

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Regular Meeting

June 6, 2006

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Robert C. Gibbons, at 1:02 P. M., Tuesday, June 6, 2006, in the Board Chambers, Stafford County Administration Center.

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

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

Legislative; Presentation of a Proclamation to Recognize and Commend Denise S. Dailey. The Chairman presented the proclamation.

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

Kathy Marshall - Career Training Solutions.

Ruth Carlone - The Crucible.

- Schools.

- Violations.

- Water Resource Overlay District.

- Lou Silver
 - Pump and Haul policy..
 - Informational meetings on the Comprehensive Plan.
 - Senior citizen tax relief program.

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 questions.

Mr. Wayne Carruthers, Assistant Superintendent of Finance, presented a Certificate of Appreciation from the Schools to the Chairman.

Mr. Bob Randall, Engineering Manager for the Stafford County Public Schools, gave a presentation on an energy plan for the schools.

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

- Mr. Schwartz
 - Rappahannock Area Development Commission all hazards mitigation plan.

- Mr. Brito
 - Removed Items 3, 4, and 7 from the Consent Agenda.
 - Attended Field Day at Hartwood Elementary School.
 - Tax relief for the elderly.
 - Tour of all parks facilities.
 - Attended Parks and Recreation subcommittee meeting.
 - Attended hearing on The Crucible.

- Town Hall meeting.
- Attended Stafford Business Appreciation luncheon.
- Requested the Fredericksburg Area Metropolitan Planning Organization prepare a 6-year funding plan for transportation.
- Virginia Senate Finance Committee on Transportation.
- Austin Ridge Subdivision.

Mr. Cavalier

- Attended Parks and Recreation subcommittee meeting and Parks and Recreation Commission meeting.
- Attended Employee Compensation Study Committee meeting.
- Attended various school award ceremonies.
- Death of Eva Decatur.
- Provided quote.

Mr. Dudenhefer

- Attended Regional Jail Authority meeting.
- First Base Realignment and Closure Meeting (BRAC) will be June 19, 2006.
- Rappahannock Area Development Commission new charter.
- Subcommittee of Board and School Board brief a plan on school CIP.
- Attended Regional Elected Officials Meeting.
- Presented two scholarships to North Stafford High School students on behalf of daughter, Emily.
- Remove Items 12 and 13 from Consent Agenda.

- Mr. Schwartz
continued
- Remove Items 12, 13 and 14 from Consent Agenda.
- Mr. Fields
- Definition of schools.
 - Abel Lake issues.
 - Pandemic flu.
 - Capital Improvements Program meetings.
- Mr. Milde
- Pandemic flu.
 - State funding reduced for 630 Interchange and Warrenton Road.
 - Aquia Harbour concerns.
 - Crows Nest.
 - Bond referendum for transportation.
 - Parks and Recreation bonds.
- Mr. Gibbons
- Truck traffic.
 - Discovery Days 2006.
 - Historic Society.
 - Bluemont Concerts.
 - Comprehensive Plan Steering Committee.
 - Virginia Association of Counties meeting.
 - National Association of Counties committees.
 - Illegal signs.
 - Cecelia Kirkman comments.
 - Rescue Squad property status.
 - School Board breakfast meeting.
 - Draft of plan for pandemic flu and disaster.
 - Traffic signal update.
 - Military Affairs Council.
 - Virginia Association of Council legislative process.

- Voting at Rock Hill Church.
- Hillside Terrace project.
- Little Whim Road.
- Garrisonville Road primary status.
- Appointment to Rappahannock Area Community Services Board.
- Driscoll issue.
- Hidden Lake Projects.
- Survey results from Comprehensive Plan Committee.
- Stafford trip to England.
- Water Resource Protection Ordinance.
- Board appointment to Boys/Girls Club; Mr. Fields.
- Schools Strategic Plan committee; Mr. Brito and Mr. Schwartz; alternates Mr. Fields and Mr. Milde.
- Austin Ridge update; Winkler property.
- Stafford Regional Airport meeting.
- Base Realignment and Closure.
- Metropolitan Planning Organization.
- Board Committees.

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

- Addition of an item to Closed Meeting:

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

- The District Engineer, Virginia Department of Health, gave a Drinking Water Filtration Award to Matt Sader, Plant Manager, Abel Lake,
- Tim Baroody, Director of Economic Development & Legislative Affairs, gave a presentation on Boswell Corner and Courthouse Area Master Plans.
- Hearing no objections from the Board, Mr. Schwartz requested a conceptual plan (architectural rendering) for the Falmouth Area.
- Tourism Manager Megan Orient, Economic Development and Legislative Affairs, will make a presentation on the Discovery Days 2006 at the next Board meeting.

Recess. At 3:04 P. M., the Chairman declared a recess.

Call to Order. At 3:10 P. M., the Chairman called the meeting back to order.

Legislative; Consent Agenda. Mr. Cavalier motioned, seconded by Mr. Fields, to adopt the Consent Agenda consisting of Items 1 thru 17, omitting items 3, 4, 7, 12, 13 and 14.

The Voting Board tally was:

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

Nay: (0)

Item 1. Legislative; Approve Minutes of Board Meeting. Regular Meeting of April 18, 2006; Adjourned Meeting of April 25, 2006; Adjourned Meeting of April 26, 2006, and Regular Meeting of May 2, 2006.

Item 2. Finance; Approve Expenditure Listings.

Resolution R06-265 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTINGS (ELs)
DATED MAY 16, 2006 THROUGH JUNE 5, 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 6th day of June, 2006, that the above-mentioned ELs be and it hereby is approved.

Item 5. Utilities; Authorize a Public Hearing to Amend Water and Sewer Fees.

Resolution R06-260 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO ADVERTISE A PUBLIC HEARING TO AMEND AND READOPT
FEES FOR PROVIDING PUBLIC WATER AND SEWER SERVICE

WHEREAS, the Board desires to amend fees for providing public water and sewer service; and

WHEREAS, the Board desires to consider public comments concerning the proposed fee changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing on July 18, 2006, for the purpose of amending and readopting fees for providing public water and sewer service.

Item 6. Utilities; Designate Firms to Provide Engineering Services for the Department of Utilities.

Resolution R06-273 reads as follows:

A RESOLUTION TO DESIGNATE ENGINEERING FIRMS TO
PROVIDE SERVICES IN SUPPORT OF THE DEPARTMENT OF
UTILITIES CAPITAL IMPROVEMENT PROGRAM

WHEREAS, the Board authorized the solicitation of proposals from firms interested in providing engineering services in support of the Department of Utilities Capital Improvement Program; and

WHEREAS, ten (10) firms provided proposals in response to this solicitation; and

WHEREAS, the Department of Utilities has found it efficient to select multiple firms to provide these services; and

WHEREAS, the selection committee reviewed the submitted proposals and determined that the Timmons Group, Draper Aden Associates, Dewberry, O'Brien & Gere Engineers, Inc., Parsons Water and Infrastructure, Inc., Sullivan Donahoe & Ingalls, and The Engineering Group, Inc. were the most qualified firms to provide services for the Fiscal Year 2007 and 2008 period;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the firms of Timmons Group, Draper

Aden Associates, Dewberry, O'Brien & Gere Engineers, Inc., Parsons Water and Infrastructure, Inc., Sullivan Donahoe & Ingalls, and The Engineering Group, Inc. be and they hereby are authorized to provide engineering services in support of the Department of Utilities Capital Improvement Program for the Fiscal Years 2007 and 2008 period.

