

BOARD OF SUPERVISORS

STAFFORD, VIRGINIA

MINUTES

Regular Meeting

April 14, 2015

Call to Order A regular meeting of the Stafford County Board of Supervisors was called to order by Gary F. Snellings, Chairman, at 3:00 p.m., on Tuesday, April 14, 2015, in the Board Chambers, at the George L. Gordon, Jr., Government Center.

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

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

Presentation of a Proclamation Recognizing National Telecommunicators Week Mr. Gary Snellings presented a proclamation to Ms. Carol Adams, Director of the Division of Emergency Communications. Also in attendance were Ms. Carole Raber, Ms. Arlene Schriber, Ms. Amanda Tate, Ms. Ellen Pinzon, Ms. Lauren Fallen, and Mr. Chris Conley. Mr. Snellings said that he could not imagine doing the work of the E-911 operators, and how the incredible job they did made his circumstances more bearable on the three times he called 911. Ms. Adams thanked the Board for its support, saying that she was proud of the E-911 team members.

Presentation to Economic Development Staff Mr. Snellings gave a presentation to staff from the Department of Economic Development including Mr. Tim Baroody, Mr. Brad Johnson, Mr. Rick Colbert, Ms. M.C. Moncure, Ms. Kelly Copley, and Ms. Sarah Kirkpatrick. A framed copy of an editorial (that ran in the Sunday, April 12th edition of the Free Lance-Star) was presented, with Mr. Snellings asking that it be displayed in a prominent place so as to bring attention to the excellent work being done on behalf of Stafford County’s business community. Mr. Baroody noted that it was a team effort on behalf of all County staff, not just those in the Economic Development department.

Presentations by the Public

- Heidi Simpson - Read letter sent to Board regarding renaming the Jeff Rouse Swim and Sport Center to also honor and recognize Olympic Diver, Mark Lenzi
- Paul Waldowski - Water testing/Stafford Meadows volunteer but no water bill (R82-341); 4 minutes for public speakers (not 3); Tax filing deadline; School Board meeting; Budget public hearing originally scheduled for 3:00 p.m.; no teacher raises; followed by Company 2 fire engine on Mountain View Road; 95 houses being built on Shelton Shop Road, the geese will find another place to live

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

- Ms. Bohmke - Attended the Stafford High School fundraiser for student, Mike Oliver (suffering with a brain tumor)/the community pulled together, students from other high schools also attended; Attended the Tri-County/City Soil and Water Conservation District event (first time); 6th graders at Stafford Middle School are being taught water quality and conservation/will speak with Dr. Benson about expanding that program to other Stafford schools; Earth Day, Old Mill Park, April 18th, Attended Sheriff Office's promotion ceremony; asked for support for all public safety personnel; congratulated Christopher Cameron, Shawn Efimenco, Michelle Gibbons, Dimas Pinzon, III, Daren Volpe, Jr., Lance Barley, Deuntay Diggs, Chadwick Oxley, Lee Peters, Benjamin Worchester, and C. Shawn Kimmitz on their recent promotions; Quarterly OPEB (Other Post-Employment Benefits) meeting at 11:15 a.m. on Tuesday, 4/21/15; Public Safety Committee meeting at 12:00 Noon on Tuesday, 4/21/15.
- Mr. Cavalier - Attended the roundtable discussion at Quantico Corporate Center with Senator Tim Kaine; gained a better understanding about work and funding at the federal level; Update on the Infrastructure Committee meeting including a discussion on road issues, SSYP funding; Exit 140 and Courthouse Road interchange redesign; and the condition of Woodlands Pool and its needed repairs.
- Mr. Milde - Update on the Community and Economic Development Community (CEDC) meeting including the addition of a third category to the major vs. minor site plan fees (new fee schedule for site plans between 2500 and 10,000 s.f.).
- Ms. Sellers - Deferred
- Mr. Snellings - Addressed public comment clarifying that the budget public hearing was never scheduled at 3:00 p.m., it was always advertised for a 7:00 p.m. start time; 5k run/walk benefit at Stafford Hospital on Saturday, 4/18/15, cost was \$30, for a good cause.

