

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

MINUTES

Annual Meeting

January 6, 2009

Call to Order. A regular meeting of the Stafford County Board of Supervisors was called to order by Anthony J. Romanello, County Administrator, at 1:00 P. M., Tuesday, January 6, 2008, in the Board Chambers, Stafford County Administration Center.

Roll Call. The following members were present: M. S. 'Joe' Brito; Harry E. Crisp; Mark Dudenhefer; Paul V. Milde III; George H. Schwartz; Cord A. Sterling and Robert "Bob" Woodson.

Also in attendance were: Anthony J. Romanello, County Administrator; Joe Howard, County Attorney; and Marty Y. Beard, Chief Deputy Clerk.

Legislative; Election of Chairman. The County Administrator opened the nominations.

Mr. Sterling nominated Mr. Crisp for Chairman.

Mr. Brito nominated Mr. Schwartz for Chairman.

Hearing no objections from the Board, the nominations were closed.

Mr. Crisp declined the nomination for Chairman.

By Roll Call, the vote on the nomination for Mr. Schwartz was:

Yea: (5) Milde, Schwartz, Woodson, Brito, Crisp

Nay: (2) Dudenhefer, Sterling

The County Administrator announced that Mr. Schwartz had been elected as Chairman.

Mr. Schwartz assumed the Chair.

Legislative; Election of Vice Chairman. The Chairman opened the nominations.

Mr. Woodson nominated Mr. Crisp for Vice Chairman.

Hearing no objections from the Board, the nominations were closed.

By Roll Call, the vote on the nomination for Mr. Crisp was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Recess. At 1:08 P. M., the Chairman declared a recess.

Call to Order. At 1:13 P. M. the Chairman called the meeting back to order.

Legislative; Adopt Bylaws and Rules of Procedure. The County Attorney gave a presentation.

Mr. Crisp motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-01.

Discussion ensued.

The Voting Board tally was:

Yea: (5) Sterling, Crisp, Dudenhefer, Milde, Schwartz

Nay: (2) Woodson, Brito

Resolution R09-01 reads as follows:

A RESOLUTION TO AMEND AND ADOPT BY-LAWS AND RULES
OF PROCEDURE FOR THE BOARD OF SUPERVISORS FOR
CALENDAR YEAR 2009

WHEREAS the Board of Supervisors, though made up of seven individuals representing their respective electoral districts, functions as a single legislative and policy-making body vested with the rights and powers conferred by general law; and

WHEREAS, the Board, at its annual meeting, shall adopt By-Laws and Rules of Procedure;

WHEREAS, on December 10, 2008, the By-Laws Committee met and recommended changes to the Board By-Laws regarding the timing allowances for hearing presentations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 6th day of January, 2009, that the 2009 By-Laws and Rules of Procedure, as amended and attached hereto, be and they hereby are adopted.

PROPOSED

2009

BY-LAWS AND RULES OF PROCEDURE

**BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA**

Adopted: January 6, 2009

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**BY-LAWS AND RULES OF PROCEDURE
STAFFORD COUNTY BOARD OF SUPERVISORS**

Section 1 -- Meetings

Section 1-1 Annual Organizational Meetings

A. The first January meeting of each year shall be known as the annual meeting. The County Administrator shall preside to open the annual meeting and to conduct the election of the Chairman.

B. The Chairman shall be elected at the annual meeting for a term of one year. The Chairman may succeed himself in office.

C. Following his election, the Chairman shall assume the Chair and conduct the election of the Vice Chairman for a term of one year.

D. No member shall serve as Chairman or Vice Chairman for more than two consecutive years.

E. Following the election of the Vice Chairman, the Board shall:

1. Establish days, times and places for its regular meetings; and
2. Adopt its By-Laws and Rules of Procedure.

Section 1-2 When Regular Meetings Held

Whenever the regularly scheduled meeting date falls on a legal holiday, the regular meeting shall be held on the following day in accordance with Section 15.2-1416 of the Code of Virginia (1950), as amended. The Chairman may cancel any meeting because of inclement weather or disaster and should reschedule any cancelled meeting at the earliest possible date.

Section 1-3 Special Meetings

The Board may hold such special meetings as it deems necessary at such times and places, as it may find convenient; and it may adjourn from time to time. A special meeting of the Board shall be called pursuant to Section 15.2-1418 of the Code of Virginia (1950), as amended. Notice to the public of any special meeting shall be given contemporaneously with the notice provided to the members of the Board and the County Attorney.

Section 1-4 Quorum and Method of Voting

A. A quorum shall consist of a majority of the members of the Board of Supervisors.

B. At meetings of the Board, the presiding officer shall announce which members are absent and the reasons for their absence, if known. Such announcement shall be made immediately after the roll call of members; or, if a member leaves after the roll call, as soon as practicable thereafter. Any absences and the reasons therefore also shall be recorded in the minutes of the meeting.

C. All questions submitted to the Board for decision shall be voted using the electronic voting board. Any member may request a roll call vote. A green light represents a "Yea" vote and a red light represents a "Nay" vote. The Chairman shall call for the vote and each member shall cast his vote via the electronic voting board. The Chairman shall then call for the Clerk to close the vote. Upon closing the vote, the Clerk

shall display the vote as directed by the Chairman. Upon the display of the vote, the Chairman shall announce the vote.

D. It shall be the duty of every member to vote on issues before the Board of Supervisors. If a member must abstain, he shall state his reason for abstaining for the record. If an abstention occurs, it shall be the responsibility of the Chairman to have the reason for the abstention noted in the official record, if a reason is requested by any member of the Board.

E. A tie vote fails; however, if all members are not present for the vote, the matter shall be passed by until the next regular meeting of the Board, when the matter shall be placed on the agenda as if for the first time, with full discussion and debate allowed by all members and with a new vote taken by all members present.

F. Failure of a motion couched in the negative (i.e., to deny a rezoning), whether due to tie vote or otherwise, does not authorize positive action.

Section 2 -- Officers

Section 2-1 Chairman and Vice Chairman

The Chairman shall preside at all meetings of the Board of Supervisors. The Vice Chairman serves in the absence of the Chairman. In the absence from any meeting of both the Chairman and the Vice Chairman, the members present shall choose one of their members as a temporary Chairman. The Chairman shall make all appointments to Board of Supervisors' committees. Substitutes or alternates appointed to Board of Supervisors' committees may participate only if so authorized by the Chairman.

Section 2-2 Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.

Section 2-3 Chairman May Administer Oaths

The Chairman shall have the power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-4 Parliamentarian

Except as modified herein or as provided by law, the most current edition of Robert's Rules of Order shall be the parliamentary authority of the Board of Supervisors using the Rules for small bodies. The County Attorney shall act as Parliamentarian to the Board. Any questions involving the interpretation or application of Robert's Rules of Order shall be addressed to the County Attorney. If the County Attorney is unavailable, the County Administrator shall serve as the Parliamentarian.

Section 2-5 Clerk

The Clerk of the Board shall be the County Administrator as set out in Sections 15.2-1538 and 15.2-1539 of the Code of Virginia (1950), as amended.

Section 3 -- Conduct of Business

Section 3-1 Order of Business

A. At the Board's first meeting of the month, the order of business shall be generally as follows:

call to order (1:00 p.m.)

roll call of members
announcement of absences
presentations by the public-I
presentations and committee reports by
 members of the Board in rotation
report of the Superintendent of Schools
report of the County Attorney
report of the County Administrator
consent agenda
unfinished business
new business
items added by Board members
closed meeting (if necessary)
recess
invocation (7:00 p.m.)
Pledge of Allegiance
presentations by the public-II
public hearings
adjournment

B. At the Board's second meeting of the month, the order of business shall be generally as follows:

- call to order (1:00 p.m.)
- roll call of members
- announcement of absences
- work session
- report from VDOT (quarterly)
- recess
- invocation (7:00 p.m.)
- Pledge of Allegiance
- presentations by the public
- public hearings
- consent agenda
- closed meeting (if necessary)
- adjournment

C. The above order of business and times may be modified by the Chairman should there not be an evening portion of the meeting, or for presentations by VDOT, the Sheriff, the public, etc., and appointments which are occasional in nature.

D. Presentations and committee reports by Board members are limited to three (3) minutes each. It shall be the responsibility of the Chairman to enforce this rule.

E. Presentations by the public are governed by the following rules:

1. Comments shall be addressed to the Chairman and Board as a whole and not to individual Board members.
2. Comments by the public shall be limited to three (3) minutes for all speakers.

3. Any person who speaks during the day public presentation portion of the meeting shall not be permitted to speak during the evening period.
4. Though encouraged to complete a speaker's card in advance for record purposes, any person wishing to speak may do so without completion of a speaker card. All speakers must identify themselves and state their address.
5. Public presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the County Administrator's office by noon on the Monday before the Board meeting at which the presentation is to be made.
6. Members of the Board will not respond to questions or engage in discussions with the audience or the citizen making presentations during Presentations by the Public. At the conclusion of Presentations by the Public, the Board may refer any matter raised to the County Administrator for investigation, further study, and report to the Board.

F. No action shall be taken on any committee report unless it is time sensitive. All action shall be scheduled for the next regular agenda.

Section 3-2 Consent Agenda

A. The consent agenda shall be introduced by a motion "to approve the consent agenda," and shall be considered by the Board as a single item.

B. There shall be no debate or discussion by any member of the Board regarding any item on the consent agenda.

C. The expenditure of funds which have been approved in the annual County budget may be placed on the consent agenda.

D. The appointment of individuals to County boards, authorities, commissions, and committees to at-large positions may be placed on the consent agenda, provided that the names and necessary biographical information of the nominees, including education, are provided to the Board as a part of its package prior to the meeting at which the appointment is to occur.

E. The acceptance of grants from federal or state agencies and flow-through funds awarded to county entities, departments and agencies may be placed on the consent agenda.

F. The acceptance of property or the ratification of the purchase of property previously authorized by the Board of Supervisors may be placed on the consent agenda.

Section 3-3 Motions

A. No motion shall be discussed prior to being duly seconded in accordance with these By-laws.

B. The Chairman may make a motion without relinquishing the chair.

C. A substitute motion shall be allowed to any motion properly on the floor. It shall have precedence over an existing motion and may be discussed prior to being voted on. If a vote on the substitute motion does not dispose of the former motion, the former motion must then be voted. Once a substitute motion is voted upon, a second substitute motion may be made. No more than two (2) substitute motions may be made.

Section 3-4 Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order or the interpretation of these By-laws. A majority vote of those present is necessary to overrule the Chairman. No second is required on a member's appeal.

Section 3-5 Suspending Rules

One or more of these By-Laws and Rules of Procedure may be suspended with the concurrence of two-thirds of the members present.

Section 4 -- Public Hearings

Section 4-1 Chairman to Conduct Public Hearings

The Chairman shall conduct all public hearings.

Section 4-2 Hearing Presentations

A. Hearings may begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee by recognizing the County Administrator. The presentation shall summarize the facts about the issue. Board members' inquiry during the staff's presentation shall be limited to questions about the issue. Board members' inquiry during this staff/agency presentation shall be limited to questions about the issue. Each Board member shall have an opportunity to ask questions, for up to ten (10) minutes concerning the matter, each time he is recognized by the Chairman and is given the floor. The Chairman shall not recognize a member for a second or further opportunity to ask questions of the staff/agency until each Board member who desires to ask questions has had an

opportunity to question staff or agency representative. Discussion or debate about the merits of the proposal shall occur after the close of the public hearing.

B. The applicant or the applicant’s representative shall be allowed to make a presentation at the conclusion of the staff presentation. There shall be a time limit of ten (10) minutes for the applicant or his representative’s presentation, unless extended by the Chair. Any and all representations made by the applicant or his representative to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County. Each Board member shall have an opportunity to ask questions of the applicant for up to ten (10) minutes, each time he is recognized by the Chairman and is given the floor. The Chairman shall not recognize a member for a second or further opportunity to ask questions of the applicant until each Board member who desires to ask questions has had an opportunity to question the applicant.

Section 4-3 Order of Public Hearings

The order of public hearings shall be as follows:

A. The Chairman shall open the public hearing.

~~— B. — The applicant or his representative shall be the first speaker(s). There shall be a time limit of five (5) ten (10) minutes for the applicant's or his representative's presentation, unless extended by the Chair. Any and all representations made by the applicant or his representative to the County on the record during the application process, whether written or verbal, shall be deemed a part of the application and may be relied upon in good faith by the County.~~

~~C.~~B. The Chairman shall ~~then~~ solicit comments from the public. Each speaker must clearly state his name and address. There shall be a time limit of ~~four (4)~~ three (3) minutes for each speaker.

~~D.C.~~ Public hearing presentations that require the use of the County's electronic system for power point or other visual displays must be submitted to the County Administrator's office by noon on the Monday before the Board meeting at which the presentation is to be made.

~~E.D.~~ After public comments have been received, the applicant or the representative of the applicant, at his discretion, may respond with further information. There shall be a five (5) minute time limit for rebuttal.

~~F.E.~~ Upon the conclusion of the applicant's rebuttal comments, the Chairman shall close the public hearing.

Section 4-4 Members' Participation

Board members shall withhold their comments ~~in~~ until the conclusion of the public hearings to ensure participation by the public without Board interference.

Section 4-5 Close of Hearing

When a public hearing has been closed by the Chairman, no further public comments shall be permitted. Board members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, committee or a staff member for clarification prior to taking any vote, if a vote is in order. Questions from Board members should be brief at this point, and for clarification of a specific issue raised by the public hearing or applicant's rebuttal comments.

Section 4-6 Debate

Following the close of the public hearing, the Chairman entertains a motion and a second to dispose of the issue and the Board may debate the merits of the issue. Each

member shall be allowed up to ten (10) minutes to present his views concerning the matter, each time he is recognized by the Chairman and given the floor. The Chairman shall not recognize a member for a second or further opportunity to speak on the issue until each Board member who desires to speak has had an opportunity to speak to the issue.

