

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
SEPTEMBER 7, 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, September 7, 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. Lamb, Vice Chairman; Meg Bohmke; Thomas C. Coen; and Gary F. Snellings. Absent: Tinesha O. Allen; L. Mark Dudenhefer.

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.

ANNOUNCEMENTS – Ms. Vanuch said as part of her chairman's remarks today, she wants to talk about Patriots' Day. She said it was a day signed into law by Congress and first introduced to proclaim a National Day of Mourning. She said the amendment designated September 11 as Patriots' Day and requested an annual presidential proclamation when signed into law. She said on April 21, 2009, Congress expanded September 11 to Patriots' Day and National Day of Service and Remembrance. She said Stafford County has performed a special bell-ringing ceremony each year since the September 11 terrorist attacks. She said this year marks the 20th anniversary of September 11th. She said the county will again observe the occasion with a special ceremony but wanted to go further to mark this milestone in time. She said everyone is invited and to please join the Board this Friday, September 10, 2021 at 10 a.m. outside the front doors of the Board chambers, in front of the Government Center, to witness and remember.

Ms. Vanuch recognized the solemn loss of life of our military in Afghanistan. She asked everyone to please join in standing and bowing heads while she read aloud the 13 names: • Marine Corps Lance Cpl. David Espinoza, Marine Corps Sgt. Nicole Gee, Marine Corps Staff Sgt. Darin Taylor, Army Staff Sgt. Ryan Knauss, Marine Corps Cpl. Hunter Lopez, Marine Corps Lance Cpl. Rylee McCollum, Marine Corps Lance Cpl. Dylan R. Merola, Marine Corps Lance Cpl. Kareem Nikoui, Marine Corps Cpl. Daegan William-Tyler Page, Marine Corps Sgt. Johanny Rosario, Marine Corps Cpl. Humberto Sanchez, Marine Corps Lance Cpl. Jared Schmitz, and Navy Hospital Corpsman Max Soviak.

Ms. Vanuch thanked the group for joining her in the moment of silence and reading of names.

PRESENTATIONS

Mr. Coen said today marks another important moment in history, Constitution Week. He said September 17th marks the 234th anniversary of the drafting of the Constitution of the United States. He said it amazes him to know how much this document has transformed the world and provided us with this most extraordinary country. He said he asked Martha Newton and Donna Sayre from the National Society Daughters of the Revolution, Falls of the Rappahannock Chapter, to please join this presentation. He said institutions such as the NSDAR are crucial to upholding these traditions and opportunities for reflection.

Mr. Coen said it is amazing what the Constitution has done in the system of government that we all get to enjoy in this country. He said in honor of that, and the excellent work that the NSDAR does, the Board would like to give a proclamation to the DAR and to recognize the greatness that is our Constitution.

Mr. Coen asked if Ms. Newton or Ms. Sayre would like to say anything.

Ms. Donna Sayre said as a member of the DAR, their pillars are education, patriotism, and historic preservation. She said she would strongly encourage everyone to read the Constitution. She said it will not take long and those who do will find out things they didn't know. She said they will find out things they thought they knew and were incorrect about. She said it's important that we preserve this document that is the basis of our country and that we pass that education along directly to the coming generation. She thanked the Board for their support.

Ms. Vanuch thanked Mr. Coen and asked Mr. Presley if there were any changes to the agenda.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Presley stated that there was one addition, which is Consent Agenda item number 17, Community Engagement. He said Proclamation P21-25 is to declare September 11, 2021 as Patriots Day in Stafford County. He said under deletions, there are two deferrals that he would like to mention that came up as a result of the absence of some of the Board members present today. He said the first item is number 19 on the agenda, "To Present and Discuss Proposed Amendments to the Board's By-Laws and Rules and Procedure, and Electronic Participation in Meetings Policy." He said that with those two Board members absent, there is a request to defer that to the next meeting. He said there is also item number 22, which is "Consider Lighting Options for Onville Road Between Worth Avenue and Garrison Woods Drive." He said that was an item requested by Supervisor Allen, and she has asked that the item be deferred until the next meeting and hopes to be able to join at that time. He stated that under handouts, item number 5, "Revise Proposed Resolution R21-328," staff noticed an error that the numbers were transposed in the

resolution itself. He said those changes have been added to the folder and have also been uploaded to Civic Clerk and are available to the public.

