

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

May 5, 2015

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Gary F. Snellings, Chairman, at 3:00 p.m., on Tuesday, May 5, 2015, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

Roll Call The following members were present: Gary F. Snellings, Chairman; Laura A. Sellers, Vice Chairman; Meg Bohmke; Jack R. Cavalier; Paul V. Milde, III; Cord A. Sterling; and Robert “Bob” Thomas, Jr.

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

Presentation Commending Stafford County for Being Recognized by the National Weather Service as a Storm Ready Community Mr. Mark Lockhart, Fire Chief, introduced Mr. Chris Strong with the National Weather Service. Mr. Strong recognized Deputy Emergency Management Coordinator, Mark Stone, Rick Fitzgerald with the Schools Division, and Ms. Jessica Harvey with the Community Emergency Response Team (CERT). Mr. Strong presented a letter, a certificate, and a street sign to Mr. Snellings.

Virginia Economic Development Partnership Mr. Tim Baroody, Deputy County Administrator, introduced Mr. Matt McLaren, Business Expansion Manager with the Governor’s economic development partnership. Mr. McLaren introduced the following members of the VEDP, who were in Stafford County on a “familiarization tour” for future economic development prospects: Mr. John Loftus, Sites and Building Manager; Ms. Holly Fick, Research Department; Mr. Alex Henley, Communications; Mr. Tim Danielson, Business Attraction Manager; Mr. Maria Camaradella, Business Attraction Manager; Ms. Kelly Evko, Project Manager; Mr. Atul Sharma, Project Manager; Ms. Robin Bass, Associate Project Manager; Ms. Jackie Hudson, Associate Project Manager; Mr. Tre Atkins, Business Attraction/VJIP; Ms. Meredith Randall, Associate Marketing Manager; and Ms. Lauren Stuhldreher, Executive Assistant for Business Expansion.

Mr. Snellings thanked them for attending the meeting and for spending time in the County saying that Stafford was a prime location for business and that County staff took economic development very seriously. He noted the ED 10-Point Plan, and 40,000 jobs that kept people working in Stafford and not having to commute out of the County. Mr. Milde echoed Mr. Snellings remarks.

Presentation by Dr. Bruce Benson, School Superintendent Dr. Benson added to Mr. Snellings' earlier remarks that Stafford County was in a prime location and also had a wonderful school system. He talked about the positive changes being made including a \$500 stipend to all teachers that attend the New Teacher Institute. The stipend would be paid on September 10, 2015, earlier than regular paychecks were available. In addition, the new teacher starting salary was increased from \$37,793 to \$40,000 annually. Mr. Cavalier inquired if the \$500 stipend was included in the \$40,000 annual salary. Dr. Benson confirmed that it was separate, and not included as part of the starting salary. Mr. Cavalier said that the Schools had come a long way and he was excited about opportunities moving forward.

Dr. Benson talked about streamlining the transportation of students between campuses during the school day. At present, 89 buses ran between schools each day; the goal was to reduce that number to 37 bus runs per day. That would be done, in part, by streamlining services within middle and high schools, and working on course offerings to permit students to stay at their "home" school and still avail themselves of opportunities in Advanced Placement (AP) courses, foreign languages, middle school geometry, etc.

Dr. Benson said that there was a rumor that the number of Governor's School sites would be reduced from three to two. He said that it was unfounded and not in the works, but that a review scheduled for some time in the future would take into account all aspects of the Governor's School program. Ms. Bohmke said that it was the first time she heard about the possibility of cutting one of the Governor's School sites. She asked if the number of students would be reduced. Dr. Benson reiterated that the number of sites was not being cut; that the program would be explored for future possibilities and streamlining. Ms. Bohmke said that she was President of the Commonwealth Governor's School Board for two years, and there were many rules and regulations that had to be followed, and that were governed by the number of students in the program.

Ms. Sellers thanked Dr. Benson for finding a way to bring quality teachers to the County, by way of increasing the new teacher pay scale. Ms. Sellers also thanked Mr. Thomas for his work with the Board's Finance, Audit, and Budget Committee, which worked on the budget to enable funding for the salary increase. Mr. Cavalier thanked Dr. Benson, saying that the recently completed budget process was the smoothest he'd experienced in his time on the Board.

Ms. Sellers asked Dr. Benson about the possibility of participating in a ride-along on a school bus route. Dr. Benson promised to contact her with pertinent details and to set up a time and route for her to ride along. Mr. Snellings thanked Dr. Benson for his report.

Presentations by the Public

- Alane Callander - In favor of renaming the Jeff Rouse Swim & Sport Center
- Heidi Simpson - In favor of renaming the Jeff Rouse Swim & Sport Center
- Cessie Howell - In favor of renaming the Jeff Rouse Swim & Sport Center
- Stanley Zack - Provided Extension Office Annual Report to the Board
- Bob Dreisdadt - Not in favor of renaming the Jeff Rouse Swim & Sport Center
- Bill Pugh - In favor of renaming the Jeff Rouse Swim & Sport Center

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

Ms. Bohmke - Attended Andrew Boring's Eagle Scout ceremony (for his project, he built a brick walkway for handicapped children at the Heather Empfield Day School); attended the Ferry Farm/Washington House event; Rob Wittman Chamber of Commerce sponsored event; Leadership event at the Jepson Alumni Center @ UMW; and a Carriage Hill HOA meeting, residents were worried about the intersection of Truslow Road and Route 1 (left and right turn lanes).

Mr. Cavalier - Attended the Blessing of the Fleet at Hope Springs Marina, Speaker Bill Howell was the featured guest; Habitat for Humanity ground breaking on Aquia Avenue in the Barret Heights subdivision (22nd house built by Habitat in the region); Pediatric Urgent Care Center in Doc Stone (first one in the area, originated in Richmond); Update on the Infrastructure Committee meeting including a sink hole at Carl Lewis Park, which required immediate attention to either renovate or rebuild the building used by the Boy Scouts, Troop 840.

Mr. Milde - Attended business event at the Jepson Alumni Center, Mr. Snellings served on the panel; North Stafford Rotary Club; Rob Wittman Chamber of Commerce sponsored event; Ferry Farm/Washington House event w/ Doris Buffet and the featured speaker, Doris Kearns Goodman; Yacht Club event with Mr. Cavalier and Speaker Howell; Update on the Community and Economic Development Committee (CEDC) meeting including the Counting House, upcoming PDR/TDR opportunities to save open space in the County; lighting and subdivision ordinances, and a closed meeting item regarding the Aquia Towne Center.

Ms. Sellers - Attended many of the same events that Mr. Milde mentioned; also attending the Commonwealth Governor's School event with Dr. Benson (Utilities Director, Mike Smith's son had an excellent stormwater management project). Many Stafford student participants are planning to attend UVA, JMU, and other excellent universities.

Mr. Snellings - May 8, 2015, 70th anniversary of Victory in Europe Day (VE Day); 17 million served, 405,399 died, 1,076,240 were wounded; all were members of the “Greatest Generation.”

Mr. Sterling - Deferred

Mr. Thomas - Participating with a working group studying elementary school programming, looking at current and future needs, not those from a decade ago, toured Manassas City Elementary School as part of the working group’s efforts; Moody’s raised the County’s bond rating to a Aa1, one step below the desired AAA rating; thanked staff in the Finance and Budget office and the County Administrator for efforts needed to attain the new rating.

Report of the County Attorney Mr. Shumate deferred his report.

