

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

March 19, 2013

Call to Order The regular meeting of the Stafford County Board of Supervisors was called to order by Susan B. Stimpson, Chairman, at 3:02 p.m., on Tuesday, March 19, 2013, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Susan B. Stimpson, Chairman; Robert “Bob” Thomas, Jr., Vice Chairman; Jack R. Cavalier; Paul V. Milde III; Ty A. Schieber; Gary F. Snellings; and Cord A. Sterling.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff, and interested parties.

Presentation of a Proclamation to Recognize and Commend Holly Hazard for Her Service on the Planning Commission Mr. Gary Snellings presented the proclamation to Ms. Hazard and thanked her for her time and dedication to the citizens of Stafford County.

Presentation of Proclamation to Recognize and Commend Joan Donahoe for Her Service as a Parent Representative on the Family Assessment and Planning Team (FAPT) Mr. Bob Thomas presented the proclamation to Ms. Donahoe and thanked her for her time and dedication to families in Stafford County.

Virginia Department of Transportation (VDOT) Quarterly Update Ms. Marcie Parker provided an update and answered Board members questions.

Ms. Parker discussed a hole on the Chatham Bridge, saying that VDOT had to close a lane, insert steel plates, concrete, and asphalt, and would complete the repairs within a week. Mr. Sterling asked for the estimated cost to replace the bridge. Ms. Parker said that it would be approximately \$20M to replace the super structure, not the sub-structure, but that it would include limited repairs to the sub-structure as well.

In response to Mr. Sterling's question about logistics, Ms. Parker said that if there was an approved replacement project, it would be fastest to close the bridge.

Ms. Parker introduced Mr. Gary Duvall, VDOT's newly-hired Fredericksburg Residency Administrator. She also introduced Shawn Nelson, Fredericksburg Assistant Residency Administrator, and Ms. Michelle Holland with VDOT's Mega Projects.

Ms. Holland talked about the I-95 Express Lanes project. Russell Road will be closed from midnight to 5:00 a.m. as well as northbound I-95, during those same hours, for steel work. The Telegraph Road Bridge will be demolished and replaced in a project scheduled to take approximately nine months. VDOT coordinated traffic flow with Marine Corps Base Quantico and First Responders.

Mr. Milde inquired about sound barriers/walls in the vicinity of the Port Aquia subdivision at the fly-over. Ms. Holland said that it was under review, that no decision had been made. Mr. Milde asked also about a full deceleration lane at the Telegraph Road Bridge. Mr. Schieber asked if there was a demolition date for the bridge. Ms. Holland said that there was demolition of the concrete deck planned for Thursday, March 21, 2013, adding that work would stop over Easter Weekend then resume on or around April 4, 2013. Mr. Schieber asked if a noise mitigation study was done and, if so, would VDOT provide a copy to members of the Board. Ms. Holland said that VDOT's final study was under review and, as soon as it was approved, it would be disseminated to the Board of Supervisors.

Mr. Cavalier asked about sound barriers/wall in the vicinity of the Woodstream subdivision, saying that it backed up the interstate and would need sound mitigation once construction began, and after the Express Lanes were installed and operational. Mr. Cavalier asked that VDOT come to an HOA meeting to discuss the southern terminus of the Express Lanes.

Mr. Thomas thanked Ms. Parker for VDOT's response to his notification of lights out of service at two intersections in the White Oak area of the County.

Presentations by the Public The following members of the public desired to speak:

Jimmy Franklin	-	Boat Tax
Alane Callander	-	CIP; move up date for new animal shelter
Paul Waldowski	-	Budget; Stormwater Management; HOAs

Presentations by Members of the Board Board members spoke on the topics as identified:

- Mr. Thomas - PRTC meeting; CRRL Board meeting
- Mr. Cavalier - Deferred
- Mr. Milde - FAMPO; VRE; EDA buying cannons for Civil War Park; 94th Anniversary of American Legion Post 290
- Mr. Schieber - Gwyneth’s Law Group meeting on March 25, 2013
- Mr. Snellings - Deferred
- Mr. Sterling - FAB Special Meeting update; Boat Tax; GAP Pay; Staffordboro Commuter Lot Sidewalk; Rocky Pen Run Update; Route 1 Widening at Boswell’s Corner; Woodstream Park; Telecom Towers
- Ms. Stimpson - Deferred

Report of the County Attorney Mr. Shumate deferred.

Report of the County Administrator Mr. Anthony Romanello, County Administrator, introduced Mr. Chris Hoppe, Capital Projects Manager, who gave an update on parks bond projects; and Mr. Mike Smith, Public Works Director, who gave an update on transportation bond/road projects. Mr. Romanello also introduced the United Way “Top Dog,” a prize won for being the top contributor in this year’s United Way campaign. He also introduced Ms. Judy Barnes, United Way Coordinator of the Year, and Cathy Eckles, a member of the United Way Committee.

Legislative; Additions and Deletions to the Agenda There were no additions to the agenda. Item 17. Infrastructure Committee; Provide Direction on Design Elements of the Indoor Recreation Center at Embrey Mill, was deferred to the April 9, 2013 meeting.

Legislative; Consent Agenda Mr. Schieber motioned, seconded by Mr. Snellings, to accept the Consent Agenda consisting of Items 3 through 14.

The Voting Board tally was:

- Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
- Nay: (0)

Item 3. Legislative; Approve Minutes of the March 5, 2013 Meeting

Item 4. Finance and Budget; Approve Expenditure Listing

Resolution R13-103 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED MARCH 5, 2013 THROUGH MARCH 18, 2013

WHEREAS, the Board 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 19th day of March 2013, that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Award a Contract for Audit Services

Resolution R13-82 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT FOR AUDIT SERVICES TO McGLADREY, LLP, AND APPROVE CHANGES TO THE COUNTY'S STANDARD CONTRACT FOR SERVICES

WHEREAS, Virginia Code § 15.2-2511 requires the County to have an annual audit of financial statements by an approved independent certified public accountant; and

WHEREAS, Virginia Code § 15.2-2511(A) requires the County to contract for annual audit services no later than April of each fiscal year; and

WHEREAS, at the direction of the Board and the School Board, an Evaluation Committee (Committee) was formed, consisting of representatives from the Treasurer's Office, County Administration, Finance and Budget, Utilities, the School Board, and the Schools' Finance Department; and

WHEREAS, in response to a request for proposal (RFP), the County received five proposals for providing annual audit services; and

WHEREAS, the Committee determined that McGladrey, LLP, was the most responsive and reasonable bidder based on its qualifications and experience, as demonstrated in its written proposal, its interview, and its negotiated price; and

WHEREAS, the Committee, including County staff, determined that this contract is reasonable for the proposed scope of services; and

WHEREAS, McGladrey, LLP, proposes to provide auditing services at a first-year cost for FY2013 in an amount not to exceed \$167,425; and

WHEREAS, McGladrey, LLP, requested professional auditing standard changes, which necessitated changes to the County's Standard Contract for Services for this contract;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the contract for the audit of financial statements for the Primary Government, the R-Board, the Component Unit-School Board, and the Schools Activity Funds, for Fiscal Year 2013 be and it hereby is awarded to McGladrey, LLP in an amount not to exceed One Hundred Sixty-seven Thousand, Four Hundred Twenty-five Dollars (\$167,425) unless amended by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that this contract may be renewed for not more than four additional one-year periods, with the approval of both parties, and at a price to be negotiated prior to each renewal; and

BE IT STILL FURTHER RESOLVED that the Board approves the requested changes to the County’s Standard Contract for Services for this audit services contract with McGladrey, LLP.