Ms. Bohmke motioned, seconded by Ms. Lamb, to approve with modifications.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

PRESENTATIONS BY THE PUBLIC – Ms. Vanuch read the protocol for presentations by the public.

1. Ms. Leah Watson, 30 Naomi Rd, George Washington District - stated she is speaking to the Board about an item they will be voting on—the Ferry Farm Trail Alignment for Phase 6. She said she is hoping that the Board members received the email that she sent to Mr. Owsiak with some background information documenting concerns. She noted that this was not in the read-ahead that was published, and she worked with her supervisor to resolve that. She said her concerns about Phase 6 of the trail alignment go back almost a decade and have been well documented. She said she did not know if any of the Board members had actually walked the proposed part of the trail that would go along the non-maintained portion of Dairy Lane. She said it was under water two days ago and completely floods numerous times a year when the rains are heavy, and it has not been maintained for decades and the bridge is washed out. She said anything that would put a bike trail and a walking trail along there would require more expenditures and more regular maintenance than has been anticipated and planned for.

Ms. Watson stated that secondarily, the impact this will have on the townhomes is often mentioned. She said the group she is representing owns property on both sides of the road all the way to the river and purchased that for privacy. She said putting the trail back along Dairy Lane would deny her represented group access to over 16 acres of their land. She said they would have no way to approach that part of their property using any kind of vehicle, which is often done to pull out trash and remnants of campsite and homeless encampments, and putting a trail there would make it easier for those people to get access to their land.

Ms. Watson stated that one of the pieces she had provided gave a commitment from the county to give her group access in Phase 5 along the upper portion, which allows them a wider lane to use to approach. She said Mr. Janey, who has proffered to allow that trail to

go along his land, would be required to have a sidewalk anyway in order to proceed with his development. She said she is opposed for privacy and practicality reasons, and she would ask that the Board not put the trail along the abandoned Dairy Lane and allow it to go along Naomi Road. She thanked the Board for their time and consideration.

2. Ms. Dana Brown, 41 Saint Williams Way, Rock Hill District - stated her comments are about the schools. She said that while they are not CRT related, they speak more to a political bias that might be in the schools. She said since school officials are present, she is asking the Board to ask them if a teaching bias might exist. She said her high school student was from the infamous class of 2020, one of the first classes to go to online learning, and this gave her a new opportunity to see what was going on in the classroom. She said her daughter received some troubling assignments in her 12th grade dual enrollment English class with Germanna.

Ms. Brown stated that her first question to the teacher had been if she made the assignments or if they were done by Germanna, to which the teacher responded she had made them. Ms. Brown expressed concern with several of the writing assignments she'd given, all of which the kids were to analyze and do a write-up on. She said the first was about an article in the *Atlantic* called "Coronavirus is a Disaster for Feminism." She said she read the article herself and felt that not only did it contain misinformation, it denigrated women and belittled families that were lucky enough to have a stay-at-home mom. She said there is a lot of that in Stafford, and the article was talking about who was going to stay home.

Ms. Brown quoted from the article: "One of the most striking effects of the Coronavirus will be to send many couples back to the 1950s. Across the world, women's independence will be a silent victim of the pandemic." She said this implied that women aren't independent if they stay home with their kids. Ms. Brown said she was fortunate enough to quit her job and be a stay-at-home mom when her kids were born, and her husband can vouch for her independence. She said it went on to say, "Purely as a physical illness, the Coronavirus appears to affect women less severely." She said she would like to tell that to all of the women who have died.

Ms. Brown continued by saying the teacher assigned the class to analyze three speeches, all from one political point of view. She asked the teacher if she would add some other things in to make it a little more balanced and after several phone call and email exchanges, the teacher finally offered to give her daughter an alternate assignment. She said her daughter chose technology. She said the following week the teacher did include a speech from a different political party. She said all she is asking is to have teaching in the schools

without bias. She said CGI was very bad and she has plenty more stories but is out of time, and she thanked the Board.

