attractions in Stafford and surrounding localities; and

WHEREAS, subsequent videos will focus on dining, recreation and lodging venues; and

WHEREAS, the videos will be aired on the Cox government channel 23, Comcast government channel 24 and Verizon government channel 39 during times that do not conflict with live transmissions or re-broadcasts of County meetings or other County programming, and the County has full rights to pre-empt programming as necessary; and

WHEREAS, the County may terminate the MOU with THCVA upon 60 days written notice;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April 2009, that the County Administrator be and he hereby is authorized to sign a Memorandum of Understanding with Travelhost of Central Virginia and TimelessTV™ to provide videos promoting Stafford County.

Item 8. Human Resources; Authorize the County Administrator to Exceed Authorized Position Strength for the Sheriff and Fire and Rescue Departments.

Resolution R09-164 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO EXCEED AUTHORIZED POSITION STRENGTH FOR THE SHERIFF
AND FIRE AND RESCUE DEPARTMENTS

WHEREAS, the Board desires to ensure the safety and well being of County citizens; and

WHEREAS, public safety positions require specific training and certifications; and

WHEREAS, the Sheriff and Fire and Rescue Departments must wait to fill vacant positions due to Law Enforcement and Fire and Rescue Academy schedules and certification courses; and

WHEREAS, up to ten percent (10%) above the uniformed/sworn authorized strength is requested for the Sheriff and Fire and Rescue Departments to maintain full staffing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the County Administrator be and he hereby is authorized to exceed authorized position strength for operational staff of the Sheriff and Fire and Rescue Departments by up to ten percent (10%) subject to available funding.

Item 9. Human Resources; Adopt Contribution Strategy for Employee Health Care.

Resolution R09-165 reads as follows:

A RESOLUTION TO ADOPT A CONTRIBUTION STRATEGY FOR
EMPLOYEE HEALTH CARE

WHEREAS, the Board desires to provide its employees with comprehensive health insurance coverage; and

WHEREAS, in order to contain the cost of health care, employees will be given a choice of health care plan design; and

WHEREAS, a three-year employee contribution strategy has been established with all employees paying a portion of the health care premium costs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the Board adopts a contribution strategy for employee health care as follows:

KC15+	Employee Only	Dependent Coverage
FY10	5%	10%
FY11	10%	15%
FY12	15%	20%

KC 30+	Employee Only	Dependent Coverage
FY10	2.5%	5%
FY11	5%	10%
FY12	10%	15%

- \$100 monthly opt-out credit for employees opting out of Stafford County health care. (Employee must show proof of insurance elsewhere to receive the opt-out credit).
- Employees who opt out of health insurance may subscribe to dental coverage at 100% of the cost.
- Eligible retirees will follow the same contribution strategy as current employees for employee only.

- Eligible retirees will pay 100% of premium costs for spouse/dependents.

BE IT FURTHER RESOLVED that Medicare-eligible retirees will have access to a Medicare supplemental plan at no cost to the retiree and they will continue to pay 100% of the premium cost for eligible dependents/spouse.

Item 11. Transportation; Authorize the Office of Transportation to Prepare a Traffic Calming for Walt Whitman Boulevard (SR-1595) and Montgomery Drive (SR-1592) in Shelton's Run Subdivision.

Resolution R09-178 reads as follows:

A RESOLUTION TO AUTHORIZE THE OFFICE OF TRANSPORTATION TO PREPARE A TRAFFIC CALMING PLAN FOR WALT WHITMAN BOULEVARD (SR-1595) AND MONTGOMERY DRIVE (SR-1592) IN SHELTON'S RUN SUBDIVISION

WHEREAS, the Board is interested in promoting public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles on residential streets; and

WHEREAS, the Shelton's Run Homeowner's Association has requested the use of traffic calming measures on Walt Whitman Boulevard and Montgomery Drive; and

WHEREAS, the County conducted traffic studies and Walt Whitman Boulevard and Montgomery Drive meet the established criteria to warrant further consideration for the use of traffic calming measures; and

WHEREAS, the County has received a community petition in support of the use of traffic calming measures on Walt Whitman Boulevard and Montgomery Drive;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April 2009, that the Board be and it hereby does authorize the Office of Transportation to work jointly with the Virginia Department of Transportation and the Shelton’s Run Homeowner’s Association to prepare a Traffic Calming Plan.