Mr. Sterling - Absent from the afternoon session.

Mr. Thomas - Updated on the April 13th meeting of the Finance, Audit, and Budget (FAB) Committee including the Titan compensation study; FY16 budget Ups and Downs; Sales Tax up by \$100K; Meals Tax up by \$227K; Recordation taxes up by \$150K; held a joint meeting with the School Board, looking for \$1 Million to buy new buses – three buses to be purchased for \$313K, the remaining ten buses by debt service (built into the FY17 budget); No jail revenue for ICE inmates; new position for the Fire and Rescue Department; Two new full-time, state-funded positions for Social Services.

Report of the County Attorney Mr. Shumate introduced Ms. Jeannise Galloway, newly-hired Assistant County Attorney. Ms. Galloway, a graduate of the Tulane University School of Law, was formerly an assistant city attorney in Danville, Virginia.

Report of the County Administrator Mr. Romanello said that 2000 third grade students were touring the Government Center; they would be back again as seniors in high school. Two dozen staff members attended customer service training. The Colonial Forge High School Jazz Choir performed at the Kennedy Center in Washington, D.C., and was one of only four ensembles chosen from the states of Virginia and Maryland.

Additions/Deletions to the Regular Agenda Ms. Sellers motioned, seconded by Mr. Thomas to approve the addition of Item 8d., and the deletion of Item 9; Stafford Regional Airport; and Item 8c. Cash Capital.

The Voting Board tally was:

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

Legislative; Consent Agenda Mr. Milde motioned, seconded by Mr. Thomas, to adopt the Consent Agenda which consisted of Items 3 through 7.

The Voting Board tally was:

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

Item 3. Legislative; Approve Minutes of the March 17, 2015 Board Meeting

Item 4. Finance and Budget; Approve Expenditure Listing

Resolution R15-118 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL)

DATED MARCH 17, 2015 THROUGH APRIL 13, 2015

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of April 2015 that the above-mentioned EL be and hereby is approved.

Item 5. Public Works; Authorize the County Administrator to Advertise a Public Hearing to Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Poplar Road Safety Improvement Project

Resolution R15-119 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE RIGHT-OF-WAY AND TEMPORARY EASEMENTS IN CONNECTION WITH THE POPLAR ROAD PHASE II IMPROVEMENTS PROJECT, ON TAX MAP PARCEL NO. 35-92-6, IN THE HARTWOOD ELECTION DISTRICT

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

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

WHEREAS, the Board determined that there is currently right-of-way and temporary easements that staff has been unable to obtain after successful negotiations, but prior to closing, due to bankruptcy proceedings; and

WHEREAS, Tax Map Parcel No. 35-92-6, located in the Hartwood Election District, consists of approximately 1.212 acres and is owned by Jeffrey L. and Joann M. Boutchyard (Property Owners); and

WHEREAS, the Board must acquire right-of-way and easements on Tax Map Parcel No. 35-92-6 because the design of the Project requires 0.0235 acres of right-of-way; 0.0074 acres of temporary slope easement; and 0.0056 acres of temporary entrance easement on Tax Map Parcel No. 35-92-6; and

WHEREAS, based on the 2014 assessed value, the fair market value for acquisition of the required portions of Tax Map Parcel No. 35-92-6, together with damages, if any, to the remainder of the property is Four Thousand Four Hundred Thirty-five Dollars (\$4,435); and

WHEREAS, the terms of the purchase could not be finalized due to bankruptcy proceedings, but the County will continue to work with the Property Owners to attempt to finalize the previously agreed upon settlement agreement; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of April, 2015 that the Board be and it hereby does authorize the County Administrator, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C), to advertise a public hearing to consider the condemnation and use of its quick-take power to acquire right-of-way and temporary construction easements on the property of Jeffrey L. and Joann M. Boutchyard, Tax Map Parcel No. 35-92-6, in connection with the Poplar Road Phase II Safety Improvement Project between Truslow Road and Cedar Crest Lane.

