

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

MINUTES

Regular Meeting  
June 5, 2007

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Jack R. Cavalier, Chairman, at 1:00 P. M., Tuesday, June 5, 2007, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: Mark Dudenhefer, Vice Chairman; Peter J. Fields; Robert C. Gibbons; Paul V. Milde; George H. Schwartz; M. S. "Joe" Brito; and Jack R. Cavalier, Chairman.

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

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

- Dana Brown - Political sings in subdivisions.
- Cecelia Kirkman - Item 11, water resource protection board package, on the regular agenda.
- Rochelle Grey - Funding for Stafford Choral Society; spring concert.
- Patricia Kurpiel - Long term financial planning for land use.

Legislative; Report of the Superintendent of Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current issues and responded to Board members questions.

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

- |                |  |
|----------------|--|
| Mr. Schwartz   | <ul style="list-style-type: none"> <li>- Attended Annual Economic Development Authority Business Appreciation Luncheon.</li> <li>- Attended library design committee meeting.</li> <li>- Attended transportation forum.</li> <li>- Damage to historic building.</li> </ul>                     |
| Mr. Brito      | <ul style="list-style-type: none"> <li>- Attended Annual Economic Development Authority Business Appreciation Luncheon.</li> <li>- Attended Anthony Burns Elementary School dedication.</li> <li>- Internal Auditor Committee interviews.</li> <li>- Attended transportation forum.</li> </ul> |
| Mr. Dudenhefer | <ul style="list-style-type: none"> <li>- Attended transportation forum.</li> <li>- FAMPO meeting.</li> <li>- Quantico Growth Management meeting.</li> <li>- Internal Auditor.</li> </ul>   |
| Mr. Fields     | <ul style="list-style-type: none"> <li>- Standard informational packet to small business owners.</li> <li>- Requested future work session on economic development initiatives.</li> <li>- Attended Board of Social Services Meeting.</li> </ul>  |

- Attend Community Policy and Management Team meeting.
- Attended library design committee meeting.
- Attended transportation forum.

Mr. Gibbons

- Memorial wall for veterans.
- Requested Route 627 on next work session.
- Public hearing in Richmond on the Dominion Virginia Power transmission line.
- Fredericksburg Area Metropolitan Planning Organization; formation of a transportation authority.
- Leeland Station.
- Requested a work session on the Transportation HB3202.

Mr. Milde

- Virginia Railway Express ridership.
- Potomac and Rappahannock Transportation Commission.
- Presented three Eagle Scouts.
- Attending all-day legal seminar.
- Comprehensive Plan Steering Committee.
- Quantico Bridge second rail ceremony.
- Brooke Post Office.
- Chamber of Commerce.
- Attended Annual Economic Development Authority Business Appreciation Luncheon.
- Attended transportation forum.
- Attended Regional Solid Waste Management Board meeting.

- Mr. Cavalier
- Attended Annual Economic Development Authority Business Appreciation Luncheon.
  - Attended the Dixon-Smith Middle School opening.
  - Fredericksburg/Stafford Park Authority agreement.
  - Moncure Elementary School bingo night.
  - Attended Brooke Point High School Academic Awards Program.
  - Announced candidacy for re-election.

Legislative; Report of the County Attorney. Mr. Joseph L. Howard, County Attorney, commented on the following:

- Closed Meeting additions.

Legislative; Report of the County Administrator. Mr. Steve Crosby, County Administrator, commented on the following:

- Government Island on National Registry.
- Recycling stats.
- Defense Contractors reception.
- Relocation of Ruby Polling Place to Rock Hill Baptist Church.
- Interviews for County Administrator at undisclosed location and time.

Planning; Consider Amendments to the Zoning Ordinance and the Land Use Plan Element of the Comprehensive Plan to Include Traditional Neighborhood Development as a Type of Planned Development. The County Attorney commented regarding this item stating a procedural error had occurred and the public hearing scheduled for tonight needed to be cancelled.

Mr. Brito motioned, seconded by Mr. Schwartz, to cancel the public hearing scheduled as Item 14 on the Regular Agenda for this evening.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Mr. Brito motioned, seconded by Mr. Schwartz, to defer discussion regarding traditional neighborhood development as a type of planned development to the next Board meeting.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Schwartz, Brito, Cavalier, Fields, Gibbons

Nay: (2) Milde, Dudenhefer

Legislative; Consent Agenda. Mr. Fields motioned, seconded by Mr. Gibbons, to adopt the Consent Agenda consisting of Items 1 thru 8.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Item 1. Legislative; Approve Minutes of Board Meetings. Regular Meeting of May 1, 2007, and Regular Meeting of May 15, 2007.

Item 2. Finance; Authorize a Public Hearing to Authorize Lease Financing of Fire and Rescue Vehicles and to Budget and Appropriate Lease Proceeds for School Technology Equipment and Buses.

