

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

MINUTES

Regular -Meeting

May 16, 2006

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Robert C. Gibbons, Chairman, at 1:00 P. M., Tuesday, May 16, 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: Anthony Romanello, Deputy County Administrator; Joe Howard, County Attorney and Marty Y. Beard, Chief Deputy Clerk.

Legislative; Regular Agenda Additions. Mr. Cavalier motioned, seconded by Mr. Fields, to add the following items to the Regular Agenda: discussion concerning Force Protection Equipment Demonstration V; a proclamation for Jeffery Mitchell; proposed Resolution R06-270; and proposed Resolution R06-264.

The Voting Board tally was:

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

Planning; Consider the Conditional Use Permit for a Commercial Kennel at 80 England Run Lane. Mr. Joe Howard, County Attorney, stated that the Applicant had withdrawn the application for a conditional use permit and no further action is required.

Planning; Consider Rezoning 80.70 Acres from A-1 to M-1 at 100 Big Spring Lane. Mr. Joe Howard, County Attorney, stated that this item was deleted from the Regular Agenda at the request of the applicant.

Mr. Milde motioned, seconded by Mr. Fields, to defer this item to the July 18, 2006 meeting.

The Voting Board tally was:

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

Legislative; Work Session on Capital Improvements Program.

- General Fund and Schools. The Deputy County Administrator gave a presentation and responded to Board members questions.

Discussion ensued.

- Parks and Recreation. Director of Parks and Recreation Greg Sager gave a presentation.

Discussion ensued.

- Utilities. Assistant Director of Utilities for Construction/Maintenance Keith Dayton gave a presentation.

Discussion ensued.

Hearing no objections from the Board, the following committees were formed:

CIP General/Utilities	Mr. Milde and Mr. Fields
CIP Schools	Mr. Dudenhefer and Mr. Schwartz
CIP Parks	Mr. Cavalier and Mr. Brito

Discussion ensued.

Recess. At 2:40 P. M. the Chairman declared a recess.

Call to Order. At 2:50 P. M. the Chairman called the meeting back to order.

Legislative; Budget Appropriations.

The Chairman commented regarding school funding.

Discussion ensued

Mr. Gibbons motioned, seconded by Mr. Schwartz, to authorize a public hearing for an additional \$1.25 Million from fund balance.

Discussion ensued.

Mr. Brito made a substitute motion to a authorize a public hearing for an additional \$1.25 Million from budget reductions from other departments.

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

Mr. Cavalier made a substitute motion, seconded by Mr. Fields, to authorize a public hearing for an additional \$2.86 Million from fund balance.

The Voting Board tally was:

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

Discussion further ensued.

The Voting Board tally on the original motion was:

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

Legislative; Budget Appropriations – VPSA July Savings. Mr. Dudenhefer motioned, seconded by Mr. Schwartz, to decrease the debt service for schools by \$1.4 million and add to the school operating fund.

Discussion ensued.

The Voting Board tally on the original motion was:

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

Mr. Dudenhefer motioned, seconded by Mr. Milde, to authorize the School Board to use the April projection of \$1.9 Million to buy ahead.

Discussion ensued.

Mr. Dudenhefer withdrew the motion.

Mr. Milde withdrew the second to the motion.

The Voting Board tally on the original motion was:

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

Nay: (0)

Legislative; Discuss Position Authorizations. The Deputy County Administrator commented.

Discussion ensued.

Legislative; Discuss Internal Auditor. Mr. Milde commented.

Mr. Dudenhefer commented further.

Discussion ensued.

Hearing no objections from the Board, a committee of Mr. Schwartz and Mr. Dudenhefer was appointed to further review the issue and bring it back to the Board.

Legislative; A Work Session on the Compensation Study Committee. The Deputy County Administrator commented.

Mr. Cavalier commented further.

Discussion ensued.

Hearing no objections from the Board, a committee of Mr. Fields and Mr. Cavalier was appointed to further review the issue and bring it back to the Board.

Public Services; Request the Virginia Department of Transportation Review and Make A Recommendation o Proposed Traffic Calming at Three Intersection: Sarasota Drive and

Cheshire Drive, Neville Court and Christopher Way, and Settler’s Way and Old Mineral Road. Mr. Dudenhefer commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution R06-264.