Item 6. Finance and Budget; Authorize Appropriation of Fleet Services Funds from the Fleet Services Unrestricted Fund Balance

Resolution R13-94 reads as follows:

A RESOLUTION TO ADJUST SCHOOLS’ FY2013 FLEET SERVICES FUND BUDGET

WHEREAS, the School Board requested an increase to the Schools’ FY2013 Fleet Services Fund in the amount of \$540,00 for capital improvements, which were not included in the adopted budget; and

WHEREAS, a sufficient unreserved fund balance is available in the Fleet Services Fund to cover the increased appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that it be and hereby does increase the Schools’ FY2013 Budget and Appropriation as follows:

Fleet Services Fund \$540,000

Item 7. Finance and Budget; Amend the Principles of High Performance Financial Management

Resolution R13-102 reads as follows:

A RESOLUTION TO AMEND THE PRINCIPLES OF HIGH PERFORMANCE FINANCIAL MANAGEMENT

WHEREAS, it is the desire of the Board to prudently manage the County's resources and this policy shall provide the guidelines; and

WHEREAS, the Board has reviewed and updated the "Principles of High Performance Financial Management" to reflect current County needs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013 that the "Principles of High Performance Financial Management", as contained herein, be and they hereby are adopted.

The Stafford County Board of Supervisors hereby establishes its Principles of High Performance Financial Management to prudently manage the people's resources through:

- Accountable and transparent allocation of resources.
- Planned strategic use of financial resources to ensure sustainability.
- Maintaining and upgrading the County's bond ratings.
- Balanced tax burden from residential and commercial sources.

DEBT LIMITATIONS

- General obligation debt shall not exceed 3.5% of the assessed valuation of taxable real property, and shall not exceed 3% by July 1, 2015.
- General fund debt service expenditures (County and Schools) shall not exceed 11% of the general government and schools operating budgets and shall not exceed 10% by July 1, 2015.
- Debt ratios do not include debt to be repaid from identified revenue sources outside the General Fund. In the case of special service districts, the Board of Supervisors intends to set tax rates to cover any debt to be funded with the revenue.
- Capital lease debt service shall not exceed 1% of the general government budget. Capital lease debt may only be used if all the following four criteria are met:
 1. Capital lease purchase is eligible under state law for such financing;
 2. Useful life of the purchase equals or exceeds the term of the debt;
 3. Total purchase exceeds \$100,000; and
 4. Sufficient funds are available to service the capital lease debt.
 - 5.

CAPITAL IMPROVEMENT PROGRAM (CIP) AND BONDED DEBT SERVICE AFFORDABILITY GUIDELINES

- A five-year CIP allocating capital improvement funds between the Schools and General Government will be adopted annually.
- Debt-funded CIP projects for County and Schools will be no less than \$500,000 each and will have a useful life that meets or exceeds the life of any debt issuance.

- Capital Improvement projects for County and Schools are items for which the purchase, construction, renovation, non-recurring replacement, expansion, or the acquisition represents a public betterment and adds to the total physical worth of Stafford. Projects include, but are not limited to, expenditures for land, new structures, major repairs and renovations; maintenance of existing structures; and expenditures for machinery, equipment and vehicles. Each project should have a total cost of \$500,000 or more. Scope of project includes all professional services (land acquisition, legal, planning, design) and construction costs.

Each year's maximum available debt service will be established by increasing the prior year's actual debt service by the percentage of general fund revenue changes averaged over the last 5 years.

UNASSIGNED FUND BALANCE

- The County shall maintain an unassigned fund balance that is not less than 12% of annual general fund revenues, not including transfers, reserves and grants. Use of the unassigned fund balance below this amount will be restricted to only significant unexpected declines in revenues or unanticipated emergency expenditures. Following any use of unassigned fund balance, the County will replenish the unassigned fund balance within three fiscal years.
- A reserve for healthcare costs equal to the estimated IBNR (incurred but not reported) plus 10% of annual claims will be maintained by school and county funds.
- Any amount in excess of the minimum unassigned fund balance will be assigned to these reserves, according to the following hierarchy and formulas:
 1. Revenue Stabilization Reserve (RSR): minimum of $\frac{1}{2}$ of 1% of General Fund revenues.
 - The trigger for drawing on the reserve is a 2% revenue shortfall within a single fiscal year. The reserve can be used as a first stop for major unanticipated emergencies and catastrophes.
 - The reserve will not be used to offset a tax rate change.
 - The reserve will be used in combination with spending cuts.
 - The reserve will be restored to the minimum level within 5 years.
 - Withdrawal amounts may not exceed one-half of the RSR balance in any one fiscal year.
 - RSR funds should only be directed to one-time expenditures to the extent possible.

2. Capital Projects Reserve of \$1,500,000 will be used to reduce reliance on debt, to provide cash flow for capital projects, and to pay down high interest debt when advantageous.
 3. Stafford Opportunity Fund Reserve: \$500,000
 4. Any health care savings, after all expenditure and reserve needs have been met, will be set aside for a contribution to OPEB.
 5. Any remaining monies available after the reserve minimums are fully funded will go to the Capital Projects Reserve.
- Rollback Tax Revenue in excess of \$80,000 will be dedicated to the County's Purchase of Development Rights program.
 - Stafford County does not intend to establish a trend of using Fund Balance to finance current operations. As a nonrecurring source of revenue, any balance not needed for liquidity or financial cushion as noted above will be spent solely for nonrecurring uses. After the yearly audit and confirmation of fund balances by the County's external auditor, and in consideration of current financial conditions, the Board of Supervisors will consider reappropriation of Schools' unspent prior year funds.