3. Mr. Glenn Cobb, 13880 Dulles Corner Lane in Herndon - stated that he is with Vulcan Materials. He said as most people know, they have been working for over a year on an application for rezoning and a CUP application. He said he is here today on behalf of Vulcan's 60-plus employees of Stafford County to thank the Board for their efforts thus far. He said he thinks they have heard their neighbors and have heard staff, and he feels they've brought the application a long way. He noted that the Vulcan expansion public hearing would be coming up fairly soon and invited the Board to come out and tour the facility, as seeing it firsthand is very different than seeing it on paper. He offered to provide any desired information about their application and answers to questions, and he thanked the Board for their time.
4. Ms. Lorraine Serbinski, 49 Hunton Drive - stated she was speaking against VDOT's bike and pedestrian upgrade project for Leeland Road, specifically for the .7-mile section of path that runs along Leeland Station, costing \$2.8M. She explained that she approves of adding a path on the section of Leeland Road toward Deacon where there isn't a safe way to walk, but she does not support VDOT's plan involving her neighborhood's .7-mile section of existing path, ripping it out, doubling its width, and tearing down their trees and landscaping. She said doing all of this just to connect it to the East Coast Greenway isn't beneficial to the community, especially when the interconnector trail proposal west of I-95 would be a better proposed Greenway Trail. She said it would be a shorter and safer route and a smarter use of taxpayer dollars.

Ms. Serbinski stated that the residents at Leeland Station were not adequately informed about the project, and Stafford County had just created a vague countywide survey that got 538 responses—94 of them from the entire 22405 ZIP code. She said there are 158,998 people in Stafford County and 31,747 in her ZIP code alone. She said allowing 538 people to decide the fate for everyone should never have been considered a valid survey. She said VDOT does not have data on how many on Leeland Road use the VRE, nor do they have any data on how many people on Leeland Road would switch to bike or walk to the VRE if this project goes through. She said this entire project is based on one citizen request back in 2010 and a vague survey that has an embarrassing number of responses.

Ms. Serbinski said there has been no noise study or environmental study, and even a Stafford County Bike and Pedestrian Facilities packet states that walking is the largest means of alternative transportation and bike use has not risen. She asked why the neighborhood has to give up an area that is already well loved. She said studies have shown

that when you walk amongst trees, you experience less anxiety, hostility, fatigue, and depression as compared to walking in an urban setting. She asked why the goal is to double the amount of asphalt, essentially removing the natural setting and creating an urban environment. She said this is all based on the assumption of if you build it, they will come—but there is no data to support the need, while there is a need for a path where nothing currently is, and they should put the money there.

Ms. Serbinski said that while she and her neighbors appreciate VDOT looking into other options, they feel they must continue pressing the issue, as this is their community. She said she would like the Board to encourage VDOT to accept one of their compromises to keep the path on the east side of Leeland Road, or to only add a path where there is nothing and leave the Leeland Station section alone. She asked the Board to help find a way where Leeland Station is not forced into becoming an austere urban neighborhood that none of them want. She thanked the Board.

5. Ms. Donna Oliver, 74 Ironwood Road, George Washington District - stated she is here because she saw letters on the county website from a homeowner in the George Washington Foundation that raised concerns about the Ferry Farm-Belmont trail extension. She said that abandonment is a possibility for the final leg of the trail. She said that she moved to North Ferry Farm in 1984 and lived there for 20 years, then moved four miles away, but is still in south Stafford. She said while she was in North Ferry, there were plans for the trail, and she's been waiting a long time for the final leg. She said she saw the letters of concern and the abandonment option, and ending the trail at Ferry Farm is important to Stafford County residents. She said the concerns in those two letters seem very solvable.

Ms. Oliver stated that Kenmore Park is close by and has woods, pickleball and tennis courts, a dog park, and nearby trails. She said she is there almost every day, and there are no issues with vagrants, homeless, trash, or crime—and people of all ages are using the facilities. She said "Resident Only" parking signs help with parking concerns, and controls to shut off the lights and to lock the bathrooms help with the vagrants. She said the property values do not go down because they have a high walkability factor for their homes, and even Stafford home sellers who are near the trail advertise it because it helps attract buyers. Ms. Oliver said she walks the trail at least weekly and has never found issues with safety or trespassers, and this includes areas from the dark woods around Brooke Park, under the overpass at Amy's Café, and the city side where there are many homes along the trail. She said Stafford Chatham and Belmont all lock their gates, and so do the parks that are on the trail. She noted that people park at these locations and are aware of the opening and closing times and plan their walks accordingly.

