

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting
December 16, 2008

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., Tuesday, December 16, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: M. S. “Joe” Brito, Vice Chairman; Harry E. Crisp; Mark Dudenhefer; Paul V. Milde, III; George H. Schwartz, Chairman; and Robert “Bob” Woodson. Cord A. Sterling arrived at 1:05.

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

Legislative; TischlerBise Presentation on Transportation Impact Fees. Ms. Julie Herlands, Senior Staff member at TischlerBise and Ms. Sara Woolfenden, Office of Transportation, gave a presentation and responded to Board members questions.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to request staff to prepare a draft overlay countywide excluding commercial parcels and schedule a work session for review.

Discussion further ensued.

The Voting Board tally was:

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

Nay: (3) Woodson, Brito, Schwartz

Legislative; Capital Improvements Program. The following staff members gave a presentation and responded to Board members questions:

Ms. Maria Perrotte, Chief Financial Officer

Ms. Nancy Collins, Budget Division Director

Mr. Chris Hoppe, Director of Parks and Recreation

Scott Horan, Chief Facilities Officer, Schools Division

Harry Critzer, Director of Utilities

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Woodson to adopt proposed Resolution R08-522.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-522 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING ON THE
FISCAL YEAR 2010-2015 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, the six-year Capital Improvements Program (CIP) is a significant part of the Comprehensive Plan; and

WHEREAS, it is necessary to identify needed capital improvements; and

WHEREAS, financial constraints restrict the ability of the County to fully fund the CIP; and

WHEREAS, a public hearing is required;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to advertise a public hearing on the Fiscal Year 2010-2015 Capital Improvements Program.

Recess. At 3:01 P.M., the Chairman declared a recess.

Call to Order. At 3:17 P.M., the Chairman called the meeting back to order.

Legislative; Transportation Road Bond Implementation Update Mr. Michael Neuhard, Deputy County Administrator, gave a presentation and responded to Board members questions.

Discussion ensued.

Hearing no objections from the Board, staff was requested to continue its work on the issue during the next couple of months.

Legislative; Rocky Pen Run Reservoir Status Report Mr. Keith Dayton, Director of Code Administration, gave a presentation and responded to Board members questions.

Discussion ensued.

Hearing no objections from the Board, staff was requested to provide additional information.

Legislative; Closed Meeting. At 4:07 P.M., Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM08-25.

The Voting Board tally was:

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

Nay: (0)

Resolution CM08-25 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 regarding (1) the Lois Roberson property acquisition, Rocky Pen Run Reservoir; (2) the Curtis Park Expansion; legal advice regarding (3) pending litigation with *R Income Properties* and *Airport Business Group*; (4) probable litigation over the Courthouse renovations; (5) initiation of zoning amendments by the Planning Commission; and (6) one personnel matter: appointments to the Board of Zoning Appeals; 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 16th day of December, 2008, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 5:17 P. M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM08-25a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM08-25(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
DECEMBER 16, 2008

WHEREAS, the Board has, on this the 16th day of December, 2008, 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 16th day of December, 2008, 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; Resolution for Direction to the Planning Commission. Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R08-568.

The Voting Board tally was:

Yea: (5) Milde, Sterling, Brito, Crisp, Dudenhefer

Nay: (2) Schwartz, Woodson

Resolution R08-568 reads as follows:

RESOLUTION FOR DIRECTION TO THE PLANNING COMMISSION

WHEREAS, the Board desires to provide direction to the Planning Commission regarding zoning amendments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008 that the Board hereby does direct the Planning Commission to bring any zoning amendments to the Board before advertising or staff work for further referral and for appropriate consideration and further referral to the Planning Commission, including those initiated but that have not had a public hearing.

Legislative; Request Determination from the County Attorney. Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to request that the County Attorney see if it is legal to remove Section 28-322, Initiation of Amendments of the County Code, the following line: “(2) by approval of the planning commission of a motion of resolution of recommending such an amendment.”

The Voting Board tally was:

Yea: (3) Sterling, Dudenhefer Milde

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

Recess. At 5:35 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:09 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Crisp gave the Invocation.

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

Legislative; Presentation of Proclamation to Recognize and Commend Thomas M. “Mack” Moncure Sr. on his Service to the Citizens of Stafford County Mr. Dan Chichester, Commonwealth’s Attorney, presented the proclamation to Lynn Garraway, Mr. Moncure’s long-time assistant, on behalf of Mr. Moncure who was unable to attend.

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

- | | | |
|-----------------|---|--------------------------|
| Kandy Hilliard | - | Legislative Initiatives. |
| Lou Silver | - | At-Large Chairman. |
| Dean Fetterhoff | - | At-Large Chairman. |

Planning and Zoning; Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Reclassify from A-1, Agricultural Zoning District to B-2, Urban Commercial Zoning District and M-1, Light Industrial Zoning District on Assessor’s Parcels 44-100A, 44-101C and 44-101E, 21.54 Acres Located at 56 McWhirt Loop and Consider a Conditional Use Permit to Allow Four (4) Drive-Through Facilities and a

Communication Facility at 56 McWhirt Loop. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on both issues and responded to Board members questions.

The Chairman opened a public hearing on both issues.

The following persons spoke:

Jon Riley, Applicant

The Chairman closed the public hearing on both issues.

Mr. Brito motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O08-66.