Item 12. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees; Historical Commission.

Resolution R09-180 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	Pleasure of Board

(Rock Hill District)

Cecelia S. Howell
(Falmouth District)

Pleasure of Board

Ann Rolls
(George Washington District)

Pleasure of Board

(Vacant)
(Aquia District)

Pleasure of Board

(Vacant)
(Griffis-Widewater District)

Pleasure of Board

WHEREAS, a vacancy exists in the Griffis-Widewater 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 7th day of April, 2009, that:

NAME

EXPIRATION

Scott Kelley
(Griffis-Widewater District)

Pleasure of Board

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

Item 13. Legislative; Approve a Proclamation to Designate April 12-18, 2009 as National Public Safety Telecommunicator Week in Stafford.

Proclamation P09-06 reads as follows:

**_A PROCLAMATION TO DESIGNATE APRIL 12 – 18, 2009, AS NATIONAL
PUBLIC SAFETY TELECOMMUNICATORS WEEK
IN STAFFORD**

WHEREAS, when an emergency occurs, the prompt response of deputies, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, public safety communications officers are the first contact for individuals who are in need of immediate assistance, and serve as the vital link between the public and first responders as they monitor activities and ensure that all parties have accurate and timely information; and

WHEREAS, these highly trained individuals are the voices of calm and reason, serving the public in countless ways behind the scenes, often unacknowledged as they provide the critical key to delivering public safety services to the community every hour of every day throughout the year; and

WHEREAS, Stafford's telecommunicators employ their years of experience and wisdom to keep the victims of crimes and accidents calm as they offer medical direction and sound advice until law enforcement personnel arrive on the scene; and

WHEREAS, the Board desires to bring to the attention of citizens everywhere the vigilance, professionalism and compassion of these special men and women as they provide outstanding and timely services to citizens throughout Stafford and the region;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 7th day of April 2009 that April 12 – 18, 2009, be and it hereby is designated as National Public Safety TELECOMMUNICATORS Week in Stafford.

Legislative; Authorize Public Hearings. Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R09-161; proposed Resolution R09-172; and proposed Resolution R09-175; and proposed Resolution R09-171.

The Voting Board tally was:

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

Resolution R09-161 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 17-28, ENTITLED “PROHIBITED ACTIVITIES AT TERMINAL RESERVOIRS”

WHEREAS, the Board desires to amend Section 17-28 of the County Code; and

WHEREAS, the Board has carefully considered the recommendations of staff and the Utilities Commission;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the County Administrator be and he hereby is authorized to advertise a public hearing to be held on May 5, 2009 to amend Stafford County Code Section 17-28.

Resolution R09-172 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER
CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO
ACQUIRE A PORTION OF THE PROPERTY OF WADE AND VALERIE
DEVER, TAX MAP PARCEL 43-76-2-14, IN CONNECTION WITH THE
ROCKY PEN RUN RESERVOIR

WHEREAS, the Board is in the process of acquiring the necessary parcels for the construction of the Rocky Pen Run Reservoir, an approved public use to meet the County's water supply needs; and

WHEREAS, Tax Map Parcel 43-76-2-14 (the "Property") consists of approximately 4.9 acres of land, owned by Wade and Valerie Dever (the "Owners") and

WHEREAS, because the design for the project requires clearing and grading of approximately a 2.39 acre portion of the Property, largely for inundation by the Reservoir, the Board must acquire ownership of the property in fee simple; and

WHEREAS, the fair market value for the Property, together with damages, if any, to the remainder of the Property is One Hundred Twenty-five Thousand, Nine Hundred Seventy-eight Dollars (\$125,978) based upon a bona-fide appraisal by an independent appraiser pursuant to Section 25.1-417 Va. Code Ann.; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide formal but ineffectual effort to purchase the Property by offering said determination of value on behalf of the County to the Property Owners; and