Report of the County Administrator Mr. Romanello said that there would be a ground-breaking at the Woodstream Trail at 5:00 p.m.; blue ribbons tied on the trees in front of the Government Center were in honor of Foster Care Month and the 37 children currently in foster care in the County. He thanked “Team Stafford” for the help given to Deputy Chief Lori Knowles following the loss of her house due to fire, and announced that staff would be wearing jeans on Friday, May 08, 2015, and donating \$5.00 per jeans-wearer to the Red Cross fund for those impacted by the earthquake in Nepal.

Additions/Deletions to the Regular Agenda There were no additions or deletions to the agenda.

Legislative; Consent Agenda Mr. Sterling motioned, seconded by Ms. Sellers, to adopt the Consent Agenda, which consisted of Items 3 through 18. Mr. Milde asked that Item 14 be removed from the Consent Agenda.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Item 3. Legislative; Approve Minutes of the April 21, 2015 Board Meeting

Item 4. Finance and Budget; Approve Expenditure Listing

Resolution R15-133 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED APRIL 14, 2015 THROUGH MAY 04, 2015

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 5th day of May 2015 that the above-mentioned EL be and hereby is approved.

Item 5. Finance and Budget; Budget and Appropriate Capital Equipment Lease Proceeds for the Purchase of the Schools Finance System

Resolution R15-149 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE CAPITAL LEASE PROCEEDS FOR THE SCHOOLS' NEW FINANCIAL SYSTEM

WHEREAS, the School Board approved the purchase of a new financial and payroll system (System), with a total cost of \$2,625,000, and requested that the Board budget and appropriate funds for the purchase; and

WHEREAS, the Board previously authorized the appropriation of FY2014 carryover funds in the amount of \$500,000 to the Schools' Operating Fund for one-time expenditures associated with the System; and

WHEREAS, the remaining amount of \$2,125,000 is to be funded with capital lease proceeds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that it be and hereby does budget and appropriate Two Million Six Hundred Twenty-five Thousand Dollars (\$2,625,000) to the Schools' Construction Fund as follows:

Capital Lease Proceeds	\$2,125,000
Transfer from Schools' Operating Fund	\$500,000

Item 6. Economic Development; Authorize the County Administrator to Execute a Contract with Gelberg Signs, Inc. for the Wayfinding Program; Phase II Trailblazer Signage Fabrication and Installation Project; and Budget and Appropriate Funds

Resolution R15-108 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WILLIAM P. GELBERG, INC., DBA GELBERG SIGNS, FOR THE WAYFINDING PROGRAM PHASE II TRAILBLAZER SIGNAGE FABRICATION AND INSTALLATION PROJECT; AND TO BUDGET AND APPROPRIATE FUNDS

WHEREAS, the Board desires to begin the fabrication and installation of 40 Wayfinding Trailblazer signs, as Phase II of the County’s economic development and tourism signage program; and

WHEREAS, the design and engineering of the signs were completed and approved by the Virginia Department of Transportation (VDOT); and

WHEREAS, the fabrication and installation of 40 Wayfinding Trailblazer signs was offered for public bid; and

WHEREAS, three bids were submitted and reviewed by staff, with the lowest responsive and responsible bid being provided by William P. Gelberg, Inc., dba Gelberg Signs, in the amount of \$160,000; and

WHEREAS, funds are available in the Tourism Fund for the fabrication and installation of 40 Trailblazer signs;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the County Administrator be and he hereby is authorized to budget and appropriate funds in the amount of One Hundred Sixty Thousand Dollars (\$160,000) from the Tourism Fund for the fabrication and installation of 39 Wayfinding Trailblazer signs; and

BE IT FURTHER RESOLVED that the County Administrator be and he hereby is authorized to execute a contract with William P. Gelberg, Inc., dba Gelberg Signs, in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000) for the fabrication and installation of 40 Wayfinding Trailblazer signs, unless modified by a duly-authorized contract amendment.

Item 7. County Administration; Approve the Reappointments to the Economic Development Authority of Ms. Wendy Maurer Representing the Rock Hill District and Mr. Don Newlin Representing the George Washington District

Item 8. Public Information; Recognize and Commend Stafford County for Being Recognized by the National Weather Service as a “Storm Ready” Community

Proclamation P15-11 reads as follows:

A PROCLAMATION TO RECOGNIZE AND COMMEND STAFFORD COUNTY FOR BEING RECOGNIZED BY THE NATIONAL WEATHER SERVICE AS A STORM READY COMMUNITY

WHEREAS, the threat of severe weather exists in Stafford County and the surrounding region; and

WHEREAS, Stafford County experienced firsthand the effect of tornadoes, hurricanes, a derecho, and an earthquake, among other severe weather incidents; and

WHEREAS, the readiness of the County to prepare for, respond to, and recover from the effects of large scale weather-related emergencies is a critical element of public safety; and

WHEREAS, partnerships with Stafford County Schools, Stafford’s Emergency Communications Center staff, County employees, and volunteer groups, including the Community Emergency Response Team and the Amateur Radio Team, serve to enhance the County’s ability to provide the public with early warnings and emergency protective measures; and

WHEREAS, the National Weather Service is a key partner with Stafford County in providing local and regional severe weather alerts and warnings;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that it be and hereby does recognize and commend Stafford County as a National Weather Service storm ready community.

Item 9. Planning and Zoning; Approve an Application for an Outdoor Musical and Entertainment Permit on Woodrow Drive

Resolution R15-132 reads as follows:

A RESOLUTION APPROVING AN APPLICATION TO CONDUCT AN OUTDOOR MUSICAL AND ENTERTAINMENT EVENT, KNOWN AS THE CURRY CREEK PARTY, ON TAX MAP PARCEL NOS. 41B-1-4, 41B-2-56, AND 41B-2-53 WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, Stafford County Code Sec. 4-36 requires submission of an application and Board approval of a permit to conduct an outdoor musical and entertainment event; and

WHEREAS, the application for the permit requires that plans be submitted for adequate sanitary facilities, trash disposal, medical treatment facilities, parking facilities, and fire protection at the event; and

WHEREAS, all permits must be approved, and the event must be in full compliance with all State and County regulations, prior to the date of the event; and

WHEREAS, an application was submitted for an outdoor musical and entertainment permit by Matt and Judy Curry, for the “Curry Creek Party,” on Tax Map Parcel Nos. 41B-1-4, 41B-2-56, and 41B-2-53, within in the Griffis-Widewater Election District scheduled for June 27, 2015; and

WHEREAS, the appropriate State and County departments and agencies would review and approve the application and issue any applicable permits prior to the event being allowed to occur; and

WHEREAS, the application was carefully reviewed, and the Board believes it will be in compliance with all applicable State and County regulations prior to the scheduled event date of June 27, 2015;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that it be and hereby does approve the application submitted by Matt and Judy Curry, for an outdoor music and entertainment permit for the the “Curry Creek Party,” on Tax Map Parcel Nos. 41B-1-4, 41B-2-56, and 41B-2-53, within the Griffis-Widewater Election District, scheduled for June 27, 2015, subject to the approval of all applicable County and State permits prior to the date of the scheduled event; and

BE IT FURTHER RESOLVED that the Board may revoke this permit for noncompliance with any State or County provision, code, and regulation.