Item 8. Utilities; Authorize Contract for Purchase of Equipment for the Aquia Wastewater Treatment Facility.

Resolution R06-274 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR THE PURCHASE OF
DISINFECTION EQUIPMENT FOR THE AQUIA WASTEWATER
TREATMENT FACILITY

WHEREAS, the Aquia Wastewater Treatment Facility is experiencing difficulties meeting discharge limits with the disinfection equipment installed in 1991; and

WHEREAS, the County has entered into a Consent Order to bring the disinfection performance into compliance with permit limits; and

WHEREAS, the design for replacement ultraviolet disinfection equipment has been completed and the equipment offered for public bids; and

WHEREAS, one bid, from Trojan Technologies, Inc. was received in the amount of \$884,000 for the necessary equipment; and

WHEREAS, funds are appropriated in the Utility Fund for this equipment;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he

hereby is authorized to execute a contract with Trojan Technologies, Inc. in an amount not to exceed Eight Hundred Eighty-four Thousand Dollars (\$884,000) for ultraviolet disinfection equipment for the Aquia Wastewater Treatment Facility.

Item 9. Utilities; Authorize a Request for Proposals for Engineering Services for Enhanced Nutrient Removal Upgrades.

Resolution R06-276 reads as follows:

A RESOLUTION TO AUTHORIZE THE ISSUANCE OF A
REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES
FOR THE ENHANCED NUTRIENT REMOVAL UPGRADES

WHEREAS, the Commonwealth of Virginia has adopted stricter nutrient discharge limits for treatment facilities discharging into the Chesapeake Bay; and

WHEREAS, it is necessary to initiate the design of the new facilities immediately in order to have these improvements operational by 2010; and

WHEREAS, the County must solicit proposals from firms qualified to perform engineering services for this project; and

WHEREAS, it is necessary for the Board to authorize the solicitation of proposals from interested firms;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to issue a Request for Proposals for engineering services for the enhanced nutrient removal upgrades.

Item 10. Fire, Rescue and Emergency Services; Authorize Solicitation of Bids for Fire Trucks.

Resolution R06-272 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO SOLICIT BIDS FOR TANKER FIRE TRUCKS AND PUMPER FIRE
TRUCKS

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

WHEREAS, the purchase of tanker fire trucks and pumper fire trucks will enhance fire and rescue service in the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to solicit bids for tankers and pumpers.

Item 11. Public Services; Petition VDOT to Include Streets within Stowe of Amyclae, Section 2 Into the Secondary System of State Highways.

Resolution R06-259 reads as follows:

A RESOLUTION PETITIONING THE VIRGINIA DEPARTMENT
OF TRANSPORTATION TO INCLUDE BRUCE STREET AND
KINROSS DRIVE WITHIN STOWE OF AMYCLAE, SECTION 2
INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add these streets within Stowe of Amyclae, Section 2 into the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation (VDOT) has inspected these streets and found them acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th of June, 2006, that VDOT be and it hereby is petitioned to include the following streets within Stowe of Amyclae, Section 2 into the Secondary System of State Highways:

Street	Station	Length
Bruce Street	Fr: Inter. Palladio Drive	0.14 Miles
	To: 0.14 Mi. W. Inter. Palladio Drive	50' ROW
Street	Station	Length
Kinross Drive	Fr: Inter. Palladio Drive	0.20 Miles
	To: Inter. Future Temple Drive	52' ROW
Kinross Drive	Fr: Inter. Temple Drive	0.03 Miles
	To: 0.03 Mi. W. Inter. Future Temple Drive	52' ROW

An unrestricted right-of-way (ROW), as indicated above, for each street with necessary easements for cuts, fills and drainage is guaranteed, as evidenced by Plat of Record entitled Stowe of Amyclae, Pm03000009, Instrument # 030020483 recorded May 28, 2003; and

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

Item 15. Planning; Adopt Rappahannock Area Development Commission (RADCO)
All-Hazards Mitigation Plan.

Resolution R06-275 reads as follows:

A RESOLUTION TO ADOPT THE RAPPAHANNOCK AREA
DEVELOPMENT COMMISSION (RADCO) ALL-HAZARDS
MITIGATION PLAN

WHEREAS, the Disaster Mitigation Act of 2000, as amended requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, the Rappahannock Area Development Commission (RADCO) representing Stafford County, as well as the other localities of Planning District 16, was convened in order to study the region's risks from and vulnerabilities to natural disasters, and to make recommendations on mitigating the effects of such hazards on the region; and

WHEREAS, RADCO established a Hazard Mitigation Planning Committee (HMPC) consisting of County staff, staff from other area localities and various state agencies; and

WHEREAS, efforts of the HMPC and the RADCO staff have resulted in the development of an All-Hazards Mitigation Plan for the region;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006 that the Rappahannock Area Development Commission All-Hazards Mitigation Plan dated March 2006 be and it is hereby approved and adopted.

Item 16. Human Resources; Consider Memorandum of Agreement Between Stafford County and the Rappahannock Area Development Commission.

Resolution R06-279 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT WITH THE RAPPAHANNOCK
AREA DEVELOPMENT COMMISSION

WHEREAS, Virginia Code Section 15.2-4205 (1950), as amended, states that Planning District Commissions are a “public body corporate and politic”; and

WHEREAS, the Rappahannock Area Development Commission is the Planning District Commission for the region serving the counties of Stafford, Spotsylvania, King George, Caroline, and the City of Fredericksburg; and

WHEREAS, RADCO serves the citizens of the area through programs dedicated to a variety of issues including transportation, ridesharing, telecommuting, and environmental concerns; and

WHEREAS, at its May 15, 2006 meeting, the commission members of RADCO requested that the Executive Director and employees of RADCO be included in the County’s classification, pay and benefits program and be entitled to receive those benefits made available to the County’s classified employees; and

WHEREAS, RADCO will be required to fund the cost of employee compensation and benefits for all RADCO employees including the Executive Director;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June 2006, that the County Administrator be and he hereby is authorized to execute an agreement with RADCO to include the Executive

Director and the employees of RADCO in the County’s classification, pay and benefits program.

Item 17. Legislative; Appointment of a Member to the Military Affairs Council.

Resolution R06-285 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE
FREDERICKSBURG REGIONAL CHAMBER OF
COMMERCE MILITARY AFFAIRS COUNCIL

WHEREAS, support of our military and our local bases has never been more important; and

WHEREAS, the Fredericksburg Regional Chamber of Commerce Military Affairs Council serves as the liaison between the defense and civilian communities; and

WHEREAS, membership will allow the funding to recognize the role that the defense industry and the military play in our local economy, and proactively work to support the local defense activities; and

WHEREAS, the Board desires to appoint a member;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that

NAME

EXPIRATION

Mark Dudenhefer
(Board of Supervisors)

be and he hereby is appointed to the Fredericksburg Regional Chamber of Commerce Military Affairs Council.

Code Administration; Award Contract for Professional Services for Building Plan Review. Mr. Brito commented.

Mr. Fields motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R06-246.