Ms. Oliver stated that regarding easements, property owners are made aware of them when they purchase their property—and while they may hope there are no changes made to their property, they know easements can be acted upon. She said VDOT has the easement and is within its right to improve it for the public good. She said the last phase of the public trail shouldn't be done halfway and end at Cool Springs Road, adding that it is a large, high-volume intersection that is already dangerous for pedestrians and would have further negative effects with increased pedestrian crossings. She asked that the Board choose to end the trail at the planned endpoint at Ferry Farm, as ending it at Chatham not only shortens the trail length for active users but also sends Stafford dollars to downtown Fredericksburg and other Stafford residents. She said she goes downtown after pickleball, eats with friends, and she is asking the Board to give her and other Stafford residents an option at the old Bottom Dollar shopping center to have shops and other eateries, as well as at the George Washington's Ferry Farm Visitors Center.

6. Mr. David Fauth, 8 Antietam Loop, Aquia District - stated he would like to talk about two items related to Stafford County Public Schools on today's agenda. He said as a caveat, he is running for Stafford County School Board Representative in Aquia, but that does not impact his statements today. He said the first one is R21-325, the joint investigation of pupil transportation issues. He said if the Board does decide to go forward with that, he hopes that it is a solution-focused collaborative effort with the schools. He said in going back and reading about the School Board's October 13, 2020 meeting, where the last transportation audit was presented with findings and recommendations, it seems to him that with a few emails or phone calls, it would not be difficult to evaluate whether the School Board authorized Dr. Kizner and staff to implement the recommendations—what happened, whether they were completed, or whether citizens paid for another study to be put on a shelf and not go anywhere. He said as a taxpayer, he does not want the county to do another study where there are no deadlines or implementation strategy, and it is shelved; two years from now, the same problems are happening, and the study will be pulled back out. He said if the Board does go ahead with the study, he asked that it be solution-focused, implementable, and have a reasonable timeframe. He said he has also volunteered to be part of the Stafford County Public Schools Ad Hoc Transportation Committee and received a thank you for volunteering with no further follow-up.

Mr. Fauth said with regard to R21-326, the Bus Driver Recruitment and Retention Driver Payroll, he went through the Board packet and it is not clear to him as a taxpayer whether the newly proposed payroll schedule has been implemented, will be implemented, or is proposed. He said that as a project manager, it seems to him that if this is implemented, the Board should know what the impact would be. He said he looked at the FY22 transportation budget and \$10M was the budget line item, with pay increases in the 22-23% pay range,

making the request another \$2-3M each year. He said if the School Board is going forward and the Board of Supervisors approves it, he hopes they understand that the request in 4-5 years will be for an additional \$2-3M each year with an unknown of how many more bus drivers or busses will be needed for high school number 6. He thanked the Board for their time.

Ms. Vanuch asked if there were other speakers who did not pre-file a speaker card. She asked for those who would like to speak to form a line behind the first speaker.

7. Mr. Matthew Gordon, 812 Shaw Court - stated that he is speaking about the proposed trail through Dairy Lane. He said he is not opposed to the trail itself, but rather where it is going through his land—as where it exits is right in front of where his kids play. He said he thinks from the exposure, there could be possible safety risks for the children of his neighborhood. He said the other concern is the lane closure of the proposed trail going down to the tunnel; there are two entrances, and one is being proposed to close, so all foot traffic would go through and impede the cars coming through.
8. Ms. Gina McVicker, 7 Rixey Court - stated she is asking the Board to listen to the residents of more than 775 of the homes in the county. She said she didn't just come to complain about a problem, and the Board has heard all of the reasons why the residents of Leeland Station do not support VDOT's Route 626 Leeland Road Bicycle and Pedestrian upgrades project. She said she is asking for the Board's support in approving a revision to the current project plan. She said VDOT is making plans to implement the June 4, 2019 Stafford Bicycle and Pedestrian Facilities Plan that was presented to the Board of Supervisors and received a majority vote on September 3, 2019.