Item 6. Public Information; Recognize National Telecommunicators Week

Proclamation P15-04 reads as follows

A PROCLAMATION TO RECOGNIZE APRIL 12-18, 2015 AS
NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
IN STAFFORD COUNTY

WHEREAS, emergencies can occur at any time that require a response from the Sheriff's Office and Fire and Rescue personnel; and

WHEREAS, when an emergency occurs, the prompt response of deputies, firefighters, and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our deputies and firefighters is dependent upon the quality and accuracy of information obtained from individuals who call 9-1-1 or telephone the Stafford County Emergency Communications Center; and

WHEREAS, public safety telecommunicators are the first and most critical contact County citizens have with emergency services and are ready to take a call 24 hours a day, 7 days a week, 365 days a year; and

WHEREAS, public safety telecommunicators are the single most vital link for Stafford’s deputies, firefighters, and paramedics by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS, the public safety telecommunicators of the Stafford County Sheriff’s Office and Emergency Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS, public safety telecommunicators are more than a calm and reassuring voice at the other end of the phone contributing daily to the public safety needs of the community, they are the “unseen first responders” serving the public in countless ways, many times without recognition; and

WHEREAS, each Stafford County public safety telecommunications officer has exhibited compassion, understanding, and professionalism in the performance of their duties by providing a timely and quality response to those who have experienced emergencies; and

WHEREAS, the Board desires to recognize and call the public’s attention to the dedication of these individuals;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 14th day of April, 2015, that it be and hereby does recognize the week of April 12-18, 2015, as National Public Safety Telecommunicators Week in honor of the men and women of Stafford County’s Emergency Communications Center.

Item 7. County Administration; Recommend Naming a Bridge on Butler Road (Just East of Wawa) for Mr. James Gibbs Browder, Jr., Former VDOT Deputy Commissioner and Stafford Resident

Resolution R15-124 reads as follows:

A RESOLUTION REQUESTING THE COMMONWEALTH
TRANSPORTATION BOARD NAME THE BUTLER ROAD BRIDGE
POSTHUMOUSLY AFTER MR. JAMES GIBBS BROWDER, JR.

WHEREAS, Mr. James Gibbs Browder, Jr., P.E., was a Stafford County resident;
and

WHEREAS, Mr. Browder, over the course of his 34-year career with the Virginia Department of Transportation (VDOT), served as Deputy Commissioner, Chief Engineer, and Fredericksburg District Administrator; and

WHEREAS, while living and working in Stafford County, Mr. Browder led the successful planning and design of numerous transportation projects, including the \$32 million reconstruction of Butler Road, Cool Spring Road, Deacon Road, and White Oak Road in Stafford County’s Chatham Heights area; and

WHEREAS, the Board desires to memorialize Mr. Browder's career and to honor his dedication to transportation initiatives in Stafford County by naming a bridge in his honor;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of April, 2015, that it be and hereby does request that the Commonwealth Transportation Board name the Butler Road bridge (just east of Wawa), the "James Gibbs Browder, Jr. Bridge" posthumously for Mr. Browder; and

BE IT FURTHER RESOLVED that the County Administrator or his designee shall provide a copy of this Resolution to the Commonwealth Transportation Board.

Finance and Budget; Credit Assessment Presentation Mr. Kevin Rotty, Managing Director of Public Financial Management (PFM), gave a Power Point presentation and talked about the County's current bond ratings (Moody's Aa2, with a positive outlook); Fitch (AA+ with a stable outlook); and S & P (AA+ with a stable outlook). Mr. Rotty said that several things affected a potential raise in bond ratings including sustained improvement in financial performance, continued tax base growth, and decreased debt burden. Bond ratings could go down due to a reduction in reserve levels, tax base contraction, and/or a substantial increase in fixed costs as a percent of the budget.