The Voting Board tally was:

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

Resolution R06-246 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO AWARD A CONTRACT FOR PROFESSIONAL SERVICES FOR THIRD
PARTY BUILDING PLAN REVIEW SERVICES

WHEREAS, on October 12, 2005, the County issued a request for proposals for consulting services and third party review of building plans; and

WHEREAS, AEC, Incorporated (AEC) was awarded a contract for an initial one year period, with the option to review for four additional one year periods, for a total of five consecutive years; and

WHEREAS, it is necessary to renew AEC's contract for FY2007 services; and

WHEREAS, the Department of Code Administration proposed FY2007 Budget contains \$750,000 for contractual building plan review services; and

WHEREAS, the cost of these services is funded from building permit fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June 2006, that the County Administrator be and he hereby is authorized to execute a contract with AEC, Incorporated for professional services for third party building plan review for an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000).

Code Administration; Award Contract for Professional Engineering Services for Erosion and Sediment Control and Stormwater Management Plan Review for Land Development Projects. Mr. Brito commented.

Mr. Brito motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-258.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-258 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR
TO AWARD A CONTRACT FOR PROFESSIONAL ENGINEERING
SERVICES FOR EROSION AND SEDIMENT CONTROL AND
STORMWATER MANAGEMENT PLAN REVIEW

WHEREAS, the County has contracted engineering services for Erosion and Sediment Control and Stormwater Management plan review for land development projects since 1998; and

WHEREAS, on March 8, 2006, a Request for Proposals was issued to solicit potential firms interested in providing Erosion and Sediment Control and Stormwater Management plan review services to the County; and

WHEREAS, the Request for Proposals resulted in the County receiving three proposals; and

WHEREAS, an evaluation committee selected GKY and Associates, Inc. as the most responsive firm; and

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

WHEREAS, the Code Administration FY2007 budget request contains \$460,000 for contractual services for Erosion and Sediment Control and Stormwater Management plan review for land development projects;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to execute a contract with GKY and Associates, Inc. for professional engineering services for review of Erosion and Sediment Control and Stormwater Management plan review for land development projects in an amount not-to-exceed Four Hundred Sixty Thousand Dollars (\$460,000).

Utilities; Approve Amendment to Sewer Pro Rata Credit Agreement with Stafford Associates LP for Augustine Central Subdivision. Mr. Brito commented.

Mr. Brito motioned, seconded by Mr. Schwartz, to defer proposed Resolution R06-273.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Budget; Appropriate FY2007 County Budgets. Mr. Schwartz commented.

The Deputy County Administrator commented further.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-261.

Discussion ensued.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-261 reads as follows:

A RESOLUTION TO APPROPRIATE THE FISCAL YEAR 2007
COUNTY BUDGETS

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the Fiscal Year 2007 Budgets for the various General Government Funds be and they hereby are appropriated as follows:

I. GENERAL GOVERNMENT FUNDS:

General Fund:

School Operating Budget Transfer	\$ 93,791,777
School Debt	26,208,223
Sheriff	16,399,314
Fire and Rescue	10,292,135
Social Services	8,016,051
Corrections	6,457,342
Code Administration	5,967,193
Parks & Recreation	5,048,472
Central Rappahannock Regional Library	4,165,906
Public Services Team	4,019,704
Comprehensive Services Act	3,798,479
Debt Service	3,561,469
Commissioner of the Revenue	2,521,105
Information Technology	2,427,714
Planning	2,272,821
Commonwealth's Attorney	2,143,575
Regional & Community Agencies	2,032,421
Treasurer	2,029,131
Finance	1,993,446
Courts	1,954,087
Capital Projects	1,200,000
County Attorney	1,154,491
County Administration	1,009,626
Economic Development/Legislative Affairs	973,773
Non-Departmental	898,828
Other Transfers	697,981
Human Resources	653,391
Board of Supervisors	553,897
Budget	345,776
Registrar & Electoral Board	342,220

Cooperative Extension	213,765
Solid Waste	208,683
	<hr/>
Total General Fund	\$ 213,352,796
	<hr/> <hr/>

TRANSPORTATION FUND	\$ 5,184,789
	<hr/>

UTILITIES FUND	\$ 74,152,422
	<hr/>

E-911 FUND	\$ 2,490,203
	<hr/>

ASSET FORFEITURE FUND	\$ 39,030
	<hr/>

TOURISM FUND	\$ 735,758
	<hr/>

GENERAL CAPITAL IMPROVEMENTS FUND	\$ 5,592,276
	<hr/>

BE IT FURTHER RESOLVED that the Fire and Rescue Department is authorized to add 11 new full-time positions upon the approval of a County Ambulance Fee; and

BE IT STILL FURTHER RESOLVED that Economic Development/Legislative Affairs is authorized to convert one part-time position to full-time.

Budget; Reappropriate Funds From FY2005 to FY2006 for School Construction Fund Project. Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Cavalier, to adopt proposed Resolution R06-262.

Discussion ensued.

Resolution R06-262 reads as follows:

A RESOLUTION TO REAPPROPRIATE FUNDS FROM FY2005 TO
FY2006 FOR SCHOOL CONSTRUCTION FUND PURCHASE ORDER

WHEREAS, the Code of Virginia stipulates that appropriations be approved for the maximum of one fiscal year only and that appropriations expire or lapse at the end of a fiscal year; and

WHEREAS, the Schools have executed orders or contracts for the purchase of goods and services that were not received by June 30, 2005, and for which funding was provided in prior years; and

WHEREAS, the Dixon-Smith Middle School project was approved and funded in prior years but not completed by June 30, 2005;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the amount for the outstanding School Construction Fund project as of June 30, 2005 be and it hereby is appropriated to Fiscal Year 2006 as follows:

SCHOOL CONSTRUCTION FUND	\$20,000,000
--------------------------	--------------

Legislative; Authorize Acquisition of Property at 103 Gordon Street. Mr. Schwartz commented.

Mr. Schwartz motioned, seconded by Mr. Brito, to defer proposed Resolution R06-277.

Discussion ensued.

Mr. Fields made a substitute motion, seconded by Mr. Milde, to adopt proposed Resolution R06-277.

Discussion further ensued.

The Voting Board tally was:

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

Nay: (2) Brito, Schwartz

Resolution R06-277 reads as follows:

A RESOLUTION TO AUTHORIZE THE ACQUISITION OF
PROPERTY AT 103 GORDON STREET

WHEREAS, the Board desires to maintain and use existing cultural resources owned by the County and others that may be acquired in the future; and

WHEREAS, the Board desires to acquire the property known as the “Counting House” located at 103 Gordon Street, just beside the Route 1 Bridge in Falmouth; and

WHEREAS, the owner has agreed to sell the property to the County for \$179,000; and

WHEREAS, the County intends the Counting House to play an eventual role in tourism; and

WHEREAS, the revenue collected by the levy of a transient occupancy tax authorized by Section 58.1-3819 of the Code of Virginia (1950), as amended, shall be designated and spent solely for promoting tourism, travel or business that generates tourism, or travel in the locality;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to execute a contract in the amount of One Hundred Seventy-nine Thousand Dollars (\$179,000) to acquire the property at 103 Gordon Street; and

BE IT FURTHER RESOLVED that \$179,000 be and it hereby is budgeted and appropriated in FY2007 to the Tourism Fund from the Tourism Fund balance.

Legislative; Discuss Budget and Appropriate \$1.25 Million to the School Operating Fund in FY2007. The County Administrator commented.

Dr. Jean Murray, Division Superintendent of Schools, commented further.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-280.

Discussion ensued.

Mr. Dudenhefer made a substitute motion, seconded by Mr. Schwartz, to adopt proposed Resolution R06-280 with a change.

Discussion further ensued.