Item 10. Planning and Zoning; Refer to the Planning Commission a Text Amendment to the Planned Traditional Neighborhood Development (PTND) District

Resolution R15-164 reads as follows:

A RESOLUTION REFERRING AN ORDINANCE TO THE PLANNING COMMISSION TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-25, “DEFINITIONS OF SPECIFIC TERMS,” SECTION 28-39, “SPECIAL REGULATIONS,” SECTION 28-56 “APPLICATION FOR PLANNED DEVELOPMENTS,” AND SEC. 28-137 “TYPES OF SIGNS PERMITTED IN P-TND DISTRICTS”

WHEREAS, the Planned-Traditional Neighborhood Development (P-TND) Zoning District was created pursuant to Ordinance O07-39 on July 7, 2007; and

WHEREAS, only one P-TND Zoning District currently exists in the County; and

WHEREAS, the P-TND Zoning District was intended to promote a mixed-use, urban form of development; and

WHEREAS, to date, no properties have developed under the P-TND Zoning District regulations; and

WHEREAS, several pending development projects have demonstrated a need to modify a number of the provisions of the P-TND Zoning District regulations; and

WHEREAS, the Board desires to receive recommendations from the Planning Commission on proposed amendments to the Zoning Ordinance, pursuant to proposed Ordinance O15-24;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that proposed amendments to Stafford

County Code Sec. 28-25 “Definitions of specific terms,” Sec. 28-39, “Special regulations,” Sec. 28-56 “Application for planned developments,” and Sec. 28-137 “Types of signs permitted in P-TND Districts,” pursuant to proposed Ordinance O15-24, be and they hereby are referred to the Planning Commission for a public hearing and its recommendations; and

BE IT FURTHER RESOLVED that the Planning Commission shall make a final recommendation within sixty (60) days from the date of the adoption of this Resolution.

Item 11. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Truslow Road Reconstruction Project

Resolution R15-134 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE TRUSLOW ROAD RECONSTRUCTION PROJECT, FOR RIGHT-OF-WAY AND TEMPORARY AND PERMANENT EASEMENT ACQUISITION ON TAX MAP PARCEL NO. 45J-1-9, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Truslow Road (SR-652) between Berea Church Road (SR-654) and Plantation Drive (SR-1706) (Project), as a critical part of the County’s road improvement plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, the Board determined that staff has been unable to obtain right-of-way and easements on Tax Map Parcel 45J-1-9 (the Property) through negotiations between the Property’s owner and the County’s consultant; and

WHEREAS, the Property consists of approximately 3.134 acres of land owned by Robert A. Matthews (Property Owner), located within the Hartwood Election District; and

WHEREAS, due to the design of the Project, the Board must acquire 13,445 square feet of fee simple right-of-way, 9,108 square feet of temporary construction easement, 4,144 square feet of temporary entrance easement, 2,791 square feet of permanent drainage easement, 619 square feet of permanent utility easement to be dedicated to the Virginia Department of Transportation (VDOT), and 2,687 square feet of permanent utility easement to be dedicated to Verizon, on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Parcel is Fourteen Thousand Seven Hundred Ten Dollars (\$14,710), based upon 2015 appraised values; and

WHEREAS, the Board, through its consulting negotiator, made bona fide, but ineffectual, efforts to purchase the above-referenced affected areas of the listed Parcel by offering said fair market value on behalf of the County to the Property Owner; and

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property's Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board desires and is required to conduct a public hearing to consider the necessity for condemnation and the use of the County's quick-take powers, and to receive the public's testimony, if any, at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to consider the condemnation and use of its quick-take powers to acquire fee simple right-of-way, temporary construction and entrance easements, a permanent drainage easement, and permanent utility easements to be conveyed to VDOT and Verizon on Tax Map Parcel 45J-1-9; in connection with the Truslow Road Reconstruction Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 12. Public Works; Petition VDOT to Improve Coakley Lane (SR-633) as Part of the Rural Rustic Road Program

Resolution R15-142 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO IMPROVE COAKLEY LANE (SR-663) AS A PART OF THE RURAL RUSTIC ROAD PROGRAM

WHEREAS, Virginia Code § 33.2-332 permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, the Board requests that Coakley Lane (SR-663), from the intersection of Holly Corner Road (SR-655) to the end of state maintenance, be designated a Rural Rustic Road; and

WHEREAS, Coakley Lane is located in a low-density development area and carries no more than 1,500 vpd (vehicles per day); and

WHEREAS, Coakley Lane is a top priority on the unpaved road list in the Board's Secondary Six-Year Plan for improvements to the Secondary System of State Highways; and

WHEREAS, Coakley Lane is predominately used for local traffic; and

WHEREAS, there is no planned or pending development that will significantly affect the existing traffic on Coakley Lane; and

WHEREAS, the general public, particularly those citizens who own land abutting Coakley Lane, are aware that Coakley Lane may be paved with minimal improvements consistent with the development of a Rural Rustic Road project; and

WHEREAS, the Board determined that Coakley Lane meets all the qualifying characteristics to be designated as a Rural Rustic Road; and

WHEREAS, the Board desires to petition VDOT for the designation of Coakley Lane as a Rural Rustic Road Program project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the Board be and it hereby does request the Virginia Department of Transportation's (VDOT) Residency Administrator designate Coakley Lane as a Rural Rustic Road; and

BE IT FURTHER RESOLVED that the Board requests that Coakley Lane be hard surfaced and, to the fullest extent possible, be improved within the existing right-of-way and ditch-lines, to preserve (as much as possible) the adjacent trees, vegetation, side slopes, and rural rustic character along Coakley Lane; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee, forward a certified copy of this resolution to the VDOT Residency Administrator.

Item 13. Authorize the County Administrator to Execute an Amendment to the Public-Private Transportation Act (PPTA) Comprehensive Agreement for the Garrisonville Road Widening Project

Resolution R15-161 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE PUBLIC-PRIVATE TRANSPORTATION ACT (PPTA) COMPREHENSIVE AGREEMENT WITH BRANCH HIGHWAYS, INC., FOR THE GARRISONVILLE ROAD WIDENING PROJECT

WHEREAS, the Board approved Resolution R13-176 authorizing the County Administrator to execute a Public-Private Transportation Act (PPTA) Comprehensive Agreement (Agreement) with Branch Highways, Inc., (BHI) to design and construct improvements on Garrisonville Road (SR-610) from Onville Road (SR-641) to Eustace Road (SR-751) (Garrisonville Road Widening Project); and

WHEREAS, design efforts for this road improvement are nearly completed; and

WHEREAS, the Virginia Department of Transportation (VDOT) has requested modifications to the preliminary traffic signal plans for the Garrisonville Road Widening Project; and

WHEREAS, these modifications and additions to the traffic signal plans are not required by VDOT's standards and specifications, and could not have been foreseen by the County or BHI when the Agreement was executed; and

WHEREAS, it was determined by all parties involved that the requested modifications and additions would provide a benefit to Stafford County and motorists traveling along Garrisonville Road; and

WHEREAS, BHI submitted a change order for the VDOT requested traffic signal modifications and additions, for One Hundred Fifty-eight Thousand Two Hundred Sixty-six Dollars (\$158,266); and

WHEREAS, County and VDOT staff reviewed the change order and found the costs to be reasonable for the additional work; and

WHEREAS, VDOT agreed to participate in cost-sharing for the additional expense of the traffic signal items; and

WHEREAS, the Agreement with BHI must be amended if these additional services and expenditures are to be included; and

WHEREAS, sufficient funds for these additional expenditures to the Garrisonville Road Widening Project are available in the Garrisonville Road Service District Fund, and have been budgeted and appropriated;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the County Administrator be and he hereby is authorized to execute an amendment to the Public-Private Transportation Act Comprehensive Agreement with Branch Highways, Inc. for the design and construction of the Garrisonville Road Widening Project, in an amount not to exceed One Hundred Fifty-eight Thousand Two Hundred Sixty-six Dollars (\$158,266).

