

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

May 2, 2006

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Robert C. Gibbons, at 1:04 P. M., Tuesday, May 2, 2006, in the Board Chambers, Stafford County Administration Center.

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

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

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

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|-----------------|---|--|
| Dana Brown | - | St. George's Estate. |
| Louise Kugler | - | Commercial kennel on England Run Lane. |
| Kathy Scatchard | - | Commercial kennel on England Run Lane. |
| Cathie Carter | - | Commercial kennel on England Run Lane. |
| Lou Silver | - | Tax relief for senior citizens. |

Legislative; Report of the Superintendent of the Schools. Dr. Jean Murray, Division Superintendent of Schools, gave a presentation on current school issues and responded to Board members and Student Representatives questions.

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

- Mr. Dudenhefer
 - Safe Driving Rodeo.
 - Tax rate.
 - BRAC Committee.

- Mr. Fields
 - Interviews for Executive Director of RADCO (Rappahannock Area Development Commission).
 - Social Services Board meeting.

- Mr. Milde
 - Budget process.
 - Willowmere lights.
 - Thanked Mr. Gibbons for leadership in PRTC (Potomac and Rappahannock Transportation Commission).
 - Environmental cleanup.
 - Marine Corps Museum.
 - Sheriff's Awards program.
 - Comprehensive Plan Steering Committee.
 - Historic significance of "Tunnel of Trees" on Brooke Road.
 - Cleanup of Aquia Landing.
 - Conservation easement program.

- Mr. Schwartz
 - Meeting with Homeowners Association of Dogwood Airport, Woodlawn and England Run Subdivisions.
 - Sheriff Award program.
 - Proposed Stafford County license plate design.

- Schools.
- Toured Marine Corps Museum.

- Mr. Brito
- Removed Item 3a from Consent Agenda.
 - Tax rate.
 - Sheriff Awards program.
 - Notify public of first Comprehensive Plan Meeting.
 - Town Hall Meeting.
 - Walmart.
 - Notified public of retirement and is now a full time Board representative.

- Mr. Cavalier
- Supports the Schools and adequate funding.

- Mr. Gibbons
- Thanked Mr. Cavalier and Mr. Brito for efforts on Willowmere issues.
 - Death of long-time citizen in Stafford.
 - Requested three proclamations.
 - Presentation of a video on technology and equipment available from vendors for use by the Department of Defense.
 - Cleanup of Stafford Airport.

Mr. Schwartz

- Continued
- Requested be kept abreast of all actions associated with the event scheduled for the Stafford Regional Airport.

Hearing no objections from the Board, the Chairman appointed Mr. Schwartz to a committee to oversee this function.

Mr. Milde

Continued - Save the Brooke Post Office efforts.

Legislative; Report of the County Attorney. Mr. Joseph L. Howard, County Attorney, had no items to report.

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

- Introduced Kathy Fox, Construction Project Manager.
- Regular Agenda Addition – Legislative; Discuss Naming of Bridges.

Legislative; Addition to the Regular Agenda. Mr. Fields motioned, seconded by Mr. Cavalier, to approve the addition to the Regular Agenda.

The Voting Board tally was:

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

Nay: (0)

Legislative; Consent Agenda. Mr. Fields motioned, seconded by Mr. Cavalier, to adopt the Consent Agenda consisting of Items 1 thru 7, omitting item 3a.

The Voting Board tally was:

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

Nay: (0)

Item 1. Legislative; Approve Minutes of Board Meeting. Regular Meeting of March 21, 2006; Adjourned Meeting of March 23, 2006; Adjourned Meeting of March 28, 2006; Regular Meeting of April 4, 2006; Adjourned Meeting of April 8, 2006; Adjourned Meeting of April 11, 2006, and Adjourned Meeting of April 13, 2006.

Item 2. Finance; Approve Expenditure Listings.

Resolution R06-224 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTINGS (EL)
DATED APRIL 18, 2006 THROUGH MAY 1, 2006

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the above-mentioned ELs be and it hereby is approved.

Item 3. Budget; Authorize a Public Hearing to Budget and Appropriate Bond Proceeds for the Schools.