Resolution R07-230 reads as follows:

A RESOLUTION AUTHORIZING A PUBLIC HEARING TO AUTHORIZE  
LEASE FINANCING FOR FIRE AND RESCUE EQUIPMENT

WHEREAS, the Board has determined that it is necessary and advisable to finance, on a tax-exempt or taxable basis, the cost of the acquisition of certain fire and rescue equipment (the "Fire and Rescue Equipment") consisting primarily of fire trucks and rescue vehicles for the County; and

WHEREAS, the Fire and Rescue Equipment will be used by various volunteer fire and rescue organizations operating in the County; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended, requires the Board hold a public hearing on such plan of financing; and

WHEREAS, the Board has determined that it may be necessary or desirable to advance money to pay certain costs of financing or refinancing the Fire and Rescue Equipment and to reimburse such advances with proceeds of a lease financing.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors:

1. The County Administrator is authorized to advertise a public hearing to be held on June 19, 2007 on the lease financing of the Equipment.
2. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150.2. The Board of Supervisors reasonably expects to reimburse advances made or to be made by the County to pay the costs of financing or refinancing the Equipment from the proceeds of a lease financing in the maximum amount of \$1,449,439.
3. This resolution shall take effect immediately upon its adoption.

Resolution R07-231 reads as follows:

A RESOLUTION AUTHORIZING A PUBLIC HEARING TO AMEND  
THE GENERAL CAPITAL PROJECT FUND BUDGET

WHEREAS, the Board has determined that it is necessary and advisable to finance, on a tax-exempt basis, the cost of the acquisition of certain school technology infrastructure upgrades and equipment replacements (the "Equipment") in the maximum amount of \$1,645,079; and

WHEREAS, the Board proposes to amend the County's General Capital Project Fund Budget (the "Budget") to add the purchase of the Equipment to the Budget to be financed with proceeds from a lease financing; and

WHEREAS, Title 15.2, Section 2507 of the Code of Virginia (1950), as amended, requires the Board to hold a public hearing on such an amendment to the Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors:

1. The County Administrator is authorized to advertise a public hearing to be held on June 19, 2007 on the amendment to the Budget.
2. This resolution shall take effect immediately upon its adoption.

Item 3. Utilities; Authorize Contract Amendment for Biosolds Management Services.

Resolution R07-215 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT AMENDMENT FOR BIOSOLIDS  
MANAGEMENT SERVICES

WHEREAS, by Resolution R02-269, the Board authorized a contract for biosolids management services for the Department of Utilities; and

WHEREAS, the contract provided for an initial contract period of three (3) years and up to six (6) additional one-year extensions; and

WHEREAS, a contract amendment is needed to extend the contract through June 30, 2008; and

WHEREAS, funds have been appropriated in the FY2008 budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that the County Administrator be and he hereby is authorized to execute a contract with Synagro Mid-Atlantic, Inc. for biosolids management services with an estimated FY2008 expenditure of \$381,125.

Item 4. Utilities; Amend the Pump and Haul Agreement at the Stafford Regional Airport.

Resolution R07-181 reads as follows:

A RESOLUTION TO AMEND THE PUMP AND HAUL AGREEMENT  
AT THE STAFFORD REGIONAL AIRPORT FOR THE PROPOSED  
CORPORATE HANGAR AT SPACE C-1

WHEREAS, the property at the Stafford Regional Airport is an approved non-residential Pump and Haul customer under Resolution R01-256; and

WHEREAS, Resolution R01-256 provides that the property owner may not expand and/or modify the existing structure unless approved on a case-by-case basis by the Utilities Commission and the Board; and

WHEREAS, the Manager of Stafford Regional Airport has requested permission to construct a corporate hangar at space C-1 on the airport property connected to the airport pump and haul tanks;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5<sup>th</sup> day of June, 2007, that the Pump and Haul Agreement be and it hereby is amended to allow the construction of a corporate hangar at space C-1 connected to the airport pump and haul tanks.

Item 6. Public Services; Request VDOT Consider and Evaluate Certain Design Features Associated with the New I-95 Interchange with Courthouse Road.

Resolution R07-235 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF  
TRANSPORTATION CONSIDER AND EVALUATE CERTAIN  
DESIGN FEATURES ASSOCIATED WITH THE NEW INTERSTATE  
95 INTERCHANGE WITH COURTHOUSE ROAD

WHEREAS, the Virginia Department of Transportation (VDOT) is in the preliminary engineering phase of a project that will construct a new Interstate 95 interchange with Courthouse Road, the location of which was approved by the Commonwealth Transportation Board (CTB) on August 21, 1997; and

WHEREAS, on February 20, 2007, the Board expressed by Resolution R07-107 to CTB and VDOT its support for the construction of this project; and

WHEREAS, in consideration of the economic and social effects of this proposed project, it is prudent that certain design features be evaluated;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that the Board be and hereby does request VDOT to consider and evaluate the following design features of the new interchange: 1) Preserve the existing Courthouse Road underpass at I-95, and preserve the connection of Austin Ridge Drive to Courthouse Road west of I-95 in close proximity to its current location, and 2) Prepare the eastern termini of the new interchange to align properly at Jefferson Davis Highway to best coincide with ongoing Courthouse area master planning efforts; and

BE IT FURTHER RESOLVED that the VDOT Residency Administrator receive a copy of this Resolution.