Item 15. Authorize the User of a Low Pressure Sewer System on Tax Map Parcels 30-78 and 30-136

Resolution R15-141 reads as follows:

A RESOLUTION AUTHORIZING THE USE OF A LOW PRESSURE SEWER SYSTEM ON TAX MAP PARCELS 30-78 AND 30-136

WHEREAS, at its meeting on October 7, 2003, the Board adopted Resolution R03-361, which limits the use of low pressure sewer systems for new residential subdivisions to those specifically authorized by the Board, after the Board determines that such a system is in the best interest of the County; and

WHEREAS, Tax Map Parcels 30-78 and 30-136 are inside the Urban Services Area as designated in the Comprehensive Plan; and

WHEREAS, County Code Sec. 25-71(b) requires properties located within the Urban Services Area to utilize the public sewer system; and

WHEREAS, there is no public sewer downstream of portions on Tax Map Parcel Nos. 30-78 and 30-136 that will permit the use of a gravity sewer; and

WHEREAS, the Board finds that adoption of this resolution promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that it be and hereby does authorize the use of a low pressure sanitary sewer system, with grinder pumps, on Tax Map Parcels 30-78 and 30-136; and

BE IT FURTHER RESOLVED that the owner(s) of Tax Map Parcels 30-78 and 30-136 shall comply with the following requirements:

1. Ensure that any deeds to each property contain a clause that the property owner(s) shall be required to maintain a contract with a qualified repair firm for maintenance and repair of the grinder pumps should any pump fail.
2. Ensure that the recorded subdivision plat for each parcel contains a Notice to the Public that the grinder pumps shall be owned by the property owner(s) and that the property owner(s) are required to have a maintenance contract with a qualified repair firm for maintenance and repair of the grinder pumps should any pump fail.
3. Install and maintain a grinder pump outside of the house.
4. Provide and maintain a backup power source for each grinder pump.
5. Provide and maintain a manual transfer switch for each grinder pump located outside of the house.

Item 16. Utilities; Authorize the County Administrator to Execute a Contract for the Design of the Courthouse Road Water Storage Tank

Resolution R15-128 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH THE ENGINEERING GROUPE FOR THE DESIGN OF THE COURTHOUSE WATER STORAGE TANK PROJECT

WHEREAS, a new, larger water tank is necessary in the Courthouse area to support the commercial expansion planned for this part of the County; and

WHEREAS, the Board budgeted and appropriated funds in the Utilities Department's FY2015 Capital Improvements Program's budget for construction of a new water storage tank for the Courthouse area (Project); and

WHEREAS, a request for proposals was solicited for firms interested in the design services for the Project; and

WHEREAS, ten proposals were received, and staff selected five firms to interview; and

WHEREAS, the selection committee selected The Engineering Groupe (TEG) as the best qualified firm for this project; and

WHEREAS, TEG provided a proposal of \$144,503 for design services for the Project; and

WHEREAS, staff determined that the proposal submitted by TEG is reasonable for the scope of services proposed; and

WHEREAS, the Utilities Commission considered this proposal at its April 14, 2015 meeting and voted 4-0 (with three absent) to recommend approval;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the County Administrator be and he hereby is authorized to execute a contract with The Engineering Groupe in an amount not to exceed One Hundred Forty-four Thousand Five Hundred Three Dollars (\$144,503) for the design of the Courthouse Water Storage Tank project, unless modified by a duly-executed contract amendment.

Item 17. County Attorney; Authorize Appointment of Mr. Samer Shalaby to the Celebrate Virginia North Community Development Authority

Resolution R15-91 reads as follows:

A RESOLUTION TO APPOINT A MEMBER (MR. SAMER SHALABY) TO THE CELEBRATE VIRGINIA NORTH COMMUNITY DEVELOPMENT AUTHORITY BOARD

WHEREAS, on November 4, 1999, the Board adopted Ordinance O99-54 (Ordinance), creating the Celebrate Virginia North Community Development Authority (CDA); and

WHEREAS, the affairs of CDA shall be conducted, and the powers of the CDA exercised by a CDA Board of five members, as established in the Ordinance; and

WHEREAS, the Board is authorized to appoint members to the CDA Board pursuant to Virginia Code § 15.2-5113, Paragraph 5 of the Ordinance, and Article V of the Celebrate Virginia North CDA Articles of Incorporation; and

WHEREAS, under the Ordinance, 51% of the Owners of the real property included within the CDA (the Petitioners), are entitled to nominate CDA Board members; and

WHEREAS, John T. Simpson, Jr., a CDA Board member, resigned leaving a vacancy on the CDA Board; and

WHEREAS, the Petitioners proposed Mr. Samer Shalaby as its nominee to fill the vacancy on the CDA Board; and

WHEREAS, the Board considered the Petitioners' request and desires to appoint Mr. Shalaby as a member of the CDA Board;

NOW THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors, on this the 5th day of May, 2015, that Mr. Samer Shalaby be and he hereby is appointed as a member of the Celebrate Virginia North Community Development Authority Board, for a term of four years, which shall coincide with the term of the seat vacated by John T. Simpson, Jr.; and

BE IT FURTHER RESOLVED, that this Resolution shall be effective upon adoption; and

BE IT STILL FURTHER RESOLVED, that the County Attorney or his designee shall forward a copy of this resolution to the Petitioners.

Item 18. Public Information; Authorize the County Administrator to Sign an Agreement with CVTV for a Third Public, Education and Government (PEG) Channel

Resolution R15-126 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH CENTRAL VIRGINIA TELEVISION (CVTV) TO PROVIDE PROGRAMMING FOR STAFFORD COUNTY'S THIRD PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) CHANNEL

WHEREAS, Stafford County’s cable franchise agreements provide for a third public, educational, and governmental (PEG) channel to be programmed at the County’s discretion; and

WHEREAS, at the Board’s direction, the Telecommunications Commission (TCC) and staff prepared a Request for Information (RFI) from companies that may be interested in providing programming on the third PEG channel; and

WHEREAS, the RFI received two responses; and

WHEREAS, at its September 16, 2014 meeting, the Board asked the TCC to give their recommendations on programming for the third PEG channel within 60 days; and

WHEREAS, the TCC met on September 22, 2014, heard presentations from both responders to the RFI, and recommended that the Board issue a Request for Proposal (RFP) for programming of the County’s third PEG channel; and

WHEREAS, a RFP was issued on December 17, 2014, and one response was received from Central Virginia Television (CVTV); and

WHEREAS, the TCC met on February 5, 2015, and voted to recommend that the Board authorize the County Administrator to execute a performance agreement (Agreement) with CVTV to provide programming for the County’s third PEG channel; and

WHEREAS, the proposed Agreement includes the following provisions:

- Local Coverage of:
 - Schools’ sports games/matches;
 - Local news; and
 - Historic and tourist promotions, documentaries, and presentations, including promotion of the local Stafford/Fredericksburg/Spotsylvania area for tourism and economic development;
- Sponsorship opportunities for local businesses and restaurants;
- Programs showing both neutral and moderated political views; and
- A neutrally-monitored public affairs program/forum;

; and

WHEREAS, the proposed Agreement also states that CVTV shall endeavor to establish, operate, and manage a community-access center for video production, and requires that CVTV offer video production training classes, based on need and demand; and

WHEREAS, the term of the proposed Agreement is for one year commencing on July 1, 2015, at the end of the term the County may choose to renew the Agreement for up to four additional one-year terms; and

WHEREAS, there is no County funding required in this Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the County Administrator be and he hereby is authorized to execute a Performance Agreement with Central Virginia Television (CVTV), consistent with the terms herein, to provide programming for the County's third public, educational, and government (PEG) cable channel.