Resolution R06-226 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO
BUDGET AND APPROPRIATE BOND PROCEEDS FROM
GENERAL OBLIGATION SCHOOL BONDS

WHEREAS, the Board, on March 28, 2006, adopted Resolution R06-115 which approved the issuance and sale of General Obligation school bonds in an amount not to exceed \$41,700,000; however it did not include authorization to amend the budget to

allow the County to receive the proceeds to transfer them to the School Construction Fund; and

WHEREAS, Section 15.2-2507 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 on this the 2nd day of May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to be held May 16, 2006, to budget and appropriate bond proceeds for capital construction for the school purposes in the amount of \$41,700,000.

Item 4. Legislative; Approve a Proclamation to Declare May 20 through May 26, 2006, as Safe Boating Week in Stafford.

Proposed Proclamation P06-21 reads as follows:

A PROCLAMATION TO DECLARE MAY 20 THROUGH 26, 2006,
AS SAFE BOATING WEEK IN STAFFORD

WHEREAS, Stafford boasts beautiful and abundant lakes, rivers and streams offering boaters, skiers, fishermen and swimmers a wealth of recreational opportunities; and

WHEREAS, tragically, more than 700 people die nationwide each year in boating accidents attributed to a failure to wear life jackets, poorly maintained watercraft and on-board equipment, and the consumption of alcoholic beverages; and

WHEREAS, the National Safe Boating Council has declared May 20 through May 26, 2006, as National Safe Boating Week; and

WHEREAS, events during National Safe Boating Week will highlight the four principles of safe boating, which include “wearing life jackets saves lives, boater education saves lives, safe boats save lives, and sober boating saves lives”; and

WHEREAS, the National Safe Boating Council urges water enthusiasts to take advantage of boating safety courses sponsored by local Coast Guard Auxiliaries and United States Power Squadrons, maintain the correct number and size of personal flotation devices on board crafts, keep charts and maps current, and maintain the proper emergency communications equipment on vessels; and

WHEREAS, the Board urges citizens in Stafford to keep safety in mind as they enjoy water recreation opportunities throughout the Summer, and to remember the 2006 National Safe Boating Week Campaign slogan, which is “Wear it!”;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the week of May 20 through 26, 2006, be and it hereby is declared as Safe Boating Week in Stafford.

Item 5. Utilities; Award Contract for Construction of Claiborne Run Sewer Replacement – South Section.

Resolution R06-223 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR CONSTRUCTION OF THE CLAIBORNE
RUN SEWER REPLACEMENT – SOUTH SECTION

WHEREAS, the Board has authorized construction of a new Claiborne Run sewer line to replace the existing deteriorated line, with a sewer constructed of modern materials and adequate capacity to meet growing service demands in the southern part of the County; and

WHEREAS, the first phase of the project has been offered for public bid; and

WHEREAS, five bids were received, with W. C. Spratt, Inc. the lowest responsive bidder with a bid of \$2,379,900; and

WHEREAS, Staff has recommended the award of a contract to W. C. Spratt, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the County Administrator be and he hereby is authorized to execute a contract with W. C. Spratt, Inc. in an amount not to exceed Two Million Three Hundred Seventy-nine Thousand Nine Hundred Dollars (\$2,379,900) for construction of the Claiborne Run Sewer Replacement – South Section.

Item 6. Legislative; Approve the Virginia Juvenile Community Crime Control Act Plan for 2007-2008 Biennium.

Resolution R06-22 reads as follows:

A RESOLUTION TO APPROVE THE VIRGINIA JUVENILE
COMMUNITY CRIME CONTROL ACT PLAN FOR 2007-2008
BIENNIUM

WHEREAS, the County of Stafford has been authorized funding pursuant to the Virginia Juvenile Community Crime Control Act to create additional delinquency prevention programs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the plan, as prepared by the Fifteenth Judicial District Court Service Unit for the use of these funds from the Department of Juvenile Justice, be and it hereby is approved; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute approval of said plan.

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

Economic Development Authority.

Resolution R06-228 reads as follows:

A RESOLUTION TO APPOINT A MEMBER 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:

NAME

EXPIRATION

Donald H. Newlin	June 10, 2007
Cord Sterling	June 10, 2007
Edward B. Hontz	June 10, 2008
Martin Miller	June 10, 2009
Jack Rowley	June 10, 2009
Willie Vereen	June 10, 2006
Joel Griffin	June 10, 2008

WHEREAS, the term of Willie Vereen expires on June 10, 2006; and

WHEREAS, the Board desires to fill this position;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that

<u>NAME</u>	<u>EXPIRATION</u>
Jo Knight	June 10, 2010

be and she hereby is appointed as a member of the Economic Development Authority effective June 11, 2006; 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.

