

BOARD OF SUPERVISORS
STAFFORD, VIRGINIA
MINUTES
Regular Meeting
July 6, 2021

Call to Order – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:00 p.m. on Tuesday, July 6, 2021 in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

Roll Call – The following members were present: Crystal Vanuch, Chairman; Cindy C. Shelton, Vice Chairman, Tinesa O. Allen; Meg Bohmke; Thomas C. Coen; L. Mark Dudenhefer; and Gary F. Snellings.

Also in attendance were Frederick J. Presley, County Administrator; Rysheda McClendon, County Attorney; Cheryl Giles, Deputy Clerk; Julia Homes, Assistant Deputy Clerk; various staff members; and other interested parties.

Presentations – Ms. Vanuch stated that she hoped everyone had a happy and safe Fourth of July, adding that there is much to be grateful for in our country, and she is always happy to celebrate the birthday of freedom. She mentioned several events held in the County over the weekend, including the annual fireworks show, and said that many people visited local parks—including the historic Port of Falmouth Park and Falmouth Beach.

Ms. Vanuch said that the Board continues to make safety a priority and has bolstered efforts at the park with weekend visits and education by Fire and Rescue's Swift Water Rescue Team. She added that the County was also making portable flotation devices (PFDs) available for visitors, explaining that they strongly discourage swimming because this is a dangerous stretch of water, but many people use the park, and the County would soon be placing signs with safety information in multiple languages. She noted that the Friends of the Rappahannock would also be posting signs. Ms. Vanuch stated that the County would also be debuting a video on river safety this week and encouraged the public to abide by the rules and enjoy the park safely.

Ms. Vanuch stated that the Board's thoughts and prayers go out to the families of the victims of the building collapse in Surfside, Florida, as well as to the public safety professionals conducting the fire and rescue recovery. She commented that it should never be forgotten what they see and the things they do that could not be taken care of without them.

Ms. Vanuch mentioned that this would be their only meeting in July, as the Board would take a summer recess until their August 17, 2021 meeting. She said that their Board-appointed

Authorities, Committees, and Commissions all have their own calendars, so they are not necessarily recessed when the Board is. She encouraged the public to visit the calendar section of the new staffordcountyva.gov website to learn the exact meeting dates and times for those bodies.

Ms. Vanuch stated that if members of the public were there to discuss Critical Race Theory, Supervisor Snellings had added that as an agenda item but requested that they move it due to the length of this meeting's agenda, so it would be on the August 17 agenda under New Business.

Additions, Deletions, and Approval of the Regular Agenda – Mr. Presley stated that he had two additions: Item 21 on the Consent Agenda, a Resolution Ending the Declaration of Local Emergency in Stafford County Due to Covid-19; and Item 22 on the Consent Agenda Authorizing the Appointment of Linda Burdette as an At-large member of the Architectural Review Board for a term ending December 31, 2021. He reported that there was one deletion: the item from Mr. Snellings to discuss the County School Curriculum, Project 1619 and Critical Race Theory.

Mr. Presley noted that there was an additional handout provided to the Board related to Item 29– Planning & Zoning–to Consider a Request for a Conditional Use Permit to Allow Motor Vehicle Sales in the M-1 Light Industrial District on Tax Map Parcel 38-25R, (Project Known as Big Motor Sports). He stated that the attachment, Attachment 6, was a letter of support.

Ms. Bohmke motioned, seconded by Ms. Shelton, to adopt the regular agenda as amended.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Presentations by the Public – Ms. Vanuch reviewed the protocol for public presentations and indicated that Ms. Sally Moore had submitted a sign-up card and could speak first.

1. Ms. Sally Moore, 1116 John Paul Jones Drive - addressed the Board and stated that she was before the Board to speak against the apartments going in at the corner of Courthouse and Route 1. She commented that she felt they were already “compacted enough,” and expressed concern that bringing in 1,000 new families would create additional traffic as they leave to work, shop, and recreate.

Ms. Moore commented that sports fields are far away, and her daughter is on the Stafford Diamonds softball team but the practice is in Sealston. She said that they already have such gridlock at Hope Road and Courthouse Road on Route 1, and she can't imagine having a thousand more families needing to go places. She emphasized that it would take her an

hour to go from Aquia Harbor to church now, and this didn't seem logical. Ms. Moore said that projects have been started in the Aquia Town Center and across the street from Dan's Wellness on Garrisonville Road but stopped for some reason, so they need to have some kind of plan in the County for people to follow through with their projects and some penalty for builders abandoning their work without finishing what they've started.

2. Ms. Monica Gary, 40 Dawns Way - Ms. Gary stated that she did not feel this project was the best idea, for infrastructure reasons, and she felt that roads and schools needed to catch up before they add more people. She also said that she has become aware that a lot of people don't want this because they don't want people of lower economic standing and are immigrants—which is the language used—because they fear that those types of people who are “not like them” will live in the apartments. Ms. Gary stated that why they do things matters, so if those are the reasons they are not going to build the apartment complex, that's not a good enough reason and they should not be intentionally holding back other people because of what they look like or are in different income strata.

Ms. Gary noted that her opponent, Paul Milde, has said that he did not want immigrants coming in, and she hoped no one else on the Board was in that position. She also said that if that were their rationale, she hoped they would consider other reasons such as infrastructure, which has been her concern. She thanked the Board for their work and stated that she trusted them to do whatever they thought was right from this point.

3. Mr. Charles Sterne, 55 Beagle Road – state that he was before the Board to speak in opposition to the Fountain Park project. He stated that he felt it was “completely unacceptable” that a decision of this importance was being decided at the Board's 3:00 meeting, as it gave the impression that the Board did not want input from its citizens—at a time in American politics where everything should be transparent. Mr. Sterne said he also felt it hard to believe that the Board would consider a project of this type, and apparently they didn't learn their lessons from the Aquia project.

Mr. Sterne said that not only are they overlooking common sense, but the Board just recently voted to downsize 90,000 acres of the County and was now going to turn around and approve more than 300 apartments initially. He stated that this is mixed messaging and poor business, and there is no real guarantee there is a retail element that would be part of this—and they all know that apartment complexes without retail were nothing but a burden on County services. Mr. Sterne asked the Board to consider delaying this a bit and finding out what retail looks like, as no one can tell them that yet and they've just come out of a pandemic. He said that they need to get the anchor stores there first, then it's a worthy

project that will be a good addition to this area of the County, but they need to ensure that they're getting what they're supposed to be getting.

4. Mr. Paul Jaskot, 29 Muster Drive – stated he is a 30-year resident of Stafford County. He stated that his concerns are that the infrastructure in place in the County at this time, and it needs a lot more consideration and perhaps more planning. Mr. Jaskot said that he looks at some of the issues the County is having, such as kids not having lockers or lunch available at school because there are too many students. He stated that I-95, Route 1, Courthouse Road, and Route 610 are all congested, and the high-density development will just add more cars to the roads, when they don't have the infrastructure to support the project. Mr. Jaskot added that he did not feel they should be making an important decision like this on the July 4th holiday week, as a lot of people are out of town and unavailable. He emphasized that there was no sense of urgency for this, as it had been planned for a while, and they could move it to a September meeting or something when more people would be home.
5. Mr. Jim Fry, 13 Bob White Lane – stated that he is trustee of the Fraternal Order of Eagles, Lodge 4488, which is located at 2055 Jefferson Davis Highway. Mr. Fry stated that the order is in the "affected area," and he has spoken with hundreds of people about this development—and none of them are in favor of it. He said that many of them would love to be present and should have an opportunity to provide input, but they are working and could not attend a 3:00 p.m. meeting.

There being no further public comment, Ms. Vanuch closed the Public Presentations portion of the meeting.

CLOSED MEETING

Ms. Vanuch stated that there had been a request from the County Attorney to go into Closed Session, and she asked Ms. Shelton to make a motion in that regard.

Ms. Shelton motioned to authorize a closed meeting by reading the following motion:

Mr. Dudenhefer seconded the motion.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution CM21-13 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel pertaining to Sterling v. Stafford County, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

Ms. Shelton motioned to authorize a closed meeting for a second item by reading the following motion:

Mr. Dudenhefer seconded the motion.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution CM21-14 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion of the performance of a specific public officer; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

The Board entered Closed Session at 3:18 p.m.

The Board reconvened its public meeting at 4:21 p.m.

CLOSED MEETING CERTIFICATION

Ms. Shelton motioned to certify the actions of the Stafford County Board of Supervisors in a Closed Meeting on July 6, 2021 on two items: CM21-13 (c) and CM21-14 (c).

Ms. Bohmke seconded the motion.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Absent: (1) Coen

Resolution CM-13(c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 6, 2021

WHEREAS, the Board has, on this the 6th day of July, 2021, 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 provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 6th day of July, 2021, 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, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Resolution CM21-14 (c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 6, 2021

WHEREAS, the Board has, on this the 6th day of July, 2021, 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 provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 6th day of July, 2021, 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, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Reports by Board Members – Board members spoke on related topics and asked that items as identified be removed from the Consent Agenda for discussion and separate vote:

Ms. Allen reported that she had participated in a Saturday trash pick-up for about six miles on Route 610 and asked that people not litter where they live. She noted that she had seen cigarette butts, wigs, dryer sheets, etc. She also encouraged the public to have a safe summer, wear sunscreen, and watch out for ticks.

Ms. Bohmke stated that she had a tour of the Chatham Bridge with city representatives, and they are planning for an opening the end of September or beginning of October. She reported that she had attended the Juneteenth event at Pratt Park on June 19, and it seemed to be a well-attended event. She said that the Rappahannock Pops, a 40-piece band, had played at the Celebration Stage at Pratt Park on July 4th, coordinated by Parks & Rec. Ms. Bohmke stated that GWRC had a meeting this morning and was coordinated with the Berkely Group in searching for a new executive director. She said that she had a town hall meeting for a potential project with JPI on Cliff Farms, a 55 and older project off of Leland Road. She stated that through the town hall, emails, and phone calls, people were opposing the project because of traffic concerns. Ms. Bohmke added that the fireworks were spectacular and were the best she had seen in 15 years. Ms. Bohmke pulled Item 9 from the agenda.

Mr. Coen reported that he had attended the Juneteenth event and had visited the Tribal Center with the Green Family, and they were pleased at the amazing work that tribe members had done. He said that the tribe was very appreciative of County staff for the efforts there. He stated that the Bylaws Committee would be bringing forth some changes and suggestions on the bylaws to the August meeting, then would vote in September. He said that the format chosen is to make clear which Board members made which recommendations, and whether the committee voted for the changes. He said that he was pleased to see the work being done in the Ferry Farm area.

Mr. Dudenhefer reported that one of the most frustrating things in his 9.5 years in Stafford and four years in Richmond is that people have an opinion on things they have no real understanding about. He stated that most of the issues they address as a County have involved hundreds of hours of meetings and discussions—including offsite visits, consultations with attorneys, staff review and establishment of alternatives—and that's what was happening with the Downtown Stafford project. He said that there were all kinds of strings related to this that he had never heard anyone

mention, because he doesn't think he knows they're there. Mr. Dudenhefer noted that people have either jumped to conclusions or gotten on the back of those who've spoken erroneously. He said that he cannot respond on Facebook anymore because it "brings more of the crazies."

Mr. Dudenhefer commented that there are many reasons to oppose this or any project, budget, etc., but he encouraged the public to at least be informed about what they're opposing. He mentioned that it had been incorrectly stated that the project would bring 5,000 apartments, and the Supreme Court has directed the County that they must fix their courthouse issues, which is why one is slated for that development. He stated that sometimes people have to compromise and make allowances for unpopular things, and staff has worked extremely hard on the Downtown Stafford project—which had been worked on since he joined the Board in 2006—and this was the furthest they had gotten on it.

Mr. Dudenhefer noted that they'd held two evening public hearings on this item, and once those are done, the item becomes an item on the afternoon agenda. He stated that there's been no conspiracy and no attempt to suppress public input, and that was "nonsense." He said that the County had dealt with the MOU before the rezonings even came about, and this was about planning for the future and making Stafford a better place to live, with services and entertainment venues. Mr. Dudenhefer stated that he would continue to express his frustration about trying to do his job and being criticized by those who "don't have a clue" what they're criticizing.

Ms. Shelton reported that she had attended the Rappahannock River Basin Commission in Warsaw to look at new grants and opportunities for environmental protection, with those legislative items spanning across Virginia. She said that she missed the Green Travel Center visit and wished she had been there. Ms. Shelton said that she had attended the PRTC Executive Committee meeting, where they evaluate individuals who lead County staff once per year. She mentioned that she had also attended a VRE meeting and discussed how they would accelerate change in service as more people were allowed to ride the VRE, hoping to move people into multi-modal transportation and get them off the road.

Ms. Shelton reported that she had her last session as chair of Fredericksburg Area Metropolitan Planning Organization (FAMPO), with Stafford County being one of three regions that belong. She noted that they rotate chairmanship, and Spotsylvania would now take over. She stated that she had attended the Juneteenth event and appreciated the many cultural activities presented for Stafford County. Ms. Shelton expressed her appreciation for the Fire Department and Chief Cardello, as they have been involved in many events, particularly in Aquia.

Mr. Snellings and Ms. Vanuch deferred their comments in the interest of time.

County Attorney's Report – Ms. McClendon thanked staff in the County Attorney's office, County Administrator's Office, IT, and Planning for giving up their holiday weekend to ensure the County's interests were represented in court today.

County Administrator's Report – Mr. Presley stated that in their background materials, the Board had the Strategic Plan and Other Priorities update that they receive every month, as well as the Monthly Expenditure Listing Report, which was brought before the Finance, Audit and Budget (FAB) at their last meeting. He noted that there have been issues in the past, and they were used to seeing expenditures over \$100,000 as a regular agenda item—and anytime there was more than a week between the two meetings, there was an issue meeting some of the pay commitments because the process requires their approval before payments are disbursed. He said that the overwhelming majority of items, the Board had already approved as contracts previously, and there was nothing detected that required their approval but was something put in place years ago when the level was \$10,000.