The Voting Board tally was:

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

Nay: (0)

Ordinance O08-66 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM A-1, AGRICULTURAL ZONING DISTRICT TO B-2 URBAN COMMERCIAL ZONING DISTRICT ON ASSESSOR'S PARCELS 44-99, 44-101A (PORTION), 44-101C AND TO M-1, LIGHT INDUSTRIAL ZONING DISTRICT ON ASSESSOR'S PARCELS 44-100A, 44-101E AND 44-101A (PORTION) WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, MLR Associates, applicant, has submitted application RC2700647 requesting a reclassification from A-1, Agricultural to B-2, Urban Commercial on Assessor's Parcels 44-99, 44-101A (Portion), 44-101C, and 44-101E and to M-1, Light Industrial, on Assessor's Parcels 44-100A and 44-101A (Portion); and

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to reclassify approximately 20,078 acres from A-1, Agricultural to B-2, Urban Commercial on Assessor's Parcels 44-99, 44-101A (Portion), 44-101C and 44-101E and to reclassify approximately 2.93 acres from A-1, Agricultural to M-1, Light Industrial, on Assessor's Parcels 44-100A and 44-101A (Portion), with proffers dated December 16, 2008.

Mr. Brito motioned, seconded by Mr. Woodson, to adopt proposed Resolution R08-380.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-380 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2700648 TO ALLOW FOUR (4) DRIVE-THROUGH FACILITIES IN AN HC, HIGHWAY CORRIDOR, OVERLAY ZONING DISTRICT ON ASSESSOR'S

PARCELS 44-99, 44-101A, 44-101C AND 44-101E AND TO ALLOW AN EXISTING COMMUNICATIONS FACILITY IN AN M-1, LIGHT INDUSTRIAL, ZONING DISTRICT LOCATED ON ASSESSOR'S PARCELS 44-100A AND 44-101A (PORTION), HARTWOOD ELECTION DISTRICT

WHEREAS, MLR Associates LLC, applicant, has submitted application CUP2700648 requesting a Conditional Use Permit to allow four (4) drive-through facilities in an HC, Highway Corridor Overlay, Zoning District and to allow an existing communications facility in an M-1, Light Industrial, Zoning District on the above-described properties; and

WHEREAS, the application has been submitted pursuant to Stafford County Code, Sections 28-59 (e) of the Zoning Ordinance, which permits drive-through facilities in an HC, Highway Corridor Overlay, Zoning District after a Conditional Use Permit has been issued by the Board; and

WHEREAS, the application has also been submitted pursuant to Section 28-35 of the Zoning Ordinance which permits a Conditional Use Permit for a communications facility in the M-1, Light Industrial District; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that a Conditional Use Permit pursuant to application CUP2700648 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is to allow drive-through facilities in an HC, Highway Corridor Overlay, Zoning District, on Assessor's Parcels 44-99, 44-101A, 44-101C and 44-101E as well as to allow an existing telecommunications facility in an M-1, Light Industrial, Zoning District located on Assessor's Parcels 44-100A and 44-101A (portion).
2. This Conditional Use Permit may be revoked or conditions amended by the Board of Supervisors for violation of these conditions or any applicable county, federal or state code.

Conditions Applicable to Commercial Facilities

3. This Conditional Use Permit shall be limited up to four (4) drive-through facilities for all of the affected parcels, as shown in the general locations depicted on the Generalized Development Plan (GDP) prepared by Prime Design Engineering, P. C., dated September 15, 2008 and entitled Payne, Cornerstone, and Grove Property Generalized Development Plan.
4. Access points to Parcels 32, 33, 34, and 37 shall be in general conformance with the GDP. No parcel shall have any direct access on to Warrenton Road. All subject parcels will be accessed by internal travel road networks.
5. Light fixtures shall be designed to direct light away from Warrenton Road, Banks Ford Parkway Extension, and McWhirt Loop.
6. Any canopy lighting shall be recessed within the canopy.
7. Loading spaces and truck delivery spaces shall be located outside of any required travel lane. Such spaces shall be designed to allow for adequate turning radius to

- accommodate free-flowing turning movements to prevent temporary obstruction of travel lanes.
8. Loading areas, dumpster pads and trash compactors shall be located in a manner to be screened from view from Warrenton Road, Banks Ford Parkway Extension and McWhirt Loop.
 9. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state maintained roadways. Where orienting the drive-through away from the corridor highway is not feasible, applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate headlight glare on the corridor highway.
 10. Entrances for drive-through lanes shall not have direct access from any primary travel lane that serves more than one building pad.
 11. Customer parking shall not have direct access to any primary travel lane that serves as access to more than one building pad.
 12. Stacking lanes for drive-through facilities shall be designed as to not impede traffic circulation.
 13. All drive-through facilities shall include a by-pass lane for vehicles not utilizing the drive-through area.
 14. All drive-through canopies shall be of coordinated color and materials as the primary structure on-site.

Conditions Applicable to the Communications Facility

15. The site shall have only one (1) free-standing tower. The maximum height of the tower shall be two hundred (200) feet. The tower shall be of monopole construction.
16. Once the facility is determined to be obsolete, written notice shall be sent to the County Administrator specifying discontinuance of the use of the facility. Within six (6) months of cessation of use of the facility, the equipment and the tower shall be removed by the applicant. Prior to site plan approval, the applicant shall enter into a performance agreement with Stafford County for removal of the facility.
17. There shall be no habitable structures located within the lease area identified on the General Development Plan, dated February 19, 1998.
18. Access to the site shall be from McWhirt Loop.
19. The facility shall be located on the property as shown on the General Development Plan.
20. The lease area shall be screened with vegetation to meet the standard of a fifteen foot wide buffer, consisting of a mixture of understory and canopy trees.
21. The facility shall be designated to accommodate at least four (4) carriers.
22. Prior to site plan approval, the applicant shall submit and obtain approval of an engineer's cost estimate, post a letter of credit, surety bond or other security acceptable to Stafford County for one hundred twenty five (125) percent of the cost of removal of the tower and facility.
23. Any frequencies or signals emitted by telecommunication equipment at the facility shall not interfere with or be incompatible with communications

- frequencies associated with military operations at Marine Corps Combat Development Command, Quantico.
24. In the event the County desires to locate its communications antenna on this facility, the applicant shall provide adequate space on the tower and within the compound of an equipment shelter at no cost to the County. The parties shall mutually agree as to the location of the antenna and equipment shelter on the facility.
 25. In the event that the existing telecommunications facility is removed, relocated or determined to be obsolete, the use shall have been deemed to have expired and conditions 15-24 as listed above shall be no force and effect.
 26. This Conditional Use Permit may be revoked or conditions amended by the Board of Supervisors for violation of these conditions or any applicable County, state or federal code.