WHEREAS, the terms of purchase cannot be agreed upon and the Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the owner of the property, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to determine the necessity for condemnation and the use of the County’s quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that it shall conduct a public hearing to be scheduled under the provisions of Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to consider the necessity for condemnation and necessity for the use of the County’s quick-take powers to immediately acquire the property interests described above for the Rocky Pen Run Reservoir construction project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R09-175 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER
CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO
ACQUIRE A PORTION OF THE PROPERTY OF RAYMOND AND ARIE
ORRIS, TAX MAP PARCEL 43-74, IN CONNECTION WITH THE ROCKY
PEN RUN RESERVOIR

WHEREAS, the Board is in the process of acquiring the necessary parcels for the construction of the Rocky Pen Run Reservoir, an approved public use to meet the County’s water supply needs; and

WHEREAS, Tax Map Parcel 43-74 (the “Property”) consists of approximately 105.5 acres of land, owned by Raymond and Aria Orris (the “Owners”); and

WHEREAS, because the design for the project requires clearing and grading of approximately a 43.5 acre portion of the Property, largely for inundation by the Reservoir, the Board must acquire ownership of the property in fee simple; and

WHEREAS, the fair market value for the Property, together with damages, if any, to the remainder of the Property is Five Hundred Fifty-Seven Thousand, Three Hundred Dollars (\$557,300) based upon a bona-fide appraisal by an independent appraiser pursuant to Section 25.1-417 Va. Code Ann.; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide formal but ineffectual effort to purchase the Property by offering said determination of value on behalf of the County to the Property Owners; and

WHEREAS, the terms of purchase cannot be agreed upon and the Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the owner of the property, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that it shall conduct a public hearing to be scheduled under the provisions of Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Rocky Pen Run Reservoir construction project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Resolution R09-171 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE REPEAL
OF THE DISCOUNT FOR THE TIMELY FILING OF MEALS TAX

WHEREAS, repeal of the discount for the timely filing of meals tax has been identified as a source of funds to offset revenue shortfalls during these challenging economic times; and

WHEREAS, the Board desires to pursue every source of revenue available in order to provide needed services while minimizing the tax burden on its residents;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the County Administrator be and he hereby is authorized to advertise a public hearing to be held on May 5, 2009 to consider the repeal of the discount for the timely filing of meals tax.

Planning and Zoning; Authorize Architectural Review Board to Initiate Applications for a Certificate of Appropriateness and Sign Permits, and Authorize Payment for a Sign to be Placed within the Falmouth Historic District. Ms. Kathy Baker, Assistant Director of Planning and Zoning commented.

Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Resolution R09-159.

The Voting Board tally was:

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

Nay: (0)

Resolution R09-159 reads as follows:

A RESOLUTION TO AUTHORIZE THE ARCHITECTURAL REVIEW BOARD TO INITIATE APPLICATIONS FOR A CERTIFICATE OF APPROPRIATENESS AND SIGN PERMITS AND AUTHORIZE PAYMENT FOR A SIGN TO BE PLACED AT UNION CHURCH AND CEMETERY

WHEREAS, the Union Church and Cemetery is listed on the National Register of Historic Places and the Virginia Landmarks Register; and

WHEREAS, the Architectural Review Board (ARB) would like to recognize the Union Church and Cemetery through placement of and payment for an interpretive sign; and

WHEREAS, the church and cemetery are located within the Falmouth Historic District which necessitates approval of a Certificate of Appropriateness by the ARB; and

WHEREAS, the ARB desires to proceed with the applications and payment for the sign; and

WHEREAS, the Board desires to have the ARB initiate the necessary applications for installation of the sign and funds designated for ARB expenditures for payment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009 that the Board be and it hereby does authorize the Architectural Review Board to initiate applications for a Certificate of Appropriateness and related permits for an interpretive sign at Union Church and Cemetery, and to utilize funds not to exceed One Thousand Dollars (\$1,000) from the Architectural Review Board's budget.

Utilities; Authorize Agreement of Conveyance for the Rocky Pen Run Reservoir. Mr. Harry Critzer, Director of Utilities commented.

Mr. Milde motioned, seconded by Mr. Crisp to adopt proposed Resolution R09-162.