The Voting Board tally was:

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

Resolution R06-264 reads as follows:

A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION REVIEW AND MAKE A RECOMMENDATION ON PROPOSED TRAFFIC CALMING AT THREE INTERSECTIONS: SARASOTA DRIVE AND CHESHIRE DRIVE, NEVILLE COURT AND CHRISTOPHER WAY, AND SETTLER’S WAY AND OLD MINERAL ROAD

WHEREAS, a request has been received for a traffic calming study of the intersections at Sarasota Drive and Cheshire Drive, at Neville Court and Christopher Way, at Settler’s Way and Old Mineral Road; and

WHEREAS, the Board desires a recommendation from the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the Virginia Department of Transportation be and it hereby is requested to conduct a traffic calming study on Sarasota Drive and Cheshire Drive, at Neville Court and Christopher Way, and at Settler’s Way and Old Mineral Road; and

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

Legislative; Award a Contract and Budget and Appropriate Funds for Engineering Services for the Design of Hidden Lake Dam Improvements. Mr. Gibbons commented.

Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-270.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-270 reads as follows:

A RESOLUTION TO AWARD A CONTRACT AND BUDGET AND  
APPROPRIATE FUNDS FOR ENGINEERING SERVICES FOR THE DESIGN  
OF HIDDEN LAKE DAM IMPROVEMENTS

WHEREAS, at a meeting on January 3, 2006, the Board adopted Ordinance O06-06 to create a Service District for the Hidden Lake Subdivision to provide a funding mechanism for dam improvements and maintenance; and

WHEREAS, the Virginia Division of Dam Safety and Floodplain Management (Dam Safety) has issued the Hidden Lake Community Associations (HLCA) a two-year Conditional Operation and Maintenance Certificate (O&M Certificate) for the Hidden Lake Dam; and

WHEREAS, the O& M Certificate requires the HLCA to submit an Alteration/Construction Permit application to Dam Safety for improvements to dam; and WHEREAS, detailed design and construction plans must be prepared for the proposed dam improvements; and

WHEREAS, Timmons Group has performed preliminary design, hydrologic and geotechnical studies of the Dam and is therefore the most qualified firm to prepare design and construction plans;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May 2006, that the County Administrator be and he hereby is authorized to award a contract with Timmons Group in an amount not to exceed Fifty-one Thousand Nine Hundred Fifty Dollars (\$51,950) for engineering services to prepare design and construction plans for the Hidden Lake Dam improvements; and

BE IT FURTHER RESOLVED that \$51,950 be and it hereby is budgeted and appropriated to the General Fund, Code Administration category for the design of the Hidden Lake Dam improvements.

Mr. Gibbons motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-271.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-271 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 THE HIDDEN  
LAKE SUBDIVISION SERVICE DISTRICT

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 infrastructure improvements for the Hidden Lakes Subdivision Improvement District (the "Project").

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors this the 16th day of May 2006, that:

1. The Board of Supervisors adopts this declaration of official intent under Treasury Regulations Section 1.150-2.
2. The Board of Supervisors 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 financing expected to be issued for the Project is \$200,000.
3. This resolution shall take effect immediately upon its adoption.

Legislative; Closed Meeting. At 3:40 P.M., Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution CM06-19.

The Voting Board tally was:

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

Resolution CM06-19 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 the acquisition of real property for public purpose, the

disposition of County property, legal advice in regard to five items: Crow's Nest, Potomac Hills contract negotiations, proffer enforcement at Austin Ridge, Leeland Station Section 5 & 7 Comp Plan review and Regulation of Amateur Radio Antennas and a personnel matter; and

WHEREAS, pursuant to Section 2.2-3711 A3, 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 16th day of May, 2006 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 5:00 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 CM06-19a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-19a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD  
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON  
MAY 16, 2006

WHEREAS, the Board has, on this the 16th 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 16th 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.

Legislative; Comprehensive Plan Review for Leeland Station, Sections 5 and 7. Mr. Schwartz motioned, seconded by Mr. Fields, to refer this item back to the Planning Commission and back to the Board.

The Voting Board tally was:

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

Nay: (0)

Legislative; Proffer Enforcement at Austin Ridge. Mr. Brito motioned, seconded by Mr. Fields, to request the County Administrator write a letter to the developer of Austin Ridge stating that if he fails to meet proffer 2 to complete the road by July 1, 2006, the County will seek recovery of any damages and take legal action.

The Voting Board tally was:

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

Nay: (0)

Legislative; Regulation of Amateur Radio Antennas. Mr. Dudenhefer motioned, seconded by Mr. Fields, to request the Planning Commission report to the Board within 60 days regarding an ordinance on amateur radio antennas.

The Voting Board tally was:

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

Nay: (0)

Recess. At 5:03 P.M., the Chairman declared a recess.

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

Invocation. Mr. Fields gave the Invocation.

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

Mr. Brito announced a meeting to be held on Saturday, May 20, 2006 regarding Rocky Pen Run Reservoir.