Item 14. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Brooke Road Reconstruction Project Mr. Milde noted that he would abstain from voting due to a possible business conflict of interest.

Mr. Sterling motioned, seconded by Ms. Sellers, to adopt proposed Resolution R15-155.

The Voting Board tally was:

Yea: (6) Bohmke, Cavalier, Sellers, Snellings, Sterling, Thomas
Nay: (0)
Abstain: (1) Milde

Resolution R15-155 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY AND PERMANENT AND TEMPORARY EASEMENTS ON TAX MAP PARCELS 47-23, 47-56B, 47E-E, 47-39F, 47-39K, AND 47-39G IN CONNECTION WITH THE BROOKE ROAD IMPROVEMENT PROJECT, IN THE FALMOUTH, GEORGE WASHINGTON, AND AQUIA DISTRICTS

WHEREAS, the Board identified the completion of road improvements on Brooke Road, south of Eskimo Hill Road (Project), as a critical part of Stafford County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff is in the process of acquiring the necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel 47-56B consists of approximately 2.89 acres of land owned by Alexandra Romero, and the Board must acquire right-of-way and easements on Tax Map Parcel 47-56B because the design of the Project requires 0.0452 acres of fee simple right-of-way, 0.0111 acres of permanent slope easement, 0.0108 acres of permanent easement for culvert, 0.0916 acres of utility easement to be conveyed to Verizon, and 0.0698 acres of temporary construction easement on Tax Map Parcel 47-56B; and

WHEREAS, the fair market value for the acquisition of the required portions of Tax Map Parcel 47-56B, together with damages, if any, to the remainder of the property is Two Thousand One Hundred Dollars (\$2,100), based upon the 2014 assessed value; and

WHEREAS, Tax Map Parcel 47E-E consists of approximately 110.53 acres of land owned by Joseph Reed and John McCallister, and the Board must acquire easements on Tax Map Parcel 47E-E because the design of the Project requires 0.0663 acres of permanent sight distance easement, 0.0391 acres of permanent easement for culvert, and 0.1302 acres of temporary construction easement on Tax Map Parcel 47E-E; and

WHEREAS, the fair market value for the acquisition of the required portions of Tax Map Parcel 47E-E, together with damages, if any, to the remainder of the property is Six Hundred Dollars (\$600), based upon the 2014 assessed value; and

WHEREAS, Tax Map Parcel 47-39F consists of approximately 3.00 acres of land owned by James and Pamela Hiller, and the Board must acquire right-of-way and easements on Tax Map Parcel 47-39F because the design of the Project requires 0.0888 acres of fee simple right-of-way, 0.1015 acres of permanent slope easement, and 0.0767 acres of temporary construction easement on Tax Map Parcel 47-39F; and

WHEREAS, the fair market value for the acquisition of the required portions of Tax Map Parcel 47-39F, together with damages, if any, to the remainder of the property is Three Thousand Seven Hundred Dollars (\$3,700), based upon the 2014 assessed value; and

WHEREAS, Tax Map Parcel 47-39K consists of 1.01 acres of land and Tax Map Parcel No. 47-39G consists of approximately 0.95 acres of land owned by Daniel Hughes, and the Board must acquire easements on Tax Map Parcels 47-39K and 47-39G because the design of the Project requires 0.0297 acres of fee simple right-of-way, 0.0129 acres of permanent slope easement, and 0.0242 acres of temporary construction easement on Tax Map Parcel 47-39K; and the design of the Project requires 0.0277 acres of fee simple right-of-way, 0.0101 acres of permanent slope easement, and 0.0252 acres of temporary construction easement on Tax Map Parcel 47-39G; and

WHEREAS, the fair market value for the acquisition of the required portions of Tax Map Parcels 47-39K and 47-39G, together with damages, if any, to the remainder of the property is Six Thousand Three Hundred Eleven Dollars (\$6,311), based upon the 2014 assessed value; and

WHEREAS, the Board, through its consulting negotiator, made bona fide, but ineffectual, efforts to purchase the above-referenced affected areas of the listed Properties by offering said fair market value on behalf of the County to the respective property owners; and

WHEREAS, the terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the

respective Property Owners, but will continue to work with the Property Owners to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board desires and is required to conduct a public hearing to consider the necessity for condemnation and the use of the County's quick-take powers, and to receive the public's testimony, if any, at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015 that the Board be and it hereby does authorize the County Administrator to advertise a public hearing to receive public testimony, and consider the condemnation and use of its quick-take power to acquire fee simple right-of-way, utility easements to be conveyed to Dominion Virginia Power, utility easements to be conveyed to Verizon, permanent slope easements, permanent easements for culvert and pipe, permanent drainage easements, permanent sight distance easements, and temporary construction easements on portions of the properties of Alexandra Romero, Tax Map Parcel 47-56B; Joseph Reed and John McCallister, Tax Map Parcel 47E-E; James and Pamela Hiller, Tax Map Parcel 47-39F; and Daniel Hughes, Tax Map Parcel 47-39K and 47-39G; in connection with the Brooke Road Improvement Project, under the provisions of Virginia Code, §§ 15.2-1903(B) and 15.2-1905(C).

Stafford Regional Airport Mr. Sterling said that the plan of an expanded runway and the introduction of a northern flight pattern continued to endanger residents of the County, and particularly students at a local high school that would be directly underneath the proposed northern flight pattern. Following discussion, it was agreed that references to the runway expansion would be removed from proposed Resolution R15-41, which would be brought back later in the meeting following the requested revision.

Consider Renaming the Jeff Rouse Swim and Sport Center Ms. Bohmke motioned, seconded by Mr. Thomas, to adopt proposed Resolution R15-147, which would rename the Jeff Rouse Swim and Sport Center to posthumously include Olympic diver, and former Stafford resident, Mark Lenzi, in the name of the Center; renaming it the Lenzi-Rouse Swim and Sport Center. Ms. Bohmke noted that she chose that name as it placed the names in alphabetical order.

Mr. Sterling offered a substitute motion to rename the County's Woodlands Pool after Mr. Lenzi. Ms. Sellers seconded Mr. Sterling's substitute motion.