Section 5 -- Agenda

Section 5-1 Preparation

The County Administrator, in consultation with the Chairman, shall prepare an agenda for each regular and special meeting of the Board, conforming to the order of business specified in Section 3-1.A and Section 3-1.B of these Bylaws. The Chairman shall schedule topics proposed for work sessions on the second monthly meeting of the Board, and any special meetings, as necessary. Public hearings shall be scheduled in accordance with normal advertising requirements for Planning Commission matters, or as otherwise directed by the Board. If an applicant desires a deferral of a public hearing, the request must be made to the Chairman. The Chairman, in consultation with the Board member in whose district the project is located, will determine if an application shall be heard as scheduled or should be deferred at applicant's request, or otherwise. Neither the County Administrator nor other members of the staff are authorized to defer public hearings.

Section 5-2 Transmittal

After completion of the agenda preparation by the Chairman and County Administrator for each meeting, the proposed agenda shall be electronically transmitted to each member of the Board. Under normal circumstances, the transmittal should occur approximately 11 calendar days prior to the scheduled meeting of the Board.

Section 5.3 Board Member Additions to Proposed Agendas

A. Each Board member may request for no more than two (2) total items to be included on any Board meeting agenda for discussion. If the Chairman or County Administrator receives the request prior to the preparation of the proposed agenda as set forth in Section 5-1 of these Bylaws, the Chairman may include the requested item on the agenda. If the request is not received in time to be included on the proposed agenda, the County administrator may include a Board member request on the agenda, so long as no Board member has no more than a total of two (2) discussion items on the agenda and the request is received by the County administrator by the close of business on Tuesday of the week prior to the scheduled Board meeting (generally seven (7) days prior to the Board meeting).

B. It is the intent of this provision to allow all Board members to have topics of interest to them and/or their District included in the agenda for discussion at each meeting, while keeping the meeting agenda at a manageable level, with no individual supervisor being permitted to overwhelm or dominate the agenda at any meeting. This will provide time for the Board to deliberate on matters requiring Board action, allow for full discussion of the business matters coming before the Board at each meeting, as well as full participation of the public at public presentations and scheduled public hearings.

C. The items requested to be included in the agenda by Board members that meet the foregoing requirements shall not be removed from the agenda, without the consent of the requesting member, except by majority vote of the Board at the meeting. Such requested discussion items shall generally not involve staff work for preparation of Board packages or reports. Any existing information may be included in the agenda package. After consideration of the discussion item at the Board meeting, if approved by the Board, the matter may be referred to a committee or scheduled for a future Board meeting, with all necessary staff work being provided to permit the Board to take any appropriate action. If the matter is not complex and does not necessitate additional

information or staff reports, the Board may take official action on the item by majority vote.

Section 5-4 Further Additions to Agenda

As long as a member of the Board has not already had two (2) discussion items included on an agenda for a meeting, and has not been able to request an item to be included on the meeting agenda in accordance with the time limits of Section 5-3 of these Bylaws, the County Administrator will place such items as do not exceed the Board member's total of two allowed discussion items for the meeting agenda on a separate handout. This separate handout will be presented to the Board as an "add-on" item for consideration by the Board. If there is insufficient time to have the handout prepared, the Board member may orally request the item to be added to the agenda with the other "add-ons" at the meeting so long as the Board member's total allowed discussion items are not exceeded. Any such items may be added to the agenda only on majority vote of the Board at the involved meeting. Generally such matters should be of a time sensitive nature, requiring consideration or action prior to the next regularly scheduled meeting of the Board. The Board retains the right to add any matter to a meeting by majority vote.

Section 5-5 Proclamations

When a Board member requests a proclamation to be placed on the agenda, the County Administrator shall place the name of the requesting Board member on the agenda as part of the item. Each member of the Board may request no more than two (2) proclamations for any regular meeting. In the event that a Board member has more than two (2) proclamations for a meeting, only two (2) will be included as part of the agenda by the County Administrator, and the additional proclamations may be added only by majority vote of the Board as "add-ons" as set forth in Section 5-4 above as Further Additions to Agenda.

Section 5-6 Appointments

Appointments may be placed on the agenda for consideration at any time, provided that no appointments shall be made prior to the annual organizational meeting of the Board for a term beginning on January 1 of the calendar year. Generally all appointments to standing boards, commissions, committees and authorities should be made between the annual organizational meeting of the Board and March 31 of that calendar year. The foregoing restrictions do not preclude appointments when vacancies occur, when new boards, authorities, commissions and committees are created, or if the Board agrees to make an appointment to a regional body from the membership of the Board, due to the organizational structure of the regional body, and which would negatively impact Stafford County's participation in the regional body, if an appointment were to be delayed until the organizational meeting of the Board.

Section 5-7 Emergency Matters

Any matter not included in the scheduled agenda, after any additions approved pursuant to Section 5-4 above, may be considered by the Board, only upon majority vote of the Board. Any such matter should only be added to the agenda if it is of an emergency nature, vital to the continued proper and lawful operation of the County.

Section 5-8 Minutes

The Clerk of the Board shall prepare and maintain adequate minutes of the proceedings of the Board in accordance with the requirements of the Code of Virginia (1950), as amended. Each recorded vote shall indicate how each member of the Board voted. Preparation of minutes will not include every aspect of the Board's meetings relating specifically to discussion and debate, but will include all significant events relating to official action. Minutes shall be included as part of the agenda package for the subsequent meeting of the Board.

Section 6 -- General Operating Policy

Section 6-1 Actions by Individual Members of the Board

A. In dealing with County staff, members of the Board should conduct themselves in a business-like, professional and civil manner, without making undue demands on staff time. Any request involving significant staff time or staff resources should be referred to the County Administrator. It shall be the policy of the Board that no one member shall exert individual action or direct any County employee, or any board, authority, commission or committee of the Board, to initiate any action that would require a County employee to perform any action contrary to the laws, ordinances or policies of Stafford County or which would require the expenditure of public funds in any amount without the approval of the Board. It shall further be the policy that when any Board member writes a letter or memorandum expressing his views, that he place on the same document the following, if appropriate:

This letter, memorandum, or document represents only the views of the writer or writers and does not necessarily represent the views of any other member of the Board of Supervisors or the Board of Supervisors as the governing body of Stafford County, Virginia.

B. It is anticipated and expected that a member cast a vote, or otherwise take official action, which is consistent with the position taken by the Board, as expressed in an official vote, while acting on any other board, authority, commission, committee, or other legal entity. By accepting the nomination, the nominee agrees to the adherence of these By-Laws.

C. All Board members shall maintain the confidentiality of all information presented in and discussed by the Board members in closed meeting sessions of the Board of Supervisors. All Board members shall also maintain the confidentiality of privileged confidential memoranda of legal advice from the County Attorney, other

attorneys in the County Attorney's office, and outside attorneys retained to represent the County (hereinafter collectively referred to as "County Attorney"). Such confidential closed meeting discussions and attorney/client privileged communications from the County Attorney shall not be released or distributed to members of the public or to the press without a majority vote of the Board of Supervisors. The unauthorized release of any confidential information from closed meeting discussions or confidential attorney/client privileged communications from the County Attorney by any Board member shall result in disciplinary action, including censure of the member of the Board involved, as well as any other appropriate actions in accordance with Robert's Rules of Order and Virginia law that are within the authority of the Board. Disciplinary action for violation of this provision shall be imposed by a two-third's (2/3) majority vote of the Board of Supervisors.

Section 6-2 Legal Action

The Board members, the County Administrator, the County Attorney, and any other public official are required to advise the Board prior to filing any civil suit that involves the County. The Building Official, the Zoning Administrator, and/or the Fire Marshal, when appropriate, may seek injunctive relief in accordance with the procedures set forth by the County Administrator and the County Attorney.

Section 6-3 Discussion of Zoning and Land Use Matters

Board of Supervisors' members shall not engage in negotiations with applicants on zoning or land use matters while the matter is before the Planning Commission and prior to the Planning Commission's referral of the matter to the Board of Supervisors.

Section 6-4 Polling Procedure

The County Administrator or his designee may separately contact members of the Board of Supervisors for the purpose of ascertaining a member's position with respect to

public business, provided the contact does not constitute a meeting as defined in Section 2.2-3701 of the Code of Virginia (1950), as amended.

Section 6-5 Action on Land Use Matters in Election Years

In any year in which members of the Board of Supervisors are elected, the Board shall not take any action or consider any rezoning applications, Conditional Use Permit Applications, Comprehensive Plan Amendments, or zoning text amendments from October 31 until January 1 of the next year.

Section 7 -- Amendments

Section 7-1 Amendments to the By-Laws and Rules of Procedure

The By-Laws and Rules of Procedure may be amended as necessary by majority vote of the Board.

Legislative; 2009 Board Meeting Calendar. Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-20 with a change.

Discussion ensued.

Mr. Milde amended the motion, Mr. Sterling amended the second to the motion, to adopt proposed Resolution R09-20 with changes.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R09-20 reads as follows:

A RESOLUTION TO ESTABLISH THE STAFFORD COUNTY
BOARD OF SUPERVISORS MEETING SCHEDULE FOR 2009

WHEREAS, the time and place of regular meetings of the Board shall be established; and

WHEREAS, the Board desires that the regular meetings shall be held in the Board Chambers of the Stafford County Administration Center, 1300 Courthouse Road, Stafford, Virginia, on the first and third Tuesday of each month at 1:00 P. M.; and

WHEREAS, Regular meetings, without further public notice, may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the governing body is completed; and

WHEREAS, should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia (1950), as amended;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009 that the Board be and it hereby does establish the following for its Regular Meetings for 2009:

Board Meeting Dates for 2009

January 6

January 22

February 3

February 17

March 3

March 17

April 7
April 21

May 5
May 19

June 2
June 16

July 7

August 18

September 1
September 15

October 6
October 20

November 17

December 1
December 15

Legislative; Presentations by the Public. Board members spoke on the topics as identified:

- | | |
|------------|---|
| Tim Green | - Interchange at Courthouse Road and I-95. |
| Lou Silver | - Bylaws. |
| | - Newspaper editorial on “Taxpayers in Stafford County need protection” |

Legislative; Report of the Superintendent of Schools. Dr. David E. Sawyer, Division Superintendent of Schools, gave a presentation on current issues and responded to Board members questions.

Report of the VDOT Residency Administrator. Mr. David Stanley, Virginia Department of Transportation Residency Administrator, gave a presentation and responded to Board members questions.

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

- | | | |
|----------------|---|--|
| Mr. Brito | - | Attended 11 meetings and events. |
| | - | Happy New Year. |
| | | Status of Crucible case. |
| | - | Thanked Stafford High School students regarding the draft for development of Musselman Park. |
| | - | Wal-Mart on Warrenton Road. |
| Mr. Crisp | - | Attended ribbon cutting ceremony for the Fredericksburg Area Museum Center. |
| | - | Fire and Rescue Volunteer Recruiting/Retention Program. |
| | - | Attended ribbon cutting ceremony for the Medical Care Emergency Clinic on White Oak Road |
| Mr. Dudenhefer | - | Response time for pedestrian accident in front of North Stafford High School. |
| Mr. Milde | - | Attended 30 meetings and events. |

- Attended quarterly meeting of DCR land conservation funding.
- Attended Civil War committee meetings.
- Attended Historical Commission meeting.
- Attended Potomac and Rappahannock Transportation Committee meeting.
- Dominion Virginia Power.
- Attended ribbon cutting at Riverside Business Center Suites.
- Crow's Nest.
- Attended George Washington Regional Commission meeting.
- Participated in the ride along program of Company 2.

Mr. Sterling - No comments.

Mr. Woodson - Widewater meeting.
- Ty Mosley achievement to Eagle Scout
- Oak Grove Baptist Church – 130th Year.
- Department of Social Services.
- Saint Francis of Assisi Homeless Shelter.

Mr. Schwartz - Virginia Railway Express funding.

gislative; Report of the County Attorney. Mr. Joe Howard, County Attorney, commented on the following:

- Closed Meeting agenda items.

Legislative; Report of the County Administrator. Mr. Anthony J. Romanello, County Administrator, commented on the following:

- Announced Budget Division received the Distinguished Budget Award for the 20th year.
- Addition of two discussion items to the regular agenda: (1) Discuss Cemetery at Forbes Street; (2) Discuss Guidance to Staff for 2010 Tax Rate.

Legislative; Regular Agenda and Closed Meeting Agenda Additions. Mr. Milde motioned, seconded by Mr. Crisp, to add (1) discuss Cemetery at Forbes Street; (2) discuss guidance to staff for the 2010 tax rate to the Regular Agenda and to three items to the Closed Meeting Agenda.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito
Nay: (0)

Legislative; Consent Agenda. Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt the Consent Agenda, consisting of Items 3 thru 8, omitting Item 6.

The Voting Board tally was:

Yea: (7) Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito, Crisp
Nay: (0)

Item 3. Finance and Budget; Approve Expenditure Listing

Resolution R09-08 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)
DATED DECEMBER 16, 2008 THROUGH JANUARY 5, 2009

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that the above-mentioned EL be and it hereby is approved.

Item 4. Transportation; Request Reimbursement from the Potomac and Rappahannock Transportation Commission for Transportation Expenditures for the Fourth Quarter FY08 and First Quarter FY09.

Resolution R09-06 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION FOR TRANSPORTATION EXPENDITURES FOR THE FOURTH QUARTER OF FISCAL YEAR 2008

WHEREAS, the County budgeted funds in the FY2008 Transportation Fund for various programs, including transportation modeling, transportation services, road improvements, street repair, administrative services, bike trails, and street signs; and

WHEREAS, the County expended the following amounts for transportation projects and services during FY2008 April through June 30, 2008; and

Item

Amount

Professional Services – Transportation Modeling	\$ 82,458
Administrative	2,193
Street Sign Program	6,444
Parking Summit	41
Bike Trails Program	10,455
Road Improvements	24,022
Public Street Repair	301,629
Transportation of Social Services Clients	<u>21,282</u>
Total Reimbursement Request	\$ 448,524

WHEREAS, these funds can be reimbursed from the County fuel tax funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Four Hundred Forty-eight Thousand Five Hundred Twenty-four Dollars (\$448,524) from the fuel tax funds.