County Attorney; Grant Right-of-Way Easements to Dominion Virginia Power on County Property for the Aquia Harbour-Garrisonville Underground Transmission Line Mr. Joe Howard, County Attorney, gave a presentation on all the proposed resolutions and responded to Board members questions.

Chris Hoppe, Director of Parks and Recreation, commented further.

The Chairman opened a public hearing on all issues.

The following persons spoke:

Larry Tucker and Jean Payne, Dominion Virginia Power

The Chairman closed the public hearing on all issues.

Mr. Sterling motioned, seconded by Mr. Dudenhefer to adopt proposed Resolution R08-526.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-526 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF A RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY ON AN UNIMPROVED ROAD KNOWN AS NORTHAMPTON BLVD, ON TM 20P, PARCEL 008

WHEREAS, Dominion Virginia Power has requested a fifty (50') foot permanent right-of-way easement on County-owned property on an unimproved road known as Northampton Blvd, on TM 20P, Parcel 008; and

WHEREAS, Dominion Virginia Power has offered compensation in the amount of \$500 for said permanent right-of-way easement based on appraisals received; and

WHEREAS, this right-of-way easement is necessary for Dominion Virginia Power to construct and continue to operate the Dominion Virginia Power Aquia Harbour-Garrisonville Underground Transmission Line; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey a fifty (50') foot right-of-way easement on County-owned property located on Northampton Blvd., TM 20P, Parcel 008.

Mr. Sterling motioned, seconded by Mr. Brito to adopt proposed Resolution R08-527.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-527 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF A RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY ACROSS UNIMPROVED LAND ON THE NORTH SIDE OF AUSTIN RIDGE AND THE EAST SIDE OF MINE ROAD, ON TM 29C-1-D

WHEREAS, Dominion Virginia Power has requested a fifty (50') foot maximum permanent and temporary right-of-way easement on County-owned property in two parts on unimproved land on the north side of Austin Ridge and the east side of Mine Road, on TM 29C-1-D; and

WHEREAS, Dominion Virginia Power has offered compensation in the amount of \$1,290 for said permanent and temporary right-of-way easement based on appraisals received; and

WHEREAS, this right-of-way easement is necessary for Dominion Virginia Power to construct and continue to operate the Dominion Virginia Power Aquia Harbour-Garrisonville Underground Transmission Line; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey a fifty (50') foot permanent and temporary right-of-way easement on County-owned property located in two parts on unimproved land on the north side of Austin Ridge and the east side of Mine Road, on TM 29C-1-D.

Mr. Brito motioned, seconded by Mr. Dudenhefer, to defer proposed Resolution R08-528.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Sterling, to adopt proposed Resolution R08-528.

The Voting Board tally on the substitute motion was:

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

Nay: (2) Brito, Dudenhefer

Resolution R08-528 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF A RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY ACROSS UNIMPROVED LAND ON BOTH SIDES OF EUSTACE ROAD, ON TM 29-49L

WHEREAS, Dominion Virginia Power has requested a fifty (50') foot permanent right-of-way easement on County-owned property across unimproved land on both sides of Eustace Road, TM 29-49L; and

WHEREAS, Dominion Virginia Power has offered compensation in the amount of \$1,500 for said permanent right-of-way easement based on appraisals received; and

WHEREAS, this right-of-way easement is necessary for Dominion Virginia Power to construct and continue to operate the Dominion Virginia Power Aquia Harbour-Garrisonville Underground Transmission Line; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey a fifty (50') foot right-of-way easement on County-owned property across unimproved land on both sides of Eustace Road, TM 29-49L.

Mr. Sterling motioned, seconded by Mr. Milde to adopt proposed Resolution R08-529.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-529 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF A RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY ACROSS A DEDICATED BUT UNDEVELOPED RIGHT-OF-WAY, SHELTON'S RUN SUBDIVISION

WHEREAS, Dominion Virginia Power has requested a ninety (90') foot maximum width, permanent and temporary right-of-way easement on County-owned property across a dedicated but undeveloped right-of-way, Shelton's Run Subdivision; and

WHEREAS, Dominion Virginia Power has offered compensation in the amount of \$800 for said permanent right-of-way easement based on appraisals received; and

WHEREAS, this right-of-way easement is necessary for Dominion Virginia Power to construct and continue to operate the Dominion Virginia Power Aquia Harbour-Garrisonville Underground Transmission Line; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey a ninety (90') foot maximum width, permanent and temporary right-of-way easement on County-owned property across a dedicated but undeveloped right-of-way, Shelton's Run Subdivision.

Mr. Sterling motioned, seconded by Mr. Milde, to adopt proposed Resolution R08-530.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-530 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF A RIGHT-OF-WAY EASEMENT TO DOMINION VIRGINIA POWER ON COUNTY-OWNED PROPERTY ACROSS UNIMPROVED LAND ON THE EAST SIDE OF EUSTACE ROAD, TM 29-49L

WHEREAS, Dominion Virginia Power has requested a fifteen (15') foot permanent and temporary right-of-way easement on County-owned property across unimproved land on the east side of Eustace Road, TM 29-49L; and

WHEREAS, Dominion Virginia Power has offered compensation in the amount of \$500 for said permanent right-of-way easement based on appraisals received; and

WHEREAS, this right-of-way easement is necessary for Dominion Virginia Power to construct and continue to operate the Dominion Virginia Power Aquia Harbour-Garrisonville Underground Transmission Line; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey a fifteen (15') foot permanent and temporary right-of-way easement on County-owned property across unimproved land on the east side of Eustace Road, TM 29-49L.