Mr. Presley stated that staff had reviewed it with the FAB Committee, and they agreed that it was probably not necessary; in lieu of that, staff would provide the Board with a monthly expenditure report that listed expenditures over \$100,000 so they could present questions at that time. He asked for feedback on the information and its presentation, noting that staff was happy to comply with any changes. He noted that this also includes the contract and previous expenditure information.

Mr. Presley stated that he had asked Chief Cardello and Captain Peters to provide a quick update on the events at Historic Port of Falmouth and Aquia Landing over the weekend, as they had made some changes focused on education and river safety. He said that Captain Peters and his team had a busy weekend at both locations.

Fire Chief Joseph Cardello thanked Mr. Presley and reported that over the past several years on all major holidays—Memorial Day, Independence Day, and Labor Day—they have increased staffing at the Historic Port of Falmouth, with boats in the water on Aquia Creek and out to the Potomac. He said that at the port over the weekend, they had four Swift Water certified personnel and all of their equipment, and they were there from 11 a.m. to 7 p.m. Saturday, Sunday, and Monday. He explained that their main duties were to patrol the historic port, the beach area, and in the water. He stated that they effected several rescues and engaged the public with water safety-related information, as well as supporting the PRCF and Sheriff's Office partners.

Chief Cardello reported that they made three rescues over those three days and assisted 10 swimmers in distress, as well as dozens of interactions with the public. He said that those experiences were typical of every time they staffed there over the holidays. He explained that in the future, they would staff every weekend as they do over the holidays—so for the 11 weekends

through September 12, they would have four Swift Water certified personnel and their equipment at the Historic Port of Falmouth for the same hours, 11 a.m. to 7 p.m., to patrol the water and the beach, effect rescues, and interact with the public. Chief Cardello noted that the deployment would be dependent on available staffing, with the top priority remaining as staffing fire suppression apparatus and EMS transport units; once that's done, if there's anyone available to take the overtime assignment to the beach, they would be scheduled as such. He noted that they have sent the preliminary schedule out and have all but two weekends covered thus far. In addition, he said, they were working with other County agencies and Friends of the Rappahannock on different messaging and signage.

Mr. Coen thanked him and said that he goes down every weekend to check, stating that it was amazing what they were doing. He reported that the Friends of the Rappahannock had received a grant to pay for part-time workers to assist at the river, helping with communication, and the Friends indicated that they wanted to do some of the time on the Fredericksburg side of the river and some on the Stafford side. Mr. Coen expressed his appreciation for this synergy, noting that Adam Lynch of the Friends of the Rappahannock commented on how wonderful the County had been when his group reached out to them. He added his appreciation for Parks & Rec and the Sheriff's Office.

Ms. Vanuch added her thanks to staff and Supervisor Coen and Supervisor Bohmke, noting that this idea arose from a planning session held after the last incident at the river. She stated that they were trying to find creative solutions but still allow people to use the beach safely.

Mr. Presley noted that PRCF had also reinstituted the issuance of PFDs to those at the beach, which was a major step.

Ms. Bohmke asked if the flotation devices were being used by people in the river over the weekend, as she didn't want them to just sit out there and rot.

Chief Cardello responded that he wasn't out there for very long but agreed to check with staff.

Sheriff's Office Captain Lee Peters addressed the Board and stated that the office worked alongside Parks & Rec, the Fire Department, and the community to try to keep the beach safe—and they have also committed to putting the ATV and bike team at Falmouth Beach and Aquia Landing because of the parking and population problems. He said that there were quite a few vehicles, noting that at Falmouth Beach, they moved quite a few vehicles from Carter Street, Gordon Street, and others improperly parked in that region. He noted that what they found is that the problem has expanded from Forbes Street to the river to Ingleside and down to Pratt Park.

Captain Peters stated that the ATV team did a lot of work, and they ticketed five and towed one, with some announcements made on the PA once they closed the park at Falmouth waterfront, everyone moved over to Ingleside Drive. He explained that they started getting complaints from the residents there because there were some trespassing issues, and that's where a lot of the towing and ticketing happened. He said that there were about 40 vehicles parked either beside or along the No Parking signs on Ingleside, and they are addressing the issue and committing assets to both parks to try to keep the problems down. Captain Peters mentioned that they are working with staff at Amy's Café and other business to ensure that the parking is appropriate. He said that the majority of people they were dealing with were not from Stafford—with a lot from Maryland, Northern Virginia, Spotsylvania, etc. He added that everyone did a great job of communicating, with only one notable issue, and overall it was a great time.

Captain Peters stated that the early closing was an issue that caused traffic problems both ways on River Road, but they were able to work through it. He added that they are working with other places to park and said they provided the County Administrator with photos that depicted the magnitude of parking in that area, which is overwhelming for that part of the County. He said that they are working on new places for parking, signage, mapping, and other ways to get people off the roadways, down to the beach, then back home.

Ms. Shelton apologized and said that she hadn't mentioned Captain Peters name earlier in her comments about the work the Fire Department had provided to Aquia Landing—as they had provided a compassionate but strong position that really kept the peace there.

APPROVAL OF THE CONSENT AGENDA

Ms. Vanuch noted that Ms. Bohmke had pulled Item 9 and asked if there was a motion to approve the agenda minus that item.

Ms. Shelton motioned, seconded by Mr. Coen, to adopt the regular agenda as amended.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Item 1. County Administration; Approve the June 15, 2021 Board of Supervisors Meeting Minutes.

Item 2. County Administration; Appoint Mr. Nathan Cass to the Community Policy and Management Team (Cpmt) as a Health Department Representative.

Item 3. Budget And Management; A Resolution to Budget and Appropriate Prior Year Transportation Impact Fees and Transfer the Funds to the Transportation Fund to Reimburse the Fund for Qualifying Transportation Projects.

Resolution R21-147 (R) reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE PRIOR YEAR
TRANSPORTATION IMPACT FEES AND TRANSFER THE FUNDS TO THE
TRANSPORTATION FUND TO REIMBURSE THE FUND FOR QUALIFYING
TRANSPORTATION PROJECTS

WHEREAS, the Fiscal Year (FY) 2020 independent audit affirmed that \$1,127,163 in prior year fund balance Transportation Impact Fees held in the County-Wide Impact Fund are available; and

WHEREAS, these funds can be used to reimburse the Transportation Fund for certain qualifying projects and eligible project expenditures, and sufficient expenditures have been identified; and

WHEREAS, Board desires to transfer these funds to the Transportation Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that One Million One Hundred Twenty-Seven Thousand One Hundred Sixty-Three Dollars (\$1,127,163) of prior year fund balance Transportation Impact Fees be and they hereby are budgeted and appropriated within the County-Wide Impact Fund for transfer to the Transportation Fund to reimburse the Transportation Fund for expenditures associated with eligible projects in Fiscal Year 2021.

Item 4. Budget And Management; A Resolution Adopting the FY2023 Budget Calendar.

Resolution R21-236 reads as follows:

A RESOLUTION ADOPTING THE FISCAL YEAR (FY) 2023 BUDGET CALENDAR

WHEREAS, the FY2023 budget calendar (Budget Calendar) includes annual processes for the Board and County staff; and

WHEREAS, the Board has adopted a Capital Improvement Program (CIP) Development Policy; and

WHEREAS, the establishment of the Budget Calendar provides an outline for planning and gives staff direction to meet the Board's objectives;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the FY2023 Budget Calendar be and it hereby is adopted as

follows, which dates may be changed based on need and availability, with prior notice being provided in compliance with all applicable State laws:

**STAFFORD COUNTY BOARD OF SUPERVISOR'S
 FISCAL YEAR 2023 BUDGET CALENDAR**

Date	Purpose
<u>August</u>	
Monday, August 16, 2021	CIP: All CIP Projects Due to Budget Office
<u>September</u>	
Tuesday, September 14, 2021	CIP: School Board Adopts Large CIP Priorities
Tuesday, September 21, 2021*	Presentation of the preliminary FY2021 Schools and County year-end summary of financial results
Tuesday, September 21, 2021*	Request to appropriate County Year-End Encumbrances
September 27, 2021	Technical Review Committee (TRC) Receives all CIP projects for review
<u>October</u>	
October 4, 2021 – October 15, 2021	TRC Reviews CIP requests
October 19, 2021*	Presentation of County and Schools FY2022 First Quarter Review
October 19, 2021*	Appropriation of School's Year-End Encumbrances
October 19, 2021*	CIP – Joint School Board and Board meeting to review School Board CIP priorities
<u>November</u>	
November 5, 2021	Schools provide TRC updated September 30 enrollment and projections
November 16, 2021*	Five-Year Financial Plan (FYFP) General Fund Work Session
November 16, 2021*	CIP Presentation of TRC's review of CIP projects and affordability
<u>December</u>	
December 7, 2021	Joint Board and School Board review of TRC's review of CIP projects and affordability
Tuesday, December 21, 2021*	FYFP Work Session Other Funds and General Fund direction
Tuesday, December 21, 2021*	CIP Board provides final guidance for the FY2023-32 CIP

Tuesday, December 21, 2021*	Presentation of the comprehensive Annual Financial Report and Audit
<u>January</u>	
Tuesday, January 18, 2022*	Presentation of the FY2022 County and Schools Mid-Year Review
<u>February</u>	
Tuesday, February 15, 2022*	County Administrator Proposes FY2023 Operating Budget and FY2023-32 CIP
Tuesday, February 22, 2022*	Budget Work Session (BWS): General Fund Revenues and Expenditures
Thursday, February 24, 2022	BWS: Follow up to February 22, 2022 if needed
<u>March</u>	
Tuesday, March 1, 2022*	BWS: Joint Board and School Board meeting for the School Board/staff to provide School Board's FY2023 Budget request
Tuesday, March 1, 2022*	Authorize advertisement of the FY2023 Budget, CIP, Virginia Public School Authority (VPSA), and Calendar Year (CY) 2022 Tax Rates
Tuesday, March 8, 2022	BWS: Utilities, Transportation and Other Funds
Thursday, March 10, 2022	BWS: Follow up to March 8, 2022 if needed
<i>March 14 – March 18, 2022 Stafford County Public Schools Spring Break</i>	
Tuesday, March 15, 2022*	BWS: CIP and project status
Thursday, March 17, 2022	BWS: Follow up to March 15, 2022 if needed
Tuesday, March 22, 2022	BWS: If needed
<u>April</u>	
Tuesday, April 5, 2022*	Public Hearing FY2023 Budget, CIP, VPSA, and CY2022 Tax Rates
Tuesday, April 12, 2022	BWS: If needed
Tuesday, April 19, 2022*	BWS: If needed
Tuesday, April 19, 2022*	Adopt the FY2023 Budget, CIP, VPSA and CY2022 Tax Rates
<u>May</u>	
Thursday, May 5, 2022	Treasurer's Office Sends Bills to Tax Payers
<u>June</u>	
Monday June 6, 2022	Real Estate and Personal Property Tax Bills Due

*Denotes a regularly scheduled Board Meeting Day.

Item 5. Budget And Management; Authorize Advertisement Of A Public Hearing To Increase The Fiscal Year 2022 Schools Health Insurance Fund To Remit Savings To The Other Post-Employment Benefits (Opeb) Trust.

Resolution R21-247 reads as follows:

A RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A PUBLIC HEARING TO INCREASE THE BUDGET FOR SCHOOLS HEALTH INSURANCE FUND TO MAKE A PAYMENT TO ITS OTHER POST EMPLOYMENT BENEFITS (OPEB) TRUST

WHEREAS, the Virginia Code requires and the Board desires to hold a public hearing to increase the budget greater than one percent (1%); and

WHEREAS, Stafford County Public Schools Superintendent requests the Board appropriate its health insurance savings in FY2022 to the Schools Health Insurance Fund for payment to the OPEB trust; and

WHEREAS, this amount exceeds one percent of the FY2022 Budget and therefore a public hearing is required;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize the advertisement of a public hearing to increase the Fiscal Year 2022 Schools Health Insurance Fund budget in an amount greater than one percent (1%) of the FY2022 Budget.

Item 6. Community Engagement; A Proclamation to Recognize August 1 - 7, 2021, as International Assistance Dog Week.

Proclamation P21-10 reads as follows:

A PROCLAMATION TO RECOGNIZE AUGUST 1 - 7, 2021, AS
INTERNATIONAL ASSISTANCE DOG WEEK

WHEREAS, assistance dogs transform the lives of their human partners with physical and mental disabilities; and

WHEREAS, they serve as devoted companions, helpers, aides, best friends and close family members; and

WHEREAS, guide dogs assist people with vision loss, leading these individuals around physical obstacles and to destinations such as seating, crossing streets, entering or exiting doorways, elevators and stairways, etc.; and

WHEREAS, working dogs help law enforcement and public safety achieve their missions every day; and

WHEREAS, service dogs assist people with disabilities with walking, balance, dressing, transferring from place to place, retrieving and carrying items, opening doors and drawers, pushing buttons, pulling wheelchairs and aiding with household chores such as putting in and removing clothes from the washer and dryer; and

WHEREAS, hearing alert dogs assist people with a hearing loss to the presence of specific sounds such as doorbells, telephones, crying babies, sirens, another person, buzzing timers or sensors, knocks at the door as well as smoke, fire and clock alarms; and

WHEREAS, seizure alert/seizure response dogs alert or respond to medical conditions, such as heart attack, stroke, diabetes, epilepsy, panic attack, anxiety attack, post-traumatic stress and seizures; and

WHEREAS, medical alert/medical response dogs respond to oncoming medical conditions, such as heart attack, stroke, diabetes, epilepsy, panic attack, anxiety attack, post-traumatic stress disorder; and

WHEREAS, International Assistance Dog Week, August 1 - 7, 2021, provides an opportunity for us to raise awareness of the selfless way all types of assistance dogs assist individuals with mitigating their disability-related limitations;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby recognizes August 1 - 7, 2021, as International Assistance Dog Week in appreciation of the outstanding contributions of assistance dogs to the betterment of human lives.