Resolution R09-07 reads as follows:

A RESOLUTION TO REQUEST REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION FOR TRANSPORTATION EXPENDITURES FOR THE FIRST QUARTER OF FISCAL YEAR 2009

WHEREAS, the County budgeted funds in the FY2009 Transportation Fund for various programs, including transportation modeling, redevelopment master plan, traffic impact fee analysis, transportation services, road improvements, street repair, administrative services, and street signs; and

WHEREAS, the County expended the following amounts for transportation projects and services during FY2009 July through September 30, 2008; and

<u>Item</u>	<u>Amount</u>
Professional Services – Transportation Modeling	\$ 9,813
Professional Services – Redevelopment Master Plan	23,060
Professional Services – Traffic Impact Fee Analysis	9,400
Administrative	344
Transportation Services – FRED	119,414
Street Sign Program	6,319
Stafford Regional Airport Commission	28,572
Road Improvements	269,340
Public Street Repair	<u>850</u>
Total Reimbursement Request	\$ 467,112

WHEREAS, these funds can be reimbursed from the County fuel tax funds;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that the Potomac and Rappahannock Transportation Commission be and it hereby is requested to reimburse the County Four Hundred Sixty-seven Thousand One Hundred Twelve Dollars (\$467,112) from the fuel tax funds.

Item 5. Transportation; Petition VDOT to Include Whirlaway Drive, Chriswood Lane and Citation Court within Christy Farms Subdivision, Section 2, into the Secondary System of State Highways.

Resolution R09-12 reads as follows:

A RESOLUTION WHICH PETITIONS THE VIRGINIA DEPARTMENT

OF TRANSPORTATION TO INCLUDE WHIRLWAY DRIVE,
CHRISWOOD LANE AND CITATION COURT, WITHIN CHRISTY
FARMS SUBDIVISION, SECTION 2 INTO THE SECONDARY
SYSTEM OF STATE HIGHWAYS

WHEREAS, the Board, pursuant to Section 33.1-229 of the Code of Virginia (1950), as amended, desires to add Whirlaway Drive, Chriswood Lane and Citation Court within Christy Farms Subdivision, Section 2 into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Christy Farms Subdivision, Section 2 into the Secondary System of State Highways:

<u>Street</u>	<u>Station</u>	<u>Length</u>
Whirlaway Dr. (SR-1896)	From: Inter. Affirmed Dr. (SR-1893) To: Inter. Chriswood Ln. (SR-1897)	0.30 Mi. 50' ROW
Chriswood Ln. (SR-1897)	From: Inter. Poplar Rd. (SR-616) To: Inter. Whirlaway Dr. (SR-1896)	0.29 Mi. 50' ROW
Chriswood Ln. (SR-1897)	From: Inter. Whirlaway Dr. (SR-1896) To: Inter. Citation Ct. (SR-1898)	0.44 Mi. 50' ROW
Chriswood Ln. (SR-1897)	From: Inter. Citation Ct. (SR-1898)	0.05 Mi.

WHEREAS, the Hospital has designated the designer of the wall mural and the Museum Committee is currently working with this firm to design, fabricate and install a display that will depict many of the of historically important events and individuals that shaped the county, the commonwealth and the country; and

WHEREAS, at the same meeting, the Board unanimously supported the drafting of a Request for Proposals (RFP) for the purpose of finding and hiring a consultant to develop a Museum business plan, and requested that the Museum Committee seek non-profit status;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that the County Administrator be and hereby is authorized to allocate and appropriate from the Tourism Fund's museum account, an amount not to exceed One Hundred Thousand Dollars (\$100,000) to seek non-profit status, accomplish design, fabrication, installation of a mural, and craft an RFP, from which a qualified consultant will be hired and tasked with the development of a museum business plan.

Item 8. County Attorney; Request Stafford County General Registrar to Establish Website Program to Public Election Contributions and Financial Disclosure Information of Stafford County Elected Officials and Candidates for Stafford County Elected Officials.

Resolution R09-19 reads as follows:

A RESOLUTION TO REQUEST STAFFORD COUNTY GENERAL REGISTRAR TO ESTABLISH WEBSITE PROGRAM TO PUBLISH ELECTION CONTRIBUTIONS AND FINANCIAL DISCLOSURE INFORMATION OF STAFFORD COUNTY ELECTED OFFICIALS AND CANDIDATES FOR STAFFORD COUNTY ELECTED OFFICES

WHEREAS, information concerning contributions to candidates for local office and other financial disclosure information of local elected officials is not currently available through electronic means to the voters of Stafford County; and

WHEREAS, the State Board of Elections and certain Virginia localities have established websites that publish such financial disclosure and contribution information so that citizens can have access to this information electronically for State officials and elected officials in those certain localities; and

WHEREAS, the Stafford County Board of Supervisors desires to have campaign contribution information and other financial disclosure information of Stafford County's elected officials and candidates for Stafford County offices published electronically so that it can be made available to the citizens of Stafford County in a more convenient format; and

WHEREAS, such contribution information and other financial disclosure information is required to be filed by local elected officials and candidates for local office under State law;

NOW THEREFORE, BE IT RESOLVED, that the Stafford County Board of Supervisors, does hereby request the Stafford County General Registrar to establish a website on the County website system to publish election contribution information and other financial disclosure information of all Stafford County elected officials and candidates for local elected office in Stafford County; and

BE IT FURTHER RESOLVED, that the website be established and available by February 1, 2009, and include all current information for Stafford County's local elected officials, and be updated by the General Registrar throughout 2009 to include all information for candidates for Stafford County local office in the November, 2009 General Election; and

BE IT FURTHER RESOLVED, that the County Administrator and County Information Technology Department provide such assistance as may be necessary to establish and effectuate a link for the General Registrar on the County’s website to accomplish the intent of this resolution.

Legal: Authorize a Public Hearing to Consider Condemnation and Exercise Quick-Take Powers to Acquire Tax Map Parcels 43-32 and 43-33 in Connection with the Rocky Pen Run Reservoir. Mr. Brito commented.

Mr. Dudenhefer motioned, seconded by Mr. Milde, to adopt proposed Resolution R09-14.

The Voting Board tally was:

Yea:	(5)	Milde, Schwartz, Sterling, Crisp, Dudenhefer
Nay:	(0)	
Abstain:	(1)	Brito
Absent:	(1)	Woodson

Resolution R09-14 reads as follows:

A RESOLUTION TO AUTHORIZE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A PORTION OF THE PROPERTY OF LOIS D. ROBERSON, LOCATED OFF HASSLE LANE, TAX MAP PARCELS 43-32 AND 43-33, IN CONNECTION WITH THE ROCKY PEN RUN RESERVOIR

WHEREAS, the Board is in the process of acquiring the necessary parcels for the construction of the Rocky Pen Run Reservoir, an approved public use to meet the County’s water supply needs; and

WHEREAS, Tax Map Parcels 43-32 and 43-33 consist of 48 and 18 acres of land, respectively, owned by Lois D. Roberson; and

WHEREAS, in order to complete construction and operation of the reservoir, the Board must acquire ownership of a 31.7 acre portion of Tax Map Parcel 43-32 and a 6.3 acre portion of Tax Map Parcel 43-33, in fee simple; and

WHEREAS, the fair market value for the above-referenced 31.7 acre portion of Tax Map Parcel 43-32 and 6.3 acre portion of Tax Map Parcel 43-33 is Seven Hundred Ninety-eight Thousand Three Hundred Eighty-three Dollars (\$798,383) based upon a formal appraisal by an independent appraiser; and

WHEREAS, the Board, through its consulting negotiator, has made a bona fide formal offer on behalf of the County to the owner of the property offering the fair market value of the referenced portion of the property; and

WHEREAS, the terms of purchase cannot be agreed upon and the Board's consulting negotiator has been unsuccessful in negotiating a final settlement with the owner of the property, but will continue to work with the property owner to attempt to reach an acceptable settlement; and

WHEREAS, the Board must conduct a public hearing in accordance with Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to determine the necessity for condemnation and the use of the County's quick-take powers;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that it shall conduct a public hearing to be scheduled under the provisions of Sections 15.2-1903(B) and 15.2-1905(C), Va. Code Ann., to consider the necessity for condemnation and necessity for the use of the County's quick-take powers to immediately acquire the property interests described above for the Rocky Pen Run Reservoir construction project; and

BE IT FURTHER RESOLVED that the public hearing be properly advertised for the foregoing purposes.

Legislative; Presentation by Joe Provenzano, Deputy Director Base Facilities, Quantico, Regarding Encroachment – Comprehensive Plan Revision and Proposed Enhanced Buffer Program. Mr. Provenzano gave a presentation and responded to Board members questions.

Mr. Milde motioned, seconded by Mr. Sterling, to send a copy of the map to the Purchase of Development Rights Committee for further review.

The Voting Board tally was:

Yea: (7) Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde

Nay: (0)

Recess. At 3:20 P. M., the Chairman declared a recess.

Call to Order. At 3:34 P. M. the Chairman called the meeting back to order.

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

Mr. Woodson motioned, seconded by Mr. Milde, to adopt proposed Resolutions R09-26, R09-27, R09-28, R09-29, R09-30, R09-31, R09-32, R09-33, R09-34, R09-36, R09-37, R09-38, R09-40, R09-41, R09-42, R09-43, R09-44, R09-45, R09-46, and R09-47.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Resolution R09-26 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE AMERICANS
WITH DISABILITIES ACT GRIEVANCE COMMITTEE

WHEREAS, in accordance with the Americans with Disabilities Act (ADA), the Board has adopted the ADA grievance procedure; and

WHEREAS, the Board, by adoption of Resolution R93-91 on February 16, 1993, established the ADA Grievance Committee; and

WHEREAS, the Grievance Committee is composed of eight residents consisting of one member from the architectural or structural engineering profession; two members who are individuals with a disability as defined by the ADA; and five members-at-large; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Paul Shelton (Disability)	December 31, 2008
Harry Rager (Member-at-Large)	December 31, 2008
Charles Morgan (Member-at-Large)	December 31, 2008
Sandra Ridout (Disability)	December 31, 2008

Robert Grimes
(Architect/Engineer) December 31, 2008

Colleen English
(Member-at-Large) December 31, 2008

Shawn Lawrence
(Member-at-Large) December 31, 2008

Robert Dodson
(Member-at-Large) December 31, 2008

WHEREAS, all terms expired on December 31, 2008; and

WHEREAS, Sandra Ridout has submitted her resignation; and

WHEREAS, the term of membership is one year;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Paul Shelton (Disability)	December 31, 2009
Harry Rager (Member-at-Large)	December 31, 2009
Charles Morgan	December 31, 2009

(Member-at-Large)

VACANT
(Disability)

December 31, 2009

Robert Grimes
(Architect/Engineer)

December 31, 2009

Colleen English
(Member-at-Large)

December 31, 2009

Shawn Lawrence
(Member-at-Large)

December 31, 2009

Robert Dodson
(Member-at-Large)

December 31, 2009

be and they hereby are appointed to the Americans with Disability Act Grievance Committee.

Resolution R09-27 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE ADVISORY
BOARD ON TOWING

WHEREAS, pursuant to Section 46.2-1217 of the Code of Virginia (1950), as amended, the Board may regulate, pursuant to police towing requests, any business engaged in the towing or storage of unattended, abandoned, or immobile vehicles by ordinance; and

WHEREAS, the Board adopted Resolution R94-503 which establishes the Advisory Board on Towing; and

WHEREAS, the Advisory Board on Towing is composed of eleven members to be appointed by the Board and shall include four law-enforcement officers including a representative from the Virginia State Police, the County Attorney or her designee, four towing and recovery operators, and two citizens; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Joe Patrick (Towing & Recovery Operator Zone 1)	December 31, 2008
Dan Beach (Towing & Recovery Operator Zone 2)	December 31, 2008
Roy Boswell (Towing & Recovery Operator Zone 3)	December 31, 2008
Ray Hodge (Heavy Duty Towing & Recovery Operator)	December 31, 2008
Cathy Eckles (County Attorney or Designee)	December 31, 2008
Charles E. Jett (Sheriff)	December 31, 2008
Brian Jacobs, 1st Sgt.	December 31, 2008

(Law Enforcement Officer)

Patrick Kelley-Lieutenant
(Law Enforcement Officer)

December 31, 2008

W. Payne Marks
(Virginia State Police
or Designee)

December 31, 2008

Gerald Crosby
(Citizen)

December 31, 2008

George Paxson
(Citizen)

December 31, 2008

WHEREAS, all terms expired on December 31, 2008; and

WHEREAS, Dan Beach has submitted his resignation; and

WHEREAS, the term of appointment is one year;

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

NAME

EXPIRATION

Joe Patrick
(Towing & Recovery Operator Zone 1)

December 31, 2009

Kevin Beach (Towing & Recovery Operator Zone 2)	December 31, 2009
Roy Boswell (Towing & Recovery Operator Zone 3)	December 31, 2009
Ray Hodge (Heavy Duty Towing & Recovery Operator)	December 31, 2009
Cathy Eckles (County Attorney or Designee)	December 31, 2009
Charles E. Jett (Sheriff)	December 31, 2009
Brian Jacobs, 1st Sgt. (Law Enforcement Officer)	December 31, 2009
Patrick Kelley-Lieutenant (Law Enforcement Officer)	December 31, 2009
W. Payne Marks (Virginia State Police or Designee)	December 31, 2009
Gerald Crosby (Citizen)	December 31, 2009
George Paxson (Citizen)	December 31, 2009

be and they hereby are appointed to the Advisory Board on Towing.