County Attorney; Convey an Easement to Verizon South, Inc. to Provide Service to Fire and Rescue Station No. 2 and Grant an Easement to Dominion Virginia Power at Fire and Rescue Station No. 2. Mr. Joe Howard, County Attorney, commented.

Ms. Tammi Ellis, Acting Executive Director of Administration, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing on both issues.

No one desired to speak.

The Chairman closed the public hearing on both issues.

Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Resolution R08-396.

The Voting Board tally was:

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

Nay: (0)

Absent (1) Dudenhefer

Resolution R08-396 reads as follows:

A RESOLUTION TO AUTHORIZE THE CONVEYANCE OF AN
EASEMENT ON COUNTY-OWNED PROPERTY TO VERIZON
SOUTH, INC.

WHEREAS, Verizon South, Inc. has requested a fifteen (15') foot easement on
County-owned property at TM 30, Parcel 43H on Courthouse Road; and

WHEREAS, this easement is necessary for Verizon South, Inc. to provide service
to the new Fire and Rescue Station No. 2; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of
Supervisors on this the 16th day of December, 2008, that the County Administrator be and
he hereby is authorized to convey a fifteen (15') easement on County-owned property
located at TM 30, Parcel 43H on Courthouse Road to Verizon South, Inc. for the purpose
of providing service to Fire and Rescue Station No. 2.

Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Resolution R08-504.

The Voting Board tally was:

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

Resolution R08-504 reads as follows:

A RESOLUTION TO AUTHORIZE CONVEYANCE OF AN EASEMENT ON
COUNTY-OWNED PROPERTY TO DOMINION VIRGINIA POWER

WHEREAS, Dominion Virginia Power has requested an easement on County-owned property at Fire & Rescue Station #2, TM 29, Parcel 98 and TM 29, Parcel 99; and

WHEREAS, this easement is necessary for Dominion Virginia Power to provide electrical service to Fire & Rescue Station #2; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the County Administrator be and he hereby is authorized to convey an easement on County-owned property located at TM 29, Parcel 98 and TM 29, Parcel 99, for the purpose of providing electrical service to Fire & Rescue Station #2.

Legislative; Additions/Deletions to the Regular Agenda. Mr. Milde motioned, seconded by Mr. Sterling, to add discussion items concerning Board Meeting Date on January 20, 2009, Inauguration Day as a Holiday, and proposed Resolution R08-566 - Economic Stimulus Funding and delete Item 11 - Transportation; Petition VDOT to Include Whirlaway Drive, Chriswood Lane and Citation Court within Christy Farms Subdivision, Section 2, into the Secondary System of State Highways.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Dudenhefer

Legislative; Consent Agenda. Mr. Milde motioned, seconded by Mr. Woodson, to adopt the Consent Agenda consisting of Items 10 thru 16, omitting Items 10b, 15 and 16b.

The Voting Board tally was:

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

Nay: (0)

Absent: (1) Dudenhefer

Item 10a. Legislative; Approve Minutes of Board Meetings. Regular Meeting of November 20, 2008.

Item 12. Transportation; Petition VDOT to Include Highpointe Boulevard into the Secondary System of State Highways, Secure Guarantee Funds and Provide Payments for Fees.

Resolution R08-555 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INCLUDE HIGHPOINTE BOULEVARD
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 Highpointe Boulevard into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected this street and found it acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008, that the Board be and it hereby does petition the Virginia Department of Transportation (VDOT) to include the following street into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Highpointe Blvd. (SR-1455)	From: 0.25 Mi. NW Inter. Mine Rd. (SR-684)	0.36 Mi.
	To: 0.61 Mi. Inter. NW Mine Rd. (SR-684)	60' ROW

An unrestricted right-of-way (ROW), for the street indicated above, with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Liberty Place, Plat Book 19, Pages 124-131; and

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

Resolution R08-556 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO SECURE GUARANTEE FUNDS AND PROVIDE PAYMENTS FOR
FEES INSTRUMENTED BY SECTION 24 VA. ADMIN. CODE 30-91-140
FOR THE ACCEPTANCE OF HIGHPOINTE BOULEVARD INTO THE
SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, in accordance with Section 24 Va. Admin. Code 30-91-140, a Street Maintenance and Administrative Cost Recovery Fee is required by the Virginia Department of Transportation (VDOT) and cannot be waived; and

WHEREAS, in accordance with Section 24 Va. Admin. Code 30-91-140, a Street Surety Bond is required to be posted, however, VDOT has agreed to accept said bond in the form of a resolution by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008, that the Board be and it hereby does request the County Administrator to process payments in the amount of One Thousand Three Hundred Dollars (\$1,300) for an Administrative Cost Recovery Fee and a Maintenance Fee of One Thousand Two Hundred Dollars (\$1,200); and

BE IT FURTHER RESOLVED that the County Attorney and County Administrator be and they hereby are authorized to take necessary legal action against responsible parties to recoup the cost of this work; and

BE IT STILL FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission (PRTC) be and it hereby is requested to reimburse the County for eligible expenditures from the fuels tax fund; and

BE IT STILL FURTHER RESOLVED that this resolution will serve as the bond requirement in the amount of Sixteen Thousand Dollars (\$16,000) for the satisfactory performance of Highpointe Boulevard for a period of one year; and

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

Item 13. Legislative; Authorize Public Hearings.

Resolution R08-548 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ADVERTISE A PUBLIC HEARING TO REVISE CERTAIN PARKS AND RECREATION FEES

WHEREAS, user fees are necessary to represent a fair and equitable method to finance the cost of operations and maintenance of park facilities; and

WHEREAS, increasing costs of providing services create a periodic need to increase the related fees; and

WHEREAS, staff has reviewed the fees and recommended increases be considered at this time; and

WHEREAS, at a meeting on November 20, 2008, the Parks and Recreation Commission unanimously recommended approval of the new fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008, that the County Administrator be and he hereby is authorized to advertise a public hearing to revise certain Parks and Recreation fees.