Item 7. Community Engagement; A Proclamation Recognizing Andrew Milliken for Receiving the Governor's Excellence in Virginia Community Risk Reduction Award.

Proclamation P21-21 Reads As Follows:

A PROCLAMATION RECOGNIZING ANDREW MILLIKEN FOR
RECEIVING A 2020 GOVERNOR'S FIRE SERVICE AWARD FOR
EXCELLENCE

WHEREAS, Stafford County Fire and Rescue Deputy Chief Andrew Milliken was awarded the 2020 Governor's Fire Service Award for Excellence in Virginia Community Risk Reduction on behalf of Virginia Governor Ralph Northam; and

WHEREAS, the award recognizes Deputy Chief Milliken's outstanding contributions to the 2018 State Fire Prevention Code Development; and

WHEREAS, Deputy Chief Milliken served as the Chair of the Virginia Fire Services Board, Codes and Standards Subcommittee; and

WHEREAS, Deputy Chief Milliken was instrumental in several Department of Housing and Community Development workgroups and public hearings, representing the Virginia Fire Services; and

WHEREAS, Deputy Chief Milliken reviewed over 1,000 different amendment proposals to the Statewide Fire Prevention Code in 2020; and

WHEREAS, Deputy Chief Milliken brought great credit and honor upon himself, Stafford County Fire and Rescue and the County of Stafford by serving in this important role on the Virginia Fire Services Board, Codes and Standards Subcommittee;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does honor Deputy Chief Andrew Milliken for his receipt of the 2020 Governor's Fire Service Award for Excellence in Virginia Community Risk Reduction.

Item 8. Community Engagement: A Proclamation To Recognize The 5th Annual First Responders Appreciation Breakfast.

Proclamation P21-20 reads as follows:

A PROCLAMATION EXPRESSING STAFFORD COUNTY'S GRATITUDE
AND APPRECIATION TO FIRST RESPONDERS

WHEREAS, career and volunteer law enforcement, firefighters, emergency medical responders, search and rescue professionals and military personnel come together in emergencies to provide services that often make the difference between life and death; and

WHEREAS, being a first responder is a calling as well as a duty for individuals with a heart for service; and

WHEREAS, first responders put their lives on the line every day for the betterment of our community, enhancing countless lives in the process; and

WHEREAS, our region is fortunate to have the best local, regional, state and federal first responders available during emergencies; and

WHEREAS, we are grateful and humbled by their service, especially over the past year when first responders faced even more life and death situations brought about by the Coronavirus epidemic;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does recognize and commend first responders for their selfless dedication and devotion to public safety.

Item 9. Development Services; Authorize the County Administrator to Execute a Contract Amendment For Additional Services for the St. Clair Brooks Park Stream Restoration Project.

Ms. Bohmke said that she wanted some clarity on this project, which was large at \$1.8 million, and she recalled that 80% would be paid by a grant. She noted that there was nothing in the Board report about that, and she wanted the community to know that the County was not paying \$1.8 million out of their general fund. She emphasized that the project was contributing 40% to their nitrogen, phosphorous, and sediment for their TMDL for the river. She added that it would be a massive project in the area where everyone plays frisbee golf.

Ms. Bohmke stated that this project would upset a lot of people, but they talked at the committee level about how they would go about notifying everyone. She asked Mr. Santay to provide an update, as the project had changed a bit with the consultant.

Mr. Santay addressed the Board and stated that the stream restoration project is a CIP project that would help meet the County's TMDL obligations for pollutant removal in the Rappahannock region, and this had been a planned project for a number of years. He stated that it was recently awarded a significant amount of grant funding through the Stormwater Local Assistance Funding Program for everything from engineering to construction. He said that the contract amendment is proposing a scope increase on some of the engineering services, which is why staff was coming to the Board. Mr. Santay explained that the \$69,000 change order hits several procurement thresholds, exceeding the 25% threshold for the total contract amount, and exceeding the total contract amount of \$200,000.

Mr. Santay reported that they were extending the stream restoration another hundred feet and were including a few additional natural features in the project, as well as capturing some construction-related services from the engineer to ensure the project is done properly. He said that they also want to ensure that they're getting the best return on investment for the pollutant removal—with a proper assessment done both before and after the stream restoration. He noted that they are working closely with the community and intend to reach out to the disc golf constituents and Friends of the Rappahannock for signage and construction notification.

Ms. Bohmke thanked him and mentioned that she had overlooked the SLAF grant information in the Board report.

Ms. Bohmke motioned, seconded by Ms. Allen, to approve proposed Resolution R21-266.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Resolution R21-266 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT FOR ADDITIONAL SERVICES FOR THE ST. CLAIR BROOKS STREAM RESTORATION PROJECT, LOCATED IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the St. Clair Brooks Park Stream Restoration Project (Project) is currently included in the fiscal year (FY) 2022 Capital Improvement Program (CIP) and meets the County's forty percent Chesapeake Bay Total Maximum Daily Load (TMDL) obligations through FY2024 to remove nitrogen, phosphorus, and sediment from the Rappahannock River watershed; and

WHEREAS, on August 21, 2017, the County contracted with Timmons Group, Inc. (Timmons), Contract Number 16-4111-P102-TIM, to provide the design for the development of the Project; and

WHEREAS, at that time, the proposal for the design was provided in the amount of \$83,589; and

WHEREAS, the Project was recently selected by the Department of Environmental Quality (DEQ) for a Stormwater Local Assistance Fund award in the amount of \$871,000 for reimbursable design and construction costs; and

WHEREAS, locally, the Friends of the Rappahannock endorsed the Project and committed an additional Forty Thousand Dollars (\$40,000) in matching National Fish and Wildlife grant funds to the Project; and

WHEREAS, on May 7, 2021, staff with the Departments of Capital Construction, Parks, Recreation and Community Facilities, and Development Services met at St. Clair Brooks Park with the County's engineering consultant, Timmons, to discuss additional assistance needed for the Project's bid and specifications, and construction management for the lifecycle of the Project; and

WHEREAS, Timmons prepared a proposal to provide additional assistance to meet the County's TMDL goals and to ensure the success of the sensitive environmental stream restoration; and

WHEREAS, the cost for the proposed work exceeds twenty-five percent and \$50,000 of the original contract sum and requires Board approval pursuant to the Virginia Code § 2.2-4309;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the County Administrator be and he hereby is authorized to

execute a contract amendment with the Timmons Group, Inc. in an amount not to exceed Sixty-Nine Thousand One Hundred Twenty Dollars (\$69,120) for additional services related to the St. Clair. Brooks Stream Restoration Project.

Item 10. Economic Development & Tourism; Reappointment Mr. Marlon Wilson to the Economic Development Authority Representing the Griffis-Widewater District for a Term Ending June 30, 2025.

Item 11. Finance And Budget; Authorize the County Administrator to Execute a Contract Renewal for Financial Advisory Services.

Resolution R21-242 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT RENEWAL WITH PUBLIC FINANCIAL MANAGEMENT, INC. FOR FINANCIAL ADVISORY SERVICES FOR FISCAL YEAR 2022

WHEREAS, the current contract with Public Financial Management, Inc. (PFM) for financial advisory services has nine, one-year renewal options; and

WHEREAS, the first-year contract costs were below the procurement threshold; however, subsequent renewals will raise the aggregate contract amount above the procurement threshold, which requires Board authorization; and

WHEREAS, the second year (1st renewal) of the contract with PFM was approved by Resolution R19-04; the third year (2nd renewal) by Resolution R19-211; and the fourth year (3rd renewal) by Resolution R20-154; and

WHEREAS, the current contract for PFM is due for renewal and funds for these services have been budgeted and appropriated in the FY2022 budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the County Administrator be and he hereby is authorized to execute the fourth contract renewal with Public Financial Management, Inc. for financial advisory services for Fiscal Year 2022, in an amount not to exceed Forty-Four Thousand Seven Hundred Dollars (\$44,700).

12. Information Technology; Authorize the County Administrator to Execute a Maintenance Contract with Infor Public Sector Inc. for Hansen Permitting and Public Sector Asset Management Services and Authorize Additional Expenditures for Maintenance of the County's Enroute Computer-Aided Dispatch System.

Resolution R21-199 Reads As Follows:

**A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES WITH
INFOR PUBLIC SECTOR, INC. FOR THE COUNTY'S ENROUTE
COMPUTER-AIDED DISPATCH SYSTEM**

WHEREAS, Infor Public Sector, Inc. (Infor) currently supports the Enroute Computer-Aided Dispatch (CAD) system software for the Sheriff's Office and the Department of Fire and Rescue; and

WHEREAS, authorizing additional expenditures will extend maintenance on these systems to ensure that software fixes and upgrades will remain available for the CAD system; and

WHEREAS, staff reviewed the proposed contract amounts and determined them to be reasonable for the scope of services to be performed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize additional expenditures with Infor Public Sector, Inc. to provide one year of maintenance for the Enroute Computer-Aided Dispatch (CAD) system software in an amount not to exceed Five Hundred Twenty-Seven Thousand Twenty-Two Dollars (\$527,022), unless amended by a duly-executed contract amendment.

Resolution R21-243 reads as follows:

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE MAINTENANCE CONTRACT WITH INFOR PUBLIC SECTOR, INC.
FOR THE COUNTY'S HANSEN PERMITTING AND PUBLIC SECTOR ASSET
MANAGEMENT SYSTEMS**

WHEREAS, Infor Public Sector, Inc. (Infor) currently supports Hansen permitting and public sector asset management software systems which provides a centralized flexible system for permitting, code compliance, plan review, and asset management with a leading platform for the County; and

WHEREAS, the County's current maintenance agreement has expired; and

WHEREAS, executing a new maintenance agreement for these systems ensures that software fixes and upgrades will remain available for these essential systems; and

WHEREAS, the staff reviewed the proposed contract amounts and determined them to be reasonable for the scope of work to be performed; and

WHEREAS, funds for the first year of maintenance are available in various departments within the County's General Fund and Utilities Fund, with subsequent renewal years being subject to Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the County Administrator, or his designee, be and he hereby is authorized to execute a contract for one year with two optional one-year renewal terms with Infor Public Sector, Inc. to provide maintenance for the Hansen permitting and asset management software systems in a total contract amount of Four Hundred Sixteen Thousand Two Hundred Eighty-Four Dollars (\$416,284); and

BE IT FURTHER RESOLVED that costs shall not exceed One Hundred Thirty-Eight Thousand Six Hundred Four Dollars (\$138,604) in Fiscal Year 2022, and subsequent renewal costs shall not increase by more than 3%, unless amended by a duly-executed contract amendment.

Item. 13. Planning and Zoning; Refer to the Planning Commission An Ordinance to Amend and Reordain Stafford County Code Sec. 28-87, "Outdoor Lighting Standards"

Resolution R21-205 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-87, "OUTDOOR LIGHTING STANDARDS" TO AMEND LIGHTING STANDARDS FOR INDUSTRIAL USES

WHEREAS, the purpose of outdoor lighting standards in the Zoning Ordinance is to establish adequate and consistent lighting levels for various uses that minimize glare, light trespass, over-lighting, and skyglow, while improving safety and security, and energy conservation for businesses and residents of Stafford County; and

WHEREAS, the Board desires to amend the Zoning Ordinance provisions regarding outdoor lighting standards to amend such standards and how those standards apply to industrial uses ; and

WHEREAS, the Board desires to forward a proposed amendment, pursuant to proposed Ordinance O21-32, to the Planning Commission for its review, to hold a public hearing, and provide its recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that proposed amendments to Sec. 28-87, "Outdoor lighting standards," pursuant to proposed Ordinance O21-32, be and they hereby are referred to the Planning Commission for its review, to hold a public hearing, and provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission is authorized to make modifications to proposed Ordinance O21-32 as it deems necessary and appropriate.

Item 14. Planning and Zoning; Refer to The Planning Commission a Proposed Amendment to Consider Renaming the Unaddressed Portion of Kensington Drive within the Town and Country Subdivision to Coventry Court.

Resolution R21-257 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN AMENDMENT TO THE INDEX OF OFFICIAL ROAD NAMES IN THE ZONING ORDINANCE TO RENAME AN EXISTING PRIVATE ROAD IN THE FREDERICKSBURG POSTAL AREA, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Virginia Code § 15.2-2019 authorizes the Board to name roads and provides that the locality may forward a certified copy of the action effecting such name change to the clerk of the circuit court in which the site plan or subdivision plat is recorded or filed; and

WHEREAS, the Board established a County-wide system for naming all roads, and numbering all principal buildings in the County; and

WHEREAS, Stafford County Code Sec. 28-142, "Establishment and adoption," incorporates the index of official road names into the Zoning Ordinance (Addressing Ordinance); and

WHEREAS, the Board may name or rename an existing or newly established road at any time by amending and reordaining the index of official road names; and

WHEREAS, the subdivision plat dated January 2, 1970 known as Town and Country was recorded among the Land Records of Stafford County at Plat Book Number 5, Page 54, and includes roads entitled Kensington Drive and Coventry Court (Plat); and

WHEREAS, residents of the Town and Country subdivision have requested an unaddressed portion of Kensington Drive shown on the Plat be renamed Coventry Court to reduce confusion; and

WHEREAS, the Board desires to forward a proposed amendment, pursuant to proposed Ordinance O21-36, to the Planning Commission for its review, to hold a public hearing, and provide its recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that a proposed amendment to the Addressing Ordinance, pursuant to proposed Ordinance O21-36, be and it hereby is referred to the Planning Commission to hold a public hearing and provide its recommendation.

Item 15. Transportation; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Route 1 and Courthouse Road Intersection Improvement Project.