Planning; Consider Rezoning 80.70 Acres from A-1 to M-1 at 100 Big Spring Lane. The Chairman stated that this item has been deferred to the July 18, 2006 meeting at the request of the Applicant.

Legislative; FY07 School Budget. Mr. Gibbons announced that \$1.4 million debt savings has been advanced to the Schools operating fund and a public hearing was authorized to increase the school transfer of \$1.25 million.

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

Cecelia Kirkman - Proposed rezoning on Big Spring Lane.

Legislative; Presentation of Proclamation.

- Safe Boating Week in Stafford.

Presentations by the Public (Cont'd):

Gene	-	School funding.
Ressa Schindel	-	Nonconforming uses.
Christine Wedding	-	Tax relief for the elderly and disabled.
Patricia Kurpiel	-	Water Resource Overlay District.
Lucy Burns	-	School funding.
Laura Dean	-	School funding.
Shannon _____	-	School funding.
Antoinette Hilyard	-	School budget.
Kim Gilby	-	School budget.
Pattie Joshi	-	School budget.
Carol Starbuck	-	School budget.
Kathy Beverina	-	School budget.
Lou Silver	-	Tax relief for senior citizens.
Susan Snellings	-	School budget

Finance; Budget and Appropriate Virginia Public School Authority Bonds. The Deputy County Administrator gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R06-227.

The Voting Board tally was:

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

Resolution R06-227 reads as follows:

A RESOLUTION 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; and

WHEREAS the budget needs to be amended to allow the County to receive the proceeds and transfer them to the School Construction Fund, and

WHEREAS, a public hearing on the proposed amendment to the budget was held May 16, 2006, as required by Section 15.2-2507 of the Code of Virginia (1950) as amended; 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 May, 2006, that the County Administrator be and he hereby is authorized to budget and appropriate funds as follows:

GENERAL CAPITAL PROJECTS FUND:

Expenditure:

Transfer to School Construction Fund	\$41,700,000
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Finance; Authorize Lease Financing of Fire and Rescue Vehicles and Budget and Appropriate Lease Proceeds for Fire and Rescue Vehicles and School Buses and School Technology Equipment. The Deputy County Administrator gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-209.

Mr. Brito made a substitute motion to authorize the purchase of certain fire and rescue equipment out of the general fund.

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

The Voting Board tally on the original motion was:

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

Nay: (0)

Resolution R06-209 reads as follows:

A RESOLUTION AUTHORIZING THE EQUIPMENT LEASE  
FINANCING OF CERTAIN 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, consisting primarily of fire trucks and rescue vehicles for the County in the maximum principal amount of \$939,656; and

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

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board held a public hearing on May 16, 2006, on the proposed lease-financing by the County of the Fire and Rescue Equipment;

WHEREAS, the Board previously executed and delivered a Master Lease Agreement dated April 30, 2004, between the County and Banc of America Leasing & Capital LLC, pursuant to which the County has previously issued and continues to issue tax-exempt lease-financings; and

WHEREAS, the Board finds that it is necessary to amend the Master Lease Agreement to provide for the issuance of taxable lease-financings;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006 that:

1. Amendment of Master Lease Agreement. The Board authorizes the amendment to the Master Agreement, together with the Master Lease Agreement, to provide for the issuance of taxable lease-financings thereunder. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate are authorized to execute and deliver on behalf of the County the Amendment to the Master Lease Agreement.
2. Acceptance of Proposal; Authorization and Execution of Documents. The County Administrator, or such officer as he may designate, is authorized and directed to accept a proposal to provide financing, on a tax-exempt or taxable basis, for the School Buses and the Fire and Rescue Equipment that the County Administrator or his designee determines to be in the County's best interest, in the aggregate principal amount not to exceed \$939,656 for the Fire and Rescue Equipment. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate, are authorized to execute and deliver on behalf of the County an appendix

under the Master Agreement or other similar financing agreement, and to execute and deliver such instruments, agreements, documents or certificates, and to do and perform such things and acts as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

Nature of Obligations. The obligation of the County to make payments under the Master Agreement or similar financing agreement will be subject to appropriation each year by the Board. Nothing in this Resolution, the Master Agreement or similar financing agreement shall constitute a debt or a pledge of the faith and credit of the County.

Effective Date. This Resolution shall take effect immediately.

Finance; Authorize an Amendment to the General Capital Project Fund Budget for Fire and Rescue Equipment.

Mr. Fields motioned, seconded by Mr. Milde, to adopt proposed Resolution R06-210.