Ms. Bohmke read the following statement: "As we all know there has been a lot of conversation about the possible renaming of the new Embrey Mill Athletic complex including today's editorial in the Free Lance-Star. I know the General Assembly gives us the authority to name public facilities in Closed Session and that is what we did in November, 2014. It was in December that my Park & Rec. commissioner, who knew

Mark Lenzi, told me that we made a mistake and we should honor both Olympic gold medalists. She is also a fan of Jeff Rouse. I do not believe we had all of the facts presented in our November Closed Session meeting to be fair to both Jeff and Mark, and that is why we have these resolutions before us today. I have spoken to the former SHS Principal, Bill Pugh and Jimmy Jones the AD, who is out of town today, and several teachers who all knew Jeff and Mark. The common thread in their comments was that Jeff and Mark were both very different individuals but they both deserve to have their name on the building. In fact Mark was a wrestler and changed to diving his junior year in high school after watching Greg Louganis win his Olympic Gold medal and then only 6 years later won an Olympic gold in diving. Jeff's accomplishments were outstanding and we are honored that he continues to live in this area and he will continue to give to the community. By adding Mark Lenzi it will only add to the story of our new athletic complex. What other public entity in the Country can name their pool complex after two Olympic gold medalists. We can use their personal stories and accomplishments to motivate and inspire young people regardless of the sport, by showcasing the attributes of both of these champions that made them successful including leadership, courage, work ethic, positive attitude, and dedication. Let's draw positive attention to Stafford County, our history, and this new and exceptional facility by acknowledging how very unique and fortunate we are to have had two of our own rise to such an extraordinary level in their respective events within the aquatics realm."

Mr. Sterling said that the vote in November was not taken in Closed Session. He suggested that since there are two aquatic facilities, one should be named after each Mr. Rouse and Mr. Lenzi. He added that there were actually five Olympians and each could have a facility named after them, honoring their accomplishments.

Mr. Thomas asked if the Woodlands Pool was an Olympic pool like the pool at Embrey Mill. Mr. Sterling said that the Embrey Mill pool was not yet built. He said the he used the Woodlands Pool every morning as he was in training for the Iron Man competition; that it was an excellent facility. Mr. Thomas said he did not believe naming an existing facility was in the same ballpark as naming a brand new, state-of-the-art facility. Ms. Bohmke agreed, saying that it was unfair, that there was a huge disparity and that a straw poll should be taken to determine what was right. Ms. Bohmke said it was like comparing a Mercedes to a Chevrolet. Mr. Sterling said that both pools were in the Garrisonville District; that Woodlands was an excellent facility, which was due soon for renovation, and it would be an honorable thing to name it posthumously after Mr. Lenzi.

Mr. Cavalier called the question.

The Voting Board tally was:

Yea: (5) Cavalier, Milde, Sellers, Snellings, Sterling
 Nay: (2) Bohmke, Thomas

The Voting Board tally on Mr. Sterling’s substitute motion to rename the Woodlands Pool after Mr. Mark Lenzi was:

Yea: (5) Cavalier, Milde, Sellers, Snellings, Sterling
Nay: (2) Bohmke, Thomas

Legislative; Closed Meeting. At 4:06 p.m., Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM15-09.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM15-09 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Board; and (2) discussion concerning a prospective business where no previous announcement has been made of the business’ interest in locating its facility in the County; and

WHEREAS, pursuant to Virginia Code §§ 2.2-3711(A)(5) and (A)(7) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 5th day of May, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 4:38 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM15-09(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM15-09(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 5, 2015

WHEREAS, the Board has, on this the 5th day of May, 2015, 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 5th day of May, 2015, 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.

Following the Closed Meeting, Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R15-192.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas

Nay: (0)

Resolution R15-192 reads as follows:

A RESOLUTION TO APPROVE AN AWARD OF FUTURE INCREMENTAL TAXES TO MOSAIC REALTY PARTNERS TO INCENTIVIZE THE REDEVELOPMENT OF THE TOWN CENTER AT AQUIA

WHEREAS, The Town Center at Aquia (formerly known as Aquia Town Center) has long been a key commercial gateway to the County, and the property has been adversely affected by the general economic decline of recent years; and

WHEREAS, Mosaic Realty Partners, a private real estate investment firm founded in 2012 for the primary purpose of investing in office, retail and industrial real estate in the Mid-Atlantic, desires to acquire the commercial portion of The Town Center at Aquia ("Project"); and

WHEREAS, Renaissance Planning Group, an external financial consultant, projected that the tax revenues from the proposed development will be more than \$56 million over the next 30 years, which has been validated by the Stafford County Commissioner of the Revenue; and

WHEREAS, Mosaic Realty requests assistance from the County in the form of a future incremental tax supported incentive; and

WHEREAS, Mosaic Realty will use these funds, sourced by funds equivalent to future tax collections resulting from the Project, to secure financing to close on the property (a portion of Tax Map Parcel 21-49), and go to construction on an approximately \$40 million, 160,000 square feet of new commercial space; and

WHEREAS, the Board believes that an active and vibrant major commercial gateway located adjacent to Interstate 95, Route 1 and Garrisonville Road is in the best interest of the citizens of the County, and that attractive mixed use properties significantly increase the potential of attracting much desired high end retail to the County; and

WHEREAS, the County worked tirelessly to bring investment to the property to live the vision of the Aquia Town Center, approved in 2008, without significant progress until this most recent engagement with Mosaic; and

WHEREAS, the Board believes Mosaic Realty's proposal for The Town Center at Aquia fulfills much of that vision, and provides an active and vibrant major commercial gateway to the County; and

WHEREAS, the Board created the Economic Development Authority of Stafford County, Virginia ("EDA"), pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2 of the Code of Virginia of 1950, as amended ("Act"); and

WHEREAS, the County has the authority, pursuant to Virginia Code Section 15.2-953, to make gifts, donations and appropriations of money to the EDA for the purposes of promoting economic development; and

WHEREAS, the EDA has the authority to make grants of money and property pursuant to the Act in furtherance of its purposes, including promoting economic development; and

WHEREAS, the Board determined that it is necessary and desirable to provide certain incentives for the redevelopment and development of the Project; and

WHEREAS, the development and redevelopment of the Project will further the public interest and benefit the County and its citizens through the redevelopment of blighted areas, and that said development will provide additional jobs in the County and increase the County's tax base; and

WHEREAS, the County desires to enter into an agreement with the EDA providing for the terms of the incentives to be provided Mosaic Realty for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that it be and hereby does approve Mosaic Realty Partners' request, in an amount not to exceed Six Million Two Hundred Fifty Thousand Dollars (\$6,250,000) at a negotiated net present value, to be outlined in the Memorandum of Understanding (MOU) as referenced below, paid over a negotiated period of time annually, in an amount not to exceed the incremental increases in the previous year's tax collections on the commercial property at The Town Center at Aquia,

to assist in the redevelopment, revitalizing, and development of The Town Center at Aquia; and

BE IT FURTHER RESOLVED that a tax increment account be established for the commercial portion of The Town Center at Aquia, as described above; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to draft and execute a MOU with Mosaic Realty Partners and the Stafford County Economic Development Authority (EDA) to realize this incentive from said account; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to transfer funds each calendar year to the EDA, subject to annual appropriation by the Board of Supervisors; and

BE IT STILL FURTHER RESOLVED that under the terms of the MOU, the EDA will remit the funds to Mosaic Realty Partners, until such time as an amount not to exceed \$6,250,000, in net present value, is paid in full to satisfy this commitment.

At 4:39 p.m., the Chairman declared the meeting adjourned until 7:00 p.m. and reminded the Board of the groundbreaking ceremonies scheduled for 5:00 p.m. at the Woodstream Trail.

Call to Order At 7:00 p.m., the Chairman called the evening session to order.

Invocation Ms. Bohmke gave the invocation.

Pledge of Allegiance Ms. Sellers led the recitation of the Pledge of Allegiance.