Rappahannock EMS Council, Inc.

Resolution R06-230 reads as follows:

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

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

WHEREAS, in addition, three at-large positions will become vacant in June, 2006; and

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

<u>MEMBER</u>	<u>EXPIRATION</u>
Charles Robertson	April, 2007
Willie G. Shelton, Jr.	April, 2006

WHEREAS, the term of Willie G. Shelton, Jr. will expire in April, 2006; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the Board desires to nominate the Fire Chief of Stafford County, Robert Brown, Jr., and

WHEREAS, the appointments shall be for a term of three (3) years;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that

<u>MEMBER</u>	<u>EXPIRATION</u>
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Willie G. Shelton, Jr.
Chief Robert Brown, Jr.
(At-Large Position)

April, 2009
June, 2009

be and they hereby are nominated for an appointment to the Rappahannock EMS Council Board of Directors.

Public Services; Authorize a Public Hearing to Vacate the Use of a Dedicated Unnamed Street as a Future Street in Austin Ridge Subdivision Section 6-A. Mr. Brito commented.

Mr. Brito motioned, seconded by Mr. Dudenhefer, to defer proposed Resolution R06-217.

The Voting Board tally was:

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

Utilities; Authorize a Purchase Agreement for Wetland Credits for the Rocky Pen Run Reservoir. The County Administrator commented.

Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation.

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-69.

Discussion ensued.

The Voting Board tally was:

Yea: (6) Milde, Schwartz, Cavalier, Dudenhefer, Fields, Gibbons
Nay: (0)
Abstain: (1) Brito

Resolution R06-69 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A PURCHASE AGREEMENT FOR WETLAND CREDITS
FOR THE ROCKY PEN RUN RESERVOIR

WHEREAS, the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality have issued permits stipulating that Stafford County acquire 5.5 acres of wetland credits from an approved bank as mitigation for wetland impacts from the proposed Rocky Pen Run Reservoir; and

WHEREAS, the Blackjack Mitigation bank is the only wetland mitigation bank approved for the Rocky Pen Run Reservoir; and

WHEREAS, Blackjack, LLC, the firm managing this wetland bank, has proposed to sell the 5.5 acres of credits we require for the total price of \$409,750; and

WHEREAS, Williamsburg Environmental Group, the consultant assisting the county on mitigation efforts, has determined that this amount is reasonable for the required wetland credits;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the County Administrator be and he hereby is authorized to execute a purchase agreement with Blackjack, LLC in the amount not-to-exceed Four Hundred Nine Thousand, Seven Hundred Fifty Dollars (\$409,750) for the purchase of wetland mitigation credits for the Rocky Pen Run Reservoir.

Economic Development and Legislative Affairs; Request the Commissioner of the Department of Motor Vehicles to Develop and Issue a Special License Plate for Stafford County. Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-164.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-164 reads as follows:

A RESOLUTION TO REQUEST THE COMMISSIONER OF THE
DEPARTMENT OF MOTOR VEHICLES TO DEVELOP AND ISSUE
A SPECIAL LICENSE PLATE FOR STAFFORD COUNTY

WHEREAS, Section 46.2-749.4 of the Code of Virginia (1950), as amended, provides the authority for the Commissioner of the Department of Motor Vehicles to develop and issue special vehicle license plates which incorporate the seal, symbol, emblem or logotype of a county, city or town; and

WHEREAS, the Commissioner may begin the process to make the plates available for purchase by the public upon the receipt and approval of a proposed design for the license plate for consideration by DMV, and a minimum of 350 paid applications for purchase of the plate; and

WHEREAS, the Board supports the use of the proposed license plate design, which can be made available to the driving public as a means to market Stafford and to contribute to an enhanced sense of community for residents; and

WHEREAS, the annual cost of a non-revenue sharing license plate is only \$10, in addition to the fee for state license plates, making it the most affordable special license plate option;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board Supervisors on this the 2nd day of May, 2006, that the Board be and it hereby does authorize the County Administrator to forward the proposed design for a non-revenue sharing Stafford vehicle license plate to the Commissioner of the Department of Motor Vehicles for development and issuance of a special license plate, as provided for in the Code of Virginia.