The Voting Board tally was:

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

Resolution R06-210 reads as follows:

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE  
GENERAL CAPITAL PROJECT FUND BUDGET 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, consisting primarily of fire trucks and rescue vehicles for the County;  
and

WHEREAS, the Board adopted Resolution R06-209, on May 16, 2006, following a public hearing, authorizing the lease financing of the Fire and Rescue Equipment in the maximum principal amount of \$939,656;

WHEREAS, the Board proposes to amend the General Capital Project Fund Budget to account for the purchase of the Fire and Rescue Equipment to be funded with the proceeds from the lease-financing by the County; and

WHEREAS, a public hearing has been held after due publication of notice of the proposed amendment as required by Section 15.2-2507 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006 that lease proceeds for the Fire and Rescue Equipment be budgeted and appropriated as follows:

1. Amendment to General Capital Project Fund Budget. The County's Budget is amended as follows: \$939,656 shall be added to the Budget to pay for certain Fire and Rescue Equipment, consisting primarily of fire trucks and rescue vehicles.
2. Authorization of Appropriation. The County appropriates the lease proceeds from the lease-financing of the Fire and Rescue Equipment as follows:  
\$939,656 shall be appropriated to the General Capital Projects Fund to pay for the Fire and Rescue Equipment.
3. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the Stafford County, Virginia, certifies that the foregoing resolution was duly adopted at a meeting of the Board of Supervisors duly called and held on May 16, 2006.

Finance; Authorize the Equipment Lease Financing of Certain School Buses.

Mr. Milde motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-213.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-213 reads as follows:

A RESOLUTION AUTHORIZING THE EQUIPMENT LEASE  
FINANCING OF CERTAIN SCHOOL BUSES

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 school buses in the maximum principal amount of \$2,099,163; and

WHEREAS, the Board previously executed and delivered a Master Lease Agreement dated April 30, 2004, between the County and Banc of America Leasing & Capital LLC, pursuant to which the County has previously issued and continues to issue tax-exempt lease financings;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006 that:

1. Acceptance of Proposal; Authorization and Execution of Documents. The County Administrator, or such officer as he may designate, is authorized and directed to

accept a proposal to provide financing, on a tax-exempt or taxable basis, for the School Buses and the Fire and Rescue equipment that the County Administrator or his designee determines to be in the County's best interest, in the aggregate principal amount not to exceed \$2,099,163 for the School Buses. The County Administrator and the Chairman of the Board, or either of them, or such officers as either of them may designate are authorized to execute and deliver on behalf of the County an appendix under the Master Agreement or other similar financing agreement and to execute and deliver such instruments, agreements, documents or certificates, and to do and perform such things and acts, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution; and all of the foregoing, previously done or performed by such officers or agents of the County, are in all respects approved, ratified and confirmed.

2. Nature of Obligations. The obligation of the County to make payments under the Master Agreement or similar financing agreement will be subject to appropriation each year by the Board. Nothing in this Resolution, the Master Agreement or similar financing agreement shall constitute a debt or a pledge of the faith and credit of the County.

3. Effective Date. This Resolution shall take effect immediately.

Legislative; Consent Agenda. Mr. Cavalier motioned, seconded by Mr. Fields, to adopt the Consent Agenda consisting of Items 6 thru 11, omitting items 7c and 8.

The Voting Board tally was:

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

Nay: (0)

Item 6. Finance; Approve Expenditure Listings.

Resolution R06-250 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTINGS (EL) DATED  
MAY 2, 2006 THROUGH MAY 15, 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 16th day of May, 2006, that the above-mentioned EL be and it hereby is approved.

Item 7a. County Attorney; Authorize a Public Hearing to Amend and Reordain Chapter 23 of the County Code Regarding Meals Tax.

Resolution R06-225 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN  
CHAPTER 23, ARTICLE VII OF THE STAFFORD COUNTY CODE  
ENTITLED "MEALS TAX" BY AMENDING SECTION 23-144 (a)  
"EXEMPTIONS; LIMITS ON APPLICATION"

WHEREAS, amendments were made to the meals tax ordinance in June 2000;  
and

WHEREAS, at the time the ordinance was adopted, there was a minor inaccuracy  
in the text;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Chapter 23, Article VII of the Stafford County Code entitled “Meals Tax” by amending Section 23-144(a) “Exemptions, limits on application.”

Item 7b. County Attorney; Authorize a Public Hearing to Amend and Reordain Chapter 25 of the County Code Entitled “Water, Sewers and Sewage Disposal” by Deleting Section 25-37 “Regulation of Use of Public Water During Water Conservation Periods” and Adding Article II, Division 2, Entitled “Water Supply Emergency Ordinance”.