Item 7. Legislative; Appoint Members to Boards, Authorities and Committees.

Clean Community Task Force.

Resolution R07-238 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE CLEAN  
COMMUNITY TASK FORCE

WHEREAS, the purpose of the task force is to bring recommendations to the Board on actions to preserve Stafford's environment and quality of life; and

WHEREAS, the task force shall consider issues including, but not limited to, property maintenance and Chapter 21, Articles IV (Accumulations of litter on private property) and V ( Litter control) of the County Code; and

WHEREAS, the task force shall develop methods to control and manage the: 1.) removal of trash, garbage, etc. from properties, including roadways, 2.) littering, 3.) dropping contents from vehicles, 4.) litter receptacles 5.) penalties for violations; and

WHEREAS, suggestions to the Board can include, but not be limited to, acquisition of equipment to clean roadways, new ways to provide workers for regular maintenance, cooperative maintenance procedures with VDOT; and

WHEREAS, the task force shall have seven appointed members, one from each of the County's election districts and staff support from the County Attorney's Office, Department of Code Administration, Office of Litter Prevention and Recycling, or other departments as needed; and

WHEREAS, the task force shall present its recommendations to the Board within six months of appointment of members at which time the task force shall be dissolved, unless it is deemed necessary by the Board that it be continued;

WHEREAS, the Board has previously appointed the following:

NAME

Curtis M. Dickinson  
(Falmouth District)

Wendy Meyer  
(Garrisonville District)

Barry Hastings  
(Hartwood District)

Anne Kline  
(Rock Hill District)

Jane Gill  
(Griffis-Widewater District)

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that:

NAME

Shari Kern  
(Aquia District)

be and she hereby is appointed to the Clean Community Task Force.

Utilities Commission.

Resolution R07-242 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE UTILITIES  
COMMISSION

WHEREAS, Resolution R82-208, "A Resolution to Establish the Utilities Commission to Advise the Board of Supervisors", authorizes the appointment of members; and

WHEREAS, the Board has appointed the following:

NAME

EXPIRATION

Patricia Kurpiel  
(Falmouth District)

December 31, 2009

Robert P. Hunt  
(Aquia District) December 31, 2009

Juan Chaves  
(George Washington District) December 31, 2007

Earl Lloyd Chittum  
(Hartwood District) December 31, 2009

Joyce Arndt  
(Griffis-Widewater District) December 31, 2007

Richard Carroll  
(Garrisonville District) December 31, 2009

Eugene Mayausky  
(Rock Hill District) December 31, 2007

WHEREAS, Eugene Mayausky has submitted his resignation; and

WHEREAS, the Board desires to fill the unexpired term;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 5th day of June, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Franklin J. Ringquist (Rock Hill District)	December 31, 2007

be and he hereby is appointed to the Utilities Commission.

Economic Development Authority.Resolution R07-243 reads as follows:

A RESOLUTION TO REAPPOINT MEMBERS TO THE  
ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the Economic Development Authority of Stafford was established by Ordinance of the Board on June 10, 1970, and a total of seven (7) Directors were appointed initially for terms of one (1), two (2), three (3) and four (4) years; two (2) being appointed for one (1) year terms, two (2) being appointed for two (2) year terms, two (2) being appointed for three (3) year terms and one (1) being appointed for a four (4) year term; and

WHEREAS, pursuant to Section 15.2-4904 of the Code of Virginia (1950), as amended, subsequent appointments were to be for terms of four (4) years, except appointments to fill vacancies were to be for the unexpired terms and all terms of the office were deemed to commence upon the date of the initial appointment to the Authority and, thereafter, in accordance with these provisions; and

WHEREAS, the following members have been appointed:

<u>NAME</u>	<u>EXPIRATION</u>
Donald H. Newlin (George Washington District)	June 10, 2007
Wendy Surman (Rock Hill District)	June 10, 2007

Edward B. Hontz  
(Falmouth District) June 10, 2008

Mark Safferstone  
(Griffis-Widewater District) June 10, 2009

John Rowley  
(Hartwood District) June 10, 2009

Jo Knight  
(Aquia District) June 10, 2010

Joel Griffin  
(Garrisonville District) June 10, 2008

WHEREAS, the terms of Wendy Surman and Donald Newlin will expire on June 10, 2007; and

WHEREAS, the Board desires to reappoint them;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that

<u>NAME</u>	<u>EXPIRATION</u>
Donald Newlin (George Washington District)	June 10, 2011
Wendy Surman (Rock Hill)	June 10, 2011

be and they hereby are appointed as a member of the Economic Development Authority;  
and

BE IT FURTHER RESOLVED that if at the end of any term of office of any director and a successor thereto has not been appointed, then the director whose term of office has expired shall continue to hold office until a successor is appointed and qualified and that successor shall fulfill the remainder of the term.