The Voting Board tally on the substitute motion was:

Yea: (5) Dudenhefer, Gibbons, Milde, Schwartz, Brito

Nay: (2) Fields, Cavalier

Resolution R06-280 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING
WHICH BUDGETS AND APPROPRIATES AN ADDITIONAL
\$800,000 TO THE SCHOOL OPERATING FUND IN FY2007

WHEREAS, during the Budget Work Session on May 16, 2006, the Board discussed the FY07 Local School Funding Allocation; and

WHEREAS, once appropriated, this allocation provides the School Operating Fund with a revenue source toward operating expenses; and

WHEREAS, once the School Budgets are appropriated, the Schools have legal authorization to spend the appropriated amount; and

WHEREAS, should the Board desire to increase the Local School Funding allocation by \$800,000, a public hearing is required; and

WHEREAS, funding for the \$800,000 would be from the General Fund, Fund Balance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to advertise a public hearing to budget and appropriate \$800,000 as follows:

GENERAL FUND

Transfer to other Funds	\$800,000
-------------------------	-----------

<u>SCHOOL OPERATING FUND</u>	\$800,000
------------------------------	-----------

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

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

Parks and Recreation; Consider Name of Park on Moncure Property. Mr. Greg Sager, Director of Parks and Recreation, gave a presentation.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-77.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-77 reads as follows:

A RESOLUTION TO NAME THE MONCURE PROPERTY,
“PATAWOMECK PARK” AND THE ENTRANCE ROAD,
“CHOPAWAMSIC PARKWAY”

WHEREAS, the Moncure property is 180 acres of land that was transferred to the County in trade for Fritter Park; and

WHEREAS, the Master Plan calls for active and passive recreational amenities;
and

WHEREAS, the future park site is located on Widewater Road near the intersection of Rectory Lane in the Griffis-Widewater District; and

WHEREAS, at a meeting on May 18, 2006, the Parks and Recreation Commission unanimously endorsed naming the new park site “Patawomeck Park” and the entrance road “Chopawamsic Parkway”;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the park built on the Moncure property shall be named “Patawomeck Park” and the entrance road “Chopawamsic Parkway.”

Utilities; Revise Pump and Haul Policy. Mr. Robert E. Bos, Public Utilities Administrator, gave a presentation.

Mr. Schwartz motioned, seconded by Mr. Dudenhefer, to refer this item back to the Utilities Commission for further study.

Discussion ensued.

The Voting Board tally was:

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

Nay: (1) Fields

Planning; Refer General Development Plan Content Revisions to the Planning Commission. Mr. Milde commented.

Mr. Milde motioned to adopt proposed Resolution R06-281.

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

Legislative; Comprehensive Plan Steering Committee. Mr. Michael Rhodes, Vice Chairman of the Transportation Commission, commented.

Mr. Jeff Harvey, Director of Planning and Community Development, commented further.

Discussion ensued.

Legislative; Closed Meeting: At 5:00 P.M., Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Resolution CM06-20.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-20 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 in regard to two matters; the disposition of County land; legal advice in regard to Leeland Station, LLC v. Planning Commission of Stafford County and The Board of Supervisors of Stafford, County, VA and Crucible, Inc. v. The Board of Zoning Appeals of Stafford County, VA and Crow's Nest litigation; and four personnel matters; 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 6th day of June, 2006 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 6:20 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Fields motioned, seconded by Mr. Brito, to adopt proposed Resolution CM06-20a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-20a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
JUNE 6, 2006

WHEREAS, the Board has, on this the 6th day of June, 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 6th day of June 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 6:21 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:05 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.

The Chairman announced that Mr. Dudenhefer would be arriving late due to two scholarships being presented in the name of his Daughter, Emily, at the North Stafford High School.

Legislative; Presentation of a Proclamation to Recognize and Commend Lori M. Chaney.

The Chairman presented the proclamation.

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

James Bracco	-	Brooke Virginia Railway Express.
Edward Sharp	-	Abel Lake Reservoir.
Brach McCuy	-	Career Training Solutions.
Resi Malone	-	Career Training Solutions.
Askinah Houston	-	Career Training Solutions.
Cheryl Calhoun	-	Career Training Solutions.
Cynthia Spinks Shacklette	-	Career Training Solutions.
Maureen LaGrecca	-	Career Training Solutions.
Jimmy Franklin	-	Boat Tax.
Lee Olywec	-	Mid-Atlantic project.

Fire, Rescue, and Emergency Services; Amend the County Code By Adding Article VII Entitled “Ambulance Cost Recovery”. Mr. Rob Brown, Chief of Fire and Rescue, gave a presentation.

The Chairman opened a public hearing.

No one desired to speak.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O06-50.

The Voting Board tally was:

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

Nay: (0)

Ordinance O06-50 reads as follows:

AN ORDINANCE 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 has carefully considered the recommendation of Staff and the testimony at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that Chapter 12 of the Stafford County Code entitled "Fire Prevention and Protection" be amended and reordained by adding Article VII entitled "Ambulance Cost Recovery" to read as follows:

Sec.12-81. Cost reimbursement for ambulance service.

(a) Reasonable fees, reviewed annually as a part of the county budget process, shall be charged for emergency medical transport services provided by the department. The revenue recovery program is intended to pursue reimbursement for EMS ambulance transports by recovering funds that may already be designated for the purpose.

(b) The following definitions shall apply to emergency medical transport charges:

(1) *Basic Life Support (BLS)* means services shall be medical treatment or procedures provided to a patient as defined by the National Emergency Medicine Services (EMS) Education and Practice Blueprint for the Emergency Medical Technician (EMT)-Basic.

(2) *Advanced Life Support level 1 (ALS-1)* means services shall be medical treatment or procedures provided to a patient beyond the scope of an EMT-Basic as defined by the National EMS Education and Practice Blueprint.

(3) *Advanced Life Support level 2 (ALS-2)* means services shall be defined as advanced life support (ALS) services provided to a patient including any of the following medical procedures:

- a. Manual defibrillation/cardioversion,
- b. Endotracheal intubation,
- c. Central venous line,
- d. Cardiac pacing,

- e. Chest decompression,
- f. Surgical airway,
- g. Intraosseous line, or
- h. Administration of three (3) or more medications.

(4) *Ground Transport Mile (GTM)*: Emergency demand zones are established by the Fire and Rescue Chief. Transportation fees shall be assessed per statute mile from the location of the incident scene, or from the center point of the emergency demand zone, if applicable, where an incident scene or address is located, to a hospital or other facility where a patient is transported.

Sec. 12-82. Fees.

- (a) The schedule of rates for emergency ambulance transport services by the Stafford County Fire and Rescue Department EMS system shall be based on a schedule which will be developed and reviewed yearly to maintain compliance within the allowances established by the Center for Medicare and Medicaid Services.
- (b) The Stafford County Fire and Rescue Chief is hereby authorized and directed to establish rules and regulations for the administration and collection of the charges imposed by this section.
- (c) Fees for emergency medical transport services shall be charged per patient transported for services rendered and transportation provided, as initially set and reviewed annually:

TABLE INSET:

BLS	\$350.00
ALS-1	\$450.00

ALS-2	\$550.00
-------	----------

(d) Transportation fees: Eight dollars (\$9.00) per GTM

Sec. 12-83. Billing.

(a) A bill will be generated for ambulance transports conducted by all ambulances utilized by Stafford County Fire and Rescue Department and agencies, vehicles operated or maintained by Stafford County or permitted to Stafford County. Fees collected will be used by the Stafford County Fire and Rescue Department to provide emergency services staffing and expenses related to the provision of EMS.