Resolution R08-560 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 22A, PURCHASE OF DEVELOPMENT RIGHTS

WHEREAS, the Board of Supervisors adopted Ordinance O07-02 which established Stafford County Code, Chapter 22A, Purchase of Development Rights; and

WHEREAS, Chapter 22A currently requires an appraisal of land be conducted for properties to be considered for purchase by the County; and

WHEREAS, an appraisal is not necessary for the County to purchase development rights from a property owner; and

WHEREAS, the Purchase of Development Rights Committee is recommending changes to Chapter 22A; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the Board be and hereby does authorize the County Administrator to advertise a public hearing for January 6, 2009 for amendments to Stafford County Code, Chapter 22A, Purchase of Development Rights.

Item 14. Utilities; Refer Water Rates for Water-Dependent Home-Based Businesses to the Utilities Commission

Resolution R08-562 reads as follows:

A RESOLUTION TO REFER THE ISSUE OF WATER RATES FOR WATER-DEPENDENT HOME-BASED BUSINESSES TO THE UTILITIES COMMISSION FOR FURTHER EVALUATION AND RECOMMENDATION

WHEREAS, the Board adopted Ordinance O08-40 on June 17, 2008 which provides for an increase in the rate charged for residential water consumption in excess of 20,000 gallons per month to promote water conservation; and

WHEREAS, it has come to the Board’s attention that some home-based businesses are dependent on water consumption to serve their customers; and

WHEREAS, it was not the Board’s intent for the new conservation rate to impact non-residential water usage;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008, that the issue of water rates for water-dependent home-based businesses be referred to the Utilities Commission for further review and recommendation back to the Board within 60 days.

Item 16a. Legislative; Appoint Members to Boards, Authorities, Commissions and Committees.

Resolution R08-561 reads as follows:

A RESOLUTION TO RECOMMEND A MEMBER FOR APPOINTMENT
TO THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, Section 15.2-2308 of the Code of Virginia (1950), as amended, and Section 28-341 of the Stafford County Code provides for a Board of Zoning Appeals which members shall be appointed by the Circuit Court; and

WHEREAS, Ordinance O93-06 authorizes the Board of Zoning Appeals to consist of seven members; and

WHEREAS, the Board has previously recommended and the Circuit Court appointed the following:

NAME

EXPIRATION

Ernest C. Ackermann
(Falmouth District) December 31, 2011

John Overbey
(Hartwood District) December 31, 2008

Stephen R. Beauch
(Griffis-Widewater District) December 31, 2009

Larry W. Ingalls
(George Washington District) December 31, 2010

Cecelia Kirkman
(Aquia District) December 31, 2008

Karl Larson
(Garrisonville District) December 31, 2012

Robert Gibbons
(Rock Hill District) December 31, 2012

WHEREAS, the term of John Overbey expires on December 31, 2008; and

WHEREAS, it is the desire of the Board to recommend an individual to fill this position; and

WHEREAS, the term is for five years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that

<u>NAME</u>	<u>EXPIRATION</u>
Ray Davis (Hartwood District)	December 31, 2013

be and he hereby is recommended for appointment to the Stafford County Board of Zoning Appeals.

Legislative; Approve Minutes of Board Meetings. Mr. Milde commented regarding the minutes for the December 2, 2008 Regular Meeting.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling to approve the minutes from the Regular Meeting of December 2, 2008 as presented.

The Voting Board tally was:

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

Legislative; Consider Endorsing Legislative Initiatives Proposed by VACo, Region 7 – North Central Virginia Localities Mr. Milde commented.

Mr. Milde motioned, seconded by Mr. Woodson to adopt proposed Resolution R08-563 with the removal of the statement concerning water quality and nutrient loading caps.

The Voting Board tally was:

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

Resolution R08-563 reads as follows:

A RESOLUTION TO ENDORSE THE LEGISLATIVE INITIATIVES OF THE
VACo REGION 7 – NORTH CENTRAL LOCALITIES FOR THE 2009
GENERAL ASSEMBLY

WHEREAS, the Virginia Association of Counties (VACo) Region 7 and North Central Virginia localities have jointly proposed legislative initiatives for the 2009 General Assembly; and

WHEREAS, the priority initiatives address transportation and the management of growth and its costs, two issues critical to our region; and

WHEREAS, the Board desires to express its support for these initiatives;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that the Board does hereby express its support for the following legislative initiatives proposed for the 2009 General Assembly by the VACo Region 7 – North Central Virginia localities:

PRIORITY ISSUES

STATE FUNDING FOR SHARED/LOCALLY ADMINISTERED PROGRAMS:

The Region calls upon the General Assembly and the Governor to maintain state funding that supports the shared state-local services that are administered locally but whose funding is a shared responsibility. These services range from K-12 education to social services, from public safety to public health. Even in periods of public revenue downturns, the state cannot back away from its funding responsibilities for the programs it requires, unless it reduces expectations regarding the level of service to be available to the public.

As the budget reduction discussions take place over the coming months, restructuring of services will certainly be a consideration. The Region will generally be supportive of reforms if they are based on a full understanding of the long-term impacts of such decisions. These decisions must be made only after assessing the fiscal and tax impacts at all levels of government. To enact a change that lessens the tax impact for the state while forcing localities to shoulder a greater burden merely shifts who is sending the bill to taxpayers.

COMPREHENSIVE SERVICES ACT:

Fifteen years ago the General Assembly passed the Comprehensive Services Act (CSA). That reform effort was intended to address the high costs of residential treatment for troubled or high-risk youth. The CSA created a cross-discipline approach to coordinating services in order to improve care and reduce costs. Although there have been notable successes associated with the program the escalating costs are still problematic. State budget difficulties have negatively impacted the shared-funding relationship between the state and localities. State match rates were changed in 2008 and now provide different reimbursement levels depending on the type of service. The change favors community-based services over residential but the definition of community-based services is so narrow as to punish small localities who must work regionally to access these specialized services.