Legislative; Authorize a Public Hearing to Declare Surplus and Sale of County-Owned Property on Hope Springs Lane. Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

Mr. Fields motioned, seconded by Mr. Dudenhefer, to defer proposed Resolution R06-204.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Public Services; Award Contract to Budget and Appropriate Funds for Engineering Services for the Design of the Drainage Improvement Plans for Grafton Village, Woodlawn, Vista Woods, Garrisonville Estates and Argyle Hills Subdivisions.

Mr. Anthony Romanello, Deputy County Administrator, gave a presentation.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-193 with changes.

Discussion ensued.

Mr. Milde made a substitute motion, seconded by Mr. Brito, to identify funding sources.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

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

Mr. Gibbons withdrew the original motion. Mr. Dudenhefer withdrew the second to the motion.

Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-193.

The Voting Board tally was:

Yea: (5) Gibbons, Schwartz, Cavalier, Dudenhefer, Fields
Nay: (2) Milde, Brito

Resolution R06-193 reads as follows:

A RESOLUTION TO AWARD A CONTRACT FOR ENGINEERING SERVICES FOR DRAINAGE IMPROVEMENT PLANS DESIGN FOR GRAFTON VILLAGE, WOODLAWN, VISTA WOODS, GARRISONVILLE ESTATES AND ARGYLE HILLS SUBDIVISIONS

WHEREAS, the Board authorized solicitation of proposals for engineering services for drainage improvement plans design for the Grafton Village, Woodlawn, Vista Woods, Garrisonville Estates and Argyle Hills Subdivisions; and

WHEREAS, a request for proposals resulted in the County receiving seven proposals; and

WHEREAS, an evaluation committee met with the four most qualified firms for a presentation and selection of the most responsive firm; and

WHEREAS, the proposed services and related costs have been negotiated and deemed reasonable;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May 2006, that the County Administrator be and he hereby is authorized to award a contract in an amount not-to-exceed One Hundred And Twenty-five Thousand Dollars (\$125,000) for engineering services for drainage improvement plan designs for Grafton Village, Woodlawn, Vista Woods, Garrisonville Estates and Argyle Hills Subdivisions; and

BE IT FURTHER RESOLVED that \$125,000 be and it hereby is budgeted and appropriated from General Fund Prior Year Fund Balance as follows:

GENERAL FUND

Other Transfers	\$125,000
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<u>GENERAL CAPITAL IMPROVEMENTS FUND</u>	\$125,000
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Mr. Gibbons motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-196.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-196 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF STAFFORD COUNTY, VIRGINIA DECLARING ITS
INTENTION TO REIMBURSE ITSELF FROM THE
PROCEEDS OF ONE OR MORE FINANCINGS FOR
CERTAIN COSTS OF CAPITAL IMPROVEMENTS FOR
STORMWATER MANAGEMENT SYSTEMS

WHEREAS, the Board has determined that it may be necessary or desirable to advance money to pay the costs of developing, acquiring, constructing and equipping Stormwater Management Systems (the “Project”);

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Stafford County, Virginia on this the 2nd day of May, 2006 that:

The Board adopts this declaration of official intent under Treasury Regulations Section 1.150-2.

The Board reasonably expects to reimburse advances made or to be made by the County to pay the costs of the “Project” from the proceeds of one or more financings. The maximum amount of debt or other financing expected to be issued for the “Project” is \$125,000.

This resolution shall take effect immediately upon its adoption.

Planning; Consider the Denial of a Conditional Use Permit for a Commercial Kennel at 80 England Run Lane. The Chairman commented.

Mr. Joseph Howard, County Attorney, commented further.

Mr. Gibbons motioned, seconded by Mr. Milde, to defer proposed Resolution R06-238.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Cavalier, Dudenhefer, Fields, Gibbons, Milde
Nay: (2) Schwartz, Brito

Parks and Recreation; Presentation Regarding Parks and Recreation County-Wide Facilities Master Plan. Mr. Greg Sager, Director of Parks and Recreation, and David Barlow, PE., gave a presentation and responded to Board members questions.

Recess. At 3:26 P.M., the Chairman declared a recess.

Call to Order. At 3:41 P.M., the Chairman called the meeting back to order.

Utilities; Consider Pump and Haul Services at 7 Lorenzo Drive. Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation.