The Voting Board tally was:

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

Nay: (0)

Abstain: (1) Brito

Resolution R09-162 reads as follows:

A RESOLUTION APPROVING AGREEMENT OF CONVEYANCE FOR THE PURCHASE OF A PORTION OF PARCEL 43-74-2 FOR THE ROCKY PEN RUN RESERVOIR

WHEREAS, Resolution R04-237 authorized the County Administrator to enter into contracts for the purchase of certain properties for Rocky Pen Run Reservoir; and

WHEREAS, it is in the County's interest to acquire the 3.3812 acre portion of Parcel 43-74-2 required for the reservoir; and

WHEREAS, the County's offer to purchase this property owned by Mauricio S. and Cindy L. Brito for the negotiated amount of \$214,253 was accepted by the property owners; and

WHEREAS, this amount is lower than the appraised value of \$284,900; and

WHEREAS, Board approval is required for the purchase of this property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the County Administrator be and he hereby is, authorized to execute the Agreement of Conveyance between the Board of Supervisors of Stafford County and Mauricio S. and Cindy L. Brito, regarding TM 43-74-2 in the amount of Two Hundred Fourteen Thousand Two Hundred Fifty-three Dollars (\$214,253); and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute all documents necessary to close on the above-referenced property.

Legislative; Discuss Courthouse Complex Space Needs. Mr. Crisp and Mr. Sterling commented.

Discussion ensued.

Mr. Crisp requested that a committee be appointed by the Board to review the plans to date, evaluate the courts master plan, potential use of the former Virginia boat center, and explore expansion of the existing courthouse. A report is to be made to the Board during the August time-frame with recommendations. Mr. Crisp recommended appointing three members with credentials such as architectural or engineering background, and one with public facilities construction experience.

Mr. Crisp motioned, seconded by Mr. Sterling, that a Court Planning Committee be appointed with names to be presented at the April 21, 2009 meeting.

The Voting Board tally was:

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

Nay: (0)

Legislative; Discuss Fire Tax Levy. Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Crisp to advertise one-third of one cent for a fire tax levy.

Mr. Milde made a sub-motion, seconded by Mr. Dudenhefer to defer this item until after the public hearing and the consideration of a fire tax district.

The Voting Board tally was:

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

Nay: (1) Woodson

Legislative; Discuss Water Hookups. Mr. Harry Critzer, Director of Utilities, commented.

Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-185.

Mr. Sterling made a substitute motion, seconded by Mr. Dudenhefer, to defer this item until after the consideration of the Comprehensive Plan.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Dudenhefer, Milde, Sterling

Nay: (4) Schwartz, Brito, Crisp, Woodson

The Voting Board tally on the original motion was:

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

Nay: (3) Dudenhefer, Milde, Sterling

Resolution R09-185 reads as follows:

A RESOLUTION TO REFER REVISIONS TO STAFFORD COUNTY

CODE, SECTION 25-71, TO THE UTILITIES COMMISSION FOR
PUBLIC HEARING

WHEREAS, the Board desires changes to Stafford County Code Section 25-71, to control the extension of the public water system outside of the Urban Services Area; and

WHEREAS, the Board desires that the Utilities Commission consider such changes and obtain testimony from the public;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that Proposed Ordinance O09-26 be and it hereby is referred to the Utilities Commission for public hearing at the earliest feasible date.

Legislative; Reestablishment of Youth Driver Task Force and Appoint Members Thereof.

Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Sterling to adopt proposed Resolution R09-177.

The Voting Board tally was:

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

Nay: (0)

Resolution R09-177 reads as follows:

A RESOLUTION TO REESTABLISH A YOUTH DRIVER TASK
FORCE TO UPDATE THE COMPREHENSIVE REVIEW OF
VEHICULAR SAFETY WITHIN STAFFORD COUNTY COMPLETED
IN 2004

WHEREAS, in March 2004 the Board established a Youth Driver Task Force to conduct a comprehensive review of possible actions to reduce traffic accidents among teen drivers, including factors affecting vehicular traffic safety such as road and intersection design, weather conditions, driving experience and public awareness; and

WHEREAS, the Task Force, composed of citizens and representatives of relevant County agencies and departments, met 21 times over a seven month period and submitted a final report to the Board in October 2004 that included recommendations, timeframes and potential costs in five areas: Infrastructure; Awareness and Coordination; Drivers Education Enhancements; Law Enforcement and Judicial Issues; and School Board Policies; and