The Region asks that the definition of community-based services be broadened to recognize regional programs in areas where single-jurisdiction programs are financially impractical due to scale.

TRANSPORTATION:

The Region recognizes that the current economic situation makes it very difficult to continue to make progress on addressing our severe transportation needs. It is however, essential that efforts continue. Providing more transportation choices for all Virginians including those who drive, use mass transit, walk or bicycle must remain a high priority. Transportation planning and decision-making must promote the principles of travel safety, livable communities, economic vitality, environmental stewardship and efficient use of public resources. Sound decision-

making must continue to recognize the linkage between land-use and transportation decisions to achieve cost-effectiveness and to retain quality of life.

Specific areas of concern:

A. Road Funding:

1. Address the annual shortfall of road maintenance funding. Until this situation is rectified the capital funding for secondary roads and urban streets will be negatively impacted;
2. Adjustments to the formula for distribution of road construction funds statewide to reflect the disproportionate burden on fast growing areas of the state;
3. Adequate funding for the Revenue Sharing program; and
4. Adjustment to the annual road maintenance allocation so that funding to localities in this fast-growing region is comparable with localities in the Northern Virginia Construction District.

B. Transit Funding - Continued support for past improvements in the state share of transit funding.

C. Additional financial support for transportation planning, especially rural planning which only receives state and local/regional funding. In this part of the Commonwealth these localities will cross the urbanized threshold with the next or following census and growth pressures will cause them to be far “behind the curve” in addressing transportation planning issues once they gain access to MPO-associated resources.

D. Continue to promote the “transportation-land use” relationship that was a key element of the Transportation Act of 2007 through greater authority for localities to develop multi-modal consistent development and the concepts of livable and walkable communities.

THE MANAGEMENT OF GROWTH AND THE COSTS:

The Region supports the efforts of the Athey/Vogel Study Committee to identify improvements to the land-use changes enacted as part of the Transportation Act of 2007 (HB3202). The current discussions include consideration of appropriate authority to allow the coordinated provision of

public facilities with minimum impact on taxpayers for by-right zoning so that the supply of public infrastructure can match the demand created by new development. Coordination of residential and commercial development with availability of transportation, schools, water, sewer and other services is critical to livable and affordable communities. While all parties are engaged in these discussions, efforts to legislate local land-use authority changes that will “short-circuit” this deliberative process should be resisted.

OTHER ISSUES

EDUCATION FUNDING:

The Region seeks help in addressing the escalating cost of school construction over the past 20 years and identification of strategies to effectively control costs while meeting the educational demands of the 21st Century.

The Region supports fair share funding for public education by the Commonwealth that at least includes:

1. The full funding of the Standards of Quality;
2. Recognition by the Commonwealth that the current policy of not acknowledging localities that employ land use value taxation in the calculation of the Composite Index (versus the current practice of using full assessed value) is inconsistent with its land preservation goals and policies;
3. Establishment of an appeals process for local governments to challenge the computation of their composite index;
4. Full funding for the literary loan fund;
5. Continued and expanded state funding to assist localities with school related capital costs including construction, renovation, and major capital purchases; and
6. Continued implementation of Cost-of-Competing funding for the localities of the region.

UNFUNDED MANDATES:

The Region strongly urges the General Assembly to continue to require that the enactment of any new mandate or the expansion of any existing mandate must include a fiscal impact analysis.

Additionally, appropriations by the Commonwealth based on that analysis which fully cover the cost associated with the fulfillment of that mandate and that the level of government required to carry out the mandate be involved in the development of the implementation process.

Specific areas of concern:

1. Full funding of the State's share of the true cost of the Standards of Quality;
2. Teacher salary mandates;
3. Increases in the local share for road construction;
4. State and federal environmental priorities;
5. Full funding for judges' secretaries; and
6. Fringe benefits funding for constitutional officers and their staff.

ANNEXATION AGREEMENTS:

The Region supports legislation which would eliminate the requirement that the Commission on Local Government participate in the annexation process when a negotiated settlement has been reached.

INDOOR PLUMBING:

The Region strongly urges the General Assembly to continue to support cost effective ways to provide indoor plumbing to the dwellings in Virginia that lack these most basic sanitary facilities.

HB599 FUNDING:

The Region considers that full funding of the HB599 program for localities with police departments to be an essential public safety policy.

RAPPAHANNOCK RIVER & THE CHESAPEAKE BAY:

The Region strongly supports the work of the Rappahannock River Basin Commission and continuation of the state portion of the shared state-local funding program. The Region also strongly urges the General Assembly to assure adequate funding for the Water Quality Improvement Fund in order to successfully implement the Rappahannock Tributary Strategy.

The Region also strongly supports efforts by the Commonwealth to work with the basin's localities to plan for the future water supply needs for the basin.

The Region also expresses concern that as the use of alternative on-site wastewater disposal systems increases there are inadequate resources for the Virginia Department of Health to appropriately monitor their safe operation as the systems age. If this situation is not addressed the pollution caused by improperly operating systems will undo other efforts to improve water quality thereby wasting limited water quality improvement funds.

Legislative: Appoint Members to Boards, Authorities, Commissions and Committees.

Mr. Schwartz commented.

Mr Schwartz motioned, seconded by Mr. Woodson, to deny proposed Resolution R08-565.

Mr. Milde made a substitute motion, seconded by Mr. Sterling, to adopt proposed Resolution R08-565.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Milde, Sterling, Dudenhefer
Nay: (4) Woodson, Crisp, Brito, Schwartz

The Voting Board tally on the original motion was:

Yea: (5) Woodson, Crisp, Brito, Schwartz, Milde,
Nay: (2) Sterling, Dudenhefer

Mr. Milde motioned, seconded by Mr. Sterling to reconsider the issue.