GENERAL FUND BUDGET GUIDELINES

- Stafford will prepare and approve an annual budget with multi-year projections. The County will annually adopt and execute a budget for such funds as may be required by law or by sound financial practices and generally accepted accounting principles. The budget shall control the levy of taxes and the expenditure of money for all County purposes during the ensuing fiscal year. The County budget shall be balanced within all available operating revenues, including fund balance, and adopted by the Board of Supervisors.
- Each year as part of the budget process, five year projections of revenues and expenditures will be prepared.
- Stafford County does not intend to issue tax or revenue anticipation notes to fund operations. The County intends to manage cash to prevent borrowing to meet cash flow needs.
- The school's share of the general government revenues will be 100% of meals tax revenues and an appropriate amount to ensure a globally competitive school system. The school operating transfer will be the difference between the school's share of general government revenues and school-related bonded and lease debt service.
- When the Schools desire an amendment to the adopted budget or appropriation, the School Board shall pass a resolution for consideration by the Board of Supervisors.

- An amount equivalent to 1% of general government expenditures will be set aside for pay-as-you-go capital projects, with a goal of 3% by July 1, 2017. An amount equal to 1% of the school's operating budget will also be set aside for pay-as-you-go capital projects by July 1, 2015, with a goal of 2% by July 1, 2017. Cash capital will be used for only small capital projects and infrastructure needs.
- An amount equivalent to ½% of general government expenses will be set aside for the operating budget contingency reserve.

FINANCE, AUDIT & BUDGET COMMITTEE

- The Chairman of the Board of Supervisors will appoint a Finance, Audit & Budget Committee each year.

BUDGET REVIEWS

On a monthly basis, staff will provide written budget reports to the Board of Supervisors. Additionally, staff will provide quarterly budget and finance presentations at meetings of the Board of Supervisors.

TAX TRIGGER PROVISION

- General revenue increases that exceed revenue forecasts, and are not accompanied by additional costs in the annual budget process, provide a trigger to reduce the real estate tax rate.

PERIODIC POLICY REVIEW

The Board of Supervisors will review this policy no less than once every two years.

FUND BALANCE REPORTING

The new standard for fund balance reporting establishes criteria for classifying fund balances into specifically defined categories. There are now five (5) classifications versus the three (3) previously used in our financial statements.

Old Classification	New GASB 54 Classification
Reserved	Nonspendable
	Restricted
Designated	Committed
	Assigned
Undesignated	Unassigned

- Non-spendable – for items that would not be converted to cash, like inventories and prepaid items (cash has already been used).
- Restricted – amounts that can be spent for specific purposes, dictated by external entities or legislation, like debt service covenants, and grants.

- Committed – for specific purposes determined by formal action of governing body, such as transportation projects or our Capital, Stafford Opportunity, and Revenue Stabilization reserves. The commitments for the specific purpose must be made prior to the end of the fiscal year. The actual amount may be determined subsequently (prior to financial statement issuance). Action by governing body is needed to “undo” the commitment.
- Assigned – management’s intentions/specific purposes, such as set asides we have for CSA, permit center, or future expenditures.
- Unassigned – residual, spendable amounts in the General Fund – there should not be any unassigned funds in Special Revenue and Capital Projects Funds, as all funds should relate to the purpose of the fund.

Encumbrances have been a designation of fund balance. Under the new standard encumbrances will be included in the total amounts reported as restricted, committed or assigned fund balance. The Notes to the Financial Statements will disclose the allocation by major fund and in aggregate for non-major funds.

Fund Balance Classification Policies and Procedures:

The new standard requires disclosure of the government’s decision making authority and order of spending with regard to unrestricted fund balance. The following table describes the disclosures by fund balance classification.

Committed Fund Balance	Highest level of decision making authority.
	Formal action required to establish (and modify or rescind) a fund balance commitment.
Assigned Fund Balance	Official authorized to assign amounts to a specific purpose.
	Policy establishing that authorization.
Spending Policy	When an expenditure can be funded by either restricted or unrestricted fund balance, restricted funds are used first, followed by unrestricted funds. This parallels our policy of spending other funding sources first.
	Order of use of unrestricted fund balance is committed – assigned – unassigned.

BUDGET PROCEDURES/CALENDAR

MONTH	PROCEDURE
October	Work Session <ul style="list-style-type: none"> • Preliminary prior year balances • 1st quarter review of fiscal year

- Preliminary budget overview to include:
 - Revenue projection with no increase in equalized tax
 - Expenditures with no new initiatives other than required
 - Information on new revenues and expenditures
 - Budget calendar

BOS/School Board Joint work session

November Feedback/Consensus/Guidance from the Board
 Board priorities/Performance standards
 Proposed CIP work session

December Public Hearing and adoption of CIP
 Audit Report

January Work Session

- Final prior year balances
- Mid-year review
- Revenue trends for upcoming budget
- Feedback from Board

February Receive Superintendent's Recommended School Budget

~~March Receive School Board's Budget by March 7th~~

March, 1st meeting County Administrator presents Proposed Budget
 March, 2nd meeting Budget work session

April, 1st meeting Budget work session
 April, 2nd meeting Budget work session & public hearing
 April, 3rd meeting Adopt budget

Item 8. Human Resource; Budget and Appropriate Funds

Resolution R13-106 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS TO THE SHERIFF'S OFFICE TO COVER "GAP PAY" FOR CURRENT AND FORMER EMPLOYEES

WHEREAS, the Sheriff's Office requested an increase to its FY2013 Personnel Budget, in an amount up to \$500,000, to cover costs for public safety "Gap Time" pay rates; and

WHEREAS, the FY2013 mid-year review shows sufficient revenue to project positive results of operation to cover this requested appropriation; and

WHEREAS, the Sheriff's Office will attempt to absorb as much of the cost as possible within the current year's budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that it be and hereby does increase the Sheriff's Office FY2013 Personnel Budget, and appropriates an amount up to Five Hundred Thousand Dollars (\$500,000).

Item 9. Public Works; Request Reimbursement from the Potomac and Rappahannock Transportation Commission for Transportation Expenditures for the First and Second Quarters

Resolution R13-90 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) FOR TRANSPORTATION EXPENDITURES DURING THE FIRST AND SECOND QUARTERS OF FISCAL YEAR 2013

WHEREAS, the County budgeted funds in the FY2013 Transportation Fund for various programs, including FREDericksburg Regional Transit, Stafford Regional Airport Authority, professional services, bus shelters, transportation modeling, transportation impact fee analysis, street name signs, road improvements, and Social Services client transportation; and

WHEREAS, the County expended \$824,959 for qualifying transportation-related expenses during the first and second quarter of FY2013; and

WHEREAS, the County may request that PRTC reimburse the County for these qualifying transportation-related expenses from the County Motor Fuels Tax Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Eight Hundred Twenty-four Thousand Nine Hundred Fifty-nine Dollars (\$824,959) from the County Motor Fuels Tax Fund; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this resolution to PRTC.