Resolution R09-28 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE AGRICULTURAL
COMMISSION

WHEREAS, the Board established a comprehensive approach to the preservation of agricultural and rural lands; and

WHEREAS, the Agricultural Commission will assist the Board in addressing the problems of sustainable growth, preservation of rural lands, and promotion and facilitation of agriculture, environmental integrity, land values and taxation; and

WHEREAS, the Agricultural Commission consists of seven members appointed from the election districts; and

WHEREAS, the Agricultural Commission recommends policies to accomplish the following:

1. Identification of areas of the County that are appropriate for the continuation of agriculture and the preservation of rural lands.
2. Identification of the level of residential development that should be permitted within agricultural and rural areas.
3. Review of the land use assessment program to determine its effect on farmland and its potential use on land speculation.
4. Development of a purchase of development rights program.

5. Development of a program with the Department of Economic Development and other County departments that will facilitate the expansion of markets for farm products; and

WHEREAS, the Agricultural Commission is permitted to form ad hoc committees comprised of the various stakeholders that it deems necessary to carry out the Commission's mission; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Thomas Coen (Garrisonville District)	December 31, 2009
Jeff Adams (Hartwood District)	December 31, 2009
Lou Silver (George Washington District)	December 31, 2011
Gail Clark (Rock Hill District)	December 31, 2007
Nan Rollison (Griffis-Widewater District)	December 31, 2007
Jonathon Myers (Aquia District)	December 31, 2009
Bruce Callander	December 31, 2009

(Falmouth District)

WHEREAS, the Board desires that expirations coincide with Board Members terms of office;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that:

Gail Clark

December 31, 2011

(Rock Hill District)

be and she hereby is appointed to the Agricultural Commission.

Resolution R09-29 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE BOARD
OF BUILDING CODE APPEALS

WHEREAS, Section 36-105 of the Code of Virginia (1950), as amended, provides for the establishment of a local Board of Building Code Appeals whose composition, duties and responsibilities are prescribed in the Building Code; and

WHEREAS, the local Board of Building Code Appeals consists of five members with the following qualifications: a licensed professional engineer or architect; an experienced builder; and three others who are able to render a fair and competent decision regarding the application of the Building Code; and

WHEREAS, the Board has appointed the following:

NAME

EXPIRATION

VACANT
(Architect/Engineer)

Charles Moore
(Member-At-Large) December 31, 2008

A. C. Glover
(Member-At-Large) December 31, 2008

Frank Jett, Jr.
(Member-At-Large) December 31, 2008

Russell Hall
(Builder) December 31, 2008

WHEREAS, all terms expired on December 31, 2008; and

WHEREAS, the term of appointment is one year; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Charles Moore (Member-At-Large)	December 31, 2009
A. C. Glover (Member-At-Large)	December 31, 2009

Frank Jett, Jr.
(Member-At-Large)

December 31, 2009

Russell Hall
(Builder)

December 31, 2009

be and they hereby are appointed as a member of the Board of Building Code Appeals.

Resolution R09-30 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE CHAPLIN GROUP
HOME COMMISSION

WHEREAS, the City of Fredericksburg and the Counties of Spotsylvania and Stafford have approved an agreement establishing the Chaplin Group Home Commission; and

WHEREAS, the agreement provides that the three jurisdictions appoint two members each from the political subdivisions; and

WHEREAS, the Board has previously appointed the following members:

NAME

EXPIRATION

Paul Milde
(Board of Supervisors)

December 31, 2008

Linda V. Musselman
(Member-At-Large)

December 31, 2008

Josephine H. Chaplin
(Honorary Member)

WHEREAS, all terms expired December 31, 2008; and

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Paul Milde (Board of Supervisors)	December 31, 2009
Linda V. Musselman (Member-At-Large)	December 31, 2009
Josephine H. Chaplin (Honorary Member)	

be and they hereby are appointed to the Chaplin Group Home Commission.

Resolution R09-31 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE CIVILIAN-
MILITARY COMMUNITY RELATIONS COUNCIL

WHEREAS, the Marine Corps Combat Development Command Civilian-Military Community Relations Council Bylaws, from the United States Marine Corps Public Affairs Manual, authorize the Board to appoint members to serve on the Civilian-Military Community Relations Council; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Cord Sterling (Board of Supervisors)	December 31, 2008
Mark Dudenhefer (Board of Supervisors)	December 31, 2008

WHEREAS, all terms expired December 31, 2008; and

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Cord Sterling (Board of Supervisors)	December 31, 2009
Mark Dudenhefer (Board of Supervisors)	December 31, 2009

be and they hereby are appointed to the Civilian-Military Community Relations Council.

Resolution R09-32 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE COMMUNITY
POLICY AND MANAGEMENT TEAM FOR AT-RISK YOUTH AND
FAMILIES

WHEREAS, Resolution R92-551, adopted by the Board on December 15, 1992, established a Community Policy and Management Team for At-Risk Youth and Families; and

WHEREAS, the Comprehensive Services Act requires that, at a minimum, the team consist of a representative of the Rappahannock Area Community Services Board, the Juvenile Court Services Unit, the Department of Health, the Department of Social Services, the local school division, a parent from the community, a private provider organization and at least one elected official or appointed official or his designee from the Governing Body; and

WHEREAS, the terms of agency heads are permanent, as long as the appointee serves as an agency head and the terms of private provider and parent representative are for three years; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Ronald W. Branscome (Community Services Board)	Virtue of Office

Lynn McFaden
(Private Provider Representative)

December 31, 2011

be and they hereby are appointed as a member of the Community Policy and Management Team for At-Risk Youth and Families.

Resolution R09-33 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE FIRE
PREVENTION CODE BOARD OF APPEALS

WHEREAS, the Fire Prevention Code requires establishment of a Fire Prevention Code Board of Appeals to consist of at least five members; and

WHEREAS, the Fire Prevention Code establishes the qualifications of the members of the Fire Prevention Code Board of Appeals as follows: “shall be selected by the local governing body on the basis of their ability to render fair and competent decisions regarding application of the Statewide Fire Prevention Code and shall, to the extent possible, represent different occupational or professional fields relating to building construction or fire prevention. At least one member should be an experienced builder and one member a licensed professional engineer or architect. Employees or officials of the local governing body shall not serve as member ”; and

WHEREAS, the Board may appoint two alternate members to serve in the absence of any regular members and , as such, shall have the full power and authority of the regular members; and

WHEREAS, the term of appointment is five years; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Gerald Snellings (Member At Large)	December 31, 2010
Michael T. Cooper (Member At Large)	December 31, 2008
David Lucia, II (Member At Large)	December 31, 2010
Gerald A. Haynes (Engineer)	December 31, 2011
VACANT (Alternate Member)	
VACANT (Alternate Member)	
VACANT (Builder)	

WHEREAS, the term of Michael T. Cooper expired on December 31, 2008; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the Board desires to conform to the qualifications in the Fire Prevention Code;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Michael T. Cooper (Member At Large)	December 31, 2013

be and he hereby is appointed to the Fire Prevention Code Board of Appeals.

Resolution R09-34 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE FREDERICKSBURG
REGIONAL ALLIANCE BOARD OF DIRECTORS

WHEREAS, the Board adopted Resolution R97-274 on June 17, 1997, which established the Fredericksburg Regional Alliance as an economic development organization to serve Planning District 16; and

WHEREAS, County and City officials are appointed to the Fredericksburg Regional Alliance Board of Directors; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Cord A. Sterling (Board of Supervisors)	December 31, 2008

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009 that

<u>NAME</u>	<u>EXPIRATION</u>
Cord A. Sterling (Board of Supervisors)	December 31, 2009

be and he hereby is appointed as a member of the Fredericksburg Regional Alliance Board of Directors.

Resolution R09-36 reads as follows:

A RESOLUTION TO APPOINT MEMBERS AND ALTERNATES TO THE
GEORGE WASHINGTON REGIONAL COMMISSION

WHEREAS, the George Washington Regional Commission is the planning district commission for the region serving the counties of Stafford, Spotsylvania, King George and Caroline, and the city of Fredericksburg; and

WHEREAS, the term of appointment is one year; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Robert (Bob) Woodson (Board of Supervisors)	December 31, 2008

Mark Dudenhefer (Board of Supervisors)	December 31, 2008
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Joe Brito (Board of Supervisors Alternate)	December 31, 2008
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Paul Milde (Board of Supervisors Alternate)	December 31, 2008
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WHEREAS, all terms expired December 31, 2008; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Mark Dudenhefer (Board of Supervisors)	December 31, 2009
Robert (Bob) Woodson (Board of Supervisors)	December 31, 2009
Joe Brito (Board of Supervisors Alternate)	December 31, 2009
Paul Milde (Board of Supervisors Alternate)	December 31, 2009

be and they hereby are appointed to the George Washington Regional Commission.

Resolution R09-37 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE GREEN
GOVERNMENT COMMISSION ESTABLISHED BY THE GEORGE
WASHINGTON REGIONAL COMMISSION

WHEREAS, the George Washington Regional Commission establishes the GW
Region Green Government Commission” to foster cooperation among the five member
localities in Planning District 16 (“the Region”) in developing facility management and
purchasing practices that will enhance the Region’s environmental quality while resulting
in long-term savings to the individual localities; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Joe Brito (Board of Supervisors)	December 31, 2008

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the term of appointment is one year;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of
Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Joe Brito	December 31, 2009

(Board of Supervisors)

be and he hereby is appointed to the Green Government Commission.

Resolution R09-38 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE
STAFFORD COUNTY HISTORICAL COMMISSION

WHEREAS, the Board, by adoption of Resolution R92-304, established the Stafford County Historical Commission; and

WHEREAS, the Stafford County Historical Commission is composed of seven members who are appointed by the Board to serve at its pleasure; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Anita Dodd (Garrisonville District)	Pleasure of Board
H. Stewart Jones (Hartwood District)	Pleasure of Board
Jane Henderson Conner (Rock Hill District)	Pleasure of Board
Cecelia S. Howell (Falmouth District)	Pleasure of Board

Stephen Gambaro (Aquia District)	Pleasure of Board
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Gene Smith (Griffis-Widewater District)	Pleasure of Board
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VACANT (George Washington District)	Pleasure of Board
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WHEREAS, Gene Smith has submitted his resignation; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 6th day of January, 2009, that:

<u>NAME</u>	<u>EXPIRATION</u>
Anita Dodd (Garrisonville District)	Pleasure of Board
H. Stewart Jones (Hartwood District)	Pleasure of Board
Jane Henderson Conner (Rock Hill District)	Pleasure of Board
Cecelia S. Howell (Falmouth District)	Pleasure of Board
Stephen Gambaro (Aquia District)	Pleasure of Board

VACANT
(George Washington District)

Pleasure of Board

VACANT
(Griffis-Widewater District)

Pleasure of Board

be and they hereby are appointed to the Stafford County Historical Commission.

Resolution R09-40 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE RAPPAHANNOCK
AREA AGENCY ON AGING (BOARD OF DIRECTORS)

WHEREAS, Section 2.1-373 (7) of the Code of Virginia (1950), as amended,
authorizes the Board to appoint members to serve on the Rappahannock Area Agency on
Aging (Board of Directors); and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
George Schwartz (Board of Supervisors)	December 31, 2008
Sol Herman (Member-At-Large)	December 31, 2008

WHEREAS, terms expired on December 31, 2008; and

WHEREAS, the term of appointment is one year; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
George Schwartz (Board of Supervisors)	December 31, 2009
Sol Herman (Member-At-Large)	December 31, 2009

be and they hereby are appointed to the Rappahannock Area Agency on Aging (Board of Directors).

Resolution R09-41 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE RAPPAHANNOCK
AREA YOUTH COMMISSION

WHEREAS, the Board, by adoption of Resolution R89-299, authorized establishment of the Rappahannock Area Youth Commission; and

WHEREAS, at a meeting of the Rappahannock Area Office on Youth Commission on February 3, 2004, revisions were made to their bylaws; and

WHEREAS, the new bylaws no longer include a youth member and the locality number has been reduced from three to one representative from each of the five localities in Planning District 16; and

WHEREAS, the Director of the Commission has indicated that two representatives are acceptable, if the interest is there; and

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

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Trina McCarthy (Citizen Representative)	June 30, 2010
VACANT (Government Representative)	June 30, 2006

WHEREAS, a vacancy exists; and

WHEREAS, the Board desires to fill this vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Joe Brito (Government Representative)	June 30, 2009

be and he hereby is appointed to the Rappahannock Area Youth Commission.

Resolution R09-42 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE RAPPAHANNOCK
JUVENILE DETENTION COMMISSION

WHEREAS, pursuant to Section 16.1-315 through Section 16.1-322 of the Code of Virginia (1950), as amended, the Board of Supervisors appoints members to serve on the Rappahannock Juvenile Detention Commission; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Anthony J. Romanello (County Administrator)	Virtue of Office
Nancy Collins (Alternate for County Administrator)	December 31, 2008
VACANT (Alternate Member)	
William C. Tignor (Member-at-Large)	December 31, 2009

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Nancy Collins	December 31, 2009

(Alternate for County Administrator)

Robert “Bob” Woodson
(Alternate Member)

December 31, 2009

be and he hereby is appointed to the Rappahannock Juvenile Detention Commission.