Resolution R06-90 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN CHAPTER 25 OF THE STAFFORD COUNTY CODE ENTITLED "WATER, SEWERS AND SEWAGE DISPOSAL" BY DELETING SECTION 25-37 "REGULATION OF USE OF PUBLIC WATER DURING WATER CONSERVATION PERIODS " AND ADDING ARTICLE II, DIVISION 2, ENTITLED "WATER SUPPLY EMERGENCY ORDINANCE"

WHEREAS, in the event of severe dry weather or other emergency, a water supply emergency may exist or is reasonably likely to occur if water conservation measures are not taken by the Board; and

WHEREAS, the Board desires to adopt provisions which set forth restrictions on the use of water by its citizens for the duration of such emergency or for a period of time necessary to prevent the occurrence of a water supply emergency;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he

hereby is authorized to advertise a public hearing to amend and reordain Chapter 25 entitled "Water, Sewers, and Sewage Disposal" by deleting Section 25-37 "Regulation of use of public water during water conservation periods" and adding Article II, Division 2, entitled "Water Supply Emergency Ordinance.

Item 7d. Public Information; Authorize a Public Hearing to Renew a Cable Franchise with Cox Communications.

Resolution R06-251 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT WITH COXCOM, INC., d/b/a COX COMMUNICATIONS NORTHERN VIRGINIA

WHEREAS, CoxCom, Inc., d/b/a Cox Communications Northern Virginia has been providing service to County residents under an extended franchise; and

WHEREAS, the Cable Television Advisory Committee has negotiated a new franchise agreement with Cox Communications to provide cable video services in Stafford County; and

WHEREAS, the County and Cox have agreed to terms that are incorporated in a new cable system franchise agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to execute a non-exclusive franchise agreement with CoxCom, Inc., d/b/a Cox Communications Northern Virginia.

Item 7e. County Attorney; Authorize a Public Hearing to Amend and Reordain Chapter 2 of the County Code Entitled “Administration” by Adding Section 2-4 Entitled “Review of Criminal History Information of Applicants for County Employment”.

Resolution R06-129 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN CHAPTER 2 OF THE COUNTY CODE ENTITLED “ADMINISTRATION” BY ADDING SECTION 2-4 ENTITLED “REVIEW OF CRIMINAL HISTORY INFORMATION OF APPLICANTS FOR COUNTY EMPLOYMENT”

WHEREAS, in the interest of public welfare and safety, investigations are to be conducted on all applicants to whom a conditional offer of employment is made; and

WHEREAS, investigations are required to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment under consideration; and

WHEREAS, the Board desires the County Administrator to conduct such investigations in accordance with Section 15.2-1503.1 Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Chapter 2 of the Stafford County Code entitled “Administration” by adding Section 2-4 entitled “Review of criminal history information of applicants for county employment”.

Item 9. Finance; Award Contract Amendment for FY2006 Audit Services.

Resolution R06-244 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE CONTRACT AMENDMENT #2 FOR FY2006 AUDIT  
SERVICES WITH PBGH, LLP.

WHEREAS, the Board has a contract for audit services with PBGH, LLP; and

WHEREAS, the contract for audit services has three optional one-year renewals  
remaining; and

WHEREAS, the County desires to renew the audit services contract for FY 2006;  
and

WHEREAS, funds have been budgeted for this expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of  
Supervisors on this the 16th day of May, 2006, that the County Administrator be and he  
hereby is authorized to execute Contract Amendment #2 with PBGH, LLP, for FY 2006  
audit services in the amount of One Hundred Seventeen Thousand Dollars (\$117,000).

Item 10. Legislative; Approve Proclamations.

- Fredericksburg Regional Transit Drivers Bob Knicely, Stanley McInturff and  
Butch Shields.

Proclamation P06-22 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND  
FREDERICKSBURG REGIONAL TRANSIT DRIVERS  
BOB KNICELY, STANLEY MCINTURFF AND BUTCH SHIELDS

WHEREAS, FREDericksburg Regional Transit (FRED) drivers Bob Knicely, Stanley McInturff and Butch Shields recently competed in the Community Transportation Association of Virginia 2006 Roadeo; and

WHEREAS, the Roadeo challenges entrants to exhibit a thorough knowledge of the “rules of the road” and demonstrate outstanding driving skills through written tests, a requirement to secure a wheelchair in a limited amount of time, and a scored obstacle course; and

WHEREAS, Bob Knicely, Stanley McInturff and Butch Shields were required to meet requirements at the local level to be eligible to participate in the State Roadeo, including having no more than three excused absences from work, no suspension of duties or disciplinary actions, and no avoidable accidents since January 2005; and

WHEREAS, this exemplary FRED Team won Overall Team honors at the State Roadeo, making 2006 the fifth year in a row that the organization has garnered this prestigious award; and

WHEREAS, Stanley McInturff placed 2nd and Butch Shields placed 3rd in the Individual Driver Category; and

WHEREAS, FRED’s record at previous Community Transportation Association of Virginia Roadeos includes seven Team Championships and five First Place finishes, as well as four top finishes in team and individual driver categories in the “Body on Chassis” category at National Roadeos; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the safe driving records, commitment and expertise of FRED drivers;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that Bob Knicely, Stanley McInturff and Butch Shields be and they hereby are recognized and commended for providing professional service to FRED passengers throughout the region.