(b) Patients will fall into one of the following categories for billing purposes:

(1) *Insured, county resident or non-resident.* The appropriate insurance carrier will be billed.

(2) *Uninsured county residents.* The Stafford County Compassionate Billing Policy provides for waiver of emergency transport fees for eligible uninsured patients. A statement showing zero balance will be sent to any patient qualifying for such waiver.

(3) *Uninsured non-residents.* A bill will be sent to the patient transported. If the individual has the ability to pay, then payment is expected in full. If the patient can demonstrate financial hardship in accordance with the compassionate billing policy, they may qualify for waiver of fees.

(4) *Internal Services.* There are instances when a bill is generated in which the county would be merely transferring funds from one department's budget to another to satisfy the bill. For example, when an on-duty county employee is transported for a compensable workers' compensation injury, the employee's

department is responsible for payment of those expenses. The billing contractor will update its records to reflect such adjustment. For accounting purposes, inter-departmental transfers (IDT's) will not be required when an internal bill is generated. However, designated personnel will notify the county's billing contractor that the bill generated is internal to the county in those circumstances to ensure proper record keeping. [Note: If the workers' compensation claim is denied, the employee's health insurance will be billed.] When an inmate of the regional jail is transported, the regional jail is responsible for the bill. The Commonwealth of Virginia will be billed for transports of state inmates in the judicial system.

(5) *Contractual write offs.* The bills that Medicaid, Medicare, and insurance companies pay on behalf of an insured individual are sometimes adjusted to pay only a portion of the billed amount. This adjustment referred to here as a "contractual write off" is usually due to the laws governing the payment amount or through agreements between the insurance companies and billing entity. The contractual write offs are not considered unpaid balances, and will not be billed to patients.

Sec. 12-84. Compassionate billing policy.

(1) No one will EVER be denied necessary medical transport service due to either their inability to pay or a lack of insurance.

(2) All consumers of ambulance services will be asked, in writing, to provide information regarding available insurance coverage. All consumers of ambulance services will receive written notification of the value of services received and notice of billing forwarded to their insurer(s).

(3) Compassionate billing is intended to eliminate or minimize out-of-pocket expenses for ambulance services received by county residents. The County

regards taxes paid by our residents as inclusive of co-pays and/or deductibles for ambulance service for all persons living in a taxpaying household. Elderly or disabled residents qualifying for real estate tax relief pursuant to County ordinance shall be deemed qualified for relief from any deductible or co-pay for ambulance services received.

(4) Any resident lacking health insurance may submit a waiver request form stating a financial hardship. No personal banking information or tax form copies will be required as proof; the good faith statement made by the resident regarding household income level will suffice. Persons showing household income below \$100,000.00 shall qualify for waiver of fees based on hardship.

(5) Stafford County's billing company will not pursue payment recovery through a debt collection agency without express authorization of the County Administrator or his designee.

(6) Non-residents receiving Stafford County medical transport will receive a bill, but these non-residents may also apply for financial hardship waiver.

(7) If any insured party requires EMS transport within a given calendar year that exceeds their policy limits and no additional insurance coverage is available, the fees for service beyond coverage limits will be waived.

(8) If the insurance company deems the transport is not medically necessary the billing company will verify the information that was submitted to the insurance company and resubmit the claim for reconsideration. If the insurance carrier still deems the transport not medically necessary the County Administrator or his designee will review the individual case for possible waiver of the fees.

Sec. 12-85. Billing and collections.

Billing and collection services will be provided by a billing contractor. No county personnel will accept or receive payment on behalf of a patient. Any inquiries regarding billing or collection procedure will be referred to the billing contractor, or to designated personnel of the Stafford County Fire and Rescue Department.

Planning; Consider Rezoning From A-1 to B-2 11.87 Acres at 902 Garrisonville Road and Consider a Conditional Use Permit at 902 Garrisonville Road. Mr. Jeff Harvey, Director of Planning, gave a presentation on both issues.

The Chairman opened a public hearing on both issues.

The following persons spoke:

Clark Leming, on behalf of the Applicant

Floyd Ritter

Shahram Ford

Michael Vance

Bonnie Carlson-Vance

Dean Fetterolf

Heather Stefl

Clark Leming

George Morgan, Applicant

The Chairman closed the public hearing.

Mr. Gibbons motioned, seconded by Mr. Cavalier, to defer proposed Ordinance O06-57.

The Voting Board tally was:

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

Nay: (0)

Mr. Gibbons motioned, seconded by Mr. Cavalier, to defer proposed Resolution R06-268.

The Voting Board tally was:

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

Nay: (0)

Planning; Consider a Conditional use Permit at 690 Warrenton Road. Mr. Jeff Harvey, Director of Planning and Community Development, gave a presentation.

The Chairman opened a public hearing.

The following person spoke:

Richard Nehrboss, Applicant

The Chairman closed the public hearing.

Mr. Schwartz motioned, seconded by Mr. Brito, to adopt proposed Resolution R06-269.

Discussion ensued.

Mr. Schwartz made a substitute motion, seconded by Mr. Dudenhefer, to defer proposed Resolution R06-268.

The Voting Board tally was:

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

Nay: (0)

Finance; Authorize Lease-Purchase Financing for Fire and Rescue Equipment and Budget and Appropriate the Proceeds. 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. Dudenhefer, to adopt proposed Resolution R06-256.

Discussion ensued.

Mr. Brito made a substitute motion to adopt proposed Resolution R06-256 with changes.

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

The Voting Board tally on the original motion was:

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

Nay: (1) Brito

Resolution R06-256 reads as follows:

A RESOLUTION TO AUTHORIZE LEASE-PURCHASE FINANCING
FOR THE ACQUISITION OF CERTAIN FIRE AND RESCUE
EQUIPMENT AND TO BUDGET AND APPROPRIATE THE
PROCEEDS FROM SUCH FINANCING

WHEREAS, the Board of Supervisors (the "Board") of Stafford County, Virginia (the "County") 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 of two (2) ambulances for the County (the "Fire and Rescue Equipment") in the maximum principal amount of \$190,690; 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 June 6, 2006 on the proposed lease-financing by the County of the Fire and Rescue Equipment; 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 (the "Master Lease Agreement"), pursuant to which the County has previously issued and continues to issue tax-exempt lease financings.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA:

- 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 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 \$190,690. 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.

BE IT FURTHER RESOLVED:

1. Amendment to General Capital Project Fund Budget. The County's Budget is amended as follows:

\$232,924 shall be added to the Budget to pay for certain Fire and Rescue Equipment, consisting of two (2) ambulances.

2. Authorization of Appropriation. The County appropriates the lease proceeds from the lease financing of the Fire and Rescue Equipment as follows:

\$232,924 to the General Capital Projects Fund to pay for the Fire and Rescue Equipment.

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

BE IT STILL FURTHER RESOLVED that \$42,234 be budgeted and appropriated to the Capital Project funds as authorized by Grant from the Commonwealth of Virginia.

Public Information; Renew a Cable Television Franchise Agreement with Cox Communications. Ms. Cathy Riddle, Public Information Manager, along with Brian Grogin, Attorney, gave a presentation.

Planning; Amend the Street Addressing to Change the Index of Official Road Names. No presentation was required.

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

County Attorney; Amend and Reordain Chapter 23 of the County Code Regarding Meals Tax. The County Attorney gave a presentation.

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

Human Resources; 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”. The County Administrator gave a presentation.