Resolution R21-225 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE ROUTE 1 AND COURTHOUSE ROAD INTERSECTION IMPROVEMENT PROJECT, LOCATED WITHIN THE AQUIA DISTRICT

WHEREAS, the Board identified the completion of road improvements at the intersection of Route 1 and Courthouse Road (SR-630) (Project) as a critical part of the County's road improvement plan; and

WHEREAS, the Board approved the acquisition of the land and easements necessary for the completion of the Project, and staff has acquired some necessary portions of land for right-of-way, and temporary and permanent easements; and

WHEREAS, Tax Map Parcel No. 30-90 consists of approximately 1.5620 acres of land owned by the Duffey Family Trust; and

WHEREAS, due to the design of the Project, the Board must acquire 486 square feet of temporary construction easement on Tax Map Parcel No. 30-90; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-90, together with damages, if any, to the remainder of the Parcel is One Thousand Sixty-Nine Dollars (\$1,069) based upon the 2018 appraisal conducted by a licensed appraiser; and

WHEREAS, Tax Map Parcel No. 30-44C consists of approximately 0.3644 acres of land owned by J.D. Moore and Jo D. Knight-Moore, Trustees, either of whom may act independently as Co-Trustees under Declaration of Trust dated 07/15/2008, known as the JOMO FAMILY TRUST (*Share H*), and J.D. Moore and Jo D. Knight-Moore, Trustees, either of whom may act independently as Co-Trustees under Declaration of Trust dated 07/15/2008, known as the JOMO FAMILY TRUST (*Share W*); and

WHEREAS, due to the design of the Project, the Board must acquire 1,179 square feet of fee simple right-of-way and 1,440 square feet of temporary construction easement on Tax Map Parcel No. 30-44C; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-44C, together with damages, if any, to the remainder of the Parcel is One Hundred Sixty-Four Thousand Two Hundred Ninety Dollars (\$164,290), based upon the 2018 appraisal conducted by a licensed appraiser; and

WHEREAS, Tax Map Parcel No. 30-59 consists of approximately 2.1170 acres of land owned by Thurston Properties, LLC; and

WHEREAS, due to the design of the Project, the Board must acquire 4,632 square feet of fee simple right-of-way, 275 square feet of permanent drainage easement, 3,357 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia, and 15,034 square feet of temporary construction easement on Tax Map Parcel No. 30-59; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-59, together with damages, if any, to the remainder of the Parcel is Three Hundred Fifty-One Thousand Nine Hundred Fifteen Dollars (\$351,915), based upon the 2021 appraisal conducted by a licensed appraiser; and

WHEREAS, Tax Map Parcel No. 30-59B consists of approximately 0.5288 acres of land owned by Jeanne M. Anderson and Beth M. Williams; and

WHEREAS, due to the design of the Project, the Board must acquire 1,145 square feet of fee simple right-of-way, 1,028 square feet of permanent ingress-egress easement, 1,860 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia, and 1,775 square feet of temporary construction easement on Tax Map Parcel No. 30-59B; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 30-59B, together with damages, if any, to the remainder of the Parcel is Thirty-Four Thousand Nine Hundred Ninety-Five Dollars (\$34,995), based upon the 2021 appraisal conducted by a licensed appraiser; and

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

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

WHEREAS, to determine the necessity for condemnation and exercise of its quick-take powers to acquire the land and easements for the construction of the Route 1 and Courthouse Road Intersection Improvement Project, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of June, 2021, that the County Administrator be and he here by is authorized to advertise public hearings to consider the condemnation and use of the County's quick-take powers to acquire fee simple right-of-way, permanent ingress-egress easements, permanent drainage easements, temporary construction easements, and permanent utility easements to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia, on the

properties of Duffey Family Trust, Tax Map Parcel No. 30-90; J.D. Moore and Jo D. Knight-Moore, Trustees, either of whom may act independently as Co-Trustees under Declaration of Trust dated 07/15/2008, known as the JOMO FAMILY TRUST (*Share H*), and J.D. Moore and Jo D. Knight-Moore, Trustees, either of whom may act independently as Co-Trustees under Declaration of Trust dated 07/15/2008, known as the JOMO FAMILY TRUST (*Share W*), Tax Map Parcel No. 30-44C; Thurston Properties, LLC, Tax Map Parcel No. 30-59; and Jeanne M. Anderson and Beth M. Williams, Tax Map Parcel 30-59B; all in connection with the Route 1 and Courthouse Road Intersection Improvement Project, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

16. Transportation; Petition VDOT to Include Anderson Drive within Mount Pleasant Estates South; and Moffett Lane And Kellogg Court Within the Kellogg Mill Subdivision into the Secondary System of State Highways.

Resolution R21-249 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ANDERSON DRIVE WITHIN MOUNT PLEASANT ESTATES SOUTH SUBDIVISION IN THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT.

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Anderson Drive within Mount Pleasant Estates South Subdivision into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Anderson Drive and found it satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Mount Pleasant Estates South Subdivision into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Anderson Drive (SR-1060)	From: 0.03 mi S. of Inter. with Pleasant Blvd. (SR-1032) To: 0.18 mi. South of Inter. with Pleasant Blvd. (SR-1032)	0.15 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Mount Pleasant Estates South, recorded among the land records of Stafford County, Virginia in Plat Map No. PM160000203 with Instrument LR160023513 on December 16, 2016; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R21-250 Reads As Follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE MOFFETT LANE AND KELLOGG COURT WITHIN KELLOGG MILL SUBDIVISION IN THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Moffett Lane and Kellogg Court within Kellogg Mill Subdivision into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Moffett Lane and Kellogg Court and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Kellogg Mill Subdivision into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Moffett Lane (SR-2400)	From: 0.36mi W. of Inter. with. Kellogg Court (SR-2401) To: Inter of Kellogg Court (SR-2401)	0.36mi. ROW 54'
Moffett Lane (SR-2400)	From: Inter. with. Kellogg Court (SR-2401) To: Inter of Kellogg Mill Road (SR-651)	0.11mi. ROW 54'
Kellogg Court (SR-2401)	From: Inter. with. Moffett Lane (SR-2400) To: 0.15 mi NE Inter of Moffett Lane (SR-2400)	0.15mi. ROW 54'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Kellogg Mill, recorded among the land records of Stafford County, Virginia in Plat Map No. PM180000047 with Instrument LR180007261 on March 3, 2018; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 18. Utility Operations; Authorize the County Administrator to Submit an Application for the Virginia Clean Water Revolving Loan Fund (VCWRLF).

Resolution R21-253 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT AN APPLICATION TO THE VIRGINIA DEPARTMENT OF
ENVIRONMENTAL QUALITY FOR THE VIRGINIA CLEAN WATER
REVOLVING LOAN FUND

WHEREAS, the Virginia Department of Environmental Quality (DEQ) provides below market rate loans through the Virginia Clean Water Revolving Loan Fund (VCWRLF) to assist local governments by providing cost-effective infrastructure financing; and

WHEREAS, upgrades are currently scheduled for the Little Falls Run Wastewater Treatment Plant which is located in the George Washington Election District; and

WHEREAS, the project was included in the Fiscal Years (FY) 2022 – 2031 Capital Improvement Program under LWWTF – Wastewater Treatment Plant Upgrades; and

WHEREAS, the Department of Utilities desires to apply for the Wastewater Loan Program through the VCWRLF in an amount up to \$30,000,000, based on revised costs estimates for improvements to the Little Falls Run Wastewater Treatment Plant;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the County Administrator be and he hereby is authorized to submit an application to the Virginia Department of Environmental Quality for the Wastewater Loan Program of the Virginia Clean Water Revolving Loan Fund in amount not to exceed Thirty Million Dollars (\$30,000,000) for improvements to the Little Falls Run Wastewater Treatment Plant.

Item 19. Utility Operations; Authorize the County Administrator to Advertise a Public Hearing to Consider Adoption of Fees Associated with a Fats, Oils, And Greases (Fog) Program.

Resolution R21-254 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTION OF FEES
ASSOCIATED WITH A FATS, OILS AND GREASES (FOG) PROGRAM

WHEREAS, Stafford County Code Chapter 25, Article X, Sewer Use Standards, regulates the use of the County's public sewer system (System) and prevents the introduction of pollutants into the System that will interfere with its operation; and

WHEREAS, Stafford County Code Sec. 25-199(b)(17) prohibits users from introducing into the System fats, oils, or greases (FOG) of animal or vegetable origin in concentrations that may cause blockages in the System or that exceed the local limit established for oil and grease; and

WHEREAS, in order to significantly reduce the introduction of FOG into the collection system, a formal pretreatment program (Program) is necessary with routine inspections to enforce grease control device maintenance, oil disposal, and best management practices; and

WHEREAS, the Program would be administered under the Stafford County Pretreatment Program and governed by the conditions set forth in a Stafford County FOG General Permit Policy required for commercial kitchens with a high-potential for FOG discharge; and

WHEREAS, pursuant to Virginia Code § 15.2-2122 and Stafford County Code Sec. 25-260, the Board may adopt reasonable fees for the reimbursement of costs of setting up and operating the Program; and

WHEREAS, the Board desires and is required to hold a public hearing to consider imposing fees for the Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider adoption of a fee associated with the establishment of a Fats, Oils, and Greases (FOG) Program and permit to regulate the discharge of FOG by commercial users into the County's public sewer system.

Item 20. Utility Operations; Authorize the County Administrator to Approve Expenditures for Potassium Permanganate Water Treatment Chemical.

Resolution R21-256 Reads As Follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
APPROVE ADDITIONAL EXPENDITURES FOR POTASSIUM
PERMANGANATE WATER TREATMENT CHEMICAL

WHEREAS, the Department of Utilities, Operations, requires various chemicals for the treatment of water and wastewater; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation to Bid #20-5030-SB161 to provide water and wastewater chemicals for one year with four optional, one-year renewal terms; and

WHEREAS, fiscal year (FY) 2022 will be the first of four, one-year contract renewal terms for Chemrite, Inc. to provide the water treatment chemical, Potassium Permanganate, Contract #20-5030-SB161-CM; and

WHEREAS, funds for the chemicals are available in the FY2022 Utilities Operations Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July 2021, that the County Administrator be and he hereby is authorized to approve expenditures for FY2022 with Chemrite, Inc. to provide Potassium Permanganate at \$1.672 per pound, with a cost not to exceed Fifty-Six Thousand Eight Hundred Forty-Eight Dollars (\$56,848), unless modified by a duly-executed contact amendment.

Item 21. Add-On; A Resolution Ending the Declaration of Local Emergency in Stafford County Due to COVID-19.

Resolution R21-268 reads as follows:

A RESOLUTION ENDING THE DECLARATION OF LOCAL EMERGENCY
IN STAFFORD COUNTY DUE TO COVID-19

WHEREAS, coronavirus disease 2019 (COVID-19) is a Communicable Disease of Public Health Threat for Virginia and is of sufficient severity and magnitude to warrant a coordinated response by County departments, agencies, and voluntary organizations; and

WHEREAS, the Governor of the Commonwealth of Virginia declared a state-wide emergency on March 12, 2020; and

WHEREAS, the Declaration of a Local Emergency was declared by the County Administrator, acting as the Stafford County Director of Emergency Management, on March 16, 2020 at 11:00 a.m. and ratified by the Board pursuant to Resolution R20-105 on March 17, 2020; and

WHEREAS, the Governor of the Commonwealth of Virginia ended the declared state-wide emergency on June 30, 2021; and

WHEREAS, the Board finds that the emergency measures implemented by County departments, agencies, and voluntary organizations to mitigate the ongoing emergency and spread of the communicable disease in the County were successful; and

WHEREAS, in accordance with Virginia Code § 44-146.21, the Board believes that emergency actions are no longer necessary and in consultation with the Stafford County Director of Emergency Management, desires to end the local declared emergency; and

WHEREAS, the Board recognizes by ending the local declared emergency that the County's continuity of governance ordinance, adopted pursuant to Ordinance O21-18 on April 6, 2021, will cease to be in effect;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the Declaration of a Local Emergency in Stafford County due to COVID-19 be and it hereby is ended.

Item 22. Add-On; Authorize Appointment of Ms. Linda Burdette as an At-Large Member to the Architectural Review Board for a Term Ending on December 31, 2021.

UNFINISHED BUSINESS

Item 23. Planning and Zoning; a Proposed Zoning Reclassification from the B-2, Urban Commercial Zoning District to the UD-5, Urban Development-5 Zoning Subdistrict on Tax Map Parcel Nos. 30-43, 30-43A, 30-45, and 30-46, Consisting of Approximately 6.11 Acres (Fountain Park – JPI Property).

Mr. Jeff Harvey, Planning and Zoning Director, reported that this is a rezoning of 6.11 acres from B2 Urban Commercial to UD5 Urban Development, and the owner of the property is JPI Fountain Park LLC, with the County as applicant in the rezoning application. Mr. Harvey stated that the property is located on the corner of Route 1 and Courthouse Road in the southwest quadrant, and it is generally across from the County's government complex on the north side of Courthouse Road.

Mr. Harvey stated that there is an MOU previously adopted by the Board, valid through July 9, 2021, and it speaks to acquisition costs pertaining to the widening of Courthouse Road and Route 1. He said that the project includes additional turn lanes and other features that will make the intersection operate much more efficiently. He said that the County has spent \$560,000 thus far, and there are other commitments up to \$200,000 in net costs based on current plans, for a total of \$760,000. Mr. Harvey explained that the County has \$300,000 for fee-simple land acquisition; rent payments of \$160,000 from the property take and demolition to offset the impact to the landowner; and \$100,000 in costs for building entrances to the landowner's property.

Mr. Harvey said that the MOU addresses issues that would occur on the Fountain Park property, as well as adjacent County property, to the benefit of both parties. He noted that there was transfer of land from the County to Fountain Park to make their land area larger, and up to \$150,000 from Fountain Park to offset wetlands impact costs—as there are wetlands located on both properties. He said there would be \$400,000 of construction work to help the County build a temporary parking lot for the proposed expansion of the courthouse facilities. Mr. Harvey stated that the current government center complex has tight parking at times, and additional court space to be built would make it even more problematic, so they needed another parking lot across the street to accommodate that additional traffic. He also noted that there is more than \$150,000 in wetlands mitigation requirements—estimated at approximately \$300,000.