- Lori M. Chaney

Proclamation P06-23 reads as follows:

#### A PROCLAMATION TO RECOGNIZE AND COMMEND LORI M. CHANEY

WHEREAS, Lori M. Chaney is the Technology Resource Teacher at Winding Creek Elementary School, a demanding job which is critical to the successful integration of technology into all aspects of the curriculum; and

WHEREAS, Lori Chaney's credentials include a Masters in Special Education, vast experience teaching in Department of Defense schools as well as public schools, national certification as a School Improvement Trainer and more than 30 hours of advanced education classes in a variety of subject areas; and

WHEREAS, Lori Chaney provides numerous in-service opportunities for teachers in the area of technology, and has developed a student "SMART Team" to assist other students and teachers with technology-related questions and problems; and

WHEREAS, Lori Chaney tutors students on her own time, chaperones classes on Saturday field trips, hosts historical movie nights in her home for students and their parents, and demonstrates in myriad ways her dedication to helping others educationally, financially and socially; and

WHEREAS, Lori Chaney was nominated by her peers as the 2005-2006 Winding Creek Elementary Teacher of the Year; and

WHEREAS, Lori Chaney was also honored this year as one of only 20 recipients of The Washington Post Agnes Meyer Outstanding Teacher Award; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the dedication, passion and selfless commitment with which Lori M. Chaney works to enrich the lives of her students and the entire community;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that Lori M. Chaney be and she hereby is recognized and commended for her many contributions as one of Stafford's finest educators.

- Denise S. Dailey

Proclamation P06-24 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND DENISE S. DAILEY

WHEREAS, Denise S. Dailey began her career with Stafford County as a Legal Secretary in October 1985, eventually earned a Paralegal position, and was promoted to Legal Board Specialist in March 2004; and

WHEREAS, during her tenure with the County, Denise Dailey drafted countless Ordinances and Resolutions for adoption by the Board of Supervisors, and made sure that the County Code was consistently in maximum compliance with the laws of the Commonwealth to ensure that Departments, the Courts and Constitutional Officers operated within the law; and

WHEREAS, Denise Dailey was instrumental in drafting the complex County Ordinance dealing with driving under the influence in a manner that encompasses

frequent changes to the state laws without requiring repeated and time-consuming revisions to the local Ordinance; and

WHEREAS, Denise Dailey worked with the Department of Planning and Community Development to streamline the Deeds of Dedication review and approval process, significantly reducing the time and simplifying the signatory procedure to finalize the Deeds; and

WHEREAS, Denise Dailey, with the assistance of Sheriff Charles Jett, chartered the Advisory Board on Towing which developed regulations uniform and safe regulations for officers on the scene of vehicle accidents to summon tow trucks according to assigned zones, and also established a formal avenue for citizens to file complaints about towing companies; and

WHEREAS, Denise Dailey's expertise and long-term service with the County made her the de facto "Office Historian," and her experience provided invaluable legal and procedural assistance to the County Attorney, Department Directors, Constitutional Officers and staff; and

WHEREAS, Denise Dailey is known throughout County government for her cheerful demeanor, positive attitude and willingness to assist co-workers and the public; and

WHEREAS, the Board desires to call to the attention of citizens everywhere the dedication and passion with which Denise S. Dailey performed her duties, and to wish her well in her new role as a business entrepreneur;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that Denise S. Dailey be and she hereby is recognized and commended for her service to County Government and the citizens of Stafford.

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

- Transportation Commission.