Ms. McVicker said she speaks for hundreds of residents when she says they do not agree with VDOT's plan to take possession of a suitable paved path within the boundary of Leeland Station to construct a shared-use path along 1.2 miles of Leeland Road. She said she recently met with the VDOT team responsible for executing part of this countywide plan and proposed a viable compromise that she is asking the Board to support as well. She said the June 19, 2019 plan states that citizen engagement began in August 2018, with an online survey and two public workshops to share draft recommendations and gather input. She said the survey was posted on August 14 and remained open through September 9, receiving a total of 538 responses. She said 94 of the 538 are from ZIP code 22405, where Leeland Station is; there are 31,747 people living in 22405 and nearly 160,000 in Stafford County as a whole. She said \$2.8M of taxpayer money is being allocated to a project that was initiated from one citizen request in 2010 and received the input of just 0.3 percent of the county's population, asking how that was a justifiable use of taxpayer funds. She said

the findings of the survey are in the comprehensive plan that was approved, but she wants to bring up a couple to the Board's attention.

Ms. McVicker said when asked what factors discourage cycling or walking, over 25% expressed a lack of scenic and nature routes as a factor. She said the current plan includes the removal of over 400 mature trees and landscaping along Leeland Station's current path to make room for a 10-ft-wide shared-use path. She stated that a greater percentage of respondents said they do not ride a bike, versus those who walk, and additional data from other sources from the plan supports walkers. She said she understands the desire to create a bicycle and pedestrian-friendly environment in Stafford County, but she does not wish for it to be at the expense of VDOT's current plan along Leeland Road.

Ms. McVicker said that homeowners will pay a high price not only in tax dollars but in loss of property value, privacy, traffic noise buffer, and safety. She said she approves of VDOT constructing a safe path along Leeland Road between the intersections of Deacon and Walnut Farms Parkway, where one does not currently exist. She said that section of road is a safety concern for pedestrians, and she often see people dodging cars while walking in an area that does not even have a shoulder. She said it is also where a minor was struck by a car just a few weeks ago while trying to catch a ride to school, and she pled for a crosswalk across Leeland Road to connect the east and west side of Leeland Station.

9. Ms. Pam Sabel, 1009 Shaw Court – stated that the Belmont Ferry Farm Trail has been going on for 15-20 years to put this in Ferry Farm—but her understanding is that Ferry Farm doesn't want it ending at their property. She said if it comes across the dead-end road, what used to be Route 3 or Dairy Lane, it's going to take up the whole road. She said there is not enough space to accommodate an 8-ft or 10-foot-wide path, and it would be right up against what is now used as a tot lot. She said the road floods quite a bit, and Naomi Road is very narrow. She said if one side of the tunnel is going to be closed, there is no clear vision for traffic on the other side, and she does not foresee VDOT putting in a stoplight for the bike path. She said it would be more feasible for the path to be up on Route 3 and go through the old Bottom Dollar Food Land parking lot and join up with the Ferry Farm Boyhood Home. She said there are stoplights, and this would make it the safest route and would keep the pedestrian traffic and vagrants away from their homes. She said this would save the county over \$3M by not building a path that goes nowhere. She thanked the Board for their time and also said she's a bus driver and hopes for the pay raise to go through.
10. Mr. David Scott stated that he lives on Shepherd's Hook Way in the Hartwood District and is the Vice President of the Community Association for Colonial Forge. He said Woodcutters next to Colonial Forge has an issue with parents using their neighborhood as

a turnaround point. He said there are footpaths between the tennis courts and Woodcutters itself, and kids cross where they want and don't go to the courthouse crosswalk. He said the kids cross where they want, and he's using this opportunity to ask for a crosswalk to be put in at Cutstone and Woodcutters itself, with additional signage. He said that knowing human nature, kids will go where they want to go, and parents are using the turning lanes as pick-up points in the middle of Woodcutters, which is a high-speed road. He stated that it is an active community with people out walking before and after work when it's dark, and that decreases drivers' visibility, especially when they're moving at high rates of speed. He said he is asking for the Board's support to push VDOT to install school zone signs and some kind of traffic control measures to help slow people down and keep the kids safe. He thanked the Board.