Parks and Recreation Commission.

Resolution R07-245 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE PARKS AND  
RECREATION COMMISSION

WHEREAS, Section 15.2-1806 of the Code of Virginia (1950), as amended, authorizes the Board to appoint members to serve on the Parks and Recreation Commission; and

WHEREAS, membership consists of ten members, one member from each election district in the County, one member as a representative from the School Board, one member from the Board of Supervisors and one member from the Planning Commission; and

WHEREAS, at a meeting on February 21, 2006, the Board adopted the amended Parks and Recreation Bylaws to reflect that members' terms shall run concurrently with respective Board of Supervisors' terms; and

WHEREAS, the Board has appointed the following:

NAME

EXPIRATION

John Druiett (Hartwood District)	December 31, 2009
Thomas Paton (Garrisonville District)	December 31, 2009
Robert Ray (Aquia District)	December 31, 2009
Jack R. Cavalier (Board of Supervisors)	December 31, 2007
John C. LeDoux (School Board Representative)	December 31, 2009
Randy Walther (Falmouth District)	December 31, 2009
Kenneth Mitchell (Planning Commission)	December 31, 2009
Eric Lindner (Griffis-Widewater District)	December 31, 2007
Brian Robinson (George Washington District)	December 31, 2007
Laurence R. Checca (Rock Hill District)	December 31, 2007

WHEREAS, Brian Robinson has submitted his resignation; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that

NAME

EXPIRATION

Harry Crisp

December 31, 2007

(George Washington District)

be and he hereby is appointed as a member of the Parks and Recreation Commission.

Item 8. Utilities; Award Contract for Construction of U. S. Route 1 and Mountain View Road Waterline Projects.

Resolution R07-241 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE A CONTRACT FOR CONSTRUCTION OF THE US ROUTE 1  
AND MOUNTAIN VIEW ROAD WATERLINE PROJECTS

WHEREAS, the Board has authorized construction of Waterline Projects to improve the operation and reliability and availability of the water system as shown on the construction documents; and

WHEREAS, the projects have been designed and offered for public bids; and

WHEREAS, bids were received, with W. C. Spratt the lowest responsive bidder with a bid of \$699,192; and

WHEREAS, staff has recommended award of a contract to W. C. Spratt;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5<sup>th</sup> day of June, 2007, that the County Administrator be and he hereby is authorized to execute a contract with W. C. Spratt in an amount not to exceed Six Hundred Ninety-nine Thousand One Hundred Ninety-two Dollars (\$699,192) for construction of the US Route 1 and Mountain View Road Waterline Projects.

Budget; Consider Proposed FY2008 County Budgets. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation and responded to Board members questions.

Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Resolution R07-80, stating further that all adjustments are revenue neutral to the figures presented in this budget.

Discussion ensued.

The Voting Board tally was:

Yea: (6) Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (1) Brito

Resolution R07-80 reads as follows:

A RESOLUTION TO APPROVE THE FISCAL YEAR 2008  
COUNTY BUDGETS

WHEREAS, a public hearing on the proposed Fiscal Year 2008 Budget was held on Tuesday, April 17, 2007, at 7:00 P.M. in the Auditorium of Colonial Forge High School, 550 Courthouse Road, Stafford, Virginia, 22554; and

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

WHEREAS, at the April 24, 2007 meeting, the Board approved Local School Funding for FY2008 at \$132.6 million; and set the 2007 real estate tax rate at \$0.70;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that the Fiscal Year 2008 General Fund Budget be and it hereby is adopted as follows:

BE IT FURTHER RESOLVED that the Fiscal Year 2008 County Budgets be and they hereby are adopted as follows:

**I. GENERAL GOVERNMENT FUNDS:**

GENERAL FUND	239,287,162
UTILITIES FUNDS	105,560,657
GENERAL CAPITAL IMPROVEMENTS FUND	21,218,720
TRANSPORTATION FUND	5,077,715
FLEET SERVICES FUND	3,764,730
E-911 FUND	3,036,305
TOURISM FUND	810,041
ASSET FORFEITURE FUND	39,030

**II. SCHOOL FUNDS:**

OPERATING FUND	249,944,005
CONSTRUCTION FUND	43,767,372
HEALTH SERVICES FUND	23,486,479
SCHOOL NUTRITION SERVICES FUND	10,016,945
WORKERS' COMPENSATION FUND	778,741
TOTAL SCHOOL FUNDS	<u><u>327,993,542</u></u>

Discussion further ensued.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to provide funding to the Lions Club in the amount of \$5,000 reducing the Board of Supervisors budget \$5,000.

Discussion ensued.