Mr. Harvey explained that if the County did not proceed with the MOU, the cost would be approximately \$850,000, and there would be an additional \$300,000 in cash that would have to be

paid to Fountain Park, \$400,000 in grading costs to the County to build the temporary parking lot, and \$150,000 in wetlands mitigation costs needed for the future development of the County's property.

Mr. Harvey reported that at the Board's last public hearing on this item in June, they had asked for more information on urban pocket parks and had asked if the landowner would be willing to assist with workforce housing. He said that pocket park are generally small parks that can be located in rural, suburban, or urban settings, and they typically are small pieces of property that may be leftover lots, pieces of a corner area that don't fit with the geometry of the building and nearby land, or parking spaces utilized on a temporary basis. He noted that pocket parks do not typically have active recreation and tend to accommodate sitting and leisure activities, often with sidewalks that tie them into the community. He said that this is a public space being provided by the developer as a requirement of the MOU, and the fountain itself would function as a monument and would be a focal point for the community to draw people to that location.

Mr. Harvey stated that the current government complex has two features that are somewhat like pocket parks: the Armed Services Memorial at the end of the parking lot, which is wedged between the parking lot drive aisle and the creek and thus not big enough for a full-fledged park but serves the purpose as a gathering place, with weddings and community events held there; and the front lawn of the courthouse, which is also used for weddings and leisurely gatherings.

He presented a diagram of the landowner's vision for the property, noting how the site would be incorporated into the courthouse area. He said that the courthouse widening project would be constructed with extending sidewalks along Route 1, as well as along Courthouse Road, where it would tie into additional parts of downtown Stafford. Mr. Harvey pointed out the general location of Fountain Park at the southwest corner of the intersection, providing a nice visual focal point for the community. He noted that the front-yard area of the courthouse provides a focal point for the community, with the historic well, benches, and walkways.

He referenced an additional concept the landowners put together, noting the location of the fountain and commenting that the area would generally be 10,000 square feet in size but could be larger or smaller. Mr. Harvey said that there was a restaurant anticipated for the ground floor of the building, which would be facing Fountain Park, and that could be used for pop-up activities as well as greenspace for people to relax and enjoy the fountain. He presented examples of other pocket parks throughout the country: in Allentown, PA, where they have farmers' markets; Bryant Park in Richmond, VA, a gathering place in the community; and several examples in Savannah, GA, that add to that community's character.

Mr. Harvey stated that with workforce housing, the Fountain Park representatives have agreed to grant \$75,000 to the County or a third party such as the EDA to provide housing assistance to County employees. He said they also have two options for lease-term assistance, the first being a direct rent reduction of 10% for up to 5% of the dwelling units, with the proposal having 309 multi-family units, two office buildings, and commercial retail space. He noted that the 5% would be the equivalent of 15 units. He stated that the second option would be to establish a rental assistance fund where half of 1% of their annual rent could go towards an assistance program, should the County establish one.

Mr. Harvey stated that staff believes the positives of this rezoning application outweigh the negatives and are recommending approval. He said that they feel it could be a catalyst for economic development, which is why the MOU is with the Board, the EDA, and JPI. He said that staff feels that it meets the Board's strategic plan priority 5.1, which is to begin construction of the first phase of Downtown Stafford—a year three priority, and they are in year three of the strategic plan. He said that the MOU will help ensure certain infrastructure improvements are completed and the development is consistent with the design standards, which speak to specific architectural recommendations, for the overall area. He added that there are also timing requirements related to how much square footage of non-residential space must be available and phased in with the residential portions of the project.

Mr. Harvey reported that the Planning Commission had recommended denial of the application in April 2021, with a vote of 5-2. He stated that the Board's deadline for action is today, July 7, 2021, as the MOU expires on July 9, 2021.

Ms. Vanuch opened the floor for Board questions.

Mr. Coen said there has been conversation about \$5.9 million that the County was going to give this company as part of this project, yet he has seen nothing to support this claim—and he asked Mr. Harvey if it was safe to say that the County was not handing this amount over to the company.

Mr. Harvey responded that he was not aware of any other considerations beyond those in the MOU.

Ms. Vanuch stated that they have already held the public hearing on this item and said that it was in Mr. Snellings' District, asking him how he wished to proceed.

Mr. Snellings motioned, seconded by Ms. Bohmke, to deny O21-33.

Mr. Dudenhefer offered a substitute motion to approve proposed Ordinance O21-33. Ms. Allen seconded the motion.

Ms. Vanuch pointed out that the Board always votes on substitute motions first.

Mr. Dudenhefer stated that they had held many hours of discussion on this and had nothing to add.

Ms. Allen said that she agreed with Mr. Dudenhefer and was ready to vote.

Mr. Coen commented that this had been an interesting case study in local government and decision-making, and he believed in transparency. He said this is why he and several other Supervisors wanted downzoning, which affected many more residents directly—and they wanted discussion to be held in a different forum at night, but the decision was made to do that during a 3:00 meeting. Mr. Coen stated that he thought this was the norm and that once they had the public hearings, 3:00 was acceptable. He said that it's nice that people come to his way of thinking that things should be done in different time frames, but that's why they are here.

Mr. Coen stated that he believed in explaining the logic of his decision, because prior to serving in a public capacity in the County, he heard complaints from the public that decisions and votes were made without them knowing why. He said that he feels that you should explain the rational behind your decisions, and if he is to receive criticism, he at least wants it to be directed at what he said. Mr. Coen stated that in the past several weeks, he has had 11 people contact him against this proposal—six live in his district, and five do not—with some of those who didn't live in the district having a financial interest in the project.

Mr. Coen said that much of the time he has spent on this project has been correcting the \$5.9 million that doesn't exist, and people have appreciated the clarification even if they still had concerns. He stated that part of the process is listening to the people, hearing what they say, and respecting them. He added that the Board has made this better because they have listened. He said that he lost count when it reached 60 people contacting him in favor of this project, and there were only a handful of people—five or six—who did not live in his district.

Mr. Coen stated that many of these people saw the clips in the newspaper and were very pleased at his comments that said, "In the real world, there are people who need to live in apartments." He said that a number of parents stopped him in the community and told him that their children had good-paying jobs, but their options were either staying at home or living in an apartment south of Massaponax and didn't want to drive that far to get to Dahlgren. Mr. Coen said that they felt there needed to be something for people to work, and constituents have told him if they could live closer and not have to go up I-95 or Route 1, they would do it.

Mr. Coen said that one of his neighbor's children whose parents were going to help her with a down payment for a prior purchase, the bank would not lend her money because of the debt-to-income ratio due to a student loan. He stated that this wasn't because she was a credit risk or bad individual—which is what he's heard from some of the people who are against this project and have characterized those who need housing as just not knowing “how to handle their finances.”

Mr. Coen stated that he believes this is a reasonable project for the County for several reasons. He said that if the theory has been that they don't want to consume all the rural area in the County, they must rezone in the targeted growth area in the U.S., and people have pushed for downzoning. He stated that if people are going to do that, they need to rezone in the targeted growth area in the U.S. He said that if they do not, he doesn't believe that developers won't gobble up all the six-acre rural lots they can and destroy the rural area of the County. Mr. Coen emphasized that basic lodge is that “if you don't want it out here, you have to put it in here; if you're going to put it in here, you have to rezone.” He said that if people want to preserve their end of the County, they have to put it closer to this area.

Regarding workforce housing, Mr. Coen said that he would rather have people live here than farm it out to other parts of the County—and what a great recruitment tool for policemen, fire and rescue, and educators. He stated that it was not understood by some, but the theory is that if you are a first responder and are working in the northern end of the County, you are currently living south of Stafford, and to get to work, you have to go up I-95 or Route 1 and are part of the traffic mess. He said that working at fire departments such as Forge, Winding Creek, Mountain View, Rock Hill, or Falmouth, you will not be going on I-95 North during rush hour, or Route 1 during rush hour, you'll be going sideways on Courthouse Road. He said that if you work at the Falmouth Fire Station but live north, you're going in the opposite direction—so this project does address some of the traffic needs.

Mr. Coen said that some constituents have said the County needs to listen from the lessons of the Aquia Town Center, and he has listened to Mr. Harvey, who showed that because they learned lessons from the Aquia “debacle,” when they did Averly and the Silver project, they have had less students enter the school system—not more. He pointed out that because this project is mainly one-bedroom apartments, it would not generate as many children, because they listened to those things. Mr. Coen stated that people have cited budget factors like subsidies and the \$5.9 million, but those things are just not there.

Mr. Coen said that if people are against this for other reasons, that's fine, but they shouldn't say it's because it will raise taxes on everyone when it's not. He stated that by right, this developer could put in five strip mall-type buildings, but everyone knows how ugly that is. He said that they have a chance of doing something sightlier or something that's unsightly, and the developer came

in and presented an option. Mr. Coen stated that this is a test as to whether or not Downtown Stafford will work, and it's up to the developer—not the County. He said that if the developer can make this work, maybe they have given us data and information to prove that downtown is viable.

Mr. Coen emphasized that within two years, they will have a good idea of what's going on and whether this is moving along, and then they will know whether or not Downtown Stafford will work and can make the decision to pull the plug on it. He said that he understands and respects that people have other views and doesn't give an opinion in an attempt to push people and change Board members' positions, but if they are going to preserve the rural character—particularly in his district—and do something that won't adversely affect residents as some projects do, this makes a lot more sense. Mr. Coen concluded that he would support this project.

Ms. Bohmke stated that she cannot support the Fountain Park project for three reasons. She said the first is that the Planning Commission, which they entrust to make good, solid plans, voted 2-5 against this project. She said that they had various reasons that were expounded upon in Planning Commission minutes that have gone on for quite a while. She noted that the “devil in their conversation” is in all of those.

Ms. Bohmke stated that the second reason is that the County cannot keep up with the current transportation issues, and Stafford County is “a parking lot” almost every day. She commented that Thursday of the previous week, from Butler Road to Stafford Boulevard, she was coming north for a retirement party, and traffic was backed up the entire way going south because of an accident in Fredericksburg and one on I-95. She stated that it pushed everything all the way over to Potomac Run Road, and as they all know, there's an accident every day. She said that the question is how it impacts secondary roads, and it impacts them greatly—and the main point she discusses with constituents is that they can't keep up with their road problems.

Ms. Bohmke said that this project would take 50-80% of their fire and rescue services at Station 2, and those are real infrastructure costs. She emphasized that this is where the \$5 million figure comes from, and this would cost residents because there are no proffers to pay for future fire stations. She said that the only way they build a fire station is from general fund money, and if they're not collecting proffers for it, it comes out of every taxpayer's pocket.

Ms. Shelton stated that since she has been on the Board for the past 3.5 years, almost every single vote from the Planning Commission has been completely ignored. She said that sometimes this bothers her because they are wasting business's money as they are ignoring those recommendations. She stated that her second point was her frustration with the businesses on Route 1 that have held up the widening of that road—and those are the same people who have contacted her personally because they felt it was unfair that they were only rezoning one section

of the County and not rezoning theirs. She said that those businesses launched a campaign against this and sent out “cherry-picked” information, and doing that with data just to prove your point is egregious and shouldn’t happen.

Ms. Shelton said that one thing she liked about this project is the level of transparency, as they’ve had many meetings about it, with multiple roundtables, open meetings, and work sessions with the public to get input as to how they would like it designed. She noted what Supervisor Dudenhefer had said about the mandatory courthouse requirement—and they are well beyond the deadline. She said that portions of this trade space allow them to work with someone to give them the property they need to put some cars in while they build the courthouse, and those layers really matter.

Ms. Shelton stated that she likes to consider what the future of Stafford will look like, and they were begged by the outgoing County Administrator—and so many other people—to do this project. She said that she has received many calls, emails, and texts asking why they haven’t done this yet. She stated that there are people both for and against this project, but she wants children to have some centralized, beautiful space to go, and while this is next door to it, it has the same type of look and feel. Ms. Shelton said that as they design what Downtown Stafford looks like, it’s for the community and not for anyone else. She emphasized that they decide what they want 40 years from now for their residents to see, and she will be supporting this project.

Ms. Vanuch stated that she has checked in with each Board member, and those who wished to speak have, which leaves her as the last to have input.

Ms. Vanuch said that the beautiful thing about democracy is that they can all share opinions and can provide the same information, but they can look at things differently and get different feedback from constituents. She stated that the constituents in the Rock Hill District vehemently oppose this project, and she is sharing their opinions in the capacity in which she is elected to serve. Ms. Vanuch said that one of the concerns of her constituents is that in reading the MOU and some of the documents put forth, the economic development summary buildout calculates 115,000 square feet to show return on investment to taxpayers—but unfortunately the MOU proposal only ties the developer to build out 30,000 square feet of commercial space. She said that they’ve already discussed in previous meetings that the space only has to be a cold, dark shell and doesn’t have to be leased or tied to anything; it can be an empty building.

Ms. Vanuch pointed out that there was also no analysis done for offsite impacts in totality, which causes her grave concern. She emphasized that they really don’t know all of the financial impacts and the impacts that have to be dealt with, including transportation and driving on Hope Road, Stafford Avenue, Route 1, the new interchange, etc. She stated that they “don’t know what they

don't know" because they didn't do the analysis. Ms. Vanuch said that she disagrees with the student generation calculation, and it is different from the number used when they're working with a developer to approve or disapprove a project when they're coming in and paying proffers, and she has big concerns about comparisons to other apartment complexes because the MOU does not officially limit the bedrooms in this project.

