

**ACTION ITEM
BOARD OF SUPERVISORS**

DATE April 1, 2008

TO Board of Supervisors

FROM Keith Dayton *KCD*
Director of Code Administration

ISSUE Budget and Appropriate Security Funds for Utilities Work at Liberty Place

RECOMMENDATION Approval

BUDGET IMPACT: Increase of Revenues to (100-0000-318-91-02) of \$13,713
Appropriations to Exp to (100-9301-491-92-14) of \$13,713
Increase of Revenues to (510-0000-341-0501) of \$8,017 88
Appropriations to Exp to (510-9408-502-81-27) of \$8,017 98

ATTACHMENTS (2)

[1] Background Report [2] Reso/Ord/Proc # R08-205

[] [] Reso/Ord/Proc #

[] [] Reso/Ord/Proc #

REVIEW [X] County Administrator's Office *[Signature]*
[X] Legal *Joseph D. Howard, Jr.*
[X] Finance *AK Carmichael*
[X] Budget *Rollen*

[X] **Consent Agenda** [] **Other Business** [] **Public Hearing**
[] **Discussion Item** [] **Presentation** [] **Unfinished Business**
[] **New Business**

PRESENTATION BY. N/A

ELECTION DISTRICT: N/A

BACKGROUND REPORT

Liberty Place Townhouses was initiated in 1989 and subsequently left by the developers with numerous deficiencies in paving, utilities, erosion and storm water infrastructure. The local home owner's association recently contacted County staff in an effort to correct these deficiencies. When staff was unable to contact the developer, they investigated the deficient work items and related securities for that project and determined that sufficient securities existed to correct those involving public utilities.

The county has security in the amount of \$13,713 for completion of \$8,018 in defective utility work. The Utilities fund will hold the balance of \$5,695 in escrow for 1 year following the date of completion as a maintenance security (as described in Section 100.07 of the Stafford County Security Policy).

It is necessary for the Board to authorize staff to obtain performance security funds for a project determined to be in default and to appropriate these funds for use to correct deficient work.

Proposed Resolution R08-205 authorizes the collection of security funds for this purpose and the use of these funds for correction of the deficient work at the Liberty Place Townhouses project.

PROPOSED

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 1st day of April, 2008

MEMBERS

VOTE

George H Schwartz, Chairman
M S "Joe" Brito, Vice Chairman
Harry E Crisp II
Mark Dudenhefer
Paul V Milde III
Cord A Sterling
Robert "Bob" Woodson

On motion of , seconded by , which carried by a vote of , the following was adopted

A RESOLUTION TO AUTHORIZE ACQUISITION OF SECURITY FUNDS
AND BUDGET AND APPROPRIATE FUNDS FOR UTILITIES WORK AT
LIBERTY PLACE

WHEREAS, the County has received a security deposit for a performance agreement for utilities infrastructure work at Liberty Place Townhouses, and

WHEREAS, the Board recognizes the default in meeting the requirements of the Performance Agreement for this project, and

WHEREAS, the Board desires to use the securities funds to complete the deficient work on the water and sewer infrastructure,

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of April, 2008 that the Board be and it hereby does recognize the performance agreement security as revenue in the amount of Thirteen Thousand Seven Hundred Thirteen Dollars (\$13,713), and

BE IT FURTHER RESOLVED that the Board be and it hereby does budget and appropriate the funds for transfer to the Utilities Fund to correct the defaulted work

AJR KCD sag