Resolution R09-43 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE RAPPAHANNOCK
REGIONAL CRIMINAL JUSTICE ACADEMY BOARD OF DIRECTORS

WHEREAS, pursuant to Article VI of the Bylaws of the Rappahannock Regional Criminal Justice Academy, the Board appoints members to serve on the Rappahannock Regional Criminal Justice Academy Board of Directors; and

WHEREAS, the Bylaws of the Rappahannock Regional Criminal Justice Academy state that each jurisdiction shall be entitled to two members on the Board of Directors; and

WHEREAS, the Bylaws of the Rappahannock Regional Criminal Justice Academy state that the members "shall normally be the chief law enforcement officer of the jurisdiction, and either an elected official or the chief administrator of the jurisdiction"; and

WHEREAS, the Board has previously appointed the following:

NAME

EXPIRATION

Charles E. Jett
(Chief Law Enforcement

December 31, 2008

Officer or Designee)

Anthony J. Romanello
(County Administrator
or Designee)

December 31, 2008

WHEREAS, the terms of Charles E. Jett and Anthony J. Romanello expired on December 31, 2008; and

WHEREAS, the term of appointment is two years; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

NAME

EXPIRATION

Charles E. Jett
(Chief Law Enforcement
Officer or Designee)

December 31, 2010

Anthony J. Romanello
(County Administrator
or Designee)

December 31, 2010

be and they hereby are appointed to the Rappahannock Regional Criminal Justice Academy Board of Directors.

Resolution R09-44 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE RAPPAHANNOCK
REGIONAL SOLID WASTE MANAGEMENT BOARD

WHEREAS, the Board and the City of Fredericksburg, have executed an Operations Contract for Regional Landfill; and

WHEREAS, the Contract provides for the appointment of two members of the Board to be appointed as members of the Rappahannock Regional Solid Waste Management Board to serve with two members of City Council, the County Administrator, and the City Manager; and

WHEREAS, the Contract provides for the appointment of alternates; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Harry Crisp (Board of Supervisors)	December 31, 2008
Paul V. Milde III (Board of Supervisors)	December 31, 2008
Joe Brito (Alternate)	December 31, 2008
VACANT (Alternate)	December 31, 2006
Anthony Romanello (County Administrator)	Virtue of Office

be and they hereby are appointed to the Rappahannock Regional Solid Waste Management Board.

Resolution R09-45 reads as follows:

A RESOLUTION TO APPOINTMENT A MEMBER AND AN
ALTERNATE TO THE RAPPAHANNOCK RIVER BASIN
COMMISSION

WHEREAS, the Board adopted Resolution R98-24 on May 5, 1998, wherein it agreed to become a member of and participate in the Rappahannock River Basin Commission, as described in Chapter 553 of the Acts of the Assembly of 1998, and to fund the activities of the Commission; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Harry E. Crisp (Board of Supervisors)	December 31, 2008
Joe Brito (Alternate)	December 31, 2008

WHEREAS, all terms expired on December 31, 2008; and

WHEREAS, the term of membership is one year; and

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Harry E. Crisp (Board of Supervisors)	December 31, 2009
Joe Brito (Alternate)	December 31, 2009

be and they hereby are appointed to the Rappahannock River Basin Commission.

Resolution R09-46 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE REGIONAL
LANDFILL CIVIL WAR SITE

WHEREAS, the Board has established that civil war sites and resources do exist on the property of the Rappahannock Regional Solid Waste Management Board (R-Board), the regional landfill operated by the County of Stafford and the City of Fredericksburg; and

WHEREAS, the Regional Landfill Civil War Site Steering Committee consists of at least one member from the Historical Commission, one member from the Planning Commission, two members from the Board of Supervisors, two members from the Friends of Stafford Civil War Sites, two members from the Stafford Historic and a member from the County Planning staff, Economic Development staff, and Parks and Recreation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Harry Crisp (Board of Supervisors)	Pleasure of the Board
Paul Milde (Board of Supervisors)	Pleasure of the Board
_____ (Planning Commission)	Pleasure of the Board
_____ (Stafford Historic Society)	Pleasure of the Board
_____ (Stafford Historic Society)	Pleasure of the Board
_____ Historical Commission	Pleasure of the Board
_____ (Friends of Civil War Sites)	Pleasure of the Board
_____ (Friends of Civil War Sites)	Pleasure of the Board

be and they hereby are appointed to the Regional Landfill Civil War Site Steering Committee.

Resolution R09-47 reads as follows:

A RESOLUTION TO APPOINT MEMBERS TO THE
CABLE AND TELECOMMUNICATIONS COMMISSION

WHEREAS, the Board, on December 2, 1986, approved Resolution R86-612(R) which established the Cable Television Advisory Committee; and

WHEREAS, Resolution R86-612(R) provides for the appointment of seven citizens, each residing in a different election district, to serve on the Cable Television Advisory Committee; and

WHEREAS, the Board, on April 4, 1989, approved Resolution R89-124(R) to include a voting representative from the County Administrator's Office, and a voting representative from the School Superintendent's Office; and

WHEREAS, at a meeting on December 4, 2007, the Board adopted Resolution R07-476 which changed the name to the Cable and Telecommunications Commission; and

WHEREAS, the Board has appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Edward Sullivan (George Washington District)	December 31, 2008
Danielle J. Davis (Aquia)	December 31, 2008

James Minor
(Griffis-Widewater District) December 31, 2008

Marilee Knight
(Rock Hill District) December 31, 2008

Johnson, Jr., John A.
(Garrisonville District) December 31, 2008

Terry Lottes
(Hartwood) December 31, 2008

Kimbrell, Thomas
(Falmouth District) December 31, 2008

Anthony Romanello
(County Administrator
or Designee) Virtue of Office

(School Superintendent
or Designee) December 31, 2008

WHEREAS, all terms expired on December 31, 2008; and

WHEREAS, the term of appointment is one year;

WHEREAS, the Board desires to fill these vacancies;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, on this the 6th day of January, 2009, that

<u>NAME</u>	<u>EXPIRATION</u>
Edward Sullivan (George Washington District)	December 31, 2008
Danielle J. Davis (Aquia)	December 31, 2009
James Minor (Griffis-Widewater District)	December 31, 2009
Marilee Knight (Rock Hill District)	December 31, 2009
Johnson, Jr., John A. (Garrisonville District)	December 31, 2009
Terry Lottes (Hartwood)	December 31, 2009
Kimbrell, Thomas (Falmouth District)	December 31, 2009
Anthony Romanello (County Administrator or Designee)	Virtue of Office
(School Superintendent or Designee)	December 31, 2009

be and they hereby are appointed to the Cable and Telecommunications Commission.

Legislative; Discuss Format of Tax Bills. Mr. Milde commented.

Ms. Laura Rudy, Treasurer, responded to Board members questions.

Discussion ensued.

Legislative; Discuss Internet Broadcasting of Board Meetings. Mr. Sterling commented.

Mr. David Noel, Director of Information Technology, gave a presentation and responded to Board members questions.

Ms. Cathy Riddle, Public Information Manager, commented further.

Legislative; Closed Meeting. At 4:11 P.M., Mr. Milde motioned, seconded by Mr. Crisp, to adopt proposed Resolution CM09-01.

The Voting Board tally was:

Yea : (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution CM09-01 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board of County Supervisors desires to consult with counsel and discuss in Closed Meeting regarding legal advice regarding pending litigation with *Sherwood Farm Residential, et al*; and *Teen Challenge*; and a personnel matter regarding County Administration; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford Board of Supervisors, on this the 6th day of January, 2009, does hereby authorize discussions of the aforesated matters in Closed Meeting.

Call to Order. At 5:21 P.M., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification. Mr. Milde motioned, seconded by Mr. Woodson, to adopt proposed Resolution CM09-01(a).

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution CM09-01a reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
JANUARY 6, 2009

WHEREAS, the Board has, on this the 6th day of January, 2009, adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 6th day of January, 2009, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board. No member dissents from the aforesaid certification.

Legislative; Teen Challenge Litigation. Mr. Milde motioned, seconded by Mr. Sterling, to authorize the County Attorney to enter into negotiations with the attorneys representing Teen Challenge and to settle the Federal Court litigation in accordance with the terms specified by the Board's discussions in Closed Meeting.

The Voting Board tally was:

Yea: (5) Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (2) Woodson, Brito

Recess. At 5:25 P.M., the Chairman declared a recess until 7:00 P.M.

Call to Order. At 7:06 P.M., the Chairman called the meeting back to order.

Invocation. Mr. Milde gave the Invocation.

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

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

Holly Hazard - Business, Professional and Occupational License
Tax.

- Stafford teacher salaries.
- Cost analysis on land use issues.

Planning and Zoning; Consider a Conditional Use Permit to Amend Conditions on Assessor's Parcel 39-62 at 101 Hospital Center Boulevard and Amend and Reordain the Zoning Ordinance by Amending the Zoning District Map to Amend Proffered Conditions on Assessor's Parcel 39-62, on 76.2 Acres Zoned B-2, Urban Commercial Zoning District Located at 101 Hospital Center Boulevard. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation on both issues and responded to Board members questions.

The Chairman opened the public hearing on both issues.

The following persons spoke:

Mr. Walter Kiwall, President, Stafford Hospital Center.

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Resolution R09-09.

Discussion ensued.

Mr. Schwartz made a substitute motion, seconded by Mr. Brito, to adopt proposed Resolution R09-09 with the stipulation that the application pay the application fee that had been waived.

Discussion further ensued.

Mr. Sterling made a second substitute motion, seconded by Mr. Dudenhefer, to encourage the applicant to make available a scholarship fund in the amount of \$20,000 for Stafford High School students for nursing degree and to adopt Proposed Resolution R09-09

The Voting Board tally was:

Yea: (4) Sterling, Brito, Dudenhefer, Milde

Nay: (3) Schwartz, Woodson, Crisp

Resolution R09-09 reads as follows:

A RESOLUTION TO AMEND A CONDITIONAL USE PERMIT, PURSUANT TO APPLICATION CUP2800711, TO CHANGE THE CONDITION PROHIBITING OPENING OF THE HOSPITAL UNTIL HOSPITAL CENTER BOULEVARD HAS BEEN COMPLETED IN A B-2, URBAN COMMERCIAL ZONING DISTRICT ON ASSESSOR'S PARCEL 39-62, AQUIA ELECTION DISTRICT

WHEREAS, Stafford County Board of Supervisors, applicant, has submitted application CUP2800711 requesting an amendment to a Conditional Use Permit to allow the hospital to open prior to the completion of Hospital Center Boulevard in a B-2, Urban Commercial Zoning District on the above-described property; and

WHEREAS, amending the condition of the Conditional Use Permit to extend the deadline for completing Hospital Center Boulevard to April 30, 2009 is in the best interest of the public; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that a Conditional Use Permit, pursuant to application CUP2800711, be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for a hospital and medical/dental clinics to be located on a 72.6 acre site comprised of Assessor's Parcel 39-62, in a B-2, Urban Commercial Zoning District and a Highway Corridor Overlay District (HCOD), and for an exception to the maximum height allowed in a B-2 zoning district for the hospital.
2. The maximum height allowable for the hospital is ninety (90) feet. No wall-mounted lighting shall be located higher than thirty-five (35) feet on the building.
3. The property shall be developed in general conformance with the General Development Plan (GDP), prepared by Michael M. Bagby, P. E., dated May 15, 2007, last revised September 17, 2007, entitled Stafford Hospital Center Rezoning and Conditional Use Permit Plan.
4. No more than 270,000 square feet shall be devoted to clinic activities.
5. The applicant shall dedicate sixty (60) feet of right-of-way from the existing centerline along the Jefferson Davis Highway frontage of the property, and reserve an additional twenty (20) feet of right-of-way if needed for the future widening of Jefferson Davis Highway to a six-lane facility.
6. The applicant shall dedicate thirty-five (35) feet of right-of-way from the existing centerline along the Courthouse Road frontage of the property.
7. The applicant shall construct the following transportation improvements as indicated in the Traffic Analysis prepared by Kimley-Horn and Associates, Inc. dated January 19, 2006:

- a. A four-lane public road to serve the site, constructed to Virginia Department of Transportation (VDOT) standards, providing connection from Jefferson Davis Highway to Courthouse Road. At least two lanes from Jefferson Davis Highway to Courthouse Road shall be completed ~~prior to the issuance of an occupancy permit for the hospital~~ by April 30, 2009. The ultimate four-lane road shall be completed prior to the issuance of an occupancy permit for the medical facilities on the “east campus”, as shown on the GDP.
 - b. A southbound left-turn lane at the entrance on Jefferson Davis Highway.
 - c. A northbound right-turn lane at the entrance on Jefferson Davis Highway.
 - d. Two ingress and two egress lanes from the proposed internal road onto Jefferson Davis Highway, with provisions for a third egress lane if warranted by VDOT.
 - e. A westbound left-turn lane at the Courthouse Road entrance.
 - f. An eastbound right-turn lane at the Courthouse Road entrance.
 - g. Two ingress and two egress lanes from the proposed internal road onto Courthouse Road
 - h. A traffic signal at the entrance on Courthouse Road, if warrants are met, upon review by VDOT of a warrant study.
 - i. A traffic signal at the entrance on Jefferson Davis Highway, if warrants are met, upon review by VDOT of a warrant study.
8. The applicant shall realign the northernmost section of Old Potomac Church Road generally as shown on the GDP, subject to consent from the owners of the impacted parcel(s). The westernmost entrance into the “west campus” from the proposed internal road shall be designed to accomplish the realignment of Old Potomac Church Road as shown on the GDP, while providing the maximum distance between such entrance and Jefferson Davis Highway as practical.
 9. The applicant shall coordinate with the Fredericksburg Bus Transit Service (FRED) or other public transit provider to locate at least one bus stop on site and shall provide a standard bus shelter or canopy area adjacent to the hospital building, and include a bench.