Item 10. Public Information; Recognize and Commend Joan Donahoe for Her Years of Service as a Parent Representative on the Family Assessment and Planning Team (FAPT)

Proclamation P13-05 reads as follows:

A PROCLAMATION TO RECOGNIZE JOAN DONAHOE FOR HER YEARS OF SERVICE AS A PARENT REPRESENTATIVE ON THE STAFFORD FAMILY ASSESSMENT AND PLANNING TEAM

WHEREAS, Joan Donahoe volunteered for more than 19 years as a parent representative on the Stafford Family Assessment and Planning Team (FAPT) since its inception in 1993; and

WHEREAS, Joan Donahoe committed to the time requirement with FAPT, which met twice monthly for up to eight hours per day over this nearly 20-year period;

WHEREAS, during her tenure on the FAPT team, Ms. Donahoe helped make a difference in the lives of hundreds of Stafford County children and families; and

WHEREAS, Ms. Donahoe’s dedication to the FAPT team, and her support of each team member, was evident during each and every meeting; and

WHEREAS, the constant care and compassion that Joan Donahoe showed to families and children helped many to be successful in working through difficult and sensitive situations; and

WHEREAS, her determination to find the positive in every situation greatly enhanced the workings of the FAPT team;

NOW, THEREFORE BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that it be and hereby does recognize and commend Ms. Joan Donahoe for her selfless devotion and service to the children and families of Stafford County.

Item 11. Legislative; Approve Appointments of James L. Hepner and David Null to the Fire Prevention Board of Appeals

Item 12. Legislative; Approve Declaration of Emergency Snow Event, March 6, 2013; and Ratify Termination of a Declaration of Emergency for Snow Event, March 8, 2013

Resolution R13-104 reads as follows:

A RESOLUTION TO RATIFY THE DECLARATION OF LOCAL EMERGENCY IN STAFFORD COUNTY

WHEREAS, a severe weather event, which occurred in Stafford County on Wednesday, March 6, 2013, caused substantial snow accumulation, freezing rain, and high, damaging winds; and

WHEREAS, the County was faced with precipitation and high winds that created power outages, hazardous road conditions, blocked roads, and other dangerous conditions of sufficient severity and magnitude to warrant coordinated local government actions to prevent or alleviate the damage, loss, hardship, or suffering caused by the March 6, 2013 weather event; and

WHEREAS, the Declaration of a Local Emergency was declared by the County Administrator on Wednesday, March 6, 2013 at 11:00 a.m., retroactive to 7:00 a.m., March 6, 2013; and

WHEREAS, this Declaration of a Local Emergency is subject to confirmation by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that a Declaration of a Local Emergency be and it hereby did commence on March 6, 2013 at 7:00 a.m. throughout Stafford County; and

BE IT FURTHER RESOLVED that during the existence of this emergency, the powers, functions, and duties of the County Administrator (as the Director of Emergency Services in Stafford County) shall be those prescribed in Virginia Code § 44-146.21, as well as the ordinances, resolutions, and approved plans of Stafford County, in order to mitigate the effects of said emergency.

Resolution R13-105 reads as follows:

A RESOLUTION TO TERMINATE THE MARCH 6, 2013
DECLARATION OF A LOCAL EMERGENCY IN STAFFORD COUNTY
DUE TO SEVERE WINTER WEATHER

WHEREAS, on Wednesday, March 6, 2013, at 11:00 a.m., retroactive to 7:00 a.m. on March 6, 2013, the County Administrator declared a local emergency in Stafford County due to severe winter weather; and

WHEREAS, at this time it is the desire of the Board to terminate the Declaration of a Local Emergency so that the County may return to normal operational procedures; and

WHEREAS, the Board, in its judgment, determines that all emergency actions have been taken;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Declared Local Emergency be and it hereby is terminated as of 3:00 p.m. on Friday, March 8, 2013; and

BE IT FURTHER RESOLVED that the County will continue to provide mitigation and recovery efforts and support as the need arises.

Item 13. Planning and Zoning; Approve Resolution of Support for the Readiness and Environmental Protection Initiative (REPI) and for the Encroachment Partnering Agreements

Resolution R13-95 reads as follows:

A RESOLUTION OF SUPPORT FOR A MULTI-YEAR ENCROACHMENT PARTNERING PROTECTION AGREEMENT WITH THE U.S. DEPARTMENT OF NAVY

WHEREAS, the Department of Defense’s (DoD) Readiness and Environmental Protection Initiative (REPI) protects the Nation’s military readiness, enhances relationships with communities, and preserves the environment; and

WHEREAS, REPI funds cost-sharing partnerships for the military with state and local governments and private conservation organizations, as authorized by Congress in 2002 under Section 2684a of Title 10, United States Code; and

WHEREAS, the partnerships obtain easements or other interests in land from willing sellers that preserve critical buffer areas near military installations; and

WHEREAS, the Board desires to show its support for a multi-year, multi-party agreement with the U.S. Department of Navy for partnering opportunities in protection of suitable lands;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Board be and it hereby indicates its support for a multi-year, multi-party agreement with the U.S. Department of Navy regarding encroachment partnering protection; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is directed to provide the U.S. Department of Navy with a copy of this Resolution; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee is authorized to execute and/or provide any other necessary or appropriate documentation to indicate the Board’s support for this agreement.

Item 14. County Attorney; Authorize a Public Hearing to Approve the Special Assessment and Memorandum of Understanding for the Embrey Mill Community Development Authority

Resolution R13-107 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING ON AN ORDINANCE TO APPROVE THE SPECIAL ASSESSMENT AND MEMORANDUM OF UNDERSTANDING FOR THE EMBREY MILL COMMUNITY DEVELOPMENT AUTHORITY

WHEREAS, on December 18, 2012, the Board adopted Ordinance O12-43, which created the Embrey Mill Community Development Authority (CDA); and

WHEREAS, on February 19, 2013, the Board adopted Resolution R13-81, which appointed the Embrey Mill CDA Board members; and

WHEREAS, the Board desires that the Embrey Mill CDA provide infrastructure improvements and services, which requires approval of a special assessment and a Memorandum of Understanding;

NOW THEREFORE BE IT RESOLVED, that the Stafford County Board of Supervisors, on this the 19th day of March, 2013, that it be and hereby does authorize the County Administrator to advertise a public hearing for the Board to consider adopting an ordinance to approve a special assessment and Memorandum of Understanding for the Embrey Mill CDA.

Planning and Zoning; Consider Reclassification of 2.5 Acres from R-1 Suburban Residential and B-1 Convenience Commercial, to B-2 Urban Commercial, Located at 3494 Jefferson Davis Highway, Assessor's Parcels 21-112B, 21-112E and 21-112F Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board member's questions on this item which was deferred from the March 5, 2013, meeting. Mr. Thomas said that he was glad to see the addition of Proffer #4.

Mr. Cavalier motioned, seconded by Mr. Schieber, to adopt proposed Ordinance O13-10.