WHEREAS, the Task Force brought significant, positive change to the community as many of the recommendations in all five categories have been implemented, particularly by the school division, the public safety community, the transportation staff, the courts system, and through increased availability of public information about safe driving for parents and teens; and

WHEREAS, the efforts of the Task Force earned the members, and the County, state and national recognition following the release of the final report; and

WHEREAS, the final report noted that the effort was the beginning of the real work to ensure systemic, long-term improvement, and the Board believes that enough time has passed since these initial efforts and enough challenges remain to justify the reestablishment of the Youth Driver Task Force to evaluate the accomplishments since the submission of the final report in 2004, to address the recommendations not yet implemented, to update relevant statistics relating to teen driving in the community, and to receive input from the agencies most familiar with the issues surrounding teen driving;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009 that the Youth Driver Task Force be and it hereby is reestablished for the reasons stated above; and

BE IT FURTHER RESOLVED that the committee shall include citizen members and representatives from the Board of Supervisors, the School Division, the Sheriff's Office, the Virginia Department of Transportation, the Fire and Rescue Department, the Transportation staff and the Transportation Committee of the Planning Commission; and

BE IT STILL FURTHER RESOLVED that the subcommittee shall report its findings to the Board.

Legislative; Discuss Stafford Hospital Center. Mr. Schwartz commented.

Discussion ensued.

Mr. Rob Brown, Fire Chief, commented further.

Hearing no objections from the Board, staff was requested to contact Medicorp representatives and ask for a timeline confirmation.

Legislative; Discuss Onville Road Federal Earmark. Mr. Woodson commented.

Discussion ensued.

Mr. Woodson motioned, seconded by Mr. Crisp, that the recently awarded Onville Road federal earmark included in the FY2009 Omnibus Spending Bill in the amount of \$950,000 be dedicated to the purpose of improving the intersection and turning movements at the location of Onville Road and Garrisonville Road. Furthermore, staff is to communicate with our Congressional delegation to seek a technical correction that properly attributes the location of these improvements in Stafford County.

Discussion further ensued.

Mr. Sterling made a substitute motion, seconded by Mr. Milde to endorse funding that has been received and direct staff to continue to pursue the technical change that is necessary to make sure that the delegation realizes that Onville Road is in Stafford not Prince William County. It would further direct staff and the Stafford County members of the Board of Supervisors who are in various authorities that have an input into these types of activities to pursue additional funding for right-of-way procurement and construction and utilities relocation in order to meet the requirement outlined by the Marine Corps Environmental Impact Statement as designed by the Virginia Department of Transportation.

Discussion ensued.

Mr. Milde withdrew his second on the substitute motion.

Mr. Sterling made a friendly amendment to the original motion to add the language “as reflected by the VDOT preliminary design”.

Mr. Woodson accepted the amendment. Mr. Crisp accepted the amendment.

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

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

Nay: (0)

Legislative; Closed Meeting. At 3:16 P. M. Mr. Woodson motioned, seconded by Mr. Milde, to adopt proposed Resolution CM09-07.

The Voting Board tally was:

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

Nay: (0)

Resolution CM09-07 reads as follows

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting legal advice regarding pending litigation, *Pruitt Joint Holding Co. v. Stafford County*; Acquisition of Real Property for Public Purpose regarding Rocky Pen Run Reservoir, Pruitt property; and a Personnel Matter regarding Voluntary Retirement Incentives Program Participants/Benefits; and

WHEREAS, pursuant to Section 2.2-3711 A.1, A.3, and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 7th day of April, 2009, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 3:45 P. M. the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Woodson motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM09-07a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM09-07a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
APRIL 7, 2009

WHEREAS, the Board has, on this the 7th 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 7th 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; Authorize the Acceptance of Proffered Land for the Rocky Pen Run Reservoir Project by Pruitt Joint Holding Co. Mr. Brito motioned, seconded by Mr. Milde, to adopt proposed Resolution R09-186.