10. If no additional turn lanes have been constructed by others at the Jefferson Davis Highway/Courthouse Road intersection, then prior to issuance of the first occupancy permit for the West Campus, the applicant shall design and install an emergency traffic interruption device at the existing traffic signal at the current intersection to provide for expedited response by Sheriff and emergency response vehicles.
11. The applicant shall work with Stafford County to encourage hospital-related vehicle traffic to utilize alternative means of access, such as the Interstate 95 interchange at Exit 136, to minimize impacts to and disruptions from the Jefferson Davis Highway/Courthouse Road intersection. For office buildings located within the property, Transportation Demand Management (TDM) strategies shall be utilized to attempt to reduce single occupant vehicular (SOV) traffic during peak periods. Lessees/purchasers shall be advised of this TDM strategy. Strategies implemented shall include the following:
 - a. TDM materials describing available transit information, car/van pooling formation, alternative work schedules, and the FRED system shall be distributed to building occupants.
 - b. Designated parking shall be identified for car pool/van pool use;
 - c. Mass transit usage shall be encouraged and promoted through published transit service information made available in campus buildings; and
 - d. Bicycle racks and shower facilities shall be provided for the use of office employees.
 - e. The applicant shall work with the County to file an emergency evacuation plan for the hospital.
12. Two interparcel access points shall be provided to the abutting properties along the southern property boundary, with no obligation from the applicant to construct such connections. One such point of interparcel access shall be located in the

- “west campus” and one such point shall be located in the “east campus”. Such right-of-way shall be in a location and of a width consistent with applicable VDOT and County requirements and standards.
13. If a temporary pump station is constructed within the Resource Protection Area, as permitted, the applicant shall submit to the Planning Department a vegetation restoration plan consistent with Chesapeake Bay Act revegetation guidelines, and shall replant in accordance with such plan, to the extent permitted by the County, those portions of the RPA which were disturbed due to the construction of the temporary pump station. This restoration plan will be implemented upon the removal of the temporary pump station. All utility facilities located in the RPA area shall be set back as far as possible from the existing streambed. Any trails located within the RPA area will utilize the utility easements to the extent practical to avoid unnecessary clearing and disturbance.
 14. Fire protection sprinkler systems shall be installed in all buildings.
 15. The facade of the hospital building shall be generally consistent with the level of quality, style and visual interest represented on the architectural illustratives prepared by Ellerbe Becket, dated March 17, 2006, referenced as Exhibit A. Building façade materials utilized for the hospital building may include, but not be limited to, brick, split-faced block, fluted block, tile, concrete tile, stone, real or simulated wood, glass and/or metal. Standard concrete masonry block shall not be used for the façade of the hospital building. Building façades shall be "broken-up" through the use of fenestration and continuous, homogeneous surfaces shall be minimized. Roof-lines shall be articulated with roof-top mechanical equipment screened from view. Exterior building materials used in construction of the other buildings located on the property shall be compatible with the exterior building materials used in construction of the hospital building.

16. Parking structures shall be designed to incorporate architectural treatments to visually break up the horizontal expanse of the structures and shall include materials compatible with the associated buildings. The applicant shall provide landscaping, to the extent reasonably practical, around the parking structures to visually break up the appearance of the façade of the parking garages as viewed from the public right-of-way through such means as planting of fast growing evergreen trees at 25-30 foot intervals. Lighting within the parking structures shall be of a low intensity design to minimize glare from projecting beyond the parking structure, consistent with providing adequate security lighting. Crime Prevention Through Environmental Design standards shall be utilized.
17. Lighting on the Property shall be designed and constructed to minimize light trespass and the view of lighting from off-site, specifically:
 - a. Spillover light onto adjacent properties shall be minimized.
 - b. All exterior light fixtures shall be "full cut-off outdoor lighting fixtures" as defined by the Illuminating Engineering Society of North America (IESNA). Light will be directed inward and downward toward the interior of the property, away from the public streets and the adjacent properties.
18. The helistop shall be used to transport patients to the hospital and from the hospital to other specialized medical facilities. There will be no refueling or permanently based flight operations at this helistop. The flight path for the helistop will be determined in conjunction with the Virginia Department of Aviation and the Federal Aviation Administration per Advisory Circular 150/5390 for the design of "Heliports." The approach and take off pathway will be designed to avoid the hospital buildings and adjacent residences and will generally follow the adjacent Stafford Hospital Boulevard. The heliport shall have a concrete landing pad, painted graphics, ground lighting, and an illuminated windsock. The design will incorporate a clear zone of a minimum of 120 feet in diameter. The ground lighting shall be extinguished when not in use.

19. Storage of all medications within the medical clinics shall be in secured containers, cabinets or rooms.
20. Storage and disposal of infectious or medical wastes or hazardous materials shall be conducted in accordance with federal, state and local guidelines.
21. Minor surgery may be permitted within the medical clinics; however, there shall be no use of blood products associated with performing any surgical procedure except as necessary in extreme circumstances.
22. There shall be no deliveries on-site to any buildings other than the hospital before 7:00 A.M. or after 9:00 P.M.
23. The day care center shall be designed to primarily serve employees of the hospital and other uses located on the property.
24. No commercial apartments shall be permitted on site.
25. Within five (5) years of a final, non-appealable approval of a Certificate of Public Need for the hospital, the Conditional Use Permit shall expire unless a site plan has been submitted to the County.
26. This Conditional Use Permit may be revoked or conditions modified for violations of the conditions or any applicable federal, state or local code.
27. The applicant shall organize a Citizens Advisory Committee consisting of the immediate neighbors including those identified at the public hearing to meet regularly and continue the dialogue regarding the issues they raised regarding the impacts to their property and their quality of life due to construction of Phase 1 and Phase 2.

Mr. Milde motioned, seconded by Mr. Dudenhefer, to adopt proposed Ordinance O09-03.

The Voting Board tally was:

Yea: (7) Sterling, Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz

Nay: (0)

Ordinance O09-03 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE FOR STAFFORD COUNTY BY AMENDING THE PROFFERED CONDITIONS ON ASSESSOR'S PARCEL 39-62, ZONED B-2, URBAN COMMERCIAL, AQUIA ELECTION DISTRICT

WHEREAS, Stafford County Board of Supervisors has submitted application RC2800710 requesting an amendment to proffered conditions on Assessor's Parcel 39-62 zoned B-2, Urban Commercial, consisting of 72.6 acres, located on the east side of Jefferson Davis Highway south of Courthouse Road, within the Aquia Election District; and

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

WHEREAS, the Board has determined that the requested amendment to proffered conditions is appropriate; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that the Zoning Ordinance for Stafford County be and it hereby is amended and reordained by amending the zoning district map to amend proffered conditions on Assessor's Parcel 39-62, zoned B-2, Urban Commercial, as shown in proffers dated November 25, 2008.

Planning and Zoning; Consider a Conditional Use Permit at 75 Channel Cove. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened the public hearing.

The following persons spoke:

Carla Piccard, Manager for Project Communications Dominion Virginia Power
Gloria Freye of McGuire Woods

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Woodson, to adopt proposed Resolution R09-04.

The Voting Board tally was:

Yea: (7) Woodson, Brito, Crisp, Dudenhefer, Milde, Schwartz, Sterling

Nay: (0)

Resolution R09-04 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2800533 FOR AN ELECTRICAL TERMINAL FACILITY AND AN EXCEPTION TO THE MAXIMUM HEIGHT REQUIREMENT IN AN R-1, SUBURBAN RESIDENTIAL, ZONING DISTRICT ON ASSESSOR'S PARCEL 21-173A WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, Dominion Virginia Power, applicant, has submitted application CUP2800533 requesting a Conditional Use Permit to allow an electrical terminal facility and an exception to the maximum height requirement in an R-1, Suburban Residential, Zoning District, on the above described property; and

WHEREAS, the application has been submitted pursuant to Section 28-35 of the Zoning Ordinance which permits this use in an R-1, Suburban Residential Zoning District, and pursuant to Section 28-38 of the Zoning Ordinance which permits an exception to height regulations, after a Conditional Use Permit has been issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that a Conditional Use Permit pursuant to application CUP2800533 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is for a public utility, specifically an electrical terminal facility in an R-1, Suburban Residential District, on Assessor's Parcel 21-173A consisting of 2.51 acres.
2. Site shall be in substantial conformance with the Generalized Development Plan, dated October 23, 2008 prepared by Burgess and Niple.
3. Site shall include a thirty-five (35) foot transitional buffer "B" as defined in the Design and Construction Standards Manual (2005) along Aquia Drive and

Channel Cove to the extent possible. Plant units shall exceed the requirement for said buffer by 10%.

4. A minimum of fifty (50) percent of required tree plantings shall be evergreens.
5. Proposed Transmission tower shall not exceed one hundred (100) feet in height.
6. Habitable structures on site are prohibited.
7. No commercial vehicles or equipment shall be stored on the property for more than a forty-eight (48) hour period except for emergency situations or equipment repair.
8. The Terminal Facility shall be secured with fencing as depicted on the GDP and such fencing shall be maintained at all times. The described fence shall be chain-link and consist of green vinyl-clad steel framework.
9. Lighting or lighting structures shall not exceed thirty-five (35) feet in height and the light emanating there from shall be directed away from adjoining properties and shall not exceed one half (0.5) foot candles of illumination at any property line.
10. There shall be no flags or banners used on site except for construction purposes.
11. The Owner of the substation shall provide notice to the County upon abandonment of use. The owner shall be responsible for dismantling the substation within one hundred eighty (180) days of its closure and restoring the site to a natural state.
12. Construction of the substation during the week shall be limited to daylight hours and during the weekend shall be limited to daylight hours as specified in Chapter 16 of the Stafford County Code.

13. This Conditional Use Permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable County, Federal or State codes.

Planning and Zoning; Consider a Conditional Use Permit to Allow a Drive-Through Facility at 1040 Warrenton Road. Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened the public hearing.

The following spoke:

Mike Jackson, on behalf of the Applicant

The Chairman closed the public hearing.

Mr. Brito motioned, seconded by Mr. Crisp, to adopt proposed Resolution R09-02.

The Voting Board tally was:

Yea: (7) Brito, Crisp, Dudenhefr, Milde, Schwartz, Sterling, Woodson

Nay: (0)

Resolution R09-02 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2800469 TO ALLOW A DRIVE-THROUGH FACILITY IN AN HC, HIGHWAY CORRIDOR, OVERLAY ZONING DISTRICT ON ASSESSOR'S PARCEL 44-46A (PORTION), HARTWOOD ELECTION DISTRICT

WHEREAS, Union Bank & Trust, applicant, has submitted application CUP2800469 requesting a Conditional Use Permit to allow a drive-through facility in an HC, Highway Corridor Overlay, Zoning District on the above-described property; and

WHEREAS, the application has been submitted pursuant to Section 28-59 (e) of the Zoning Ordinance, which permits drive-through facilities in an HC, Highway Corridor Overlay, Zoning District after a Conditional Use Permit has been issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that a Conditional Use Permit pursuant to application CUP2800469 be and it hereby is approved with the following conditions:

1. This Conditional Use Permit is to allow a drive-through facility associated with a bank in an HC, Highway Corridor Overlay Zoning District, on a 0.76-acre portion of Assessor's Parcel 44-46A, as depicted on the Generalized Development Plan (GDP), entitled Union Bank & Trust, prepared by Webb and Associates, dated May 27, 2008, last revised November 13, 2008.
2. The site shall be developed in substantial conformance with the GDP.
3. Access shall be limited to one entrance on the private connector road between Warrenton Road and Fleet Road, and one right-out exit on Warrenton Road as shown in the general locations depicted on the GDP. The exit on Warrenton Road shall allow for shared access to the adjacent parcel to the east. The applicant shall provide for the appropriate shared access easement at the time of site plan approval.

4. The building shall be constructed in general conformance with the rendering entitled “UBT Stafford Berea”, dated September 24, 2008.
5. An interparcel access easement shall be provided to the adjacent property to the west at the time of site plan approval.
6. Drive-through lanes shall be oriented in a manner to minimize headlight glare onto state maintained roadways. If necessary, the applicant shall screen the drive-through utilizing berms and evergreen plantings to eliminate headlight glare on the corridor highway.
7. Light fixtures shall be designed to direct light away from Warrenton Road.
8. Any canopy lighting shall be recessed within the canopy.
9. Loading spaces and truck delivery spaces shall be located outside of any required travel lane. Such spaces shall be designed to allow for adequate turning radius to accommodate free-flowing turning movements to prevent temporary obstruction of travel lanes.
10. Loading areas, dumpster pads and trash compactors shall be located in a manner to be screened from view from Warrenton Road and Fleet Road.
11. Stacking lanes for drive-through facilities shall be designed as to not impede traffic circulation.
12. All drive-through facilities shall include a by-pass lane for vehicles not utilizing the drive-through area.

13. This Conditional Use Permit may be revoked or conditions amended by the Board of Supervisors for violation of these conditions or any applicable county, federal or state code.

Planning and Zoning; Amend the County Code Regarding Purchase of Development

Rights. Ms. Kathy Baker, Assistant Director of Planning and Zoning, gave a presentation and responded to Board members questions.

The Chairman opened the public hearing.

The following persons spoke:

Tom Coen

Nan Rollison

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Brito, to adopt proposed Ordinance O09-02.

The Voting Board tally was:

Yea: (7) Crisp, Dudenhefer, Milde, Schwartz, Sterling, Woodson, Brito

Nay: (0)

Ordinance O09-02 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY CODE BY AMENDING CHAPTER 22A, PURCHASE OF DEVELOPMENT RIGHTS, OF THE STAFFORD COUNTY CODE

WHEREAS, the Board adopted Ordinance O07-02 which established Stafford County Code, Chapter 22A, Purchase of Development Rights; and

WHEREAS, Chapter 22A currently requires an appraisal of land be conducted for properties to be considered for purchase by the County; and

WHEREAS, an appraisal is not necessary for the County to purchase development rights from a property owner and therefore the Appraisal Committee is unnecessary; and

WHEREAS, the Purchase of Development Rights Committee is recommending changes to Chapter 22A; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that the County Code be and it hereby is amended and reordained to amend Stafford County Code, Chapter 22A, Purchase of Development Rights, as follows:

Chapter 22A. PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

Sec. 22A-1. Purpose

The purpose of the Stafford County Purchase of Development Rights Program (PDR) includes, but is not limited to the following:

- (1) Establishing a program that enables the county to acquire conservation easements voluntarily offered by property owners to serve as one means of assuring that Stafford County's resources are protected and efficiently used;
- (2) Establishing and preserving open space and the continuing rural character of the county;

- (3) Preserving farm and forest land;
- (4) Conserving and protecting water resources and environmentally sensitive lands, waters and other resources;
- (5) Conserving and protecting biodiversity, wildlife and aquatic habitat;
- (6) Assisting in shaping the character, direction, and timing of development in the county;
- (7) Improving the quality of life for the inhabitants of the county;
- (8) Promoting recreation and tourism through the preservation of scenic and historical resources.