The Voting Board tally was:

Yea: (6) Cavalier, Schieber, Snellings, Sterling, Stimpson, Thomas
Nay: (1) Milde

Ordinance O13-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY ZONING ORDINANCE BY RECLASSIFYING FROM B-1, CONVENIENCE COMMERCIAL AND R-1, SUBURBAN RESIDENTIAL ZONING DISTRICTS, TO B-2, URBAN COMMERCIAL ZONING DISTRICT, ON ASSESSOR'S PARCELS 21-112B, 21-112E, AND 21-112F, WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Leonard Chhuoy, applicant, submitted application RC1100079 requesting a reclassification from B-1, Convenience Commercial and R-1, Suburban Residential Zoning Districts, to B-2, Urban Commercial Zoning District, on Assessor's Parcels 21-112B, 21-112E, and 21-112F, consisting of 2.5 acres, located in the Griffis-Widewater Election District; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

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

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an ordinance to reclassify, with proffered conditions, on Assessor’s Parcels 21-112B, 21-112E, and 21-112F;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by reclassifying from B-1, Convenience Commercial and R-1, Suburban Residential Zoning Districts, to B-2, Urban Commercial Zoning District, on Assessor's Parcels 21-112B, 21-112E, and 21-112F, consisting of 2.5 acres, as depicted on the Zoning Exhibit prepared by Larry N. Scartz, L.S., dated December 7, 2010, with proffers entitled “Proffers,” dated February 26, 2013.

County Administration; Authorize the County Administrator to Execute a Contract for Construction of Chichester Park After discussion, Mr. Thomas motioned, seconded by Mr. Sterling, to defer this item to the April 9, 2013 meeting.

The Voting Board tally was:

- Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
- Nay: (0)

Infrastructure Committee; Provide Direction on Design Elements of the Indoor Recreation Center at Embrey Mill After discussion, Mr. Thomas motioned, seconded by Mr. Sterling, to defer this item to the April 9, 2013 meeting.

The Voting Board tally was:

- Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
- Nay: (0)

Bylaws Committee; Consider Amendments to the Board of Supervisors’ Bylaws and Rules of Procedure After discussion, and a request from Mr. Sterling that Pay for Performance be added to the April 9, 2013, agenda, Mr. Schieber motioned, seconded by Mr. Thomas, to defer this item to the April 9, 2013 agenda.

The Voting Board tally was:

- Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
- Nay: (0)

At 5:10 p.m., Ms. Stimpson introduced Ms. Stephanie Johnson, Chairman of the School Board. Ms. Johnson, along with Ms. Nanette Kidby, gave presentations of the Schools' FY2014 budget.

Mr. Thomas said that last year, the County provided an additional \$5.2M to the Schools. He asked that an explanation be provided to the Board detailing how that money was spent. Ms. Johnson replied that it was spent to replace monies taken from the Health Benefits Fund.

Mr. Milde asked what amount of money would be lost if there was a delay, or a stop-build, at Stafford High School.

Mr. Sterling asked about the number of teachers on staff, as well as the recommended student/teacher ratio, which equated to (by Mr. Sterling's count) an additional 450 teachers above the 1:20 student/teacher ratio. He asked for an explanation of what the "extra" 450 teachers were assigned to and for the School Board to provide an in depth explanation of "who is where."

Mr. Sterling said that there had to be a common understanding between School and County staff regarding the Virginia Retirement Systems (VRS) issue, and suggested that they engage in further discussion regarding phasing-in or full-on implementation of the additional charges, including FICA, etc.

Mr. Sterling discussed using cash capital to purchase buses, rather than borrowing. Ms. Johnson explained the need for, and purpose of, new buses, including two VPI buses for the preschool initiative.

Mr. Schieber thanked Ms. Johnson and Ms. Kidby for their presentation. He asked why, in their budget, there was so much ground to be made up in the area of Special Education, asking that they provide full detail to the Board, including if the "catch-up" was mandated by state legislation. Ms. Johnson talked about there being 200 children on the Head Start waiting list, saying that programs such as Head Start gave children a true leg-up on their education. Mr. Schieber said that he understood the validity of the program, asking for the cost of the anticipated expansion of the program.

Mr. Cavalier asked for additional clarification on the proposed STEP increases and the noted 6% salary enhancement on the School Board's budget. Ms. Johnson and Ms. Kidby offered a rationale which included 2% from the state, and an additional 4% to cover the VRS increase, which was a "wash" since that amount would be charged back to staff. In response to Ms. Stimpson's question about STEP increases, Ms. Kidby said

Stafford teachers were two steps behind where they should be pay-wise. She added that Stafford teachers were not on par with Prince William County or Spotsylvania County school teachers. Ms. Stimpson noted that overall, Stafford teachers were not actually below Spotsylvania County's range.

Mr. Snellings asked if the turnover rate included retiring teachers and asked for a breakdown, based on exit interviews, of why teachers are leaving the Stafford County Public School System, to include the number of military transfers. Also, Mr. Snellings inquired about how much in advance the School Board received its budget before voting on it at its February 26, 2013, meeting, and how the School Board "scrubbed" it line-by-line if it did not have any advance notice or reviewing time. Ms. Johnson said that the School Board worked on its budget at five budget work sessions. Mr. Snellings asked about how the School Board set its priorities and cited, for example, \$150k on postage, and asked if that was not a very high number, and asked if it was a priority. Ms. Johnson said that it was a proven dollar amount based on historic numbers; that the budget was not detailed line-by-line.

Ms. Stimpson said that the Board reviews the County's budget department-by-department, that a line-by-line review is possible though time consuming, and available if necessary. Ms. Johnson said that she appreciated the Board's budget process and that maybe the School Board might consider it next year.

Mr. Milde said that there was a huge disconnect in the budget process and that there was no way for the Board of Supervisors to help the School Board with priorities, as the budget was done now. Ms. Johnson said that 85% of the School Board budget was salary and health care. Mr. Milde said that the Board did not have an extra \$18M, literally, and that the School Board must present a range, or a list of absolutes, not \$18M which was not able to be done. Mr. Milde, talking about putting off, or reconsidering altogether, the rebuild of Stafford High School, which would save \$3M in capital earmarked for that project. He asked if there were any conditions at Stafford High School that made it unsafe for the students, such as lead, asbestos, structural weaknesses, etc.

Mr. Schieber said that the Joint School Board/Board of Supervisors Working Committee met recently and had a good discussion about some of the issues raised by Mr. Milde. Mr. Schieber asked how Stafford County School stacked up, or would stack up, after (or if) the proposed raises were implemented. He said that education was not a business and asked what would have to be done to enhance competitiveness. Mr. Schieber said that he would like the answer to his competitiveness question using the latest baseline.