Recognition of the Colonial Forge High School State Champion Boys Basketball Team

Mr. Snellings called the coach and members of the two time 6A State Champion Colonial Forge Boys' Basketball team to the dais. He spoke about his time playing on the Stafford Senior High School Boys' Basketball team, and told the players that he was looking forward to a three-peat next year.

Recognition of the Colonial Forge High School State Champion Boys Basketball Team

Mr. Snellings called the coach and members of the two time State Champion Colonial Forge High School Wrestling team to the dais. He talked about the stellar accomplishment in winning the state championship two times and asked for a three-peat next year.

Presentations by the Public – II

Hank Scharpenberg - Stafford Regional Airport expansion plans did not include a flight pattern over any school; he would be in the Chambers all evening if anyone had any questions about the Airport's expansion plans.

Paul Waldowski - Coach Dale Oliver, Oklahoma State University Cowboys; Cinco de Mayo; May 9th, one month to the primary election; mother's 81st birthday; Mountain View Road project/just another pothole in the County.

Stafford Regional Airport Mr. Sterling motioned, seconded by Ms. Sellers to adopt the revised version of proposed Resolution R15-41, which removed all references to future runway expansion.

The Voting Board tally was:

Yea: (3) Sellers, Snellings, Sterling,

Nay: (4) Bohmke, Cavalier, Milde, Thomas

Planning and Zoning; Consider a Proffer Amendment at Stafford 95 Business Center
Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Harvey said that the existing proffers (most recently amended in 1992) put developers at a competitive disadvantage. He said that staff's positive findings included that the proposed Ordinance was in conformance with the Comprehensive Plan land-use recommendations and it was consistent with proposed development patterns. He added that there were no apparent negative impacts and that the Planning Commission voted 6 – 0 (Mr. Apicella was absent) to approve proposed Ordinance O15-19.

Mr. Cavalier and Mr. Milde both stated that they would abstain from voting due to potential business conflicts.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-19.

The Voting Board tally was:

Yea: (5) Bohmke, Sellers, Snellings, Sterling, Thomas

Nay: (0)

Abstain: (2) Cavalier, Milde

Ordinance O15-19 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE PROFFERED CONDITIONS ON ASSESSOR'S PARCELS 38-14B, 38-14F, 38-14G, 38-14H, 38-34D AND 38-34E, ZONED M-1, LIGHT INDUSTRIAL, WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Chesapeake Holdings CSG, LLC, c/o M & T Bank, is the owner of Assessor's Parcels 38-14B, 38-14F, 38-14G, 38-14H, and 38-34E, located in the Hartwood Election District; and

WHEREAS, 1182 Ramoth Road, LLC is the owner of Assessor's Parcel 38-34D, also located in the Hartwood Election District; and

WHEREAS, the proffers adopted pursuant to Ordinance O92-09 require that the property owners construct various improvements related to the property's development; and

WHEREAS, many of the on-site improvements required by the proffers, adopted pursuant to Ordinance O92-09, are now incorporated into the Stafford County Zoning Ordinance and the Chesapeake Bay Preservation Area Ordinance; and

WHEREAS, pursuant to Resolution R15-54 and Resolution R15-89, the County Administrator submitted application RC15150576 on behalf of both property owners to amend the proffered conditions on Assessor's Parcels 38-14B, 38-14F, 38-14G, 38-14H, 38-34D and 38-34E; 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 desires to remove the proffers adopted pursuant to Ordinance O92-09 to facilitate development; and

WHEREAS, the Board determines that the requested amendments to proffered conditions are compatible with the surrounding land uses and zoning requirements; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices 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 5th day of May, 2015, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by removing all existing proffered conditions, on Assessor's Parcels 38-14B, 38-14F, 38-14G, 38-14H, 38-34D and 38-34E consisting of 177.36 acres, zoned M-1, Light Industrial, within the Hartwood Election District.

Planning and Zoning; Consider Amendments to County Code Sec. 28-35, Table 3.1. District Uses and Standards;” and Sec. 28-39, “Special Regulations;” Regarding Farmers Markets Mr. Jeff Harvey, Director of Planning and Zoning gave a presentation and answered Board members questions.

Mr. Thomas asked about parking and circumstances where there was enough space to hold a Farmers Market, but not enough for parking and neighbors facing vehicles scattered throughout a neighborhood. Mr. Harvey said that applications for the Farmers Markets would be reviewed, and safeguards would be in place so that parking would not be a detriment to the neighborhood. He added that the County’s Agricultural/PDR Committee and the Department of Planning and Zoning would review all permit applications. Mr. Thomas asked if the Farmers Markets could turn into flea markets. Mr. Harvey said that the definition of a Farmers Market was included in the proposed Ordinance and would be strictly adhered to.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

Patrick Walsh

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Ms. Sellers, to adopt proposed Ordinance O15-10.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas

Nay: (0)

Ordinance O15-10 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 28-35, TABLE 3.1, “DISTRICT USES AND STANDARDS,” AND SECTION 28-39 “SPECIAL REGULATIONS”

WHEREAS, County Code Sec. 28-35, Table 3.1, allows farmers market as a by-right use in various commercial, agricultural, and mixed use zoning districts; and

WHEREAS, County Code Sec. 28-39(v) establishes performance standards for farmers markets; and

WHEREAS, the Board desires to allow farmers markets in certain residential zoning districts when specific performance regulations are met; and

WHEREAS, the Board conducted a public hearing and 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 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 the 5th day of May, 2015, that Stafford County Code Sec. 28-35, Table 3.1, “District uses and standards,” and Sec. 28-39, “Special regulations,” be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

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

Table 3.1 District Uses and Standards

R-1 Suburban Residential.

(a) *Uses permitted by right:*

Farmers market (in accordance with section 28-39(v))

R-2 Urban Residential—Medium Density.

(a) *Uses permitted by right:*

Farmers market (in accordance with section 28-39(v))

R-3 Urban Residential—High Density.

(a) *Uses permitted by right:*

Farmers market (in accordance with section 28-39(v))

R-4 Manufactured Homes.

(a) *Uses permitted by right:*

Farmers market (in accordance with section 28-39(v))

Sec. 28-39. Special regulations.

(v) *Special provisions applicable to farmers markets.*

(5) For properties zoned R-1, Suburban Residential; R-2, Urban Residential-Medium Density; R-3, Urban Residential-High Density; or R-4, Manufactured

Homes, the location of farmers markets shall be limited to areas of community/civic use or on open space parcels.
; and

BE IT FURTHER ORDAINED that this ordinance shall become effective upon adoption.

Public Works; Authorize Condemnation and Exercise of Quick-Take Powers for the Poplar Road Improvement Project Mr. Chris Rapp, Director of Public Works, gave a presentation and answered Board members questions. He noted that all but one property had been acquired, and the property in question was settled with the land owners but due to bankruptcy proceedings, staff had to pursue condemnation and quick take to complete property acquisition in order to proceed with the project.