Legislative; Public Hearings. The Chairman opened a public hearing on proposed Resolution R06-253; Proposed Ordinance O06-48; Proposed Ordinance O096-56; Proposed Ordinance O06-45; Proposed Ordinance O06-46; Proposed Ordinance O06-24; and Proposed Ordinance O06-26.

The following persons spoke:

Brian Grogan – regarding Proposed Resolution R06-253 indicating there is a change on the Agreement.

The Chairman closed the public hearings.

Mr. Dudenhefer motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-253.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-253 reads as follows:

A RESOLUTION TO APPROVE A NON-EXCLUSIVE
CABLE SYSTEM FRANCHISE AGREEMENT WITH
COXCOM, INC. D/B/A COX COMMUNICATIONS
NORTHERN VIRGINIA

WHEREAS, CoxCom, Inc., d/b/a Cox Communications Northern Virginia (“Cox”) provides cable video services in Stafford County, Virginia (“County”) through an existing Cable System Franchise Agreement (“Franchise”); and

WHEREAS, the existing Franchise expired on November 11, 1996, and was subsequently extended by mutual agreement of both parties; and

WHEREAS, the County and Cox have negotiated in good faith for terms and conditions for a successor cable system franchise agreement; and

WHEREAS, the County and Cox have agreed to terms that are incorporated in a cable system franchise agreement, including pertinent exhibits that are incorporated by reference and attached thereto;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the County Administrator be and he hereby is authorized to execute a Franchise with CoxCom, Inc. d/b/a Cox Communications Northern Virginia.

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O06-48.

The Voting Board tally was:

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

Ordinance O06-48 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ADDRESSING ORDINANCE BY AMENDING THE INDEX OF OFFICIAL ROAD NAMES TO RENAME A PORTION OF ONE ROAD IN THE FREDERICKSBURG POSTAL AREA

WHEREAS, the Board has established a Countywide system for naming all roads and numbering all principal buildings in the County; and

WHEREAS, the Board is authorized by Section 15.2-2019 of the Code of Virginia (1950), as amended, to name roads; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June 2006, that the Addressing Ordinance for Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to rename a portion of one road in the Fredericksburg Postal Area as follows:

<u>Location</u>	<u>Current Road Name</u>	<u>New Road Name</u>
Opposite of Kings Hill Road	Portion of Cranes Corner Road	Yellow Finch Way

Mr. Fields motioned, seconded by Mr. Cavalier, to adopt proposed Ordinance O06-56.

The Voting Board tally was:

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

Nay: (0)

Ordinance O06-56 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ADDRESSING ORDINANCE BY AMENDING THE INDEX OF OFFICIAL ROAD NAMES TO ADD ONE ROAD IN THE FREDERICKSBURG POSTAL AREA

WHEREAS, the Board has established a Countywide system for naming all roads and numbering all principal buildings in the County; and

WHEREAS, the Board is authorized by Section 15.2-2019 of the Code of Virginia (1950), as amended, to name roads; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the Addressing Ordinance for Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to add one road in the Fredericksburg Postal Area as follows:

<u>Location</u>	<u>Current Road Name</u>	<u>New Road Name</u>
4200 feet east of Mountain View Road	No Name	Patterson Avenue

on the east side of
Centreport Pkwy

Mr. Brito motioned, seconded by Mr. Fields, to adopt proposed Ordinance O06-45 with a change.

The Voting Board tally was:

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

Nay: (0)

Ordinance O06-45 reads as follows:

AN ORDINANCE TO VACATE THE USE RESTRICTION AS
A FUTURE 50' STREET OF A DEDICATED UNNAMED
STREET IN AUSTIN RIDGE SECTION 6-A

WHEREAS, Section 15.2-2272 of the Code of Virginia (1950), as amended, allows the vacation of use restriction as a future 50' street as shown on the record plat of an unnamed 9,763 square foot stub street where the vacation does not impede or alter drainage or access for any lot owners other than those lot owners immediately adjoining or contiguous to the vacated area; and

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 used for a
water booster pump; and

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

WHEREAS, the Board has determined that the vacation of the 9,763 square feet
for street purposes is appropriate; 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 ORDAINED by the Stafford County Board of
Supervisors on this the 6th day of June, 2006, that the use restriction as a future 50' street
on the record plat in Plat Book 37, Page 196 for the 9,763 square feet dedicated for
public use be and it hereby is vacated; and

BE IT FURTHER ORDAINED that a new plat shall be recorded reflecting the
above-mentioned vacation and dedication for public use; and

BE IT STILL FURTHER ORDAINED that adequate landscaping will be
provided to buffer the water booster pump.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Ordinance O06-46.

The Voting Board tally was:

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

Nay: (0)

Ordinance O06-46 reads as follows:

AN ORDINANCE 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 ordinance; and

WHEREAS, the Board desires to change the text of the ordinance to correct the
inaccuracy;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of
Supervisors on this the 6th day of June, 2006, that Chapter 23, Article VII, Section 23-
144 (a) be and it hereby is amended and reordained to read as follows:

Sec. 23-144. Exemptions; limits on application.

(a) The tax imposed under this article shall not be levied on the following
items when served exclusively for off-premises consumption:

- (1) Factory-prepackaged candy, gum, nuts and other items of
essentially the same nature;

- (2) Factory-prepackaged doughnuts, ice cream, crackers, nabs, chips, cookies and items of essentially the same nature.
- (3) Food sold in bulk. For the purposes of this provision, a bulk sale shall mean the sale of any item that would exceed the normal, customary and usual portion sold for on-premises consumption (e.g., a whole cake, a gallon of ice cream); provided, however, that a bulk sale shall not be deemed to include any meal or meals catered or delivered by a food establishment for off-premises consumption.
- (4) Alcoholic and non-alcoholic beverages sold in factory-sealed containers.
- (5) Any food or food product purchased with food coupons issued by the United States Department of Agriculture under the Food Stamp Program or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants, and Children.
- (6) Any food or food product purchased for home consumption as defined in the federal Food Stamp Act of 1977, 7 U.S.C. §2012, as amended *except* hot food or hot food products ready for immediate consumption. For the purposes of administering the tax levied hereunder, the following items whether or not purchased for immediate consumption are excluded from the said definition of food in the federal Food Stamp Act: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages. This subsection shall not affect provisions set forth in subparagraphs ~~(d)~~ (c) (3), (4) and (5) hereinbelow.

(b) A grocery store, supermarket or convenience store shall not be subject to the tax except for sales from a delicatessen or other area designated for the sale of prepared food and beverages.

(c) The tax imposed hereunder shall not be levied on the following purchases of food and beverages:

- (1) Food and beverages furnished by food establishments to employees as part of their compensation when no charge is made to the employee.
- (2) Food and beverages sold by day care centers, public or private elementary or secondary schools or food sold by any college or university to its students or employees.
- (3) Food and beverages for use or consumption and which are paid for directly by the Commonwealth, any political subdivision of the Commonwealth or the United States.
- (4) Food and beverages furnished by a hospital, medical clinic, convalescent home, nursing home, home for the aged, infirm, handicapped, battered women, narcotic addicts or alcoholics, or other extended care facility to patients or residents thereof.
- (5) Food and beverages furnished by a public or private nonprofit charitable organization or establishment or a private establishment that contracts with the appropriate agency of the Commonwealth to offer meals at concession prices to elderly, infirm, blind, handicapped or needy persons in their homes or at central locations.