Mr. Sterling asked that the Board be provided with the spending total of education to student vs. peers to competitiveness. He asked what, if any, were the major differentials, including all funding sources. Ms. Sullivan inquired if he wanted the information to include debt service and capital outlay. Mr. Sterling responded that he wanted it to include any and all reasons why Schools were high or low in spending totals.

Recess At 6:20 p.m., the Chairman declared a recess. The School Board was invited to join the Board of Supervisors for dinner.

Call to Order At 7:06 p.m. the Chairman called the meeting back to order.

Invocation Ms. Stimpson gave the Invocation.

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

Presentations by the Public The following members of the public spoke on topics as identified:

Stephanie Johnson	School Budget	Dana Reinboldt	School Budget
Holly Hazard	School Budget	Dwayne McOsker	School Budget
Meg Bohmke	School Budget	Patricia Healy	School Budget
Nanette Kidby	School Budget	Dianne DeVito	School Budget
Deborah Gregory	School Budget	Seth Bixler	School Budget
Meg Jaworowski	Tax Proposal	Noel Reasoner	School Budget
Karen Clemente	Taxes/Schools	Andy Hayes	School Budget
John Knapp	School Budget	Eric Herr	Budget/Taxes
Ashley Pond	Teacher Concerns	Alexandra Sosik	Volleyball
Tammy Torino	Supporting Public School	Bonnie Betts	Budget Concerns
Michael Gribik	Funding Education	Mark Jaworowski	High Taxes
Heather Stefl	Budget Concerns	Michael Strobl	Title IX
Valerie Raven	Budget for Education	Dewey Reynolds	School Budget
Robert Betts	School Budget	Cindy Ward	School Budget
Jeanne Mills	Teacher Retention	Ryan Middleton	Teacher Concerns
Eileen Edwards	School Budget	Giselle Pickering	County Budget
Theresa Thompson	Education Funding	Becca Carder	LaCrosse/Title IX
Catherine Kennedy	Title IX	Kennedy Buechner	Girl's LaCrosse
Paul Everitt	Title IX	Anne Adams	Funding

Recess: At 8:47 p.m., the Chairman declared a recess.

Call to Order: At 9:05 p.m. the Chairman called the meeting back to order.

Presentations by the Public (continued):

James Andrews	Teacher Salaries/New HS	Wendy Fife	School Budget
Heather Deputy	School Budget/Taxes	Dean Fetterolf	BOS Complaint
Paul Waldowski	School Budget	Autumn Dalton	School Budget
Marcella Rose	School Budget/Resigning	Robin Hayes	School Budget
Erin Barker	School Budget	Jim Riutta	School Budget
Christina Lewis	School Budget	Amy Wescoat	Budget/Resigned

Planning and Zoning; Approve Proffer Amendment to Allow Flexibility in Site Location and Design for a Public Park and School Sites; Amend Additional Proffers Regarding Development on Assessor’s Parcels 29-53; 29G-K; 29G-L; 29G-1, Lots 3 through 65; Lots 81 through 130; Lots 154 through 165; Lots 187 through 199; Lots 325 through 347; and Lots A, E, F, H, and J Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Charles W. Payne, Esq., of Hirschler Fleischer, for the applicant, also answered Board members questions. Mr. Schieber said that it was a great example of a close partnership with the developer in rearranging and combining sites for the good of the community.

The Chairman opened the public hearing.
 The following persons desired to speak:

- Paul Waldowski
- Alane Callander

The Chairman closed the public hearing.

Mr. Schieber motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O13-22.

The Voting Board tally was:

- Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
- Nay: (0)

Ordinance O13-22 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE PROFFERED CONDITIONS ON ASSESSOR’S PARCELS 29-53, 29G-AA, 29G-K, 29G-L, AND 29G-M, 29G-1-33 THROUGH 65, 29G-1-81 THROUGH 120, 29G-1-154 THROUGH 165, 29G-1-187 THROUGH 199, 29G-1-325 THROUGH 347, AND 29G-1-A, E, F, H AND J, ZONED A-1, AGRICULTURAL AND PD-2, PLANNED DEVELOPMENT 2, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board, acting as applicant, on behalf of Nash Stafford, LLC, submitted an application requesting an amendment to proffered conditions on Assessor's Parcels 29-53, 29G-AA, 29G-K, 29G-L, and 29G-M, as well as 29G-1-33 through 65, 29G-1-81 through 120, 29G-1-154 through 165, 29G-1-187 through 199, 29G-1-325 through 347, and 29G-1-A, E, F, H and J, zoned A-1, Agricultural and PD-2, Planned Development 2; and

WHEREAS, Nash Stafford, LLC, is the owner of Assessor's Parcels 29-53, 29G-AA, 29G-L, and 29G-M, as well as 29G-1-33 through 65, 29G-1- 81 through 120, 29G-1-154 through 165, 29G-1-187 through 199, 29G-1-325 through 347, and 29G-1-A, E, F, H and J; and

WHEREAS, the County is the owner of Assessor's Parcel 29G-K; and

WHEREAS, the Board desires to amend the proffered conditions on Parcel 29G-K; and

WHEREAS, the above-listed properties are subject to proffered conditions pursuant to Ordinance O01-08, adopted by the Board on March 6, 2001; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board determined that the requested amendment to proffered conditions is compatible with the surrounding land uses and zoning; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of an ordinance to amend the proffered conditions on the subject properties;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the proffered conditions on Assessor's Parcels, 29-53, 29G-AA, 29G-K, 29G-L, and 29G-M, as well as 29G-1-33 through 65, 29G-1-81 through 120, 29G-1-154 through 165, 29G-1-187 through 199, 29G-1-325 through 347, and 29G-1-A, E, F, H and J, zoned A-1, Agricultural and PD-2, Planned Development 2, as specified in the proffer statement entitled "Proffers," dated December 14, 2012.

Planning and Zoning; Approve a Conditional Use Permit to Allow a Drive-Thru Facility within the HC, Highway Corridor Overlay District on Assessor's Parcel 45-23 Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Charlie Payne was also present and spoke to the Board on behalf of the applicant. Mr. Thomas said that the end-goal was to have high quality restaurants on the Route 17 corridor within three to five years, and a draw off traffic on I-95, which

would contribute to the County’s tax base and, wherever possible, be within walking distance to the hotels located there. Mr. Milde agreed saying the he prefers Dunkin Donuts over “bouquet” coffee shops.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

Christy Jones

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-67.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Resolution R13-67 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1200392 TO ALLOW A DRIVE-THROUGH IN AN HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ON ASSESSOR’S PARCEL 45-23, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Pravina, Hermant, and Vanita Bhalany, applicants, submitted application CUP1200392 requesting a Conditional Use Permit (CUP) to allow a drive-through in an HC, Highway Corridor Overlay Zoning District, on Assessor’s Parcel 45-23, located within the Hartwood Election District; and

WHEREAS, the application was submitted pursuant to Stafford County Code Section 28-35, Table 3.1, which permits this use in an HC, Highway Corridor Overlay Zoning District, after a CUP is issued by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that a CUP, pursuant to application CUP1200392, be and it hereby is approved with the following conditions:

1. This CUP is to allow a drive-through within an HC, Highway Corridor Overlay Zoning District on Assessor’s Parcel 45-23 (the Property).