11. Mr. Arthur Bailey, 2 Mennis Court - stated he lives right on the corner and his backyard butts up to Leeland Road. He said he sits outside most mornings with his grandchild and watches the traffic go by, stating that he sees very few people walk by his house or walk the trail. He said he sees a few people riding bikes, but he does not see that many people that would warrant a big trail that will take part of his yard. He said he's looking at the map that shows the proposed trail, and it will go right through his shed and half of his deck. He said that will take almost all of his yard and he is asking the Board why they would do that to a citizen. He said he does not think it's right and asked the Board to reconsider, and he thanked them for their time.
12. Ms. Sue Partyke, 106 Shaw Court - stated she had sent the Board members a fairly lengthy email earlier in the week and hoped they have had a chance to review it. She said she also found a shorter version of some of the points she and her neighbors wanted to make about the Ferry Farm Trail. She said she and her neighbors are not against trails, and many in the community use the existing trail—but their biggest concerns are about safety and the fact that they are somewhat remote and isolated, and they are concerned about security. She emphasized that Chatham Landing is in a very secluded location and most people don't know the community exists, and there are no regular police patrols or even a steady stream of traffic passing by that might deter crime. She stated that this trail will bring people into the community that currently has an almost non-existent crime rate, and trail users will now pass within yards of her back door.

Ms. Partyke asked what steps the county has planned to address security, if there is a budget increase planned for police patrols, who will be responsible or liable for anything that happens on the trail, who is called if there are problems, and whether the county has any research to show how many people will be likely to be using the trail. She stated that there have been a number of incidents described over the section of Old King's Highway, as well

as problems with ATVs in the woods carving out paths that are wide enough for trucks to drive through. She said since the existing bridge is half gone, there is no longer a gate where Dairy Lane begins. She said the neighborhood has learned to live with the homeless, but the bridge washing out helped with that problem, and building a bridge there again will provide access once more. She said other concerns are about vehicles being on the paths, the access road leads to her back door and those of her neighbors, the path floods, and maintenance.

13. Mr. Jackson Kottmyer, 2001 Brooke Road, Aquia District - stated he would like to bring to the Board's attention a problem that is growing in the county with livestock and fowl on A-1 properties. He said the regulation from Ordinance 019-21 currently states that there has to be a conservation plan executed for any property under two acres. He said the new proposal is that any A-2 has to have more than three acres to have livestock, fowl, or poultry. He said where he lives, his neighbor has 1.534 acres and currently has 25 roosters, 42 chickens, and 18 rabbits that constantly come into his yard. He said he doesn't know if any of the Board has ever lived next to roosters, but the chicken coop is 65 feet from his foundation. He said that is his wake-up call every morning at 5:15. He said inside his home, with the windows closed, he's trapped. He said he can't enjoy his quality of life outside and is asking the Board to please revisit the A-1.

Mr. Kottmyer stated that Spotsylvania County set up a matrix in 2012, allowing only six chickens or less on a property five acres or less. He said Stafford County has no such matrix, and animal control had presented one three years ago that was turned down, and he is asking the Board to please revisit that decision. He said as the county continues to grow, A-1 property and subdivisions are protected by homeowners' associations. He commented that this is a growing problem, and he has talked with numerous residents who have moved out of the county because of it. He asked the Board again to revisit the A-1 language, put more of a matrix in and quantitative measures so people understand what they can and cannot have. He said if a conservation study is going to be required, they should not put something in the regulations that cannot or will not be enforced, as it causes frustration for everyone.

14. Ms. Amanda Moon, 207 Shaw Court, George Washington District - stated that one of the things outstanding about her neighborhood is that it is very small, has no sidewalks, and is very remote. She said that Dairy Lane is washed out half of the time and the trail is going to be right next to the parking lot and the tot lot, and they are not equipped to keep people walking down the trail from not using those lots as a park. She said the community does not have the ability to patrol or police or take care of the concerns. She said the HOA management company informed them that they could expect to see an increase in liability

insurance, not to mention the HOA liability if people decide to come onto the property and walk through to the river.