- (6) Food and beverages sold on an occasional basis, by a nonprofit educational, charitable or benevolent organization, church, or religious body as a fundraising activity, the gross proceeds of which are to be used by such organization exclusively for nonprofit educational, charitable, benevolent or religious purposes.

- (7) Food and beverages sold through vending machines.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Ordinance O06-24.

The Voting Board tally was:

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

Ordinance O06-24 reads as follows:

AN ORDINANCE 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 ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2005, that Chapter 25 entitled “Water, Sewers, and Sewage Disposal” be and it hereby is amended and reordained 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" to read as follows:

~~Sec. 25-37. — Regulation of use of public water during water conservation periods.~~

~~(a) — The board of supervisors may adopt an ordinance restricting the use of water whenever it determines that the public water supply has diminished to the extent that it affects the public safety, health, and welfare. Such ordinance shall contain all the rules and regulations governing the use of water throughout the length of such period, and it shall be unlawful for any person to violate any of the provisions thereof.~~

~~(b) — Any person violating any provision of an ordinance which limits the use of water shall be guilty of a class 1 misdemeanor. Each separate occurrence of the violation of the ordinance shall constitute a separate offense.~~

ARTICLE II. COUNTY WATER AND SEWER SYSTEMS GENERALLY

DIVISION 1. GENERALLY

Sec. 25-21 through Sec. 25-40. (These sections will now fall under new Division 1. Generally).

DIVISION 2. WATER SUPPLY EMERGENCY ORDINANCE

Sec. 25-41. Definitions.

(a) For purposes of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the

context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not merely directory.

(1) Jurisdiction shall mean the County of Stafford.

(2) Person shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

(3) Water shall mean water taken from any public water supply or distribution system within the boundaries of the jurisdiction.

Sec. 25-42. Effective date.

(a) This ordinance shall be effective only after the following steps have been taken:

(1) Based upon information received from the County Public Utilities Administrator, one (1) or more public water supply or distribution system operators and other pertinent sources, the County Administrator has determined that an emergency due to shortage of water exists, and so notifies the Board of Supervisors; and

(2) The Board of Supervisors finds and declares that a public water supply emergency exists by official action implementing this ordinance.

Sec. 25-43. Restriction of water use.

(a) After the Board of Supervisors has found and declared that a public water supply emergency exists, and after notice has been given to the general public, the County Administrator is authorized to implement this ordinance by ordering the restricted

use or absolute curtailment of the use of water for certain non-essential purposes for the duration of the water shortage or for a lesser period, in the stages set forth below.

(b) In exercising authority granted to him by this ordinance, the County Administrator shall give due consideration to applying water use restrictions or absolute curtailments only to the users of those water supply systems, or elements thereof, which are affected by the water shortage, or which can assist the affected systems in mitigating adverse effects of such shortage.

(c) The provisions of this ordinance shall not apply to any governmental activity, institution, business or industry which shall be declared by the County Administrator to be specifically excepted therefrom as necessary for the public health, safety and welfare.

(d) *Stage I.* When there are moderate but limited supplies of water are available, the County Administrator is authorized to call on the general population to employ prudent restraint in water usage, and to conserve water voluntarily by whatever methods are available.

The County Administrator may request one or more of the following actions:

- (1) Minimize the use of water to wash down streets, sidewalks, walkways, driveways, parking lots, service station aprons, tennis courts, other hard surfaced areas, buildings, and structures.
- (2) Minimize the use of water to wash automobiles, trucks, trailers, and other types of mobile equipment, except in facilities operating with an alternate water source or with a water recycling system.
- (3) Minimize the use of water for watering of shrubbery, trees, lawns, grass, plants and other vegetation, except when using an alternate water source,

recycled water, or a watering container not exceeding three (3) gallons in capacity.

(4) Encourage citizens to observe an odd-even outside usage of water procedure.

(e) Stage II. When there are very limited supplies of water are available, the County Administrator is authorized to order mandatory restricted use or absolute curtailment of less essential uses of water including but not limited to one or more of the following:

(1) The watering of shrubs, trees, lawns, grass, plants, or any other vegetation, except indoor plantings, greenhouse or nursery stocks, and except limited watering for newly seeded lawns and watering by commercial nurseries of freshly planted plants, upon planting and once a week for five (5) weeks following planting. Five (5) weeks after the effective date of this ordinance there shall be no watering of newly seeded lawns and freshly planted plants. Homeowners may hand-carry water to individual plantings using a three gallon or smaller container.

(2) The washing of automobiles, trucks, trailers, boats, airplanes, or any other type of mobile equipment, except in facilities operating with an alternate water source or with a water recycling system approved by the County Public Utilities Administrator; provided, however, that any facility operating with a water recycling system shall prominently display in public view a notice approved by the Public Utilities Administrator stating that such recycling system is in operation. In lieu of the provisions hereof, the County Administrator may curtail the hours of operation of commercial enterprises offering such services.

- (3) The washing of streets, sidewalks, walkways, driveways, parking lots, service station aprons, tennis courts, other hard surfaced areas, office buildings, exteriors of homes or apartments, or other outdoor surfaces.
- (4) The operation of any ornamental fountain or other structure making a similar use of water.
- (5) The filling of swimming and/or wading pools, or the refilling of swimming and/or wading pools, which were drained after the effective date of this ordinance.
- (6) The use of water from fire hydrants for any purposes other than fire suppression or other public emergency.
- (7) The serving of drinking water in restaurants, cafeterias or any other food establishment unless requested by the customer.
- (8) The sale of bulk water, except at the wastewater treatment facilities.
- (9) Irrigation of golf courses with public water is prohibited.
- (10) Unrestricted irrigation of athletic fields is prohibited, with the following exceptions.
 - a. Athletic fields may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. at a rate not to exceed one inch per application or more than a total of one inch in multiple applications during any ten-day period. All irrigation water must fall on playing surfaces with no outlying areas receiving irrigation water directly from irrigation heads.

- b. Localized dry areas that show signs of drought stress and wilt (curled leaves, foot-printing, purpling) may be syringed by the application of water for a cumulative time not to exceed fifteen minutes during any twenty four hour period. Syringing may be accomplished with an automated irrigation system or with a hand held hose equipped with an automatic shutoff device at the minimum rate necessary.

- c. □Athletic fields may be irrigated between the hours of 9:00 p.m. and 10:00 a.m. during necessary over seeding, sprigging or reseeding operations at the minimum rate necessary for a period that does not exceed 60 days. Irrigation rates during this restoration period may not exceed one inch of applied water in any seven-day period. Syringing is permitted during signs of drought stress and wilt (curled leaves, foot-printing, purpling).

- d. □All allowed athletic field irrigation must be applied in a manner to assure that no runoff, puddling or excessive watering occurs.

- e. Irrigation is prohibited on athletic fields that are not scheduled for use within the next 120-day period.

- f. Water may be used for the daily maintenance of pitching mounds, home plate areas and base areas with the use of hand held containers or hand held hoses equipped with an automatic shutoff device at the minimum rate necessary.

- g. Skinned infield areas may utilize water to control dust and improve playing surface conditions utilizing hand held containers or hand held hoses equipped with an automatic shutoff device at the minimum rate necessary no earlier than two hours prior to official game time.

(f) Stage III. When there are critically limited supplies of water are available, the County Administrator is authorized to restrict use of water to purposes which are absolutely essential to life, health and safety.

Sec. 25-44. Penalties.

Any person violating any provision of this ordinance or any order of the County Administrator implementing this ordinance, shall, upon conviction, be deemed guilty of a Class 1 misdemeanor. In addition, the County Administrator may suspend water service to any violator.