The Voting Board tally was:

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

The Voting Board tally on the original motion was:

Yea: (4) Woodson, Crisp, Brito, Schwartz,
Nay: (3) Milde, Sterling, Dudenhefer

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-565, changing the recommendation for appointment to Marty Hudson.

The Voting Board tally was:

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

Resolution R08-565 reads as follows:

A RESOLUTION TO RECOMMEND A MEMBER FOR APPOINTMENT
TO THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, Section 15.2-2308 of the Code of Virginia (1950), as amended, and Section 28-341 of the Stafford County Code provides for a Board of Zoning Appeals which members shall be appointed by the Circuit Court; and

WHEREAS, Ordinance O93-06 authorizes the Board of Zoning Appeals to consist of seven members; and

WHEREAS, the Board has previously recommended and the Circuit Court appointed the following:

NAME

EXPIRATION

Ernest C. Ackermann
(Falmouth District) December 31, 2011

John Overbey
(Hartwood District) December 31, 2008

Stephen R. Beauch
(Griffis-Widewater District) December 31, 2009

Larry W. Ingalls
(George Washington District) December 31, 2010

Cecelia Kirkman
(Aquia District) December 31, 2008

Karl Larson
(Garrisonville District) December 31, 2012

Robert Gibbons
(Rock Hill District) December 31, 2012

WHEREAS, the term of Cecelia Kirkman expires on December 31, 2008; and

WHEREAS, it is the desire of the Board to recommend an individual to fill this position; and

WHEREAS, the term is for five years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008, that

<u>NAME</u>	<u>EXPIRATION</u>
Marty Hudson (Aquia District)	December 31, 2013

be and he hereby is recommended for appointment to the Stafford County Board of Zoning Appeals.

Legislative; Discuss Utility Accounts Mr. Sterling commented.

Harry Critzer, Director of Utilities, gave a presentation and responded to Board members questions.

Discussion ensued.

Legislative; Discuss Quantico Encroachment – Comprehensive Plan Revision and Proposed Enhanced Buffer Program Mr. Sterling commented.

Discussion ensued.

Mr. Tim Baroody, Deputy County Administrator, commented further.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to request staff work with the Marine Corp Base and affected property owners on the properties for conservation easements.

Mr. Woodson made a substitute motion, seconded by Mr. Brito, to defer this item until a representative from Quantico will make the presentation.

Discussion ensued.

Mr. Sterling amended his motion to request staff work on properties that affect the Rock Hill district only.

The Voting Board tally was:

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

Nay: (2) Woodson, Brito

Legislative; Landfill Civil War Sites Mr. Crisp commented.

Discussion ensued.

Mr Crisp motioned, seconded by Mr. Milde to adopt the proposed plan submitted by the Friends of Stafford Civil War Sites, which allocates \$115,000 to open the Civil War Park within the next three years.

Discussion further ensued.

Mr. Glenn Trimmer, member of the Friends of Stafford Civil War Sites, commented further.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Sterling, to adopt the plan and allocate \$15,000 to the Civil War Park engineering and \$100,000 be allocated to the General Fund.

Mr. Brito requested a friendly amendment to amend the figures to allocate \$25,000 to the Park and \$90,000 to the General fund. Mr. Dudenhefer accepted the friendly amendment to the motion. Mr. Sterling accepted the amendment as well.

Discussion further ensued.

Mr. Milde made a second substitute motion, seconded by Mr. Crisp, to adopt the plan and allocate \$80,000 to the Park and \$35,000 to the General Fund.

The Voting Board tally on the second substitute motion was:

Yea: (3) Milde, Crisp, Schwartz
Nay: (4) Dudenhefer, Sterling, Woodson, Brito

The Voting Board tally on the amended motion was:

Yea: (5) Dudenhefer, Sterling, Woodson, Brito, Schwartz
Nay: (2) Crisp, Milde

Legislative; Discuss Support Legislative Initiatives Proposed by Social Action Linking Together (SALT) for 2009. Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Woodson to adopt proposed Resolution R08-567.

The Voting Board tally was:

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

Resolution R08-567 reads as follows:

A RESOLUTION TO ENDORSE LEGISLATIVE INITIATIVES
PROPOSED BY SOCIAL ACTION LINKING TOGETHER (SALT)
FOR 2009

WHEREAS, the Board has previously supported legislative initiatives proposed by Social Action Linking Together (SALT), and has been requested to support its initiatives for 2009; and

WHEREAS, the Board desires to go on record in support of these initiatives;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December, 2008 that the Board hereby endorses for the following legislative initiatives supported by SALT:

Rental Assistance. SALT joins the Virginia Coalition to End Homelessness in support of a pilot Rental Assistance Program. This program would provide funding to bridge the gap between one-third of a family's income and the fair market cost of housing. Families, who could not otherwise afford independent housing such as women with children moving from welfare to work, or working families in shelters, would be priority targets in a 3-year pilot program. The program would provide time limited assistance to provide the stability families need to advance in their work and achieve full independence. As their wages increase, their rental assistance would decline.

TANF Benefit Increase. Virginia families on Temporary Assistance to Needy Families (TANF) have received only one increase in their benefits over the past 23 years, a 10% increase in 2000. Meanwhile, inflation over that same period has equaled over 100%. A family of three receives only \$320 per month, less than a fifth of the federal poverty level. SALT urges a 10% increase in benefits for TANF recipients next year and the following two years, to be funded primarily from a federal block grant and the indexing of future benefits to go into effect each time state employee's wages are raised.

Transitional Assistance for Former Drug Offenders. SALT urges an end to the lifetime ban on TANF benefits for otherwise eligible individuals who have been convicted of drug-related felonies. In its 2005 session, the General Assembly enacted legislation to lift the lifetime ban that had prevented these ex-offenders (unlike persons convicted of any other crimes) from ever receiving food stamps, even after they had paid their debt to society. However, these individuals are still prevented from ever receiving TANF benefits. SALT believes it is critical to lift this lifetime ban as well, since it has

the effect of punishing the ex-offender's family and hindering the person's successful re-entry into society upon release.