Ms. Vanuch said that the proposal says 90+ one-bedroom apartments, but it doesn't preclude having an office. She stated that when she worked on Capitol Hill, she lived in Washington, D.C. in an apartment with an office that was bigger than the master bedroom. Ms. Vanuch emphasized that it was really a two-bedroom apartment, so she was curious to see how that rolls out and what restrictions the developer puts on this.

Ms. Vanuch stated that she pulled the \$5.9 million figure from one of the Planning Commission meetings and their discussion of capital facility impacts, which Ms. Bohmke was speaking about regarding the fire stations and the inherent infrastructure costs that will burden the taxpayer for this project.

Ms. Vanuch said that she campaigned on managing growth and knows it is a very important part of her district and what's important to those constituents, but when she sat down with the developer and gave them a fair shot at pitching the idea. She said she asked a simple question in looking at the MOU, if they would be willing to tie a 10% lease—just 10% of the commercial space that they build out—tying that to being leased out to our gap retail, such as women's clothing or restaurants. Ms. Vanuch said that the developer responded, "I won't put something in an MOU that I can't deliver."

She stated that these were the reasons she would be voting no and clarified that this was a vote to approve the project.

The Voting Board tally was:

Yea: (4) Allen, Coen, Dudenhefer, Shelton
Nay: (3) Bohmke, Snellings, Vanuch

Ordinance O21-33 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE B-2, URBAN COMMERCIAL ZONING DISTRICT TO THE UD-5, URBAN DEVELOPMENT-5 ZONING SUBDISTRICT TAX MAP PARCEL NOS. 30-43, 30-43A, 30-44, 30-45, AND 30-46 (JPI PROPERTY), ALL LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board submitted Application RC21153698, requesting a zoning reclassification from the B-2, Urban Commercial Zoning District to the UD-5, Urban Development-5 Zoning Subdistrict on Tax Map Parcel Nos. 30-43, 30-43A, 30-43B, 30-43C, 30-43D, 30-43E, 30-43F, 30-43G, 30-44, 30-45, and 30-46; and from the B-3, Office Zoning District to the UD-5 Zoning Subdistrict on Tax Map Parcel Nos. 30-50 and 30-53, all located within the Hartwood Election District; and

WHEREAS, the Board desires to consider and approve or deny the Application in parts, as permitted by Stafford County Code Sec. 28-204; and

WHEREAS, this Ordinance pertains to a zoning reclassification request from the from the B-2, Urban Commercial Zoning District to the UD-5, Urban Development-5 Zoning Subdistrict on Tax Map Parcel Nos. 30-43, 30-43A, 30-44, 30-45, and 30-46, all owned by JPI-Fountain Park, LLC; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the requested zoning amendment is compatible with the surrounding land uses and meets the criteria for a rezoning in Stafford County Code Sec. 28-206; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this Ordinance to reclassify the JPI Property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the B-2, Urban Commercial Zoning District to the UD-5, Urban Development-5 Zoning Subdistrict Tax Map Parcel Nos. 30-43, 30-43A, 30-44, 30-45, and 30-46.

NEW BUSINESS

Item 24. Budget and Management; Partial Appropriation of American Rescue Plan Act (ARPA) Funding for Time-Sensitive Projects.

Ms. Vanuch stated that there were five resolutions associated with this item, and Ms. Andrea Light would be presenting.

Ms. Andrea Light, Budget and Management Director, addressed the Board and stated that today the Board held a work session to discuss the strategies of the ARPA funding, and Stafford County is poised to get about \$29.7 million. She said that the only action the Board has taken to this point after the public hearing on ARPA was to budget and appropriate \$80,000 for consulting services.

Ms. Light stated that the Department of Treasury is the federal authority over the use of ARPA funds, which are to be used to support Covid-19 mitigation, replace lost public sector revenues, support economic stabilization, and address unequal impact on certain populations.

Ms. Light reported that as part of the ARPA work session, she provided the Board with information on some time-sensitive projects: the United Way, proposed resolution R21-231, \$300,000; Cedar Lane, proposed resolution R21-262, \$1.65 million; countywide fiber, proposed resolution R21-263 at \$3 million; and Duff McDuff Park improvements with water & sewer improvements at just over \$1 million; and the access road at \$450,000. She said that because this is new business, the Board must deem one or all of them time-sensitive to be able to vote on them.

Ms. Light stated that there are project reports in their packets and on the website on each one of these. She said that the fiber project would extend the service to all public safety and utility buildings. She said that they consider it time-sensitive because they may be able to use it as a partial match for a VATI grant, which are due in mid-September, and require a significant amount of staff effort to prepare for them. Ms. Light explained that there are two investment levels, the first of which is \$10.1 million. She stated that staff proposes to start with a \$6.2-million project that connects all of the County's buildings and parks to fiber. She said that they recommend setting aside \$3 million from the initial tranche and \$2 million from the second tranche; the remaining funding would be from the FY23 CI and prior year fiber allocations.

Ms. Light said that Utilities Director Chris Edwards would provide a better explanation of the Cedar Lane project, but she would offer a brief review. Ms. Light said that this is a two-phase project, with a time-sensitive phase one and tied to a commercial project. She stated that construction of a gravity line needs to begin now to meet the developer's expected timeline for their future project, and staff recommends funding the commercial section for \$1.65 million.

Ms. Light said that the next project is the Duff McDuff Green Memorial Park and Patawomeck Tribe infrastructure, and the gravel drive and parking lot are particularly time sensitive—particularly with the plans the tribe is making to bring economic development and tourism opportunities to the Duff McDuff area. She stated that staff recommends funding the project in the amount of \$1.5 million if the Board is going to do both projects, or \$450,000 just for the gravel parkway.

Ms. Light reported that the final project is the United Way support for Stafford residents. She said that during the CARES Act and allocation of those funds, the Board allocated \$540,000 to the United Way to support citizens, who were able to use that over a four-month period. She stated that Stafford residents continue to experience financial hardships due to the pandemic. She also

said that United Way had attended the work session earlier in the day to provide an overview of how those funds would be distributed and how they come up with their calculations.

Ms. Light stated that there are citizens seeking assistance, and that's why staff feels this is time sensitive. She said that staff recommends setting aside an allocation to be distributed to United Way in the amount of \$1.2 million as part of Stafford's support of citizens; but they also recommend a phased-in approach for the allocation, beginning with 25% or \$300,000.

She said that as always, staff would take the Board's input and direction for further consideration of the use of ARPA funds and bring back other appropriations in future meetings. She asked if there were questions, but the Board had none.

Ms. Vanuch stated that this is new business, but should the Board choose to move them forward, they would need a motion, and each resolution would need to be voted on independently as a motion to make the item time sensitive.

Mr. Snellings motioned, seconded by Mr. Coen to make the United Way funding time sensitive.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Mr. Snellings motioned, seconded by Mr. Coen to approve proposed Resolution R21-231.

Ms. Bohmke asked if this was only for the \$300,000. Ms. Vanuch confirmed this.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Resolution R21-231 reads as follows:

A RESOLUTION FOR PARTIAL APPROPRIATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR UNITED WAY

WHEREAS, on March 11, 2021, the Federal Government approved funding to localities and school districts through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County is anticipated to receive \$29,695,536 in total, paid in two tranches with the first tranche in the amount of \$14,847,768 being received in May 2021 and the second within one-year of the ARPA being signed into law; and

WHEREAS, pursuant to Resolution R21-194 the Board appropriated \$80,208 for consulting services needed to administer the grant funding in FY2021; and

WHEREAS, United Way is requesting funding in the amount of \$1,200,000 as set aside for Stafford residents with rent and mortgage assistance for those impacted by the pandemic. Staff recommends allocating \$300,000 or 25% for appropriation at this time;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does appropriate funding to the County's ARPA Fund as follows:

Department	Amount
Non-Departmental	\$300,000
County ARPA Fund Total	\$300,000

Mr. Snellings motioned, seconded by Ms. Allen to deem the Cedar Lane funding time sensitive for the commercial aspect.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Mr. Snellings motioned, seconded by Ms. Allen to approve proposed Resolution for R21-262.

Mr. Coen asked if they were going to receive more information, such as an overlay map, and it was confirmed that this was just to put the stem down for the commercial aspect.

The Voting Board tally was:

Yea: (6) Allen, Bohmke, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (1) Coen

Resolution R21-262 reads as follows:

**A RESOLUTION FOR PARTIAL APPROPRIATION OF AMERICAN RESCUE
PLAN ACT (ARPA) FUNDING FOR CEDAR LANE**

WHEREAS, on March 11, 2021, the Federal Government approved funding to localities and school districts through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County is anticipated to receive \$29,695,536 in total, paid in two tranches with the first tranche in the amount of \$14,847,768 being received in May 2021 and the second within one-year of the ARPA being signed into law; and

WHEREAS, pursuant to Resolution R21-194 the Board appropriated \$80,208 for consulting services needed to administer the grant funding in FY2021; and

WHEREAS, this project will include installing new gravity water and sewer lines for residents along Cedar Lane with poor water quality or failing drainfields and wells;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does appropriate funding to the County's ARPA Fund as follows:

Department	Amount
Public Works	\$1,650,000
County ARPA Fund Total	\$1,650,000

Ms. Bohmke motioned, seconded by Ms. Allen to deem the Countywide Fiber funding time sensitive.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Ms. Bohmke motioned, seconded by Ms. Allen to approve proposed Resolution for R21-263.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution R21-263 reads as follows:

A RESOLUTION FOR PARTIAL APPROPRIATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDING FOR COUNTY WIDE FIBER

WHEREAS, on March 11, 2021, the Federal Government approved funding to localities and school districts through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County is anticipated to receive \$29,695,536 in total, paid in two tranches with the first tranche in the amount of \$14,847,768 being received in May 2021 and the second within one-year of the ARPA being signed into law; and

WHEREAS, pursuant to Resolution R21-194 the Board appropriated \$80,208 for consulting services needed to administer the grant funding in FY2021; and

WHEREAS, County wide fiber (broadband) will be installed throughout Stafford County;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does appropriate funding to the County's ARPA Fund as follows:

Department	Amount
Information Technology	\$3,000,000
County ARPA Fund Total	\$3,000,000

Mr. Coen motioned, seconded by Ms. Bohmke, to deem only R21-265 time sensitive.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Mr. Coen motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-265.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution R21-265 reads as follows:

A RESOLUTION FOR PARTIAL APPROPRIATION OF AMERICAN RESCUE
PLAN ACT (ARPA) FUNDING FOR ACCESS ROAD TO OLD DUFF HOUSE

WHEREAS, on March 11, 2021, the Federal Government approved funding to localities and school districts through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County is anticipated to receive \$29,6695,536 in total, paid in two tranches with the first tranche in the amount of \$14,847,768 being received in May 2021 and the second within one-year of the ARPA being signed into law; and

WHEREAS, pursuant to Resolution R21-194 the Board budgeted and appropriated \$80,208 for consulting services needed to administer the grant funding in FY2021; and

WHEREAS, this project is to install an access road at Old Duff House;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does appropriate funding to the County's ARPA Fund as follows:

Department	Amount
Public Works	\$450,000
County ARPA Fund Total	\$450,000

Item 25. Budget and Management; Budget and Appropriate American Rescue Plan Act Elementary and Secondary School Emergency Relief (Esser) III Funding to Stafford County Public Schools Grants Fund; Proposed Resolution R21-248.

Ms. Andrea Light reported that the School Board is poised to receive just over \$14 million for Esser funds, and of this, \$1.7 million was budgeted and appropriated with their FY2022 appropriation; an additional \$2.8 million must be used for learning loss. She said that the School Board has looked at their Esser funding and what they would like to use the funds for, and they have identified the need for targeted student support, individualized instruction, and specialized staff to address learning loss and remediation. Ms. Light stated that they have identified additional students whose needs will be assessed throughout the upcoming school years, and they have identified the need for a community engagement bus. She said that the School Board has passed the request for appropriation on June 29, 2021.

Ms. Bohmke asked if the Board should be deeming this time sensitive so they can move this forward, as the schools need to go out and hire people.

Ms. Light responded that there are a number of para-positions that the schools will hire with these funds, and educators are harder to find—especially when there is a market flooded with the additional funding for this temporary use.

Ms. Bohmke motioned that she would like to deem R21-248 time sensitive and just move it along. Mr. Coen seconded the motion.

The Voting Board tally was:

Yea: Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay:

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Resolution R21-248.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution R21-248 Reads As Follows:

A RESOLUTION TO BUDGET AND APPROPRIATE AMERICAN RESCUE
PLAN ACT ELEMENTARY AND SECONDARY SCHOOL EMERGENCY
RELIEF (ESSER) III FUNDING TO STAFFORD COUNTY PUBLIC SCHOOLS
GRANTS FUND

WHEREAS, on March 11, 2021, the federal government approved funding to localities and school districts through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County Public Schools anticipates receiving \$14,228,832 of which 20% must address learning loss; and

WHEREAS, as part of the FY2022 budget, \$1,728,562 has been allocated for one-time, pandemic related projects; and

WHEREAS, staff wants to set aside adequate funds to allow time to assess needs in the coming school year and therefore will bring back additional requests at a later time; and

WHEREAS, a public hearing was held on June 1, 2021 because the ESSER funds exceed 1% of the FY2021 and FY2022 Budgets;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that Twelve Million Five Hundred Thousand Two Hundred Seventy Dollars (\$12,500,270) in ESSER funding be and it hereby is appropriated in FY2022 to the Schools Grant Fund.

Item 26. Economic Development & Tourism; Authorize the County Administrator to Execute an Agreement with the Center for Innovative Technology (CIT) for Task Orders Related to the Smart Community Testbed Projects

Mr. John Holden, Director of Economic Development & Tourism, reported that before them is a contract that will allow the County to participate financially in testbed projects. He said they have opened the testbed, and there are a number of projects that have been funded primarily through federal or state resources and are broader projects that apply to the state but can be used in Stafford. Mr. Holden stated that there is a certain level of testbed projects that the CIT would like to do that are community-level projects, such as putting sensors in places like Brook Road or at the beach. He said that the County can develop those projects with CIT, and this contract allows the County to participate financially so the CIT can leverage that with other resources.