The Voting Board tally was:

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

Nay: (0)

Resolution R0-186 reads as follows:

A RESOLUTION TO AUTHORIZE THE ACCEPTANCE OF PROFFERED
LAND FOR THE ROCKY PEN RUN RESERVOIR PROJECT BY PRUITT
JOINT HOLDING CO.

WHEREAS, the Board is pursuing the development of the Rocky Pen Run Reservoir to meet the public water needs of the citizens of Stafford County; and

WHEREAS, certain property owned by Pruitt Joint Holding Co. is required for the Rocky Pen Reservoir project; and

WHEREAS, Pruitt Joint Holding Co. has proffered this property to be dedicated to the County at such time as the first building permit is issued for the construction of the Pruitt Residential Subdivision Development; and

WHEREAS, Pruitt has agreed to advance the dedication of the necessary property to the County now, when the County needs this property to continue to move the construction of the Rocky Pen Run Reservoir Project forward, as part of a settlement of the litigation pending in *Pruitt Joint Holding Co. v. The County of Stafford*, Circuit Court Case No. CL06-851; and

WHEREAS, pursuant to Resolution R08-474, the Board must authorize the acceptance of proffered land; and

WHEREAS, it is in the best interest of Stafford County to accept the dedication of the proffered land for the Rocky Pen Run Reservoir at this time to move the project forward and to resolve the pending litigation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that it be and hereby does authorize the County Administrator to sign the deeds and any other documents necessary to accept the land proffered for the Rocky Pen Run Reservoir by Pruitt Joint Holding Co.

Legislative; Authorize the County Administrator to Implement a Retirement Incentive Program for Eligible County Employees. Mr. Crisp motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-163.

The Voting Board tally was:

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

Nay: (0)

Resolution R09-163 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO IMPLEMENT A RETIREMENT INCENTIVE PROGRAM FOR ELIGIBLE
COUNTY EMPLOYEES

WHEREAS, staff has been investigating ways to reduce payroll and benefit costs during these tough economic times; and

WHEREAS, Retirement Incentives are a way to reduce costs by allowing eligible employees to retire from service and receive an additional monetary benefit; and

WHEREAS, the Retirement Incentive includes severance pay as outlined in Section 14-V “Reduction in Force” of the personnel manual and an increased sick leave payout of 50%; and

WHEREAS, nine (9) employees have shown an interest in the Retirement Incentive program; and

WHEREAS, the Retirement Incentive program will show sustained cost savings in FY10 and FY11; and

WHEREAS, funds are available through vacancy and health care savings in FY09 and will have no effect on fund balance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of April, 2009, that the County Administrator be and he hereby is authorized to implement a Retirement Incentive program for eligible County employees.

Recess. At 3:45 P. M. the Chairman declared a recess

Call to Order. At 5:02 P. M. the Chairman called the meeting back to order.

Legislative; Budget Work Session with the Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave the Board to Board report.

Ms. Patricia Healey, Chairman, School Board, gave a presentation on the proposed School Board FY2010 Budget.

Other School Board representatives spoke:

- ❑ Nannette Kidby, Vice Chairman, School Board
- ❑ Andre Nougaret, Deputy Superintendent
- ❑ Wayne Carruthers, Assistant Superintendent for Financial Services

Discussion ensued.

Recess. At 5:50 P. M. the Chairman declared a recess until 7:00 P. M. at Colonial Forge High School.

Call to Order. At 7:00 P. M. the Chairman called the meeting back to order at Colonial Forge High School Auditorium

Invocation. Mr. Crisp gave the Invocation.

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

Finance and Budget; Consider the FY2010 County Budgets. The Chairman commented.

The Chairman opened a public hearing.

The following persons spoke:

Debbie Rice

Stacy Harris

Carolyn Seklii

Kathy Anderson and Eleanor Braxton

Dr. Joseph Saitta

Dean Fetterolf

Stephen Batsche

Karen Clark

Shawn Lawrence

Ernest Ackermann

Lynn Yealy

John Reid

Bill Botts

Dr. Nicole Oxley

Susan Abramowitz

Jennifer Patterson

Meghann Cotter

Kim Lally

David Sam

Marilyn Stevens

David Beiler

Michele Powell

Hank Scharpenberg

Ted Parks

Mary Meadows

Teresa Bowers

Christina Skinner

Jim Schaefer

Kelly Haden

Laurie Berstene

Jannette Martin

Jim McMath

Lou Silver

Becky Guy

Marvin Newton

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Woodson, to readvertise the tax on personal property on aircraft equal to real estate of \$2.07.