Ms. Moon stated that as soon as people find out that they can park there, play there, and have access to the river, they will no longer have a neighborhood. She said the neighborhood is very pro-development in that area, and she has been to the Board in the past when there were previous discussions with Mr. Janey, who agreed to pay to have the trail put on Naomi Road, which keeps it from Dairy Lane. She said a new bridge will be needed, decisions will still need to be made for the railroad bridge, and there are still decisions for how to get people to Ferry Farm. She said there are many loose ends and it's \$750k for less than half mile of trail, and she asked if it was really a good use of tax dollars. She said that half of that trail will then go by a water-treatment facility and storage facility—then it dead ends at a graffiti-covered bridge. She emphasized that this really does disturb the neighborhood.

15. Mr. Daniel Cortez, 19 Hidden Springs Lane, Aquia District – stated that he is speaking as a private citizen. He said about 30 years ago, the Cortez family led an initiative of 14,000 votes to change the form of representation of the school board from an appointed school board to an elected school board. He said he is representing those 14,000 voters and wonders if they made a mistake. He said the Stafford County School Board is not representing the voter responsibly when they try to promote an oppressor—an oppressed mentality that is being promoted by critical race theory (CRT). He said there will be a discussion about this later today and he wants to know unequivocally that while the Board has Dr. Jones here he will answer every question. Mr. Cortez said if Mr. Jones has proposed to answer only in writing, that is irresponsible, and the public has a right to know. He said in Fairfax County, they spent \$34,000 for 55 hours of CRT coaching on white individualism or color group collectivism, grievance study, and social equity programs, with the NEA promoting critical race theory or attempting to rewrite history.

Mr. Cortez said that his family promoted and developed a company that embraced unity for all people, and people have assimilated and are not supposed to be dividing students based on melanin in their skin. He said this is about unity, not divisiveness. He said we have had a black President, a woman Secretary of State, a Hispanic Secretary of the Navy (Carlos Del Toro), and people have advanced. He said CRT will take us backwards, and this must be stopped. He said he wants to commend the Board for their leadership in calling Dr. Jones here, and all questions must be answered. He said he would also like to restrict any funding that goes to teach grievance studies and social equities that promote divisiveness and looking at a person's skin color. He said his granddaughter, who is half white, must not be made to feel a victim, as she has done nothing. He said all of the veterans

that the Board honored earlier promoted and fought for equality. He said several years ago, the chairman of this Board disrespected every Hispanic in Stafford County by not advancing Hispanic heritage, but this Board is going to do that responsibly, thanks to Ms. Bohmke, who showed leadership and apologized and made sure it was on the schedule.

16. Ms. Alane Callander, 622 Lancaster Street – stated she came to talk about trees, specifically the destruction of trees around the new courthouse interchange, and it seems there could be new development without stripping all of the trees. She stated they need to require more buffering and to max out whatever the state allows—and if the state does not allow enough tree protection, it needs to be requested for change. She said that what is happening right now around the new courthouse interchange is extremely disturbing, and a community that preserves its natural tree cover distinguishes itself from other developing communities that simply strip the trees and give the developers carte blanche. She said the aesthetics of a community and environmental integrity are important and should be valued by the county.

Ms. Callander said the following are important contributions that trees add to the quality of life: they increase property values; clean the air; slow water runoff; prevent soil erosion; help buffer noise pollution; cool homes, streets, and communities; save money on energy costs; and enhance the living environment. She said should the destruction of tree cover be unavoidable, remediation should not just require replanting or trade-offs of other natural areas, but a requirement that solar collectors be placed on buildings where practicable. She said that Stafford should set an example of how to build sustainably, and if there is a new development where the trees have been removed prior to construction, there should be no excuse not to install solar collectors on the new buildings. She thanked the Board.

REPORTS BY BOARD MEMBERS

Mr. Coen deferred his remarks.