2. Access to the property shall be limited to one entrance from Warrenton Road, as shown on the Generalized Development Plan (GDP), prepared by Maser Consulting, dated 10-12-2012, revised 12-12-2012. The interparcel connection to the northeast of the property will also provide access to the site.
3. The location of the drive-through window shall be in general accordance with the submitted and approved GDP.
4. The building shall be constructed in general conformance with the architectural rendering in Exhibit 1, entitled “Cappuccino Exterior: Storefront, Option 2: Split-face Block, Dunkin’ Donuts Store of the Future Concept, page 15.” The building shall incorporate the following standards on the front and side facades: the light tan areas shall consist of brick, stone, cast stone, or architectural concrete masonry (e.g., regal stone, split face, precision, or ground face); the balance of the façade shall consist of cement based “hardi-plank” synthetic wood, precast concrete panels, or architectural metal panels; exterior paint colors shall be a low reflectance, subtle, and neutral or earth tone colors; and bright colors shall be limited to the orange accent detail and signage, as depicted in Exhibit 1.
5. All rooftop mechanical equipment shall be completely screened from view from Warrenton Road.
6. All dumpster pads shall be located as unobtrusively as possible and shall be completely screened. Monument signage materials shall be of a consistent design and material as the primary building materials. Doors to the dumpster enclosure shall remain closed when not in use.
7. No carnival style flags, banners, lights, balloons, or windsocks shall be utilized on the property, except for periodic events such as grand openings and special anniversaries. The business may utilize such banners, flags, and balloons on a strictly temporary basis related to said special events. The use of electronic or variable message signs and flashing signs shall be prohibited at all times.
8. This CUP may be revoked or conditions modified for violations of these conditions or any applicable federal, state, or County Code, law, ordinance, or regulation after applicant has been notified in writing by the County of said violation(s) and applicant is given an opportunity to cure said violation(s).

Planning and Zoning; Authorize Reclassification from A-1, Agricultural to R-1, Suburban Residential Zoning District Mr. Jeff Harvey, Director of Planning Zoning, gave a presentation and answered Board members questions.

Mr. Milde said that there were many variables with a new subdivision, including the number of children that may impact the Schools Division. Mr. Harvey responded that

newer subdivisions typically have more children than existing areas where homes are older and residents have already raised their children. Mr. Milde asked if containing all proffers around the specified development had been done before. Mr. Sterling said that it was done with Fox Chase Apartments.

Following further discussion about proffers, roads within the subdivision, sprinklers, and architectural guidelines, Mr. Charlie Payne, for the applicant, displayed story-boards which showed the façades available, stating that no two houses will be identical. He said that a Transportation Impact Analysis was not required but was done anyway. He added that there was a 50' dedicated right-of-way/inter-parcel connector and a 100' set-back from Courthouse Road and on Shelton Shop Road, with planned walking trails in the set-back. Mr. Sterling asked for verification of the screening of the 100' set-back.

Mr. Cavalier said that he liked the idea of putting proffers back into the area where the development occurred, adding that it made sense to him. He said that a rezoning from A-1 to R-1 was unusual, that it set a trend.

Mr. Thomas said he was torn on the application; that it was a good project but that he was concerned about the number of people and some of the proffer restrictions. Mr. Milde agreed, saying that he did not like allocating proffers to a specific area.

Ms. Stimpson reminded the Board about the Fox Chase proffers, that it made sense there and that she was, overall, comfortable with the application and would vote in favor of it.

The Chairman opened the public hearing.

The following persons desired to speak:

- Scott Horan
- Alane Callander
- Paul Waldowski

The Chairman closed the public hearing.

Mr. Sterling motioned, seconded by Mr. Schieber, to adopt proposed Ordinance O13-18.

The Voting Board tally was:

- Yea: (5) Cavalier, Schieber, Snellings, Sterling, Stimpson
- Nay: (2) Milde, Thomas

Ordinance O13-18 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING
ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE

ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL ZONING DISTRICT, TO THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT, ON ASSESSOR’S PARCELS 28-2A, 28-126, AND 28-127, WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, Elm Street Communities, Inc., applicant, submitted application RC1200390 requesting a reclassification from the A-1, Agricultural Zoning District, to the R-1, Suburban Residential Zoning District, on Assessor’s Parcels 28-2A, 28-126, and 28-127 located within the Rock Hill Election District; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the A-1, Agricultural Zoning District, to the R-1, Suburban Residential Zoning District, on Assessor’s Parcels 28-2A, 28-126, and 28-127, in the locations identified on the Zoning Exhibit Plat, prepared by Bowman Consulting, dated July 23, 2012, with proffers entitled “Proffer Statement,” dated March 1, 2013.

Planning and Zoning; Consider Amending the Zoning Ordinance Regarding Power Generating Facilities on Government-Owned Property Mr. Jeff Harvey, Director of Planning Zoning, gave a presentation and answered Board members questions.

Mr. Snellings said he was concerned that if the project was by-right, there would be no public hearing. He added that some citizens in the vicinity were concerned and asked if, once approved; could it be repealed at a later date? Mr. Harvey said that any ordinance could be repealed by a vote of the Board. Mr. Thomas asked if there was, or could be, a sunset date. Assistant County Attorney, Keith Bensten, said that he was not aware of any sunset ordinance. Mr. Romanello said that it could be brought back to the Board in six to twelve months, if that was the desire of the Board. Mr. Thomas asked if Schools could decide to do power generators on school property. Mr. Bensten said it could be written to exempt school property. Mr. Schieber asked if the proposed Ordinance could be amended to include a specific expiration date. Mr. Bensten said it could be repealed at

any time, but outside the confines of proposed Ordinance O13-09. Ms. Stimpson said this was new territory; that it did not exist more than a few years ago.

The Chairman opened the public hearing.

The following persons desired to speak:

Alane Callander

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Thomas, to adopt proposed Ordinance O13-09, with the addition of a caveat where the Board will revisit the matter in October, 2013.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas

Nay: (0)

Ordinance O13-09 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS”

WHEREAS, the Zoning Ordinance includes power generating facilities in the definition of public facilities/utilities; and

WHEREAS, public facilities/utilities are permitted on County-owned land only with a Conditional Use Permit (CUP); and

WHEREAS, the Rappahannock Regional Solid Waste Management Board (R-Board) is considering an innovative proposal for a private company to convert solid waste to electrical energy on land at the regional landfill; and

WHEREAS, the Board believes that conversion of solid waste to electrical energy is a desirable and environmentally responsible public service, and can be an integral part of the operation at the regional landfill as a by-right; and

WHEREAS, the Board conducted a public hearing and carefully considered the recommendations of County staff, regional landfill staff, the R-Board, and the Planning Commission, and the testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this 19th day of March, 2013, that Stafford County Code, Section 28-35,

Table 3.1, “District Uses and Standards,” be and it hereby is amended and reordained as follows, all other portions remaining unchanged:

Sec. 28-35. Table of uses and standards.