The Voting Board tally was:

Yea: (3) Dudenhefer, Milde, Cavalier

Nay: (4) Fields, Gibbons, Schwartz, Brito

Mr. Fields motioned, seconded by Mr. Schwartz, to reduce funding in the amount of \$218,000 from the YMCA and provide to the Outside Agencies additional funding in the amount of \$125,000.

Discussion ensued.

Mr. Brito made a substitute motion to reduce the funding in the amount of \$218,000 from the YMCA and fund the Outside Agencies at last year's requests; excluding the new agency requests; provide funding to the Fredericksburg Area Museum and the Northwestern Virginia Health System Agency; and hire one full-time as soon as possible and the second one would be phased in according to what the budget amount is.

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

Discussion further ensued.

The Voting Board tally on the original motion was:

Yea: (3) Fields, Schwartz, Brito

Nay: (4) Gibbons, Milde, Cavalier, Dudenhefer

Mr. Brito motioned, seconded by Mr. Fields, to eliminate the \$30,000 in the Board of Supervisors budget for the replacement van.

The Voting Board tally was:

Yea: (3) Schwartz, Brito, Fields

Nay: (4) Milde, Cavalier, Dudenhefer, Gibbons

Mr. Cavalier motioned, seconded by Mr. Gibbons, to add funding in the amount of \$84,000 for the Purchase of Development Rights Program and remove same amount from the Contingency Reserve Non-Departmental category.

The Voting Board tally was:

Yea: (6) Schwartz, Brito, Cavalier, Fields, Gibbons, Milde

Nay: (1) Dudenhefer

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to reduce funding in the amount of \$350,000 from the LOSAP Program and provide to the Fire and Rescue for career new hires.

The Voting Board tally was:

Yea: (2) Dudenhefer, Schwartz

Nay: (5) Brito, Cavalier, Fields, Gibbons, Milde

Mr. Brito motioned, seconded by Mr. Fields, to reduce funding in the Economic Development/Legislative Affairs budget in the amount of \$80,000 and give to the Fire and Rescue.

Discussion ensued.

The Voting Board tally was:

Yea: (2) Schwartz, Brito

Nay: (5) Cavalier, Dudenhefer, Fields, Gibbons, Milde

Legislative; Consider Appointment of Members to the Rappahannock Economic Development Corporation (REDCO). The County Administrator commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution R07-180.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Dudenhefer, Fields, Gibbons, Milde, Schwartz, Brito, Cavalier

Nay: (0)

Resolution R07-180 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE  
RAPPAHANNOCK ECONOMIC DEVELOPMENT  
CORPORATION (REDCO)

WHEREAS, the reorganization of the George Washington Regional Commission and the change in its Charter requires changes in the Rappahannock Economic Development Corporation (REDCO), a Certified Development Company; and

WHEREAS, REDCO has 25 persons as its members; ten Commissioners of the George Washington Regional Commission (GWRC) and fifteen additional members, three from each of the governmental subdivisions having membership in GWRC shall be appointed by GWRC from persons in the planning district and shall automatically become members of REDCO at the annual meeting of REDCO in June; and

WHEREAS, in accordance with the bylaws, the membership must be representative of the region and shall include representation from each of the following

four categories for a total of five positions: local government; private lending institutions; community organizations and business organizations;

WHEREAS, the Board has previously appointed the following:

<u>MEMBER</u>	<u>EXPIRATION</u>
<u>Mark Dudenhefer</u> local government member	June 30, 2008
<u>Robert C. Gibbons</u> local government member	June 30, 2008

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June 2007, that:

<u>MEMBER</u>	<u>EXPIRATION</u>
<u>Michael L. Torosian</u> private lending institution	June 30, 2008

be and he hereby is appointed to the Rappahannock Economic Development Corporation (REDCO).

Mr. Fields motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-264.

The Voting Board tally was:

Yea: (6) Fields, Gibbons, Milde, Brito, Cavalier, Dudenhefer  
Nay: (1) Schwartz

Resolution R07-264 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE  
RAPPAHANNOCK ECONOMIC DEVELOPMENT  
CORPORATION (REDCO)

WHEREAS, the reorganization of the George Washington Regional Commission and the change in its Charter requires changes in the Rappahannock Economic Development Corporation (REDCO), a Certified Development Company; and

WHEREAS, REDCO has 25 persons as its members; ten Commissioners of the George Washington Regional Commission (GWRC) and fifteen additional members, three from each of the governmental subdivisions having membership in GWRC shall be appointed by GWRC from persons in the planning district and shall automatically become members of REDCO at the annual meeting of REDCO in June; and

WHEREAS, in accordance with the bylaws, the membership must be representative of the region and shall include representation from each of the following four categories for a total of five positions: local government; private lending institutions; community organizations and business organizations;

WHEREAS, the Board has previously appointed the following:

Mark Dudenhefer June 30, 2008  
local government member

Robert C. Gibbons June 30, 2008  
local government member

Michael L. Torosian June 30, 2008  
private lending institution

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June 2007, that:

<u>MEMBER</u>	<u>EXPIRATION</u>
<u>Donald Newlin</u> business organization	June 30, 2008

be and he hereby is appointed to the Rappahannock Economic Development Corporation (REDCO).