Goals of the county's comprehensive plan include "preserve and enhance opportunities for agricultural uses, agribusiness, and silviculture operations", "continue emphasis on the Urban Services Area growth area concept and on the preservation of a rural character in areas outside of the Urban Services Area growth area", and "preserve and enhance the county's natural resources." All three of these goals will be enhanced through the development and implementation of a purchase of development rights (PDR) program.

The PDR program shall be a program by which the county acquires, in accordance with the provisions set forth herein, and to the extent of available funding, the development rights on eligible parcels of rural land in areas of the county described in section 22A-3 below. The purchase of development rights shall be accomplished by the acquisition of conservation easements upon such parcels.

The PDR program shall be directed toward property that lies outside the designated ~~growth area~~ Urban Services Area as depicted on the most recent land use map except in those areas under the ownership or control of the United States of America, or the Commonwealth of Virginia, or an agency or instrumentality thereof. However, if property within the designated Urban Services Area ~~growth area~~ meets the intent of the program, the landowner may apply to the program and the board shall consider the merits of the application.

Nothing in this chapter shall be construed as a limitation upon the county's authority to acquire land for public purposes other than those set forth in this chapter.

Sec. 22A-2. Applicability.

The PDR program shall be available for all qualifying lands in the county, except those lands under ownership or control of the United States of America, the Commonwealth of Virginia, or an agency or instrumentality thereof. Any conservation easement acquired pursuant to this program shall be voluntarily offered by the owner.

Sec. 22A-3. Definitions.

The following definitions shall apply in the interpretation and implementation of this chapter:

(a) *Administrator*, for purposes of this article, shall mean that person placed in the managerial capacity over the daily operations of the PDR program. The administrator shall serve as a direct liaison for the program.

(b) *Accessory use* means a use which is clearly incidental to, and customarily found in connection with, the principal use of the same parcel or group of contiguous parcels under common ownership and operated as an agricultural enterprise.

(c) *Agricultural uses* means those land uses including farms, (and farm residences), the tilling of soil, the bona fide growing and production of crops, horticulture, silviculture, aquaculture, forestry, orchards, vineyards, nursery operations, and truck farming; the raising of livestock, fowl, dairy cattle, horses or poultry. Nursery operations are considered agricultural uses. The term also includes the repair, expansion or replacement of no more than one bona fide dwelling occupied by the landowner or tenant as of the date of application for entry in the PDR program, as permitted by section 28-35 of the zoning ordinance; accessory uses directly related to agricultural activities conducted on the same property, including the sale of agricultural products; equestrian uses; recreational activities; feed lots; and septic tanks and drain fields approved by the health department and which cannot be located within an area not encumbered by an agricultural land preservation easement. The term does not include the processing of agricultural, silvicultural, horticultural or aquacultural products, except as an accessory use.

(d) *Animal unit*, as used in the property ranking system, means a unit of measurement equal to one thousand (1,000) pounds of live body weight of livestock.

(e) *Appraisal* means a written statement or report independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property, or any such portion or interest therein, as of a specific date, supported by the presentation and analysis of relevant market information.

(f) *Batch* means a grouping of contiguous parcels for purposes of making application for the sale or transfer of development rights.

(g) *Biodiversity* means the interconnectedness of all life forms on Earth, diversity of plant and animal life in a particular habitat.

(h) *Board* means the Board of Supervisors of Stafford County.

(i) *Conservation easement* means (for the purposes of this chapter) a nonpossessory interest of the county in real property, whether easement appurtenant or easement in gross, acquired through gift, purchase, devise or bequest, perpetual in duration, imposing certain limitations or affirmative obligations, for the purposes of which include retaining or protecting natural or open space values of real property, assuring its availability for agricultural, forestall, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, or archeological aspects of real property pursuant to which the exercise of development and other specified rights on the subject property is prohibited.

(j) *County attorney* means the County Attorney of Stafford County or his designee.

(k) *County administrator* means the County Administrator of Stafford County or his designee.

(l) *Commission* means the Agricultural Commission of Stafford County.

(m) *Commissioner* means the Commissioner of the Revenue of Stafford County.

(n) *Dwelling* means a structure which is designed and used for residential purposes.

(o) *Director* means the director of planning and community development or his designee.

(p) *Development rights* means the rights to develop agriculturally zoned property for use other than an agricultural use. The term includes, but is not limited to, the right to develop property for any commercial, industrial or residential use except as expressly permitted by this chapter.

(q) *Landowner* means the equitable owner of the fee simple title to a parcel of land or, with respect to a parcel not encumbered by a deed of trust or mortgage, the legal owner of

such title. Where more than one person or entity is the legal and/or equitable owner, the term refers to all such persons or entities jointly.

(r) "*Open space*" as defined in Code of Virginia, § 10.1-1700, means any land which is provided or preserved for:

- (i) Park or recreational purposes,
- (ii) Conservation of land or other natural resources,
- (iii) Historic or scenic purposes,
- (iv) Assisting in the shaping of the character, direction, and timing of community development, or
- (v) Wetlands as defined in Code of Virginia, § 28.2-1300.

(s) *Parcel* means a lot or tract of land, lawfully recorded in the clerk's office of the Circuit Court of the County of Stafford.

(t) *Program* means the purchase of development rights program established by this chapter.

(u) *Property ranking system* or *system* means the formula by which applications for the sale of development rights are ranked in order of priority of acquisition of such rights.

(v) *Timber harvest* means a merchantable harvest for the commercial market. The term does not include minor harvests for such things as firewood, poles, posts, blind material or greenery.

Sec. 22A-4. Designation of program administrator; power and duties.

(a) *Designation.* The board shall appoint a PDR program administrator. ~~The administrator shall report to the deputy county administrator.~~

(b) *Power and duties.* The administrator shall administer the PDR program and shall have powers and responsibilities to:

(1) Establish reasonable and standard procedures and forms consistent with this program for the administration and implementation of the program.

(2) Promote the program, in cooperation with the PDR committee, by providing educational materials to the public and conducting informational meetings.

(3) Investigate and pursue, in conjunction with county, state, federal and other programs available to provide additional public and private resources to fund the program and maximize private participation.

(4) Evaluate all applications to determine their eligibility and their ranking score. Rank applications based on their ranking score as determined by the property ranking system and make recommendations thereon to the PDR committee.

~~(5) Coordinate the contracting and delivery of appraisals for each property.~~

(5) Negotiate with the landowner relating to conservation easement terms ~~and value.~~

(6) Provide staff support to the ~~board,~~ PDR committee ~~and the appraisal review committee.~~

(7) For each conservation easement accepted into the program, establish baseline data and assure that the terms and conditions of the easement are monitored and complied with by coordinating a monitoring program with each easement holder.

Sec. 22A-5. Purchase of development rights committee established; powers and duties.

(a) *Establishment.* The PDR committee is hereby established, as follows:

(1) The committee shall consist of seven (7) members appointed by the board (one from each election district). Each member shall be a property owner and reside in Stafford County. The committee should, but is not required to be comprised of members who are knowledgeable in fields of conservation, conservation biology, planning, real estate, land appraisal, farming or forestry.

(2) The members of the committee shall serve at the pleasure of the board. The terms of the members shall coincide with the terms of appointment for the board.

(3) The members of the committee shall serve without pay, but the board may, at its own discretion, reimburse members for actual and necessary expenses incurred in the performance of his/her duties.

(4) The committee shall elect a chairman, vice chairman and secretary at its first meeting each calendar year. The secretary need not be member of the committee.

(5) The administrator shall be an ex-officio member of the committee.

(b) *Power and duties:* The PDR committee shall have the powers and duties to:

(1) Promote the program in cooperation with and under the guidance of the administrator, by providing educational materials to the public and conducting informational meetings.

(2) Review rankings of applications recommended by the administrator and make recommendations to the administrator and the board as to which conservation easements should be purchased as determined by the property ranking system, ~~the appraisal~~, and other applicable information.

(3) Annually review the program's eligibility and ranking criteria and recommend to the administrator any changes needed to maintain the program's consistency with the comprehensive plan, or to improve the administration, implementation, and effectiveness of the program.

(4) The presence of at least four members of the committee at a regularly scheduled meeting shall constitute a quorum for purposes of conducting business and the committee shall make decisions on a "majority rule" basis.

~~Sec. 22A-6. Appraisal review committee established; powers and duties.~~

~~(a) *Establishment.* The appraisal review committee is hereby established as provided herein:~~

~~(1) An appraisal review committee shall be created by the PDR committee and shall operate directly under its supervision.~~

~~(2) The appraisal review committee shall consist of three (3) members comprised of at least one professional real estate appraiser, one member of the PDR committee and the county commissioner of the revenue or his or her designee from the assessment office. The members shall be appointed by the PDR committee.~~

~~(3) The members of the appraisal review committee shall serve at the pleasure of the PDR committee. Each member, other than the county commissioner of the revenue, or his designee, shall serve a term of one year. The county commissioner of the revenue, or his designee, shall be a permanent member of the subcommittee.~~

~~(b) *Powers and duties.* The appraisal review committee shall have the power and duty to review appraisals to ensure they are consistent with appropriate appraisal guidelines and practices and make recommendations thereon to the PDR committee and provide approved appraisal results to the PDR committee and the administrator. This power and~~

~~duty shall not include the authority to alter or substitute an appraisal, but only to evaluate its appropriateness under specific guidelines and practices.~~

Sec. 22A-7 ~~6~~. Eligibility criteria.

In order for a parcel to be eligible for the purchase of development rights program, it must meet the following criteria:

- (a) The property must be located in Stafford County within that portion of the county as described in section 22A-1 above.
- (b) The property must be no less than twenty (20) acres in area, or be included in a batch in which the combined area of contiguous parcels is no less than twenty (20) acres in area.
- (c) The property must be wholly located within an agricultural or rural residential zoning district, including A-1 or A-2, or any combination of such zoning districts;
- (d) The property must be capable of being subdivided or developed for nonagricultural uses without legislative approval;
- (e) The proposed use of the property as permanent open space shall conform with the policies set forth in Stafford County's Comprehensive Plan;
- (f) No uses or structures other than those permitted by the conservation easement shall be located upon the parcel;
- (g) If any portion of the property being considered contains any land that is currently reserved or set aside for open space, recreation or similar purposes pursuant to the provisions of a conditional use permit, variance, or other action by the board, or any

ordinance or regulation; that portion shall be excluded from the evaluation appraisal process.

Sec. 22A-8 7. Property ranking system.

In order to effectuate the purposes of this chapter, parcels for which conservation easement applications have been received shall be evaluated by using a ranking system. The initial ranking system and any changes to the ranking system shall be approved by the board of supervisors.

(a) The property ranking system is hereby adopted. The system shall be the sole means by which the priority of acquisition of development rights under the program is determined when available funding is insufficient to purchase the development rights on all property that is the subject of received applications for the sale of development rights. The number of property ranking system points assigned to a particular property shall not be used in determining the value of development rights or the amount of any offer to purchase such rights but used solely as a means for establishing a means of prioritizing the properties for further consideration.

(b) There shall be five (5) categories of criteria for evaluation under the system. In each category, certain factors descriptive of the characteristics of property sought to be included in the purchase of development rights program are included. Each factor is stratified into a range of possible point values ranging from zero (0) to twenty (20). To determine the total points assigned to such property, the values for all five (5) categories are added. Property having the highest total scores shall rank highest in priority of acquisition. The maximum total score is one hundred seventy-five (175) points. The categories, with their respective factors, are as follows:

TABLE INSET:

RANKING CRITERIA POINT SYSTEM			Possible Points	Total Points
1)		Quality of the parcel (productivity capability) (50 Maximum Points)		
	A.	Size of property	10	

		100 acres or more--10 80 to 99 acres--7 50 to 79 acres--4 20 to 49 acres--2		
	B.	Soils--Percentage in United States Department of Agriculture Natural Resources Conservation Service Land Capability Classification System Land Capability Class 1, 2E, 2W, 3W, and 4W undrained	10	
		80% or more--10 60 to 79%--8 40 to 59%--6 20 to 39%--3 Less than 20%--0		
	C.	Parcel contains active farmland with a majority zone A-1. (<i>Active agricultural land: Cropland or pastureland that has been harvested or grazed during the proceeding year or in 3 of the previous 5 years</i>) 2 points per 10 acres or fraction thereof with a maximum of 20 total points	20	
	D.	Owner has implemented or agrees to implement any of	10	

		<p>the following Soil and Water Conservation Plan Categories approved by the Tri-County Soil and Water District (2 points for each category)</p> <ul style="list-style-type: none"> --Nutrient Management Plan --Conservation Tillage --Grazing Land Protection --Cover Crops --Stream bank Protection 		
SUBTOTAL POINTS			50	
2)		<p>Likelihood of parcel being threatened (development pressure)</p> <p>(50 Maximum Points)</p>		
	A.	Urgency of circumstances favoring conversions	10	
		<p>Parcel subject to potential forced sale--10</p> <p>Parcel subject to estate settlement sale--8</p> <p>Parcel actively marketed for voluntary sale--6</p> <p>Parcel owner is older than average of the Stafford County farmers according to the most recent Ag Census--4</p>		