Ms. Vanuch asked if this was critically time sensitive.

Mr. Holden responded that it wasn't critically time sensitive, but the sooner they have it in place, the sooner they can initiate some of the pilot projects and move forward with them. He said that there were projects such as the Brook Road and a Smart Tourism project for which they could start pulling resources together. He stated that they could also bring it back to the next meeting.

The Board agreed to have the item come back in August.

Item 27. Human Resources; Consider Adopting a Telework Policy for County Employees; Proposed Resolution R21-267.

Ms. Vanuch said that the County Administrator had informed her that Item 25 for Human Resources could wait until August. She stated she talked to every Board member, and the Board agreed.

Item 28. Discuss Stafford County School Curriculum, Project 1619, and Critical Race Theory Requested by Supervisor Snellings.

Deferred until the Board's August 17, 2021 meeting.

CLOSED MEETING

Ms. Shelton motioned, seconded by Ms. Bohmke, to authorize a closed meeting by reading the following motion:

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Resolution CM21-12 Reads As Follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel pertaining to opioid litigation to which the County is a party, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the Board, and (2) discussion of the performance of a specific employee of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) and (A)(7) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

The Board entered Closed Session at 5:37 p.m.

The Board reconvened its public meeting at 6:25 p.m.

CLOSED MEETING CERTIFICATION

Ms. Shelton motioned to certify the actions of the Stafford County Board of Supervisors in a Closed Meeting on July 6, 2021 for R21-12(c). Mr. Coen seconded the motion.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution CM-12 (c) Reads As Follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 6, 2021

WHEREAS, the Board has, on this the 6th day of July, 2021, 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 provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 6th day of July, 2021, 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, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Ms. Shelton motioned, seconded by Mr. Dudenhefer, to approve proposed Resolution R21-259, a second amendment to the employment agreement with the County Attorney.

Ms. Vanuch asked Ms. Shelton to clarify the salary increase.

Ms. Shelton stated that due to her phenomenal support from the Board and the County, they are recommending a pay raise of 5%.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Resolution R21-259 reads as follows:

**A RESOLUTION AUTHORIZING THE SECOND AMENDMENT TO THE
EMPLOYMENT AGREEMENT WITH THE COUNTY ATTORNEY**

WHEREAS, the Board and County Attorney Rysheda M. McClendon entered into an employment agreement dated February 7, 2018 and effective on March 1, 2018, and entered into a first amendment to the employment agreement on July 20, 2020 and effective on July 7, 2020 (collectively, Employment Agreement); and

WHEREAS, pursuant to Section VII of the Employment Agreement, the Board has performed its annual performance evaluation of the County Attorney and finds her performance acceptable; and

WHEREAS, pursuant to Section IV of the Employment Agreement, the Board considered and desires to provide an increase in the annual salary of the County Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does authorize this Second Amendment to the Employment Agreement between the Stafford County Board of Supervisors and Rysheda M. McClendon to modify the First Amendment to the Employment Agreement, as follows, with all other portions of the Employment Agreement and First Amendment to the Employment Agreement remaining unchanged:

R-6. Employer and Employee desire to amend the Employment Agreement by replacing the first two sentences of Section IV with the remainder of the paragraph remaining unchanged and by adding paragraph d. to Section V, together with all other portions of the Employment Agreement shall remain unchanged.

; and

BE IT FURTHER RESOLVED that the Employment Agreement shall further be modified, as follows:

The annual salary, as established in Section IV. Compensation, shall be increased by 5% effective July 1, 2021.

Recess – The Board recessed its meeting until 7:00 p.m.

Call to Order – At 7:00 p.m., Ms. Vanuch welcomed attendees to the evening meeting of the Board of Supervisors for July 6, 2021.

Invocation – Ms. Vanuch led attendees in an invocation.

Pledge of Allegiance – Ms. Allen led attendees in the Pledge of Allegiance.

Presentations by the Public – Ms. Vanuch explained the protocol for public presentations and invited the first speaker to approach.

1. Ms. Jo Knight, 103 Nautical Cove - Ms. Knight stated that her grandfather died at two years old, and at seven, her father went to work on a dairy farm in Warrenton to earn his way. Ms. Knight said that his fellow workers were of other color and were his friends. She stated that she had polio when she was four and went to the college hospital first, then the crippled children's hospital, and had five surgeries by the time she was in the 4th grade.

Ms. Knight said that she went to work in real estate that there were predominately men, and she never got anything by saying she was a woman and owed her anything—but she succeeded because she proved to them that she could do as good a job or better. She stated that she has always had perseverance. Ms. Knight said that she did not dislike immigrants but said that she didn't like the fact that they were infiltrating the country with lots of gang violence and drugs. She stated that she sees lots of that activity outside her office and in the buildings behind it, and she is opposed to gangs, violence, and blockbusting.

Ms. Knight stated that with apartments, the income goes to the landlord, who earns \$5.5-\$6 million per year with this project—not to the benefit of the individuals who are renting. She said that they don't win, and the others involved do.

PUBLIC HEARINGS

Item 27. Sheriff; Consider Amending and Reordaining the County Code to Create Sec. 1-12.4, "Electronic Summons System Fee" to Begin Assessing A \$5 Fee for the Electronic Summons System; Proposed Ordinance O21-31.

Captain Peters stated that this item was before the Board on behalf of the Sheriff's Office and a group effort between them and the courts, to begin the assessment for the \$5 fee to save money to implement the electronic summons system for the office. Captain Peters said he had a short

presentation, but he had also already provided it to every Board member, and they have discussed it.

Ms. Vanuch asked if every Board member had reviewed this, and they indicated that they had.

Mr. Coen asked if other communities were implementing a fee and whether it was a normal practice, as many people view fees as taxes.

Captain Peters responded that for the citizens of Stafford County, this was already happening in certain law enforcement agencies. He stated that the Virginia State Police had enacted this a few years ago and was currently collecting a \$5 fee on every summons they issue in Stafford County. He said that one of the things they were trying to do is make this a user-funded fee and not a tax—so the only way an individual would be subject to it would be if they were convicted of speeding or another violation that fits into the code. Captain Peters said that the normal citizens of Stafford County, who are law abiding and don't have to appear in court, never pay the \$5.

Ms. Vanuch asked if the additional revenue would be allocated to the Sheriff's Office.

Captain Peters replied that the code was very specific, and the money must go into a fund held by the treasurer to be used only for the electronic summons system—so it can be used to pay for the system itself, the yearly maintenance fees, and the various accessories for the system such as printers, paper, and maintenance. He emphasized that it would be set aside and could only be used for those purposes, per the state statute.

Ms. Vanuch opened the public hearing for comment.

There being none, she closed the public hearing and asked for a motion.

Ms. Shelton motioned, seconded by Ms. Bohmke, to approve proposed Ordinance O21-31.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Ordinance O21-31 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY CODE TO CREATE SEC. 1-12.4 "ELECTRONIC SUMMONS SYSTEM FEE" TO BEGIN ASSESSING A \$5.00 FEE FOR THE ELECTRONIC SUMMONS SYSTEM

WHEREAS, the Sheriff's office and the Circuit and District Court clerks currently manually enter the majority of summons in their respective systems; and

WHEREAS, implementing an electronic system will allow efficiencies for Deputies initiating summons and citizens resolving cited violations; and

WHEREAS, Virginia Code § 17.1-279.1 allows for an additional fee of up to \$5 to be charged in criminal and traffic matters to defray the costs of implementing and maintaining an electronic summons system; and

WHEREAS, the Sheriff has requested the implementation of this fee, as a funding source for a future upgrade to provide the anticipated electronic services; and

WHEREAS, the Board carefully considered the recommendations of the Sheriff and staff, and testimony, if any, received from the public and the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that the Stafford County Code be and it hereby is amended and reordained to create Sec. 1-12.4, "Electronic summons system fee," as follows, with all other portions remaining unchanged:

Sec. 1-12.4. - Electronic summons system fee.

- (a) A fee of five dollars (\$5.00) is assessed and imposed in each criminal or traffic case in the Stafford County District or Circuit Courts in which the defendant is charged with a violation of any statute or ordinance.
- (b) The fee is to be assessed by the clerk of the court in which the conviction occurred, with the other costs of the court proceedings and deposited with the Stafford County treasurer.
- (c) The fees collected shall be used by the sheriff to fund software, hardware, and associated equipment costs for the implementation and maintenance of the electronic summons system.

State Law reference—Code of Virginia § 17.1-279.1.

Item 30. Transportation; Consider Condemnation and Exercise of the County's Quick Take Powers to Acquire Fee Simple Right of Way Permanent Drainage Easement, Permanent Utility Easement to be Conveyed to Dominion Energy Virginia, and Temporary Construction Easement on Tax Map Parcel No. 20S-15-M for the Flatford Road Sidewalk Project.

Mr. Alex Owsiak, Transportation Project Manager, addressed the Board and stated that he was before them to give a brief presentation on the public hearing to authorize condemnation on this parcel, which is owned by the Park Ridge Homeowner's Association. Mr. Owsiak said that the main goal of the sidewalk project is to increase safety and provide a missing link to the existing sidewalk network, connecting existing sidewalks along Walpole Street and those across Parkway

Boulevard. He said that the County began design work on this project in March 2019 with right-of-way acquisitions starting in fall of 2020. He said that the project design requires the acquisition of right of way and other easements before utility relocation and construction can begin; relocation is scheduled to start later this summer, with construction starting in spring of 2022.

Mr. Owsiak stated that the project impacted six different parcels, and the County has been able to reach agreement with five of them. He said that the Parkridge Homeowners Association owns the last remaining project, and while the HOA is in favor of the project and has agreed to the compensation amount, they did not believe it would be feasible to obtain the 778 property owners' signatures required to transfer the property rights. He noted that they have agreed to move forward with the condemnation procedures.

Mr. Owsiak presented a slide detailing the sequence of contact with impacted property owners—from initial survey letters sent in April 2019 to notification about willingness to hold a public hearing to appraisal notification and bona fide offer letters presented throughout the spring of 2021. He said that the offer letters were mailed on February 9, 2021, but they did not receive a response for about two months and had to send an impasse letter informing them that the County would need to move forward with condemnation procedures. He stated that the County then received a response from the HOA in favor of moving forward, but the issue was getting two-thirds of their membership to sign on to the documents.

Mr. Snellings said that he thought the HOA had the authority to do this.

Ms. McClendon explained that it was dependent upon what is in the HOA's covenants, and while she hasn't reviewed this, it seems that the HOA reviewed it and did not have the authority for it. She mentioned a similar situation with a road near the old Mount Carroll Elementary School with very similar covenants, so it is not atypical.

Mr. Coen said that he lives in the subdivision and can attest to that provision—and they cannot even get their pool upgraded because of the HOA covenants.

Mr. Owsiak presented a graphic showing the parcel being considered for condemnation, noting that they aren't looking to condemn the entire parcel, just where the sidewalks will be, a temporary construction easement, drainage structure easement, and utility easement for Dominion Power.

Mr. Dudenhefer asked if the County was condemning the entire piece of property shown.

Mr. Owsiak responded that they were not, and he pointed out the the right of way and the sidewalk, which would go from the other side of Flatford Road and transitioning to the east side in front of

the church. He said there would be a little bit of easement where they would put a drop inlet drainage system on the roadway.

Mr. Dudenhefer asked if the rest of the property was owned by the HOA.

Mr. Owsiak confirmed that it was and said they were only requiring about 1,900 square feet of right of way.

He reiterated that the Parkridge HOA is in support of their action for condemnation, and staff also recommends approval. He said that if the Board does move forward with condemnation, the County would send out a certified letter to the HOA approximately 30 days before the notice is filed with the court.

Ms. Vanuch opened the public hearing for comment.

There being none, she closed the public hearing and brought the matter before the Board.

Mr. Dudenhefer motioned, seconded by Ms. Shelton, to approve proposed Resolution R21-167.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch
Nay: (0)

Resolution R21-167 reads as follows:

A RESOLUTION AUTHORIZING CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT DRAINAGE EASEMENT, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 20S-15-M, LOCATED WITHIN THE GARISONVILLE ELECTION DISTRICT

WHEREAS, the Board identified the need for pedestrian access and the construction for a sidewalk along Flatford Road (SR-709) (Project) as a critical part of Stafford County's pedestrian facility and road improvement plans; and

WHEREAS, the acquisition of land and easements is necessary for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 20S-15-M consists of approximately 1.561 acres of land owned by Park Ridge Homeowners' Association, Inc. (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 1,874 square feet of fee simple right of way, 192 square feet of permanent drainage easement, 797 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and 231 square feet of temporary construction easement on Tax Map Parcel No. 20S-15-M; and

WHEREAS, the fair market value for the required areas of Tax Map Parcel No. 20S-15-M, together with damages, if any, to the remainder of the Parcel is Three Thousand Five Hundred Dollars (\$3,500), based upon the 2020 County Tax Assessment Value Basic Administration Report (BAR) conducted by the County's consultant; and

WHEREAS, the Board, through its acquisition consultant, made a bona fide but ineffectual effort to purchase the affected areas of the Property by offering said fair market value on behalf of the County to the Property Owner; and

WHEREAS, the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property Owner, due to inability of the Property Owner to convey legal title to the affected areas of the Property to the County; and

WHEREAS, the County's negotiator will continue to work with the Property Owner to attempt to reach a settlement in accordance with Virginia Code § 55.1-1836; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on July 6, 2021 to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Dominion, and temporary construction easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, a permanent drainage easement, a permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), and a temporary construction easement on Tax Map Parcel No. 20S-15-M (Property) for the Flatford Road Sidewalk Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Three Thousand Five Hundred Dollars (\$3,500), as just compensation for the fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Dominion, and temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Park Ridge Homeowners' Association, Inc. (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 1,874 square feet of fee simple right of way, 192 square feet of permanent drainage easement, 797 square feet of permanent utility easement to be conveyed to Dominion, and 231 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator to sign the Certificate and to deposit Three Thousand Five Hundred Dollars (\$3,500), with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the fee simple right-of-way, a permanent drainage easement, permanent utility easement to be conveyed to Dominion, and temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Item 31. Planning and Zoning: Consider a Request for a Conditional Use Permit (CUP) to Allow Motor Vehicle Sales in the M-1, Light Industrial Zoning District on Tax Map Parcel No. 38-25R (Project Known as Big Motorsports).