The Voting Board tally was:

Yea: (2) Brito, Woodson

Nay: (5) Crisp, Dudenhefer, Milde, Schwartz, Sterling

Finance and Budget; Consider the CY2009 Property Tax Rates.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Legal; Consider the Establishment of a Countywide Fire and Emergency Medical Services Tax District.

The Chairman opened a public hearing.

The following person spoke:

Dan Gray

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Ordinance O09-21.

The Voting Board tally was:

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

Nay: (3) Dudenhefer, Sterling, Woodson

Ordinance O09-21 reads as follows:

AN ORDINANCE TO ESTABLISH A COUNTYWIDE FIRE AND
EMERGENCY MEDICAL SERVICES TAX DISTRICT FOR
STAFFORD COUNTY

WHEREAS, pursuant to § 27-23.1 VA Code Ann., the Board desires to create a Fire and Emergency Medical Services Tax District for the County of Stafford to provide funds for the acquisition, maintenance, and enhancement of fire and emergency medical services furnished within the County, in order to secure the safety and welfare of County residents and their property; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 7th day of April, 2009, that Chapter 23 of the Stafford County Code be and it hereby is amended and reordained to read as follows:

ARTICLE XI. COUNTY-WIDE FIRE AND EMERGENCY MEDICAL SERVICES TAX DISTRICT

Sec. 23-216. Establishment of County-Wide Fire and Emergency Medical Services Tax District.

The Stafford County Fire and Emergency Medical Services Tax District (“the District”) is hereby established pursuant to § 27-23.1 VA Code Ann. to provide funds for the acquisition, maintenance, and enhancement of fire and emergency medical services furnished within the County, in order to secure the safety and welfare of County residents and their property.

Sec. 23-217. Boundaries.

The entire County shall be included within the Stafford County Fire and Emergency Medical Services Tax District.

Sec. 23-218. Levy and Collection Of Tax.

Annually, the Board of Supervisors may set the rate for a special fire and medical services district tax to be levied on real property within the District in conformance with the procedures for setting other County property taxes. The Treasurer shall collect the special taxes levied within the District in the same manner as he or she collects other County property taxes. All taxes levied and collected pursuant to this section shall be kept in a separate fund and used to pay the costs of maintaining and operating fire and emergency medical services furnished within the District, including, without limitation: (i) the acquisition and maintenance of real property, and the acquisition, construction, and maintenance of any improvements thereon; (ii) the acquisition and maintenance of equipment and other personal property devoted to fighting fires, and protecting property and human life from loss or damage by fire, illness or injury; and (iii) the payment of

operational costs or contributions to volunteer organizations that provide fire and emergency medical services within the District.

BE IT FURTHER ORDAINED that this ordinance shall become effective on April 7, 2009.

Mr. Schwartz motioned, seconded by Mr. Crisp, to authorize the advertisement of a public hearing at 1/3 of .01 cent tax for fire and rescue revenue to provide additional 24/7 ambulance service raising from five to six.

Mr. Milde made a substitute motion, seconded by Mr. Dudenhefer, to take the existing property tax and reduce it by the amount that is equivalent to what you would be funding for the fire and rescue to have that funded thru a separate fire and rescue tax so the current property tax rate and the amount the people pay would remain the same.

Discussion ensued.

Mr. Milde withdrew the substitute motion. Mr. Dudenhefer withdrew the second to the motion.

Discussion further ensued.

The Voting Board tally on the original motion was:

Yea: (3) Schwartz, Woodson, Crisp

Nay: (4) Dudenhefer, Milde, Sterling, Brito

Hearing no objections from the Board, the County Attorney was requested to research the advertisement procedures.

Hearing no objections from the Board, the County Attorney was requested to research information on the Regional Airport agreement.

Adjournment. At 9:00 P. M., the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM

County Administrator

George H. Schwartz

Chairman