	B.	<p>Acreage suitability for residential conversion--</p> <p>Percentage of well or moderately well-drained soils on the parcel</p>	10	
		<p>80% or more--10</p> <p>60 to 79%--8</p> <p>40 to 59%--6</p>		

		20 to 39%--3 Less than 20%--0		
	C.	Purchase price is leveraged or below market value using other funding sources including, but not limited to, state, federal, foundation funding, or private, landowner donations	10	
		-One point for each five percent of the purchase price leveraged or below market value		
	D.	Amount of public road contiguous to parcel	10	
		1,000 linear feet or more--10 600 to 999 feet--8 300 to 599 feet--7 100 to 299 feet--4 Less than 100 feet--0		
	D.	Landowners have agreed to any of the following restrictions:	10	
		--Timber harvesting restrictions or timber buffers = 10 pts. --No new dwellings may be located on the property = 6 pts. --Parcel shall not further be divided = 3 pts.		
SUBTOTAL POINTS			50	
(3)		Circumstances supporting agriculture (32 Maximum Points)		
	A.	Number of nonfarm rural residences within one-half	8	

		mile of the property boundary		
		0 to 3 dwelling units--8 4 to 7 dwelling units--6 8 to 12 dwelling units--4 13 to 18 dwelling units--2 More than 18 units--0		

	B.	Proximity of parcel to other properties with PDR or other perpetual easements	8	
		Contiguous--8 Within 1/4 mile--6 Within 1/2 mile--4 Within 1 mile--2 Greater than 1 mile--0		
	C.	Proximity to significant or unique agricultural support services	8	
		Contiguous--8 Within 1 mile--6 Within 2 miles--4 Within 3 miles--2 Greater than 3 miles--0		
	D.	Batch application with contiguous parcels	8	
		Contiguous--8 Not contiguous--0		
SUBTOTAL POINTS			32	

(4)		Environmental quality (24 Maximum Points)		
	A.	Virginia Division of Conservation and Recreation Ranking (Virginia Conservation Land Needs Assessment)	10	
		C-1 Outstanding Conservation Significance--10 C-2 Very High Conservation Significance--8 C-3 High Conservation Significance--6 C-4 Moderate Conservation Significance--4 C-5 General Conservation Significance--2	10	
	A.	Percentage of parcel in upland forest	8	
		80% or more--8 60 to 79%--6 40 to 59%--4 20 to 39%--2 Less than 20%--0		

	B.	Proximity to areas identified as having high environmental value, such as state or federal parks, exemplary wetlands, critical areas, designated wildlife refuge or corridor, or threatened or endangered species habitat	8	
		Contains or is contiguous--8 Within 1/2 mile--6 Within 1 mile--4 Within 1 1/2 miles--2		

		Greater than 1 1/2 miles--0		
	C.	Proximity of parcel to perennial stream or waterway	4	
		Parcel either includes or is adjacent to perennial waterway--4 All other--0		
SUBTOTAL POINTS			30	
(5)		Cultural Resource (Maximum 8 Points)		
	A.	Proximity to historic or cultural features	13	
		Property contains or is contiguous to important historic structure of National, state or local significance, archaeological site--13 Property is associated with an important historic place, event, person or activity--8 Property is an established or familiar visual feature that is part of a historic landscape--6		
SUBTOTAL POINTS			13	
TOTAL POINTS			175	

Sec. 22A-9 8. Purchase development terms and conditions.

Each conservation easement shall conform with the requirements of the Open-Space Land Act of 1966 (Code of Virginia, § 10.1-1700 et seq.) and this chapter. The deed of easement shall be in a form approved by the county attorney and shall contain, at a minimum, the following provisions:

(a) *Restrictions on new dwellings.* No new dwellings may be constructed on a parcel except as provided hereafter. The deed of easement may allow for one new dwelling per one hundred (100) acres, with the location of the dwelling and all appurtenances specified on a plat of subdivision approved by the county and recorded before or contemporaneously with the execution and recordation of the conservation easement.

(b) *Conservation easement duration.* A conservation easement acquired under the terms of this chapter shall be perpetual and shall run with the land.

(c) *Other restrictions.* In addition to the foregoing, the parcel shall be subject to standard restrictions contained in conservation easements pertaining to the uses and activities allowed on the parcel. These standard restrictions shall be delineated in the deed of easement and shall include, but not necessarily be limited to restrictions pertaining to:

- i) The accumulation of trash, debris, inoperable motor vehicles, and other junk;
- ii) The display of billboards, signs and modes of advertisement upon the property;
- iii) Grading or clearing for purposes unrelated or not connected with the bona fide agricultural use of the property, blasting or earth removal;
- iv) Conducting of industrial or commercial activities on the parcel other than specified limited commercial activities associated with the bona fide agricultural use of the property.

(d) *Designation of easement holder.* Stafford County shall be the easement holder, and, at its discretion, one or more additional public bodies, as defined and provided for in Code of Virginia, § 10.1-1700, or one or more organizations then qualifying as an eligible donee as defined by section 170(h)(3) of the Internal Revenue Code of 1986, as amended, may also be an easement coholder.

Sec. 22A-10 9. Application and evaluation procedure.

Each application for a conservation easement shall be processed and evaluated as follows:

(a) *Application; programs materials to be provided to owner.* The application materials provided by the administrator to an owner shall include, at a minimum, a standard application form and information about the PDR program.

(b) *Application form.* Each application shall be submitted to the administrator on the standard form prepared by the administrator. The application form shall require, at a minimum that the owner provide:

- The names of all owners of the parcel;
- The address and telephone number of all owners;
- The acreage of the parcel;
- The tax map and assessor's parcel number;
- The zoning designation of the parcel;
- A grant of permission to the administrator ~~and an independent, licensed and certified appraiser~~, and such other staff as may be appropriate, to enter the property, after reasonable notice to the owner, to evaluate ~~and appraise~~ the property;
- The application form shall also include a space for the owner to indicate whether he/she volunteers to have his/her parcel subject to greater restrictions than those contained in the standard deed of easement, and to delineate those voluntary, additional restrictions.

(c) *Additional application information required by administrator.* The administrator may require the owner to provide additional information deemed necessary to determine:

- (i) Whether the proposed easement is eligible for purchase;
- (ii) The ranking of the parcel; and
- (iii) The value of such easement.

(d) *Submittal of application.* Applications shall be submitted to the administrator. An application fee may be required. An application may be submitted at any time during an open application period. However, applications received after an open application period deadline shall be held by the administrator until the next open application period.

(e) *Evaluation by administrator.* The administrator shall evaluate each application received and determine whether the application is complete. If the application is incomplete, the administrator shall inform the owner in writing of the information that must be submitted in order for the application to be deemed complete. When the application is deemed complete, the administrator shall determine whether the parcel satisfies the eligibility criteria set forth in section 22A-7 6 and if it does, shall determine the number of points to be attributed to the parcel by applying the ranking system in accordance with section 22A-8 7. The administrator shall then rank each parcel with the parcel scoring the most points being the highest ranked and descending in order therefrom. The administrator shall submit the list of ranked parcels to the PDR committee after each open application period.

(f) *Evaluation by PDR committee.* The PDR committee shall review the list of ranked parcels submitted by the administrator. The PDR committee shall forward to the administrator and to the board its recommendations as to which conservation easements should be purchased under the provisions of this chapter.

(g) *Evaluation by board.* The board shall review the list of ranked parcels submitted by the PDR committee and identify by resolution, which conservation easements should be purchased and their priority of purchase. Nothing in this chapter shall obligate the board to purchase a conservation easement on any property that is deemed eligible for purchase and that the board identifies for purchase under this subsection.

~~(h) *Appraisal of conservation easement value.* Each conservation easement identified by the board to be purchased shall be appraised by an independent qualified appraiser contracted by the county for such purpose. Each completed appraisal shall be submitted~~

~~to the program administrator and the owner. The program administrator shall forward each appraisal to the appraisal review committee, which shall review each appraisal and make recommendations thereon to the PDR committee.~~

(h) *Requirements and deadlines may be waived.* Any requirement or deadline set forth in this chapter may be waived by the board if, for good cause, it is shown that exigent circumstances exist that warrant consideration of an otherwise untimely application or it is shown that the requirements of this chapter unreasonably restrict the purchase of an easement. Under such circumstances, the board may authorize purchase of a conservation easement at any time it deems necessary so long as the purchase meets the intent of the purchase of development rights program as identified in the comprehensive plan and the purchase complies with the specific purposes and applicability of this ordinance as set out herein.

(i) *Reapplication* . An owner of a parcel not selected by the board for purchase of a conservation easement may reapply in any future open application period.

Sec. 22A-11 10. Purchase of development rights procedure.

Applications to sell development rights shall be on a form prescribed by the administrator and shall be signed by the landowner and submitted to the director. The director may require supporting documentation, including deeds, surveys or other legal instruments, to be submitted with the application. A landowner may submit an application for each parcel or may submit a single application for more than one contiguous parcel. Applications for batched parcels shall follow the same procedure, but shall be signed by all landowners. Applications must be received ~~no later than June 30~~ by the deadline date established by the PDR Administrator to be eligible for consideration during that ~~calendar~~ year open application period.

(a) The administrator shall review each application to determine whether the eligibility criteria set forth in section 22A-3 are met and all required information is provided, and

shall notify the landowner of his determination. Incomplete or otherwise deficient applications shall be rejected and returned to the landowner with a statement of reasons for the rejection.

(b) In the event a parcel, or portion thereof, fails to meet the eligibility criteria set forth in section 22A-3, such parcel, or portion thereof, shall not be considered for inclusion in the program. In the event the ineligibility of a parcel or portion thereof, renders the remaining property which is the subject of the application ineligible, none of the property shall be considered for inclusion.

(c) In the event available funding is insufficient to purchase the development rights on all properties which are the subject of pending applications under this chapter, the director shall evaluate each application, using the criteria of the property ranking system set forth in section 22A-8 7, and shall ascertain all necessary facts and information for ranking the priority of acquisition of the lands included in the application. In performing such evaluation, the administrator may request the assistance of such other county departments and agencies as may be appropriate and beneficial. The evaluation shall include a recommendation for the number of agricultural ranking system points to be assigned to the application. No later than ninety (90) days after receipt of the completed application, the director shall forward a copy of the evaluation to each member of the commission and to the county administrator and the landowner.

(d) The submission of an application shall not be deemed to constitute a binding contractual offer to convey any interest in the landowner's property, but shall be revocable at will by the landowner prior to the execution of an ~~installment purchase~~ conservation easement agreement, without penalty.

Sec. 22A-~~12~~ 11. Outreach.

The PDR committee envisions an annual process to solicit applications for the sale of development rights to the county. As part of that process, an effective outreach effort to

the public would inform those who may be interested in the program of the goals and benefits of the program, the application process, the nature of the rights to be purchased, the requirements, criteria and ranking system, and other program details. The effort would be aimed at encouraging applications and making the process user friendly.

An ongoing outreach effort shall be a part of the program in order to solicit interest and assist those participating in the program and for the purposes of promoting the program.

Sec. 22A-13 12. Inspection and enforcement.

An effective easement program involves periodic inspection to ensure that the rights acquired are protected. The county also has the ability to coordinate this effort with its land development process for approving subdivisions and building permits. In the event enforcement action is necessary, the staff responsible for administration of the program and inspection of property would work with the county attorney. Staff may assist landowners in determining whether proposed uses or activities are consistent with easement restrictions on particular properties. In the event an easement is held jointly by the county and another organization, these inspection and enforcement efforts would need to be coordinated.

The local soil and water conservation district may be able to provide assistance in this regard. The district currently helps landowners to prepare and implement soil and water conservation plans required by grant program criteria or the state or county guidelines in conjunction with its land use tax program. It also assists in the design and cost sharing of best management practices and verified compliance with BMPs and farm management plans.

The county should fund a periodic inspection program but seek as much assistance as possible in this regard from any organizations holding easements jointly in the county.

In addition, the inspection program should be closely coordinated with, and seek the assistance of the soil and water conservation district where applicable.

Legislative; Discuss Cemetery at Forbes Street. Mr. Milde commented.

Discussion ensued.

Legislative; Discuss Guidance to Staff for 2010 Tax Rate. Mr. Milde commented.

Discussion ensued.

Mr. Milde motioned to request staff prepare scenarios to go no higher than \$0.84 tax rate.

Discussion further ensued.

Hearing no objections from the Board, it was requested that staff prepare several scenarios.

Legislative; Appoint a Member to the Fredericksburg-Stafford Park Authority. The County Administrator commented.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R09-49.

Discussion ensued.

The Voting Board tally was:

Yea: (7) Milde, Schwartz, Sterling, Woodson, Brito, Crisp, Dudenhefer

Nay: (0)

Resolution R09-49 reads as follows:

A RESOLUTION TO APPOINT A MEMBER TO THE FREDERICKSBURG-
STAFFORD PARK AUTHORITY

WHEREAS, Section 15.2-5703 of the Code of Virginia (1950), as amended, authorizes the Board to appoint members to serve on the Fredericksburg-Stafford Park Authority; and

WHEREAS, the Board has previously appointed the following:

<u>NAME</u>	<u>EXPIRATION</u>
Harry E. Crisp (Board of Supervisors)	December 31, 2011
Beverley Newlin (Member-At-Large)	December 31, 2011
John A. Gray (Member-At-Large)	December 31, 2011
Randy Walther (Member-At-Large)	December 31, 2010

WHEREAS, Beverly Newlin has submitted her resignation; and

WHEREAS, the Board desires to fill this vacancy; and

WHEREAS, the term of membership is four years; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of January, 2009, that

NAME

EXPIRATION

Joe Brito
(Board of Supervisor)

December 31, 2009

be and he hereby is appointed to the Fredericksburg-Stafford Park Authority.

Adjournment. At 8:28 P. M. the Chairman declared the meeting adjourned.

Anthony J. Romanello, ICMA-CM
County Administrator

George H. Schwartz
Chairman