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-218.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Cavalier, Dudenhefer, Fields, Gibbons, Milde
Nay: (2) Brito, Schwartz

Resolution R06-218 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO PROVIDE SOILS INVESTIGATION AND TEMPORARY PUMP
AND HAUL SERVICES AT 7 LORENZO DRIVE

WHEREAS, the County has an agreement and General Permit with the State Health Department for pump and haul arrangements; and

WHEREAS, a property has been certified by the Virginia Department of Health for sewer service in accordance with these arrangements and must be added to the general agreement pump and haul list; and

WHEREAS, staff has further investigated the situation and recommends that a professional soil scientist perform a soils investigation to determine if a repair is feasible; and

WHEREAS, the Board desires to minimize the expense to the property owner while the soils investigation is performed; and

WHEREAS, the Board desires to defer action on the request for “Permanent” Pump and Haul until completion of the soils investigation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006 that the County Administrator be and he hereby is authorized to hire a professional soil scientist to investigate the feasibility of various technologies to repair the failed drainfield at 7 Lorenzo Drive; and

BE IT FURTHER RESOLVED that action on the department request to provide “Permanent” Pump and haul services be deferred until completion of the soils investigation; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he hereby is authorized to provide Temporary Pump and Haul services under the pump and haul policy until the Board acts on the request.

Legislative; Refer Pump and Haul to the Utilities Commission. Mr. Fields motioned, seconded by Mr. Dudenhefer, to refer this issue to the Utilities Commission.

The Voting Board tally was:

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

Utilities; Consider Pump and Haul Services for Randall Equipment at 49 RV Parkway.

Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Milde, to adopt proposed Resolution R06-219.

Discussion ensued.

The Voting Board tally was:

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

Resolution R06-219 reads as follows:

A RESOLUTION TO APPROVE A PUMP AND HAUL AGREEMENT
WITH THE VIRGINIA DEPARTMENT OF HEALTH FOR RANDALL
EQUIPMENT AT 49 RV PARKWAY

WHEREAS, it is necessary to provide Pump and Haul services for sewage storage facilities; and

WHEREAS, the County has an Agreement and General Permit with the State Health Department for Pump and Haul services; and

WHEREAS, Pump and Haul services are required for Parcel 45-51, 49 RV Parkway until permanent sewer becomes available; and

WHEREAS, it is necessary for the County to add new locations to the General Permit Agreement with the Virginia Department of Health;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the County Administrator be and he hereby is authorized to add Parcel 45-51, 49 RV Parkway to the agreement with the Virginia Department of Health; and

BE IT FURTHER RESOLVED that these services will be discontinued and removed from the agreement with the Virginia Department of Health when public sewer becomes available to this parcel; and

BE IT STILL FURTHER RESOLVED that Stafford County bears no financial obligation and the anticipated occupant will bear all costs associated with Pump and Haul services.

Legislative; Discuss Transportation Bond Referendum. Mr. Gibbons commented.

Mr. Fulton deLamorton, Senior Engineer, commented further and responded to Board members questions.

Hearing no objections from the Board, this item will be brought back to the Board at a later date with additional information.

Legislative; Discuss the Steering Committee for Comprehensive Plan. Mr. Milde commented.

Discussion ensued.

Legislative; Discuss Naming of Bridges. Mr. Gibbons commented.

Hearing no objections from the Board, the Chairman appointed Mr. Schwartz to further review the issue.

Legislative; Discuss Capital Improvements Program. This item is to be further discussed at the May 16, 2006 Board Meeting.

Legislative; Discuss Summer Schedule. The Chairman commented.

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-231.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-231 reads as follows:

A RESOLUTION TO CHANGE THE BOARD OF
SUPERVISORS MEETING DATES

WHEREAS, it is the desire of the Board to schedule meeting dates which will permit attendance at annual meetings of professional associations, accommodate personal schedules and allow adequate time for preparation of meeting materials;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the regularly scheduled meetings on July 4th and August 15th be and they hereby are cancelled; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is requested to advise Board members should the Regular Agenda become ponderous with issues so an adjourned or Special Meeting may be arranged.

Legislative; Closed Meeting: At 4:40 P.M., Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution CM06-18.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-18 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 following matters: contract issues with Widewater Volunteer Fireman's Association, Inc./Potomac Hills, Smith Lake Park and Crow's Nest and a personnel matter; and

WHEREAS, pursuant to Section 2.2-3711 A7 and A1 VA Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors on this the 2nd day of May, 2006 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 5:40 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution CM06-18a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-18a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
MAY 2, 2006

WHEREAS, the Board has, on this the 2nd day of May 2006, 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 2nd day of May 2006, 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 5:41 P.M., the Chairman called a recess until 7:00 P.M.