Table 3.1, District Uses and Standards, sets forth the uses and standards for each zoning district in Stafford County. No land or structure shall be used, occupied or developed except in accordance with the standards set forth therein.

Table 3.1 District Uses and Standards

A-1 Agricultural.

(a) Uses permitted by-right:

~~Public facilities/utilities but not including generating facilities, substations, switching stations and wastewater treatment facilities which are permitted as a conditional use permit and not including propane and heating fuel distribution facilities~~

Public facilities/utilities. Public facilities/utilities shall not include: (i) generating facilities (except generating facilities that are located on land owned by the county, the Commonwealth of Virginia, or another county, a city, or a political subdivision, which are permitted as by-right uses), (ii) substations, (iii) switching stations, (iv) wastewater treatment facilities which are permitted as a conditional use, and (v) propane and heating fuel distribution facilities.

M-2 Industrial, Heavy.

(a) Uses permitted by-right:

~~Public facilities/utilities but not including generating facilities, substations, switching stations and wastewater treatment facilities which are permitted as a conditional use permit and not including propane and heating fuel distribution facilities~~

Public facilities/utilities. Public facilities/utilities shall not include: (i) generating facilities (except generating facilities that are located on land owned by the county, the Commonwealth of Virginia, or another county, a city, or a political subdivision, which are permitted as by-right uses), (ii) substations, (iii) switching stations, (iv) wastewater treatment facilities which are permitted as a conditional use, and (v) propane and heating fuel distribution facilities.

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption and will be revisited by the Board of Supervisors on or around October, 2013.

Utilities; Consider Vacation of an Easement on Tax Map Parcel 21-69B in Connection with the Route 1 North Sewer Replacement Project Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.
No persons desired to speak.
The Chairman closed the public hearing.

Mr. Cavalier motioned, seconded by Mr. Milde, to adopt proposed Resolution R13-53.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
Nay: (0)

Resolution R13-53 reads as follows:

A RESOLUTION TO AUTHORIZE THE VACATION OF EASEMENTS ON TAX MAP PARCEL 21-69B, IN CONNECTION WITH THE ROUTE 1 NORTH INTERCEPTOR SEWER LINE REPLACEMENT PROJECT

WHEREAS, the 2006 Water and Sewer Master Plan recommends replacement of a portion of the Route 1 North Interceptor Sewer Line (Project); and

WHEREAS, staff is in the process of designing, and acquiring the necessary easements for construction of the Project; and

WHEREAS, the owner of Tax Map Parcel 21-69B, Mark A. Stephens, Ltd., previously dedicated 0.0886 acres of temporary construction easement, and 0.2149 acres of permanent sewer easement, to the County for this Project; and

WHEREAS, due to changes in the design of the Project, a revised sewer alignment is necessary, which requires different easements; and

WHEREAS, the Board conducted a public hearing in accordance with Virginia Code Section 1800(B), to determine the necessity for vacating these easements, and carefully considered the recommendations of staff and the testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to vacate 0.0886 acres of temporary construction easement, and 0.2149 acres of permanent sewer easement, on Tax Map Parcel 21-69B;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 19th day of March 2013, that the Board be and it hereby does find that public necessity exists for the vacation of the County's easement ownership on Tax Map 21-69B; and

BE IT FURTHER RESOLVED by the Board that it vacates the existing easements on Tax Map Parcel 21-69B, and authorizes the County Administrator, or his

designee, to execute any documentation that is necessary and/or appropriate in order to do so.

Planning and Zoning; Authorize the County Administrator to Initiate a Proffer Amendment on 93 Acres Zoned PD-2, and Act as the Applicant on Behalf of North Stafford Associates, LLC Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

Mr. Schieber motioned, seconded by Mr. Thomas, to adopt proposed Resolution R13-110.

The Voting Board tally was:

- Yea: (6) Cavalier, Milde, Schieber, Snellings, Stimpson, Thomas
- Nay: (1)

Resolution R13-110 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE A PROFFER AMENDMENT AND ACT AS APPLICANT ON BEHALF OF NORTH STAFFORD ASSOCIATES, L.C., ON ASSESSOR’S PARCEL 29-53B, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, North Stafford Associates, L.C., is the owner of Assessor’s Parcel 29-53B, located within the Garrisonville Election District; and

WHEREAS, on March 6, 2001, the property was reclassified to PD-2, Planned Development 2 Zoning District, with proffers pursuant to Ordinance O01-08; and

WHEREAS, proffers associated with Ordinance O01-08 require specific types of housing on this property, senior housing and commercial apartments; and

WHEREAS, the Board desires to amend Ordinance O01-08 to allow flexibility in the types of residential units allowed on this property; and

WHEREAS, North Stafford Associates, L.C., agreed to donate two acres of property to the County for construction of the Park at Embrey Mill, if the Board initiates the proffer amendment; and

WHEREAS, the transfer of the two acre property to the County will occur prior to presentation of the proffer amendment to the Planning Commission; and

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

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 19th day of March, 2013, that the County Administrator be and he hereby is authorized to initiate a proffer amendment on behalf of North Stafford Associates, L.C., to allow flexibility in residential unit types on Assessor’s Parcel 29-53B; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to act as applicant on behalf of North Stafford Associates, L.C., in order to process the application for a proffer amendment.

Legislative; Closed Meeting. At 11:37 p.m., Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM13-06.

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
Nay: (0)

Resolution CM13-06 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion concerning a prospective business where no previous announcement has been made of the business’ interest in expanding its facilities in the County; and

WHEREAS, pursuant to Virginia Code Sections 2.2-3711(A)(5), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 19th day of March, 2013, does hereby authorize discussions of the aforestated matters in Closed Meeting.

Call to Order At 11:43 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Snellings, to adopt proposed Resolution CM13-06(a).

The Voting Board tally was:

Yea: (7) Cavalier, Milde, Schieber, Snellings, Sterling, Stimpson, Thomas
Nay: (0)

Resolution CM13-06(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY
BOARD OF SUPERVISORS IN A CLOSED MEETING ON MARCH 19, 2013

WHEREAS, the Board has, on this the 19th day of March, 2013, 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 19th day of March, 2013, 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.

Adjournment: At 11:45 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Susan B. Stimpson
Chairman