Mr. Harvey reported that this is a request for a CUP to allow motor vehicle sales in the M-1 LI category, with the property located in the Crane's Corner Business Park in the Falmouth District. Mr. Harvey said the overall property is 1.8 acres in size, but only a portion of it would be used for this specific use. He stated that the applicant is James Wells III of Big Motorsports, Inc.

Mr. Harvey presented a map showing the zoning of the area and location of the property, which is on the north side of Perchwood Drive. He noted the M-1 Light Industrial zoning and B-2 Urban Commercial zoning on the map. He also presented an aerial view of the property, noting two multi-tenant buildings located on the property, as well as a number of other uses in the nearby vicinity—many of which are automobile related, such as repair shops, vehicle sales, gas stations, and other related businesses.

He also presented a site plan with the proposed location highlighted in green where the business would be located, and he pointed out where the 10 display spaces would be located, which is the minimum number mandated by state requirements. He said that due to the configuration of the property, there is a condition limiting the business to 10 display spaces.

Mr. Harvey presented a summary of proposed conditions: ensuring display vehicles are parked in the correct areas, limiting the number of display spaces so it doesn't impact other businesses, limiting the hours of operation and hours of vehicle delivery to be compatible with the other

businesses in the area, and prohibiting outdoor storage of inoperable vehicles and motor vehicle parts.

He stated that the comprehensive plan recognizes this area for business and industry uses, and staff believes this proposed use is consistent with that designation. He said that staff believes that it complies with the comp plan land use recommendations and will not change the character of the established development pattern in the area or surrounding uses, and conditions can help mitigate any potential impacts. He stated that staff is not aware of any potential negative impacts.

Mr. Harvey stated that staff is recommending approval of the application pursuant to R21-217. He noted that the Planning Commission voted to recommend approval on June 9, 2021, with a vote of 7-0, and he also presented a letter of support from a nearby neighbor.

Ms. Vanuch asked if the applicant wished to make a presentation.

Mr. James Wells of Big Motorsports addressed the Board and said that he has been in this business for 22 years and formerly worked for Coleman Powersports and was the GSM there, as well as a salesperson with 54% of their sales. Mr. Wells said that he just moved here with his family two years ago from Woodbridge and plans on being here for a long time, and a lot of his friends also have businesses here.

Ms. Vanuch opened the public hearing and invited comment. There being none, she closed the public hearing and brought the matter before the Board.

Ms. Bohmke thanked Mr. Wells for presenting, stating that he had contacted her a few months ago and they discussed several things. Ms. Bohmke said that all of the businesses around him support this.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Resolution R21-217.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Ms. Bohmke thanked Mr. Wells for being in Stafford and living here with his business.

Resolution R21-217 reads as follows:

A RESOLUTION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW MOTOR VEHICLE SALES IN THE M-1, LIGHT

INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 38-25R,
LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Big Motorsports Inc. submitted application CUP21153746 (Application), requesting a conditional use permit to allow motor vehicle sales in the M-1, Light Industrial Zoning District on Tax Map Parcel No. 38-25R, located within the Falmouth Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use in the M-1, Light Industrial Zoning District, after a CUP is issued by the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board has considered the criteria in Stafford County Code Sec. 28-185 and finds that the request does meet the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that a conditional use permit pursuant to application CUP21153746 (CUP) be and it hereby is approved with the following conditions:

1. This CUP allows motor vehicle sales in the M-1, Light Industrial Zoning District on Tax Map Parcel No. 38-25R, consisting of 1.8 acres (Property), in the location identified on the site plan entitled "Site Layout Plan, Big Motorsports, dated April 15, 2021" (Site Plan).
2. The interior portion of the motor vehicle sales facility on the Property shall be limited to Unit # 209 and a maximum of 2,000 square feet.
3. Customers of the motor vehicle sales facility may visit the site by appointment only.
4. A maximum of ten (10) parking spaces for vehicles on display is permitted in the location designated on the Site Plan. Such designated parking spaces must be identified with signage and/or painting of the spaces. Outdoor parking of vehicles on display is prohibited in any parking and open space areas not designated specifically for display parking.
5. Delivery of vehicles is limited to single-vehicle flatbeds or tow trucks. Vehicles may be individually driven to the site.
6. Hours of operation and vehicle deliveries shall be limited to 10:00 A.M. to 6:00 P.M. Monday through Friday and 9:00 A.M. to 5:00 P.M. on Saturday. There shall be no hours of operation or vehicle deliveries on Sunday.
7. At least two (2) dedicated parking spaces shall be provided for customers.
8. Outside storage of inoperable vehicles, totaled vehicles, tires, and vehicle parts is prohibited.

9. This CUP may be revoked for any violation of these conditions or any applicable federal, state, or County code, law, ordinance, or regulation.

Item 32. Planning and Zoning; Consider Granting Access to and use of Public Right-Of-Way on Widewater Parkway and Granting an Easement in the Right-Of-Way, Located within the Griffis-Widewater Election District.

Mr. Harvey reported that in the Widewater District, there is a portion of property that had previously been planned for a roadway known as "Widewater Parkway," but that was currently unused, and Milestone Communications is proposing to use it for access and easement to service a telecommunications tower that the Board approved in 2020. He said that pursuant to state code, the Board must hold a public hearing to consider granting use of county-owned property, so they would be considering R21-260 and R21-261, which would grant a use agreement to use a public right of way and grant an easement for Verizon to extend communication lines to that tower.

Mr. Harvey indicated that staff is supportive of both requests and seeks Board approval.

Ms. Vanuch opened the public hearing and invited comment. There being none, she closed the public hearing and brought the matter before the Board.

Ms. Allen stated that she had spoken with the HOA and staff about this previously, and she is okay with the process.

Ms. Allen motioned, seconded by Ms. Shelton, to approve proposed Resolutions R21-260 and R21-261.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, Dudenhefer, Shelton, Snellings, Vanuch

Nay: (0)

Resolution R21-260 reads as follows:

A RESOLUTION GRANTING ACCESS TO AND USE OF PUBLIC RIGHT-OF-WAY ON WIDEWATER PARKWAY FOR ACCESS TO TAX MAP PARCEL NO. 22-22, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the right-of-way for Widewater Parkway was dedicated to public use, but it has neither been constructed nor accepted in to the Secondary System of State Highways; and

WHEREAS, Widewater Parkway is no longer identified as a proposed roadway in the Comprehensive Plan and is no longer planned to be constructed; and

WHEREAS, the lessee of Tax Map Parcel No. 22-22 (Parcel), Milestone Tower Limited Partnership-IV d/b/a Milestone Communications (Milestone), requests access to and use of a portion of the public right-of-way on Widewater Parkway abutting the west side of Tax Map Parcel Nos. 22-19B and 22-19 and to the northwest of the Parcel (Adjacent Public Right-of-Way) for the purpose of providing access to the Parcel and the telecommunications facility to be located thereon; and

WHEREAS, pursuant to Virginia Code § 15.2-1800(B), the Board conducted a public hearing and considered the recommendation of staff and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board believes it is appropriate to provide access to and use of the Adjacent Public Right-of-Way subject to Milestone executing an agreement with the County regarding liability and maintenance associated with access to the public right-of-way;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does grant access to and use of the portion of the public right-of-way abutting the west side of Tax Map Parcel Nos. 22-19B and 22-19 and to the northwest of the Tax Map Parcel No. 22-22 to Milestone Tower Limited Partnership-IV d/b/a Milestone Communications; and

BE IT FURTHER RESOLVED that the County Administrator and County Attorney, or their designees, are authorized to amend, include additional terms in, and execute the Right-of-Way Access Agreement with Milestone Tower Limited Partnership-IV d/b/a Milestone Communications, and any other documents deemed necessary to effectuate the Board's desires and this Resolution.

Resolution R21-261 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A DEED OF EASEMENT ON A PORTION OF PUBLIC RIGHT-OF-WAY ON WIDEWATER PARKWAY, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the right-of-way for Widewater Parkway was dedicated to public use, but it has neither been constructed nor accepted in to the Secondary System of State Highways; and

WHEREAS, Widewater Parkway is no longer identified as a proposed roadway in the Comprehensive Plan and is no longer planned to be constructed; and

WHEREAS, the lessee of Tax Map Parcel No. 22-22 (Parcel), Milestone Tower Limited Partnership-IV d/b/a Milestone Communications (Milestone), requests access to and use of a portion of the public right-of-way on Widewater Parkway abutting the west side of Tax Map Parcel Nos. 22-19B and 22-19 and to the northwest of the Parcel (Adjacent Public Right-of-Way) for the purpose of providing access to the Parcel and the telecommunications facility (Facility) to be

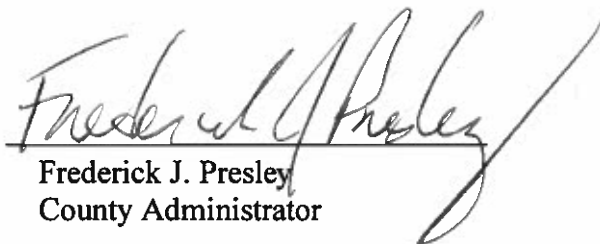
located thereon; and

WHEREAS, Verizon South Inc. (Verizon) requires an easement on the Adjacent Public Right-of-Way for the purposes of providing services to the Facility; and
WHEREAS, pursuant to Virginia Code § 15.2-1800(B), the Board conducted a public hearing and considered the recommendation of staff, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of July, 2021, that it be and hereby does grant an easement to Verizon South, Inc. on a portion of the public right-of-way on Widewater Parkway abutting the west side of Tax Map Parcel Nos. 22-19B and 22-19 and to the northwest of the Tax Map Parcel No. 22-22 in the location shown as "10' Verizon Easement" on the exhibit plat attached as Exhibit "A" to the Deed of Easement entitled "See Exhibit 'A' Deed of Easement;" and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to execute the Deed of Easement and any other documents necessary and appropriate to effectuate this Resolution.

Adjournment – Ms. Vanuch adjourned the Board meeting at 7:23 p.m.


Frederick J. Presley
County Administrator


Crystal L. Vanuch
Chairman

From: noreply@revize.com
To: [Cheryl D. Giles](#)
Cc: [Julia E. Holmes](#)
Subject: Speaker Card
Date: Sunday, July 4, 2021 8:04:56 AM

First-Name = John

Last-Name = Hatzis

Address1 = 23 Saint Adams Drive

City = Stafford

State = VA

Zip = 22556

Subject-Comments = Presentations by the Public 3pm

Written-Comment = I would like to thank Supervisor Snellings for bringing this topic up for discussion, Critical Race Theory and the 1619 Project is an important issue this Board should tackle. I would also like to thank Chairwoman Vanuch for quickly responding to my questions, and her opposition to CRT and the 1619 Project.

While I sincerely appreciate the Board's efforts to receive assurances that anti-white racism and historical revisionism will not infiltrate Stafford Schools, I feel that said assurances is only one step in the right direction. The Board must go further if it truly wants to prevent such racism from entering Stafford Schools.

I believe that decisive action is needed to root out Critical Race Theory in all forms, even subtle ones. While the primary fix must be carried out by the School Board and the Superintendent, the Board of Supervisors can set up the School Board for success if they handle this issue with care and responsiveness.

But before the Board of Supervisors should enact any policy, they should be transparent to the public. While I understand the urgency in banning Critical Race Theory and the like, I would prefer to see the Board move forward with complete transparency, to give time for every interested party to make their voice heard on this issue.

I also feel that all of you should have time to research and present the facts about CRT. At the end of the emailed version of my letter is a few sources I have compiled about CRT and the 1619 Project to help you in your research. I have tried to pick the most simple, credible, and easy to follow sources I could find. Please feel free to share these with constituents.

Most importantly of all, the Board must define Critical Race Theory as what it is: anti-white racism. Many have played word games with Critical Race Theory, calling it Legal Theory only present at the graduate level, but if the Board comes out with an accurate definition, then it cannot be twisted by those who seek to derail an honest conversation. The 1619 Project, while a prime example, is not the only place where historical revisionism and fallacies are present in curriculum. By defining CRT, as Chris Rufo calls it, as "race-based cultural Marxism," or more simply, anti-white racism, and the 1619 Project as historical revisionism, then all members of the community can be part of a productive conversation on how to fight it. On specific policy actions, the Board of Supervisors should pass a resolution condemning and defunding CRT, the 1619 Project, and other "anti-racist" programs and curriculum. This resolution should be binding not only in Stafford Schools, but all county-wide governmental agencies.

Such a resolution is neither impractical nor unrealistic: it should be obvious that the Board of Supervisors has the authority to decide how taxpayer money is allocated, and such a resolution would not just benefit our schools, but all agencies. Hopefully, the School Board will join in in this condemnation. In the emailed version of my letter there are real-life resolutions passed by Board's throughout the country, and the language can and should be expanded to cover all taxpayer dollars, not just those allocated to schools.

This policy would assure parents, students, and teachers throughout the county Critical Race Theory will not enter Stafford Schools, and allow the School Board and the new Superintendent to further flesh out this policy further. Thank you for taking the time to read my letter and I look forward to the future actions you take.

 Signed,

John Hatzis

Rising 11th Grade Student

Stafford, VA

Plan-to-speak = I will also be sending an email to the Board with the sources and model resolutions referenced. Thank you!

Client IP = 137.45.153.128