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed R07-265 with the nomination of Joel Griffin.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Milde, to adopt proposed Resolution R07-265 with the nomination of Steven Apicella.

The Voting Board tally on the substitute motion was:

Yea: (4) Milde, Cavalier, Dudenhefer, Gibbons  
Nay: (3) Schwartz, Brito, Fields

Resolution R07-265 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE  
RAPPAHANNOCK ECONOMIC DEVELOPMENT  
CORPORATION (REDCO)

WHEREAS, the reorganization of the George Washington Regional Commission and the change in its Charter requires changes in the Rappahannock Economic Development Corporation (REDCO), a Certified Development Company; and

WHEREAS, REDCO has 25 persons as its members; ten Commissioners of the George Washington Regional Commission (GWRC) and fifteen additional members, three from each of the governmental subdivisions having membership in GWRC shall be appointed by GWRC from persons in the planning district and shall automatically become members of REDCO at the annual meeting of REDCO in June; and

WHEREAS, in accordance with the bylaws, the membership must be representative of the region and shall include representation from each of the following four categories for a total of five positions: local government; private lending institutions; community organizations and business organizations;

WHEREAS, the Board has previously appointed the following:

<u>MEMBER</u>	<u>EXPIRATION</u>
<u>Mark Dudenhefer</u> local government member	June 30, 2008
<u>Robert C. Gibbons</u> local government member	June 30, 2008
<u>Michael L. Torosian</u> private lending institution	June 30, 2008
<u>Donald Newlin</u> business organization	June 30, 2008

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June 2007, that:

Steven Apicella  
community organization

June 30, 2008

be and he hereby is appointed to the Rappahannock Economic Development Corporation (REDCO).

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

Call to Order. At 4:06 P.M., the Chairman called the meeting back to order.

Legislative; Reconsider the Motion to Defer the Discussion of the Traditional Neighborhood Development as a Type of Planning Development. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to reconsider the motion to defer the discussion regarding traditional neighborhood development as a type of planned development to the next Board meeting.

The Voting Board tally was:

Yea: (4) Cavalier, Dudenhefer, Gibbons, Milde  
Nay: (3) Schwartz, Brito, Fields

Legislative; Initiate Amendments to the Zoning Ordinance and Amendments to the Land Use Plan Element of the Comprehensive Plan to Include Traditional Neighborhood Development as a Type of Planned Development. Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-257.

Mr. Fields made a substitute motion, seconded by Mr. Schwartz, to request that the Planning Commission bring back the TND Ordinance, with a comprehensive package of rural preservation and transfer of development rights and other means by which density can be transferred.

Discussion ensued.

The Voting Board tally on the substitute motion was:

Yea: (3) Schwartz, Brito, Fields

Nay: (4) Cavalier, Dudenhefer, Gibbons, Milde

The Voting Board tally on the original motion was:

Yea: (4) Dudenhefer, Gibbons, Milde, Cavalier

Nay: (3) Schwartz, Brito, Fields

Resolution R07-257 reads as follows:

A RESOLUTION TO INITIATE AMENDMENTS TO THE  
ZONING ORDINANCE AND AMENDMENTS TO THE LAND  
USE PLAN ELEMENT OF THE COMPREHENSIVE PLAN TO  
INCLUDE TRADITIONAL NEIGHBORHOOD DEVELOPMENT AS  
A TYPE OF PLANNED DEVELOPMENT

WHEREAS, the Board desires to consider amendments to the Zoning Ordinance;  
and

WHEREAS, the Board desires to consider amendments to the Comprehensive  
Plan; and

WHEREAS, Planning staff and the Planning Commission have worked on  
amendments to the Zoning Ordinance involving Traditional Neighborhood Development  
(TND) as a type of planned development; and

WHEREAS, Planning staff and the Planning Commission have reviewed and  
considered amendments to the Land Use Plan element of the Comprehensive Plan to  
include standards and guidelines for Traditional Neighborhood Development; and

WHEREAS, public necessity, convenience, general welfare or good zoning practices require amendments to the Zoning Ordinance to include Traditional Neighborhood Development as a type of planned development; and

WHEREAS, public necessity, convenience, general welfare or good zoning practices require amendments to the Land Use Plan element of the Comprehensive Plan to include Traditional Neighborhood Development guidelines and standards;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of June, 2007, that the proposed amendments to the Zoning Ordinance to include the Traditional Neighborhood Development as a type of planned development in the Zoning Ordinance pursuant to proposed Ordinance O07-39 be and it hereby is initiated and referred to the Stafford County Planning Commission for its recommendation to the Board for consideration at its July 17, 2007 meeting; and

BE IT FURTHER RESOLVED that the proposed Traditional Neighborhood Development Plan as an element of the Comprehensive Plan dated April 18, 2007, be and it hereby is initiated as an amendment to the Comprehensive Plan and is hereby referred to the County Planning Commission for its recommendation to the Board for consideration at its July 17, 2007 meeting.