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

Ms. Sellers motioned, seconded by Mr. Cavalier, to approve proposed Resolution R15-120.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution R15-120 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY AND TEMPORARY EASEMENTS ON TAX MAP PARCEL 35-92-6, OWNED BY JEFFREY L. AND JOANN M. BOUTCHYARD, IN CONNECTION WITH THE POPLAR ROAD PHASE II SAFETY IMPROVEMENT PROJECT, IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Poplar Road between Truslow Road and Cedar Crest Lane (Project), as a critical part of the County's Road Improvement Plan; and

WHEREAS, the Board approved the acquisition of the land necessary for the completion of the Project and County staff is in the process of acquiring the necessary land for right-of-way, and permanent and temporary easements; and

WHEREAS, staff is unable to obtain right-of-way and temporary construction easements on Tax Map Parcel 35-92-6 (the Property), which are necessary for the completion of the Project; and

WHEREAS, the Property, located within the Hartwood Election District, consists of approximately 1.212 acres and is owned by Jeffrey L. and Joann M. Boutchyard (Property Owners); and

WHEREAS, the Board must acquire 0.0235 acres of right-of-way, 0.0074 acres of temporary slope easement, and 0.0056 acres of temporary entrance easement for the Project; and

WHEREAS, the fair market value for the required portions of the Property, together with damages, if any, to the remainder of the property is Four Thousand Four Hundred Thirty-five Dollars (\$4,435), based upon the 2014 assessed value; and

WHEREAS, the Board, through its consulting negotiator, reached an agreement with the Property Owners, and proceeded to closing whereupon the agreement could not be finalized due to bankruptcy proceedings; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board conducted a public hearing to determine the necessity for condemnation and the use of the County's quick-take powers, and carefully considered the recommendations of staff and the testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its quick-take powers to enter and take the above-referenced 0.0235 acres of right-of-way, 0.0074 acres of temporary slope easement, and 0.0056 acres of temporary entrance easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of May, 2015, that the Board be and it hereby does find that public necessity exists for the Board's ownership of the right-of-way and temporary slope and entrance easements on Tax Map Parcel 35-92-6, to complete construction and begin operation of the Poplar Road Phase II Safety Improvement Project between Truslow Road and Cedar Crest Lane; and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Four Thousand Four Hundred Thirty-five Dollars (\$4,435) as just compensation for the right-of-way and temporary slope and entrance easements on Tax Map Parcel 35-92-6, that the Board and the Property Owners cannot conclude the negotiated settlement agreement; and

BE IT FURTHER RESOLVED pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), the Board determined that it is necessary and declares its intent to exercise the County's quick-take powers to enter upon and immediately acquire 0.0235 acres of right-of-way, 0.0074 acres of temporary slope easement, and 0.0056 acres of temporary entrance easement on Tax Map Parcel 35-92-6, for the construction of the Poplar Road Phase II Safety Improvement Project between Truslow Road and Cedar Crest Lane; and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take among the land records of Stafford County, and authorizes the County Administrator and Chief Financial Officer, or their designees, to sign the Certificate and to deposit Four Thousand Four Hundred Thirty-five Dollars (\$4,435) with the Clerk of the Stafford County Circuit Court, for Jeffrey L. and Joann M. Boutchyard's benefit, before entering and taking possession of the right-of-way and temporary slope and entrance easements in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Utilities; Authorize Consider Amendment to the County's Pump and Haul Policy Mr. Mike Smith, Director of Utilities, gave a presentation and answered Board members questions.

Mr. Smith said that the two policies (subsidized and non-subsidized) were recommended to be combined into one, and that program participants were broken down into specific categories (subsidized and non-subsidized). Subsidized customers would be grandfathered in (for five years); or temporary (approved for neighborhood extension projects); or prorated based on Federal poverty guidelines. Non-subsidized customers would stay similar to the current program.

Mr. Smith noted that if (or when) the Pump and Haul Policy was amended, authorization for Pump and Haul service would be an administrative action, approved by the County Administrator or his designee. Appeals would go to the Utilities Commission and/or to the Board of Supervisors. Participants in the Program would pay the haulers directly and submit a request for reimbursement to the Utilities Department.

Ms. Bohmke asked how to move forward with the Program. Mr. Smith said future applicants (as well as existing participants) would be screened based on income levels and certification from the Virginia Department of Health (VDH) that no alternate systems or options were available at the applicant's property, which had to be owner-occupied.

Mr. Milde asked, if the Board was no longer approving applications, how they would be kept up-to-date on the number of properties in the Program. Mr. Smith said that an update was included in the Board's monthly report.

Mr. Thomas asked, regarding those properties that were grandfathered in, would they be reviewed within two years and then given three years' time to install an alternate system. Mr. Smith said they would have five years from adoption of the amendments to the Policy.

The Chairman opened the public hearing.

The following persons desired to speak:

Paula Burns	Tracy Schlaud
Darrell Burns	Chris Schlaud
Ivy Walsh	Bob Butler
Patrick Walsh	Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde asked if the idea of Pump and Haul being a permanent solution was ever promised. Mr. Smith said that the original contracts, dating back to 1998, referenced ten years; that there was no language in the original Resolution that offered or provided for a permanent subsidy. He added that individuals could not have their own individual permit through the VDH; they had to ride on the County's permit. Mr. Milde asked about the cost for an alternate system. Mr. Smith said there were many variables but the typical cost was between \$20,000 and \$40,000. Mr. Milde asked if there were any Federal or State grants to cover all or a portion of that amount. Mr. Smith said that for the most part, the grants were available due to poverty issues. Mr. Milde asked if the County could explore the option of financing alternate systems for residents that met the established criteria.

Mr. Cavalier asked about \$425.00 per month and questioned if the County could provide the services (using its own equipment and staff) at a reduced rate. Mr. Smith said that the average cost was 8.5 cents per gallon. Mr. Thomas asked if it could not be done cheaper with a dedicated truck. Mr. Smith said that the County may be able to do it at a lower cost but he did not know for sure. He said that he would investigate further and report back to the Board. Mr. Thomas talked about a \$20,000 alternate system, put in several years ago, that may fail, and the property owner would be in the same situation as others requiring Pump and Haul services.

Mr. Sterling talked about thinking creatively and having a County-administered grant program. He said that he wished to defer the item until more information can be brought forth; that he agreed with the speakers about the hardship it would create if the Pump and Haul program was changed or deleted.

Ms. Bohmke thanked the speakers for coming out and for their efforts towards water conservation. She said that the Utilities Commission worked very hard on the proposed amendments, but that she agreed with the deferral.

Mr. Milde said that he felt that it was outrageous that property owners felt that the County owed them; that Stafford County was the only locality in the Commonwealth that offered subsidized Pump and Haul. He recommended that Mr. Smith begin researching who

currently meets the criteria and who does not, adding that no one could say what their situation would be in ten to twelve years.

Mr. Milde said that the average property tax bill did not cover subsidized Pump and Haul services, and added that when buying a house, it was up to the buyer to ascertain if there was adequate sewer service available to the property before they completed the purchase.

Mr. Snellings asked that Mr. Smith work with the Utilities Commission to find alternatives as he could understand that no one would buy a house with a \$425 sewer bill, particularly if they were given the impression that the Pump and Haul program would go on forever.

Mr. Sterling motioned, seconded by Mr. Milde, to defer this item. No return date was specified in Mr. Sterling's motion.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Legislative; Closed Meeting. At 8:28 p.m., Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-10.

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM15-10 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 locating its facilities in the County; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 5th day of May, 2015, does hereby authorize discussion of the above matter in Closed Meeting.

Call to Order At 8:39 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-10(a).

The Voting Board tally was:

Yea: (7) Bohmke, Cavalier, Milde, Sellers, Snellings, Sterling, Thomas
Nay: (0)

Resolution CM15-10(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 5, 2015

WHEREAS, the Board has, on this the 5th day of May, 2015, 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 5th day of May, 2015, 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 8:40 p.m. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

Gary F. Snellings
Chairman