Mr. Rotty talked about the value of high credit ratings including an established, consistent benchmark of general credit worthiness; an independent evaluation of the County's overall credit profile, financial strength, and economic vitality; its use as an economic development recruiting tool; increased access to capital markets; and a reduction in the cost of capital, which would either reduce the County's overall debt service or allow the County to fund additional projects.

Mr. Rotty concluded his remarks saying that the bond rating process was very quantitative and that Board actions could directly impact the County ratings. Mr. Snellings thanked Mr. Rotty for taking time to meet with the Board.

Discuss Replacement Cars for the Sheriff's Office Sheriff Charles Jett and Captain Shawn Kimmitz gave Power Point presentations and answered Board members questions.

Sheriff Jett said that the average life of a Sheriff's Office vehicle was six to eight years; there were 200 vehicles in the current fleet. Fifteen to twenty new cars were purchased each year and vehicles retired from the fleet were turned over to Fleet Services for auction.

Captain Kimmitz talked about cost avoidance measures including lower cost vehicles for assignments outside patrol operations; a portion of the fleet equipped with only portable radios; the rotation of high mileage vehicles; the use of all-wheel (not 4-wheel) drive vehicles; weekly (rather than monthly) gas pricing; detectives driving used cars; rental and seized cars (where serviceable) used for covert operations; mileage usage extended to 120,000 miles before replacement; removals of SIRS radio (permits inter-county connectivity); use of grant money to purchase cameras; renegotiated equipment installation contract; purchasing year-end model vehicles; and continued collaboration with Fleet Service to maximize cost-efficiencies.

Ms. Sellers said that she brought it up due to what she saw was a discrepancy in the FY16 budget book on fleet services/reduced costs and \$617,000 for the purchase of vehicles that was not explained. Mr. Romanello noted that fleet services were combined with the Schools.

Ms. Bohmke thanked the Sheriff for “not doing things the way they were always done, for thinking outside the box, and for being good stewards of taxpayer’s dollars.” Mr. Snellings thanked Sheriff Jett and Captain Kimmitz for the presentation.

Stormwater Management Update Mr. Steve Hubble, Assistant Director of Public Works, gave a Power Point presentation and answered Board members questions. Mr. Hubble provided an update on the County’s MS4 (Municipal Separate Storm Sewer System) Stormwater Discharge Permit program and discussed associated budgetary impacts. He said that it was a requirement of the Federal Clean Water Act, implemented by the Department of Environmental Quality (DEQ), and included ninety localities in Virginia. Compliance with the Total Maximum Daily Load (TMDL) for the Chesapeake Bay and its tributaries was required as a condition of the County’s MS4 permit. Mr. Hubble talked about the MS4 service area and stormwater mandates for the MS4 program and the Chesapeake Bay TMDL. A draft funding plan for the next fifteen years, with DEQ approval, equaled \$19.5 million.

Mr. Hubble spoke about the County’s current nutrient reduction projects including Whitson’s Run Watershed Management Plan and Government Center projects. The TMDL Action Plan must be completed by July 1, 2015. It will be presented to the Board, and public comments received, in early summer. The Environmental Protection Agency (EPA) is conducting MS4 audits but had not visited Stafford County thus far.

Ms. Bohmke asked if funding (in the six states mentioned by Mr. Hubble) was provided by the state or by individual localities and if by the localities, what were possible funding options or sources; was there an ongoing discussion between DEQ and Stafford County; was the Virginia Stormwater Local Assistance Fund new; what was the prioritization for grants; and in Stafford County, was it located in one area or throughout the County.