Planning; Discuss Water Resource Protection Overlay District Ordinance (Formerly Sensitive Resource Overlay District). Ms. Kathy Baker, Assistant Director, Planning and Community Development, gave a presentation and responded to Board members questions.

Mr. Schwartz motioned, seconded by Mr. Fields, to authorize the advertisement of a public hearing unless determined by the County Attorney to be defective due to legislation enacted after this was first drafted.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Dudenhefer, to refer this item back to the Planning Commission for consideration with the Comprehensive Plan because the Board finds that public necessity, convenience, general welfare and good zoning practice requires adoption of such an ordinance.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (4) Gibbons, Milde, Cavalier, Dudenhefer

Nay: (3) Fields, Schwartz, Brito

Utilities; Consider the Use of A Low Pressure Sewer System for Tax Map 38, Parcel 55 for Seneca Ridge Subdivision. Mr. Dale Allen, Assistant Director of Utilities-Engineering, gave a presentation and responded to Board members questions.

Mr. Brito motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-141.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Gibbons, to defer this item.

The Voting Board tally on the substitute motion was:

Yea: (4) Milde, Cavalier, Dudenhefer, Gibbons

Nay: (3) Schwartz, Brito, Fields

Legislative; Closed Meeting. At 4:53 P.M., Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution CM07- 15.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde

Nay: (0)

Resolution CM07-15 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 in regard to the Dominion Power Line case; the Crucible litigation; and the applicability of Section 15.2-2272, Code of Virginia, to the resubdivision of platted subdivision lots; and

WHEREAS, pursuant to Section 2.2-3711 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 5<sup>th</sup> day of June, 2007 does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order. At 5:12 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification.. Mr. Fields motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution CM07-15a.

The Voting Board tally was:

Yea: (7) Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde, Schwartz

Nay: (0)

Resolution CM07-15a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD  
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON  
JUNE 5, 2007

WHEREAS, the Board has, on this the 5<sup>th</sup> day of June, 2007, 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 5<sup>th</sup> day of June, 2007, 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.

Recess. At 5:13 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:04 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Fields gave the Invocation.

Pledge of Allegiance. Mr. Gibbons lead in the Pledge of Allegiance to the Flag of the United States of America.

Legislative; Presentation of a Proclamations.

- Steve Dempsey
- Elizabeth Meixler

Legislative; Presentations by the Public. Persons spoke on topics as identified:

- Jack Fellers - Crow’s Nest.
- Lou Silver - Crow’s Nest.  
- Newspaper articles.  
- Tax relief for the elderly.
- Alvin Newton - Election Districts.  
- Roads.  
- Schools.  
- Driver education.
- Gail Howard - Election Districts.  
- Traditional neighborhood development.

Utilities; Amend and Reordain Chapter 25, Article II, of the County Code Entitled “Water, Sewers and Sewage Disposal” by Adding Division III, Entitled “Outdoor Water Use”. Ms. Nancy Collins, Utilities Financial Manager, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following persons spoke:

- Heather Stefl  
Dean Fetterhoff  
Lou Silver  
Alvin Newton

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Ordinance O07-32.

Discussion ensued.

The Voting Board tally was:

Yea: (3) Fields, Schwartz, Brito

Nay: (4) Cavalier, Dudenhefer, Gibbons, Milde

Planning; Consider a Conditional Use Permit at 140 Hassle Lane. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

The following person spoke:

Lou Silver

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Fields, to adopt proposed Resolution R07-211 with a change.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Dudenhefer, to adopt proposed Resolution R07-211.

The Voting Board tally on the substitute motion was:

Yea: (4) Gibbons, Milde, Cavalier, Dudenhefer

Nay: (3) Fields, Schwartz, Brito

Resolution R07-211 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT  
PURSUANT TO APPLICATION CUP2700269 TO ALLOW A PUBLIC  
WORKS IN A FLOOD HAZARD OVERLAY DISTRICT, ON  
ASSESSOR’S PARCELS 43-28, 29, 81A AND 51-2, HARTWOOD  
ELECTION DISTRICT

WHEREAS, Stafford County, the applicant, has submitted application CUP2700269 requesting a Conditional Use Permit to allow a public works facility within a Flood Hazard Overlay District, on the above-described property; and

WHEREAS, the application has been submitted pursuant to Table 3.1 of the Zoning Ordinance which permits this use in a Flood Hazard Overlay District after a Conditional Use Permit has been issued by the Board; 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 5<sup>th</sup> day of June, 2007, that a Conditional Use Permit pursuant to application CUP2700269 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for a public works, specifically a dam foundation and associated appurtenances on Assessor’s Parcels 43-28, 29, 81A and 51-2 consisting of 137.7 acres.
2. The location of the dam foundation and stream diversion structure and pipe shall be in the general location shown on the Generalized Development Plan, titled

Rocky Pen Run Reservoir, Dam Excavation and Foundation Preparation, prepared by URS Corporation, dated December 13, 2006.