Call to Order. At 7:00 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Brito lead the Invocation.

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

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

Charlie Robertson - Fire/rescue issues.

Legislative; Presentation of a Proclamation to Recognize and Commend Lou Ann Hadlock. The Chairman presented the proclamation.

Legislative; Presentation of Stafford County Historic Preservation Award by Historical Commission. Mr. Milde presented the Award to Dr. Thomas Mounts, and Mr. Brito presented the award to Mr. Richard Knight.

Legislative; Presentations by the Public (Cont'd):

Patricia Kurpiel - Water resource overlay.

Cecelia Kirkman - Code enforcement.

Ruth Carlone - Land issues.

- Guard rails on Kellogg Mill Road.

Nan Rollison - Code enforcement.

Planning; Consider Rezoning 2.21 Acres from R-1 to B-2 at 321 Cambridge Street.

Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following person spoke:

Charles Payne, on behalf of the Applicant

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Fields, to adopt proposed Ordinance O06-43

Discussion ensued.

The Voting Board tally was:

Yea: (5) Schwartz, Brito, Cavalier, Fields, Milde
Nay: (0)
Absent: (2) Dudenhefer, Gibbons

Ordinance O06-43 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING
ORDINANCE FOR STAFFORD COUNTY BY AMENDING
THE ZONING DISTRICT MAP TO RECLASSIFY, WITH
PROFFERS, FROM R-1, SUBURBAN RESIDENTIAL, TO B-2,
URBAN COMMERCIAL, ON PROPERTY IDENTIFIED AS
ASSESSOR'S PARCELS 45-184 AND 45-185, FALMOUTH
ELECTION DISTRICT

WHEREAS, Kenneth L. and Theresa H. Bradshaw, applicants, have submitted application RC2501388 requesting reclassification, with proffers, from R-1, Suburban Residential, to B-2, Urban Commercial, of property consisting of approximately 2.21 acres, located on the west side of Cambridge Street, approximately 3,000 feet north of Truslow Road, within the Falmouth Election District; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 2nd day of May, 2006, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the Zoning District Map to reclassify, with proffers, the parcels of land, as shown on the boundary plat by Jeffrey

S. Smith, L. S., dated July 6, 2005, from R-1, Suburban Residential, to B-2, Urban Commercial, with the following proffers:

1. Public Utilities: The Applicant shall connect to County water and gravity sewer at the time of the construction of the improvements as shown on the last revised Generalized Development Plan (GDP).
2. Building & Materials: All buildings shall be constructed with similar architectural treatments and utilize earth-tone colors with masonry materials for the front façade on buildings visible from U.S. Route 1.
3. Outdoor Lighting: Any proposed parking and loading areas will be lit by free-standing light fixtures. All lights will be position so that illumination is directed down and not at neighboring residential areas.
4. Transportation: Subject to the conditions herein, the Applicant proposes to dedicate a ten-foot (10') right of way along Cambridge Street (US Route 1) as more particularly described in the revised GDP dated April 11, 2006.
5. Construction of Acceleration and Deceleration Lanes: The Applicant proposes to construct the acceleration and deceleration lanes for the Applicant's development, as more particularly described on the revised GDP dated April 11, 2006.
6. Noise & Visual Impacts: The Applicant proposes to limit time of operations and deliveries to 7:00 a.m. through 9:00 p.m. No carnival style flags, banners, lights, balloons and windsocks will be on the property. All advertisement signs will be in accordance with County requirements and Applicant will prohibit general advertising signs.
7. Generalized Development Plan ("GDP"). The Applicant's proposed development will be in conformance with the Applicant's revised GDP.

8. Enhanced Buffers for Cemetery Location. Applicant agrees to provide a 50' and 25' buffer respectively around the cemetery and to enhance buffer area with evergreen trees as more particularly described on the revised GDP.

Planning; Consider Rezoning 80.70 Acres from A-1 to M-1 at 100 Big Spring Lane.

Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following persons spoke:

Clark Leming, on behalf of the Applicant

Margaret Williamson

Nan Rollison

John Vergeres

Cecelia Kirkman

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Schwartz, to defer proposed Ordinance O06-44 to the next Board meeting.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Absent: (2) Dudenhefer, Gibbons

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

Steve Crosby

County Administrator

Robert C. Gibbons

Chairman