

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 7th day of February, 2017:

<u>MEMBERS:</u>	<u>VOTE:</u>
Paul V. Milde, III, Chairman	Yes
Meg Bohmke, Vice Chairman	Yes
Jack R. Cavalier	Yes
Wendy E. Maurer	Yes
Laura A. Sellers	Yes
Gary F. Snellings	Yes
Robert "Bob" Thomas, Jr.	Yes

On motion of Mrs. Maurer, seconded by Mr. Snellings, which carried by a vote of 7 to 0, the following was adopted:

AN ORDINANCE TO ESTABLISH THE LAKE ARROWHEAD
SERVICE DISTRICT IN THE ROCK HILL ELECTION DISTRICT

WHEREAS, the Board desires to establish the Lake Arrowhead Service District (Service District) to provide for the more complete and timely services of the government to the Lake Arrowhead subdivision (Subdivision), located in the Rock Hill Election District, than is desired or necessary in Stafford County as a whole; and

WHEREAS, the Subdivision contains the Lake Arrowhead Dam and the Little Lake Arrowhead Dam (collectively, Dams), which have fallen into a state of disrepair and are out of compliance with the Virginia Department of Conservation and Recreation regulations; and

WHEREAS, inaction is not an option; the Dams must either be repaired, or the lakes drained in order to protect the health, safety, general welfare, and property of the residents of the Subdivision; and

WHEREAS, the residents of the Subdivision have voiced support for saving the Dams; and

WHEREAS, the County performed preliminary work, and estimates that the cost to repair, construct, and reconstruct the Dams is approximately \$706,000, and once the Dams are repaired, the maintenance cost will be approximately \$30,000 annually; and

WHEREAS, notice of the Board's intent to conduct a public hearing to consider establishing the Service District was published once a week for three consecutive weeks in a newspaper having general circulation within Stafford County, and such hearing was held no sooner than ten days after the second notice was published, in accordance with Virginia Code § 15.2-2400; and

WHEREAS, the Board considered the public testimony, if any, received at the public hearing; and

WHEREAS, the Board determined that the establishment of the Service District is in the best interest of the County, and the residents and property owners in the Subdivision;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 7th day of February, 2017, that it be and hereby does create and establish the Lake Arrowhead Service District (Service District) as follows:

1. The name of the service district shall be Lake Arrowhead Service District (Service District); and

2. The boundaries of the Service District shall be as displayed in the attached **Exhibit A** entitled "Lake Arrowhead Service District Boundaries" ("Boundaries"), and shall consist of the entire residential subdivision known as Lake Arrowhead, as said subdivision is recorded in the Office of the Clerk of the Circuit Court of Stafford County, Virginia in Plat Book 2 at page 96, by a plat dated January 2, 1961, for Lake Arrowhead Section A; in Plat Book 2 at page 97, by plat dated January 14, 1961, for Lake Arrowhead Section B; in Plat Book 2 at page 118, by a plat dated January 25, 1961, for Lake Arrowhead Section C; in Plat Book 2 at page 153, by a plat dated February 9, 1961, for Lake Arrowhead Section D; in Plat Book 2 at page 142, by a plat dated February 14, 1961, for Lake Arrowhead Section E; in Plat Book 2 at page 122, by a plat dated February 21, 1961, for Lake Arrowhead Section F; in Plat Book 2 at page 152 by plat dated July 31, 1962, for Lake Arrowhead Section G; and in plat Book 2 at page 151, by a plat dated August 9, 1962, for Lake Arrowhead Section H; and

3. Properties listed for exclusion from the Service District in **Exhibit B** are not included in the Service District; and

4. The purpose of the Service District is to raise funds and use said funds to repair, construct, reconstruct, and maintain the dams within the Lake Arrowhead subdivision (Purpose); and

5. The services to be provided within the Service District are to repair, construct, reconstruct, and maintain the Lake Arrowhead Dam and Little Lake Arrowhead Dam (collectively, Dams) within the Lake Arrowhead subdivision; and to provide funding, services, repair, equipment, and support for desired and necessary water quality improvements and protections for the Dams (Services); and

6. The plan for providing the Services within the Service District is based on a special tax assessment, as further described below, to cover the costs of the Services.

Additionally, from time to time, as the Board sees fit, and in line with all federal, state, and local laws, ordinances, and requirements, the Board may provide advanced funding or other sources for the Services. Any such advanced funding or other reimbursable funds provided shall be repaid by funds collected from the Service District; and

7. The Service District will benefit from the Services by enhancing the public's and the Lake Arrowhead subdivision resident's safety, convenience, and wellbeing; and by allowing the continued enjoyment of the Dams and Lake Arrowhead and Little Lake Arrowhead (collectively, Lakes). Additionally, providing the Services will allow the Lakes to continue as public safety benefits by being a source of water for fire protection, and will allow two critical roadways located above the Dams to continue to be used. These two roads improve general vehicular traffic flow and transportation safety; provide faster access by fire, rescue, and emergency medical services; and provide an enhanced ability to maintain the quality of life for the residents of the Lake Arrowhead subdivision; and

8. A special tax assessment for the properties within the Boundaries, and not those properties excluded in **Exhibit B**, shall be assessed at a rate to be set annually by the Board of Supervisors. The special tax assessment shall be levied and collected within the Service District at the same time as Stafford County's general real property tax is levied and collected. All rules and regulations of the County regarding the levy and collection of taxes shall apply to such special tax for the Service District.

The Board hereby creates the Lake Arrowhead Service District Fund (Fund). The Treasurer of Stafford County, Virginia, is hereby requested to collect and deposit the special taxes collected into the Fund, and to segregate the proceeds on the books and records of the County through appropriate accounting; and

9. The Service District shall be governed by the Stafford County Board of Supervisors and shall have all those powers, as provided in Virginia Code § 15.2-2403, as such powers pertain to the Purpose and Services authorized in this Ordinance for the Service District.

Exhibit A

Map of the Lake Arrowhead Service District Boundaries.



Exhibit B

Properties excluded from the Lake Arrowhead Service District.

Tax Map Parcel Numbers:

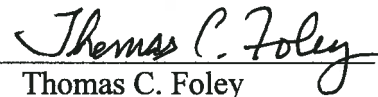
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8B-G-1

8-20A

8B-F-P1

A Copy, teste:



Thomas C. Foley
County Administrator