Mr. Hubble said that funding was mostly the responsibility of localities. Options for funding included establishing a service district, a stormwater utility fund, or funding from the General Fund, as was done in Stafford. He added that in Maryland, stormwater utility funds were state-mandated. Mr. Hubble said that the County presented its case to the DEQ, it was being given high level scrutiny due to its possible applicability to other local governments, and that no reply was received to date.

Regarding Ms. Bohmke's question about the Stormwater Local Assistance Fund, Mr. Hubble said that it was a relatively new funding source; that the County received funding in its first two cycles and would apply for funding as it entered its third year. So far as the areas of the area of County impacted, south Stafford is attached to the Fredericksburg District; north Stafford is attached to the Washington, D.C. District. Mr. Romanello said, regarding local government costs, most were paid through utility funds and rate payers.

Ms. Sellers asked about fixing water quality problems and how they could be avoided in the future. Mr. Hubble said that new stormwater management guidelines now required safety measures be in place at the time of construction or development; nutrient and sediment control issues now being addressed were making up for the sins of past development. Mr. Romanello said that staff would provide the Board with a list of specific projects as well as the TMDL Action Plan, which would lay out specific projects, determine locations, and cost effective procedures.

Mr. Thomas, a member of the Rappahannock River Basin Commission, said that Mr. Hubble was considered an expert in his field. Mr. Snellings thanked Mr. Hubble for his presentation.

Legislative; Closed Meeting. At 4:17 p.m., Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-07.

The Voting Board tally was:

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

Resolution CM15-07 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) legal advice regarding the Board's authority to make donations to non-profit entities; and (2) legal advice regarding the Board's authority to name public facilities; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 14th day of April, 2015, does hereby authorize discussion of the above matters in Closed Meeting.

Call to Order At 5:07 p.m., the Chairman called the meeting back to order.

Legislative; Closed Meeting Certification Mr. Thomas motioned, seconded by Ms. Sellers, to adopt proposed Resolution CM15-07(a).

The Voting Board tally was:

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

Resolution CM15-07 (a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON APRIL 14, 2015

WHEREAS, the Board has, on this the 14th day of April, 2015, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 14th day of April, 2015, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

At 5:08 p.m., the Chairman declared the meeting adjourned until 7:00 p.m.

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

Invocation Ms. Bohmke gave the invocation.

Pledge of Allegiance Mr. Cavalier led the recitation of the Pledge of Allegiance.

Presentations by the Public – II

- Leroy Rinker - Establish Shooting Zones in the County
- Charles Thomas - CVTV Agreement modifications
- Paul Waldowski - Power Point w/ “abandoned” Sheriff’s vehicles; George Orwell quote; Ted Cruz at Liberty University; Abolish the IRS; Publication 17; R82-341 (no water bill)

Finance and Budget; Consider the Proposed Calendar Year 2015 Tax Rates, Proposed Fiscal Year 2016 County Budget, and Proposed Fiscal Year 2016-2025 Capital Improvement Program

The Chairman opened the public hearing.

The following persons desired to speak:

- | | |
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| Sally Anderson | Dean Fetterolf |
| Chima Okafor | Nan Rollison |
| Linda Hill | Kim Hicks |
| Charlotte Hazard | Andrew Hayes |
| Helen Hazard | Ann Kloeckner |
| Michelle Hedrich | Ashley Lowery |
| Teresa Bowers | Terri Welborn |
| Jennifer Galatro | Paul Waldowski |
| Kathy Anderson | Sharon Foley |
| Kristen Buechner | Marilyn Stevens |
| Mark Bolin | |

The Chairman closed the public hearing.

Finance and Budget; Authorize Participation in the FY16 and FY17 Virginia Public School Authority (VPSA) Bond Sales in Accordance with the Capital Improvement Program (CIP) Ms. Nancy Collins, Budget Division Director, addressed the Board.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

A vote on proposed Resolutions R15-107 and R15-117 was deferred to the April 21st Board meeting to coincide with a vote on the FY16 proposed budget.

Adjournment At 8:18 p.m. the Chairman declared the meeting adjourned.