Resolution R06-257 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE TRANSPORTATION  
COMMISSION

WHEREAS, the Board, by approval of Resolution R04-458 on December 7, 2004, created the Transportation Commission; and

WHEREAS, the Transportation Commission shall be composed of eight members, seven resident freeholders and one member of the Stafford County Planning Commission, who shall be appointed as follows: each Board member shall appoint one resident freeholder from his or her election district to serve initially for the duration of the appointing Board member's term in office. Subsequent terms for each of these seven Transportation Commission members shall be for four years. Each Board member shall appoint one resident freeholder from his or her election district to serve such a four-year term. The Chairman of the Planning Commission shall appoint one member of the Planning Commission to serve on the Transportation Commission and such member shall serve a four-year term to coincide with his or her current term on the Planning Commission. All Transportation Commission members may be reappointed for succeeding four-year terms in office; and

WHEREAS, one member to represent the Superintendent of Schools, one member to represent the Sheriff's Office, and one member to represent the Department of Fire, Rescue, and Emergency Services shall be assigned to be in attendance at all meetings in an advisory capacity to the Commission; and

WHEREAS, the Board may, as it deems necessary, appoint five members of the Transportation Commission's membership, pursuant to Section 33.1-230 of the Code of Virginia (1950), as amended, to function as viewers for public roads or bridges;

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Steven Apicella (Aquia)	December 31, 2009
Bruce Iosco (Falmouth)	December 31, 2009
Michael Kidby (Garrisonville)	December 31, 2009
Robert Dingess (Hartwood)	December 31, 2009
Byron K. Hinton (George Washington)	December 31, 2007
Jerry Graf (Griffis-Widewater)	December 31, 2007
Roland T. Stanford (Rock Hill)	December 31, 2007
Michael Rhodes (Planning Commission)	December 31, 2007

WHEREAS, Jerry Graf 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 16th day of May, 2006, that:

<u>NAME</u>	<u>EXPIRATION</u>
Walter Kreutzer (Griffis-Widewater)	December 31, 2007

be and he hereby is appointed to the Transportation Commission.

Fire, Rescue, and Emergency Services; Authorize a Public Hearing to Amend the County Code by Adding Article VII Entitled “Ambulance Cost Recovery”. Mr. Cavalier commented.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-245.

Discussion ensued.

The Voting Board tally was:

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

Resolution R06-245 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN  
CHAPTER 12 OF THE STAFFORD COUNTY CODE ENTITLED  
"FIRE PREVENTION AND PROTECTION" BY ADDING  
ARTICLE VII ENTITLED "AMBULANCE COST RECOVERY"

WHEREAS, the provisions of public safety services is a primary responsibility of the County; and

WHEREAS, the Ambulance Fee Cost Recovery program will enhance fire and rescue service in the County; and

WHEREAS, the Board believes the Ambulance Cost Recovery program is necessary and in the best interest of the public;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Chapter 12 of the Stafford County Code entitled "Fire Prevention and Protection" by adding Article VII entitled "Ambulance Cost Recovery."

Public Services; Request Endorsement of Future VDOT Chatham Heights Commuter Lot. Mr. Fields commented.

Mr. Fields motioned, seconded by Mr. Schwartz, to defer proposed Resolution R06-243.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

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. Fields, to adopt proposed Resolution R06-217.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-217 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO ADVERTISE A PUBLIC HEARING TO VACATE THE USE  
RESTRICTION AS A FUTURE 50' STREET OF AN UNNAMED STREET AS  
DEDICATED IN AUSTIN RIDGE SECTION 6-A

WHEREAS, by Deed of Dedication, Subdivision, Easement and Vacation dated September 21, 2001, Rocky Ridge Joint Venture dedicated to public use property consisting of 9,763 square feet; and

WHEREAS, the use restriction contained on the record plat was for the 9,763 square feet dedicated to public use to be for a future 50' street; and

WHEREAS, the dedicated property is no longer needed for street purposes; and

WHEREAS, the County desires to construct a water booster pump on said land;  
and

WHEREAS, it is necessary for the use restriction of the 9,763 square feet for future 50' street purposes be vacated; and

WHEREAS, the Board desires that the use for the 9,763 square feet be for a water booster pump; and

WHEREAS, the Board finds that public necessity, convenience, general welfare or good subdivision 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 May, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing for June 6th, 2006, to vacate the use restriction as a future 50' street of an unnamed street as dedicated in Austin Ridge Section 6-A.

Planning; Consider Waiver of Paving Requirement and Minimum Width for Travelways at 279 Decatur Road. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

Mr. Skip Causey, Applicant, commented.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-247.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-247 reads as follows:

A RESOLUTION TO APPROVE WAIVERS OF THE ZONING ORDINANCE REQUIREMENT FOR THE MINIMUM TRAVELWAY WIDTH AND FOR PAVED PARKING AREAS AND TRAVELWAYS PURSUANT TO SECTION 28-256(c)(3) AND 28-256(c)(5) OF THE ZONING ORDINANCE FOR ASSESSOR'S PARCEL 31-88E,

GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Potomac Cellars, applicant, plans to construct a new winery facility on Decatur Road; and

WHEREAS, Potomac Cellars has requested waivers of the Zoning Ordinance requirements for the minimum travelway width and for paving the parking area and travelways; and

WHEREAS, Section 28-256(c)(3) and 28-256(c)(5) of the Zoning Ordinance permit waivers of the minimum travelway width and part or all of the paving requirements for churches, clubs, fraternal organizations, and other similar uses and minor development where a change of use is proposed, provided these areas are surfaced with crushed stone in an amount sufficient to prevent soil erosion, abate dust, and provide an adequate driving surface; and

WHEREAS, the Board has determined that waivers of the requirement for minimum travelway width and for paving of the parking area and travelways are appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that waivers of the minimum travelway width and of the requirements for paving the parking area and travelways for Potomac Cellars be and they hereby are approved.