Sec. 25-45. Appeals.

Whenever the County Administrator shall issue an order directing restriction or curtailment of the use of water as provided herein, or shall seek suspension of water service as a result of a violation of provisions of this ordinance, the subject of the order or suspension shall have the right to appeal the decision of the County Administrator to the Board of Supervisors. The Board of Supervisors shall grant an appellant a reasonable opportunity to present in writing, or at the option of the Board of Supervisors in a public meeting, arguments against such decision of the County Administrator.

Sec. 25-46. Termination of water supply emergency.

Based upon receipt of information from the County Public Utilities Administrator, public water system operators and other pertinent sources, and upon his determination that sufficient water supplies exist to warrant termination of emergency restrictions or curtailments on water usage, in whole or in part, the County Administrator shall so notify the Board of Supervisors and the general public.

Sec. 25-47. Severability.

In the event that any section or provision of this ordinance or any portion, paragraph, sentence, or word thereof, be declared by a court or competent jurisdiction to be invalid, such decision shall not affect the remainder hereof.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Ordinance O06-26.

The Voting Board tally was:

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

Nay: (0)

Ordinance O06-26 reads as follows:

AN ORDINANCE 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, the Board desires to provide a safe, and secure environment with reasonable protections for the human, financial and material assets of the County; and

WHEREAS, the criminal history check component of the employment process is intended to assess an applicant’s suitability for a specific position, in light of certain prior criminal convictions, which raise a reasonable concern as to the County’s potential to incur possible financial or property loss or other harm arising from the applicant’s hire; and

WHEREAS, a review of criminal history information of applicants for County employment will be required for all applicants ages 18 and over hired on or after July 1, 2006; and

WHEREAS, the review of criminal history information will be evaluated for relevance, if any, to the specific position responsibilities; and

WHEREAS, the review of criminal history shall consider, but shall not necessarily be limited to, the following factors:

- (a) Falsification of application material pertaining to the conviction(s);
- (b) Date of conviction(s);
- (c) Subsequent employment record;
- (d) Number and gravity of crimes committed and the nature of the crime(s) in relationship to the nature of the work to be performed; and
- (e) Potential opportunity, through possible abuse of work-related functions or situations, to cause financial or property loss or other harm.

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that Chapter 2 of the County Code entitled “Administration” be and it hereby is amended and reordained by adding Section 2-4 entitled “Review of Criminal History Information of Applicants for County Employment” to read as follows:

Sec. 2-4. Review of criminal history record information of applicants for county employment.

- (a) Finding that it is necessary, in the interest of public welfare and safety, that investigations be conducted of all applicants to whom a conditional offer of employment is made, 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, the board of supervisors directs that the county administrator conduct such investigations pursuant to this section.

- (b) The county administrator shall obtain criminal history record information, in accordance with Virginia Code Section 15.2-1503.1, Code of Virginia (1950), as amended, and shall review the information provided to determine whether the conviction record, if any, of the applicant is compatible with the nature of the employment under consideration. In determining whether a criminal conviction directly relates to a position, the county administrator shall consider the criteria set forth in Virginia Code Section 15.2-1505.1, Code of Virginia (1950), as amended. Specifically, the county administrator shall consider:
- (i) the nature and seriousness of the crime;
 - (ii) the relationship of the crime to the work to be performed in the position applied for;
 - (iii) the extent to which the position applied for might offer an opportunity to engage in further criminal activity of the same type as that in which the person had been involved
 - (iv) the relationship of the crime to the ability, capacity or fitness required to perform the duties and discharge the responsibilities of the position being sought;
 - (v) the extent and nature of the person's past criminal activity;
 - (vi) the age of the person at the time of the commission of the crime;
 - (vii) the amount of time that has elapsed since the person's last involvement in the commission of a crime;

- (viii) the conduct and work activity of the person prior to and following the criminal activity; and
- (ix) evidence of the person’s rehabilitation or rehabilitative effort while incarcerated or following release.
- (c) Beginning July 1, 2006, all applicants, ages 18 and over who are offered county employment must be fingerprinted.
- (d) Criminal history record information shall be confidential.
- (e) Requests for information, the determination of the compatibility of the conviction record, if any, of the applicant with the nature of the employment under consideration and the disposition of the record shall be carried out in accordance with all applicable laws and any applicable regulations adopted by the board of supervisors.

Legislative; Request FAMPO Initiate a Feasibility Study and Environmental Analysis for an Interchange at Telegraph Road and Interstate 95. Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-289.

The Voting Board tally was:

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

Resolution R06-289 reads as follows:

A RESOLUTION TO REQUEST FAMPO INITIATE
A FEASIBILITY STUDY AND ENVIRONMENTAL
ANALYSIS FOR AN INTERCHANGE AT TELEGRAPH
ROAD AND INTERSTATE 95

WHEREAS, Stafford County is concerned about the traffic impact on I-95 in regards to the Base Realignment and Closure; and

WHEREAS, an interchange at Telegraph Road and I-95 may be necessary to improve access to Quantico Marine Corps Base;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2006, that the Board request FAMPO take action to initiate an appropriate feasibility study and environmental analysis for an interchange at Telegraph Road and I-95.

Legislative; Closed Meeting. At 9:45 P.M., Mr. Fields motioned, seconded by Mr. Brito, to adopt proposed Resolution CM06-21.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-21 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 in regard to Potomac Hills Fire & Rescue Station and Crow's Nest; the disposition of County land; legal advice in regard to Leeland Station, LLC v. Planning Commission of Stafford County and The Board of Supervisors of Stafford, County, VA and Crow's Nest litigation; and three personnel matters; 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 6th day of June, 2006 does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 10:30 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution CM06-21a.

The Voting Board tally was:

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

Nay: (0)

Resolution CM06-21a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
JUNE 6, 2006

WHEREAS, the Board has, on this the 6th day of June, 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 6th day of June 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; Authorize a Public Hearing to Declare Surplus Property and Consider Sale of 1091.8 Square Feet of County-owned Property Located Along 1326 Courthouse Road (SR-630).

Mr. Milde motioned, seconded by Mr. Fields, to authorize the County Administrator to advertise a public hearing to declare surplus property and consider sale of sale of 1091.8 square feet of county-owned property along 1326 Courthouse Road (SR-630).

The Voting Board tally was:

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

Nay: (0)

Legislative; Modify the Annual Compensation of the County Attorney.

Mr. Cavalier motioned, seconded by Mr. Fields, to adopt proposed Resolution R06-298.

The Voting Board tally was:

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

Nay: (0)

Resolution R06-298 reads as follows:

A RESOLUTION TO MODIFY THE ANNUAL COMPENSATION OF THE
COUNTY ATTORNEY

WHEREAS, the County Attorney has completed one year with Stafford County as of April 25, 2006; and

WHEREAS, it is appropriate to review the performance and compensation of the County Attorney in accordance with the understandings when he was hired; and

WHEREAS, the Board desires to adjust the compensation of the County Attorney, effective April 25, 2006;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June 2006, that the annual salary of the County Attorney shall be modified to \$145,000.00, with monthly automobile expenses of \$300.00, and annual contributions to his deferred compensation 457 account in the amount of \$4,000.00, which all shall be effective as of April 25, 2006.

Adjournment. At 10:35 P. M., the Chairman declared the meeting adjourned.

Steve Crosby
County Administrator

Robert C. Gibbons
Chairman