Legislative; Discuss At-Large Chairman Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned, seconded by Mr. Sterling, to request that the General Assembly provide enabling legislation for the election of an At-Large Chairman.

The Voting Board tally was:

Yea: (3) Milde, Sterling, Dudenhefer

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

Legislative; Discuss Temporarily Lowering Permit Fees for Remodeling and Additions.

Mr. Brito commented.

Discussion ensued.

Mr. Brito motioned, seconded by Mr. Crisp, to request that staff review the lowering of permit fees for remodeling and additions.

The Voting Board tally was:

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

Nay: (1) Milde

Absent: (2) Sterling, Woodson

Legislative; Discuss Personal Property Tax Relief for Disabled Vets. Mr. Brito commented.

Discussion ensued.

Mr. Brito motioned, seconded by Mr. Milde, to request staff further review the issue and bring back to the Board its recommendation.

The Voting Board tally was:

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

Legislative; Discuss Board Meeting Date of January 20, 2009. Mr. Schwartz commented.

Discussion ensued.

Mr. Schwartz motioned, seconded by Mr. Milde, to move the Board Meeting to January 22, 2009, due to the Inauguration.

The Voting Board tally was:

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

Legislative; Discuss January 20, 2009, Inauguration Day as a Holiday. Mr. Dudenhefer commented.

Discussion ensued.

Mr. Dudenhefer motioned, seconded by Mr. Schwartz, to declare January 20, 2009 a County Holiday.

The Voting Board tally was:

Yea: (5) Dudenhefer, Schwartz, Woodson, Sterling, Crisp
Nay: (2) Milde, Brito

Legislative; Discuss Economic Stimulus Funding. Mr. Sterling commented.

Discussion ensued.

Mr. Sterling motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R08-566 with a change.

The Voting Board tally was:

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

Nay: (0)

Resolution R08-566 reads as follows:

A RESOLUTION TO REQUEST THAT ECONOMIC STIMULUS
FUNDING BE PROVIDED FOR THE CRITICAL INFRASTRUCTURE
PROJECTS IN THE COUNTY OF STAFFORD, VIRGINIA

WHEREAS, Stafford County continues to work to improve quality of life for our community, which now includes approximately 125,000 residents and over 2000 businesses; and

WHEREAS, Stafford County is increasingly affected by diminishing state and federal revenues for transportation improvements, and other critical infrastructure, negatively impacting job growth and economic expansion; and

WHEREAS, the Board of Supervisors recently has taken action, and passed a \$70 million road bond package by referendum in our community, and is taking steps to increase efficiencies in local government spending; and

WHEREAS, Stafford County has a demonstrated need for critical infrastructure upgrades to include the renovation of aging schools, upgrades to water and sewer infrastructure, significant road improvements, and essential public safety projects equating to several hundred million dollars in critical near term investments; and

WHEREAS, to address funding shortfalls, we respectfully request that federal resources, in an upcoming Economic Stimulus package or other vehicles, are dedicated to Stafford improvements; and

WHEREAS, Stafford County is committed to keep the Commonwealth of Virginia a desired place to live and work. With Quantico, a new hospital, a federally supported regional airport, and Interstate 95 - the Mid-Atlantic's backbone - federal resources are desperately needed to keep goods and services moving, and efficient evacuation routes open south of the Nation's Capital; and

WHEREAS, Stafford County has a proven track record in working to partner collaboratively with the federal government, the Commonwealth, and private sector parties to move infrastructure projects forward. Stafford County is the proud host of Marine Corps Base Quantico which include the FBI's Academy and the National Crime Lab, the Drug Enforcement Agency's training facility and the new BRAC related Military Defense Investigative Agencies complex;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of December 2008 that, in order to greatly improve our community, and provide much needed corridor improvements in the region, create jobs and foster long-term economic development, the Board be and it hereby does request that funding be provided for the below critical infrastructure projects.

TRANSPORTATION	\$80,651,000
o Rte 17	\$ 47,683,000 (UPC 71774)

- Rte 610 \$ 7,702,000 (UPC 51919)
- Rte 630 Bridge \$ 7,654,000 (UPC 15458)
- Rte 1 Bridge \$ 2,612,000 (UPC 76515)
- Rte 630 Interchange \$ 15,000,000

PUBLIC SAFETY \$ 56,169,000

- Station 14 Fire and Rescue \$ 6,139,000
- Fire and Rescue Training Center \$ 4,930,000
- Public Safety Communications System \$ 14,600,000
- J&DR Courthouse \$ 30,500,000

PUBLIC UTILITY INFRASTRUCTURE \$125,091,000

- Water System Upgrades
 - Rocky Pen Reservoir \$ 90,000,000
 - Water Main (2 miles/24")
from Rocky Pen Run WTF
along Greenbank/Warrenton
Road \$ 2,495,000
 - Water Tank/Courthouse
Area (Hospital) \$ 2,147,000
 - Water Tank England Run \$ 1,947,000
 - Water Mains along Beagle Rd,
Butler Rd, Layhill Rd/Forbes
St, Olde Forge Dr to Rt 1 \$ 3,862,000
- Wastewater System Upgrades
 - Aquia WWTF Nutrient
Removal Upgrades \$ 21,513,000
 - Falls Run Sewer Interceptor

Replacement	\$ 1,972,000
▪ Little Falls Run WWTF	\$ 1,155,000

PUBLIC SERVICES \$12,400,000

- England Run Library \$12,400,000

PUBLIC EDUCATION \$62,000,000

- Elementary School Reconstruction \$36,000,000
- Fiber Optic Network \$ 6,000,000
- Infrastructure Renovations \$20,000,000

Adjournment. At 9:44 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

George H. Schwartz
Chairman