Finance; Consider a Contract for Purchase of Two Ambulances and Authorize a Public Hearing for the Lease/Financing of Ambulances. The Deputy County Administrator gave a presentation.

Mr. Fields motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-254.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-254 reads as follows:

A RESOLUTION TO AUTHORIZE THE PURCHASE OF CERTAIN  
FIRE AND RESCUE EQUIPMENT

WHEREAS, the Board of Supervisors of Stafford County, Virginia has determined that it is necessary and advisable to purchase certain fire and rescue equipment (the "Fire and Rescue Equipment") consisting of two (2) ambulances; and

WHEREAS, Fesco Sales has been determined to be a sole source provider of ambulances meeting the design requirements of the County; and has agreed to provide the Fire and Rescue Equipment at a cost of \$232,924; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the County Administrator be and he hereby is authorized to award a contract for an amount not to exceed \$232,924 for the Fire and Rescue Equipment.

Mr. Dudenhefer motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-255.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-255 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER  
LEASE-PURCHASE FINANCING FOR THE ACQUISITION OF CERTAIN  
FIRE AND RESCUE EQUIPMENT

WHEREAS, the Board of Supervisors of Stafford County, Virginia 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 of two (2) ambulances 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 of Supervisors to hold a public hearing on such plan of financing; and

WHEREAS, the Board of Supervisors 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 6, 2006 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 Fire and Rescue Equipment from the proceeds of a lease-financing in the maximum amount of \$190,690.

3. This resolution shall take effect immediately upon its adoption.

Adopted this 16th day of May, 2006.

Legislative; Discuss Brooke and Leeland VRE Parking Lots. Mr. Schwartz commented.

Mr. Milde commented further.

Mr. Schwartz motioned, seconded by Mr. Milde, to defer this item to the next Board meeting.

The Voting Board tally was:

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

Nay: (0)

Legislative; Discuss Development of a Department Charged with Conservation Easements, Purchase of Development Rights and Implementation of the New TDR Legislation. Mr. Milde commented.

Discussion ensued.

Hearing no objections from the Board, a committee of Mr. Milde and Mr. Brito will further review the issue and report back to the Board.

Legislative; Discuss Nonconforming Zoning. Mr. Fields commented.

Mr. Fields motioned, seconded by Mr. Brito, to adopt proposed Resolution R06-249.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-249 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION  
AN AMENDMENT TO THE ZONING ORDINANCE REGARDING SPECIAL  
EXCEPTIONS TO ALLOW AN INCREASE OF SQUARE FOOTAGE FOR  
NONCONFORMING STRUCTURES

WHEREAS, the Board recognizes the County has numerous nonconforming structures; and

WHEREAS, Article XV, Nonconformities, of the zoning ordinance does not allow a nonconforming structure to be enlarged or altered in any way which increases its nonconformity, including the structure's square footage, unless a Variance is granted by the Board of Zoning Appeals; and

WHEREAS, homeowners desiring to expand their dwellings are not permitted because it is extremely difficult to meet the hardship criteria for a Variance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of May, 2006, that the Planning Commission be and it hereby is requested to review and prepare an Ordinance to authorize, by Special Exception, an increase of square footage for nonconforming structures by the Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that the Planning Commission reports its recommendation to the Board no later than June 16, 2006.

Legislative; Discuss Tax Relief for the Elderly and Disabled. The Deputy County Administrator commented.

Mr. Scott Mayausky, Commissioner of the Revenue, commented further.

Hearing no objections from the Board, a committee of Mr. Brito, Commissioner of the Revenue, Treasurer, County Attorney, Finance, Budget and (3) senior citizens were requested to further review the issues.

Legislative; Force Protection Equipment Demonstration V - Homeland Security: Protecting America's Future to be held at Stafford Regional Airport. Mr. Dudenhefer commented.

Discussion ensued.

Adjournment. At 9:10 P. M., the Chairman declared the meeting adjourned.

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Steve Crosby  
County Administrator

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Robert C. Gibbons  
Chairman