3. The applicant shall obtain all applicable Federal, State and County permits and authorizations for stream encroachment, water quality, wetlands, land disturbance, and Chesapeake Bay Preservation Area overlay district requirements.
4. The applicant shall obtain a Conditional Letter of Map Revision (CLOMR) prior to the approval of the Site Plan for construction of the final design for the dam structure. After construction, the applicant shall obtain a Letter of Map Revision (LOMR) for the project to reflect the as-built condition of the reservoir.
5. Construction traffic shall be prohibited from utilizing Greenbank Road for access.
6. Construction activity shall be limited to the hours of 6:00 A. M. to 8:00 P. M. daily.
7. This conditional use permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, federal, or state codes.

Planning; Amend the Street Addressing Ordinance to Change the Index of Official Road Names. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Fields, to defer proposed Ordinance O07-48.

The Voting Board tally was:

Yea: (7) Gibbons, Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields  
Nay: (0)

Administration; Consider an Ordinance to Amend and Reordain Chapter 2, Article IV, Section 2-140 of the County Code Entitled “Sale or Use of Property Not Returned”.

The County Administrator gave a presentation and responded to Board members questions.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Ordinance O07-52.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons  
Nay: (0)

Ordinance O07-52 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2,  
ARTICLE IV, SECTION 2-140, OF THE COUNTY CODE  
ENTITLED “SALE OR USE OF PROPERTY NOT RETURNED”

WHEREAS, Section 15.2-1720 of the Code of Virginia (1950), as amended, authorizes the public sale or donation to a charitable organization of any bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or mopeds that have been in the possession of the police or sheriff’s department, unclaimed, for more than 30 days; and

WHEREAS, it is the desire of the Board to amend the County Code to allow the Sheriff's Office to donate unclaimed bicycles to qualified charitable organizations;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 5<sup>th</sup> day of June 2007 that the County Code be and it hereby is amended and reordained as follows:

Sec. 2-140. Sale or use of property not returned.

- (a) All property received by the sheriff's department pursuant to section 2-136 and not returned to the rightful owner or otherwise disposed of within the sixty-day period shall be disposed of by the sheriff at public sale, pursuant to the terms of the advertisement, which he shall cause to be inserted in a newspaper having general circulation in the county, once a week for two (2) consecutive weeks. Such advertisement shall describe generally the property and shall notify all persons interested that unless such property is claimed by the owner with satisfactory proof of ownership before a specified time and date, the property will be sold for cash at public auction to the highest bidder at a specified time and place.
- (b) Prior to any sale under the provisions of this section, the sheriff shall determine that the property:
  - (1) Is not needed in any criminal prosecution, which shall be declared in a written statement by the commonwealth's attorney; and
  - (2) Will be declined by the state treasurer if remitted under the Uniform Disposition of Unclaimed Property Act.
- (c) If no bids are received for any property at a sale held as provided in this section, the sheriff forthwith shall so report to the county administrator, who may cause

such property to be delivered to any office or department for use in the county, or may order it destroyed.

- (d) Bicycles, including electric personal assistive mobility devices, electric power-assisted bicycles, or mopeds, that have been in the possession of the sheriff's department, unclaimed, for more than thirty (30) days, may be donated to a charitable organization or may be disposed of by public auction. (VA Code § 15.2-1720)

Legislative; Closed Meeting. At 9:07 P.M., Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution CM07-16.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde  
Nay: (0)

Resolution CM07-16 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 in regard to the Dominion Power Line case; the applicability of Section 15.2-2272, Code of Virginia, to the resubdivision of platted subdivision lots; and two personnel matters regarding the County Administrator position and Internal Auditor position; and

WHEREAS, pursuant to Section 2.2-3711 A.1 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 5<sup>th</sup> day of June, 2007, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 9:40 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification.. Mr. Fields motioned, seconded by Mr. Schwartz, to adopt proposed Resolution CM07-16a.

The Voting Board tally was:

Yea: (7) Schwartz, Brito, Cavalier, Dudenhefer, Fields, Gibbons, Milde  
Nay: (0)

Resolution CM07-16a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD  
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON  
JUNE 5, 2007

WHEREAS, the Board has, on this the 5<sup>th</sup> day of June, 2007, 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 5<sup>th</sup> day of June, 2007, 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.

Adjournment. At 9:42 P. M., the Chairman declared the meeting adjourned until June 16, 2007.

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Steve Crosby  
County Administrator

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Jack R. Cavalier  
Chairman