Ms. Lamb welcomed the four new graduates into the Stafford County Sheriff's Department. She said she was able to attend their graduation last week and was so excited to see four choose Stafford County. She said it was a great ceremony and really encourages everyone to give back to the community in any way they can; and it's so refreshing to see these young people make such a choice. She said she also attended a PRTC meeting, and when the Board talks later today about what is going to be done with this trail, there is a project that the community may not be following that is bringing a third rail line into Virginia. She said the third rail for all of the VRE and CSX lines would be going through all of these areas, so there are planned improvements within the next few years that have an impact on some of these things. She said some of this information may be new, and it is all emerging because it is currently under design.

Ms. Snellings said he wants to thank the chairman for reading the names of the 13 soldiers who had recently died in Afghanistan. He said as a veteran, he was ashamed that the Speaker of the House of Representatives refused to have that done, as these men and women were heroes and deserve all of the recognition we can give them.

Ms. Bohmke thanked Mr. Snellings for stating that. She said she had goosebumps and is sure many in the audience did as well. Ms. Bohmke reported that there was a GWRC meeting last week, and they had five candidates for the executive director position with a ZOOM call scheduled for this Wednesday, and she hoped to be bringing information back at the next Board meeting. She said the R-Board, which is the Landfill Board, has a public hearing coming up on November 17. She said they only meet quarterly, and this public hearing will be important regarding the cost of trailers going into the landfill. She said currently, an 8-ft trailer is equal to \$5 when going in the landfill, and they are proposing for an 8-ft to 14-ft trailer to be \$10, which currently is \$20, and anything over 14 feet and oversized loads that are not trailers would be \$20.

Ms. Bohmke stated that if one is not able to attend the public hearing, comments may be emailed to her or Ms. Lamb, the County Administrator, or the Clerk of the Board. She reported that the R-Board director was retiring and moving to North Carolina to be closer to family. She said he has done a phenomenal job for the last 2½ years and has really put them on the map with his management and implementation of new technology. She said applications for that position were being accepted. She reported that VDOT would be coming to the Stafford County Infrastructure meeting on October 5, which would be held at either at noon or 1:30 p.m. in the Board chambers. She said that VDOT would be unveiling what their new proposed idea is, and the Board does not know anything at this point in time. She said this was a VDOT project, but now they were coming to the Board, and she suspects they may need some money.

Ms. Vanuch deferred her remarks.

REPORT OF THE COUNTY ATTORNEY – Ms. McClendon offered no report.

REPORT OF THE COUNTY ADMINISTRATOR – Mr. Presley stated that the Board has a Stafford County 2040 and Other Priorities update, which is provided each month. He said as a highlight, under 7.6 Organizational Excellence, that item was for the County to achieve its triple, triple-A bond rating, which was achieved a few years prior. He said that Moody's has updated their rating and the county has maintained their triple-A rating, which shows the County is staying on the right course even throughout the pandemic. He said the monthly expenditure listing of those over \$100K if for information only. He said the rest of his time he is going to turn over to some

staff members and a partner agency to provide updates, with the first being the Capital Projects Quarterly Update to be presented by Assistant Director of Capital Construction Kathy Fox.

Ms. Kathy Fox stated that she is presenting the fourth quarter report and would give a highlight of the slides, with Berea Church Road safety improvements up first. She said the right-of-way acquisition phase is 90% complete and there is also a public hearing this evening as Board Item 31 for condemnation of the Scott and Buchanan. She said the second item is Route 1/630 Courthouse Road intersection improvements, and the right-of-way acquisition phase is 90% complete and this evening there are four properties under agenda item 29. She said the next one is Route 1 and Telegraph Road/Woodstock Lane intersection improvements. She said the design phase is 90% complete, with right-of-way acquisition 25% complete. She said the right-of-way phase is underway, and they have reached an agreement with five of the 11 properties impacted, and public hearings are tonight under item 30.

Ms. Fox reported that Flatford Road Sidewalk Project's design phase is 100% complete, with right-of-way acquisition phase being 95% complete. She said utility relocation has been completed except for Dominion Power, which is anticipated to start this fall, and construction advertisement is also anticipated to start as early as October 2021. She said the Belmont Ferry Farm Phase 6 is being skipped because it was in the infrastructure item this afternoon and Mr. Owsiak would discuss it later today. She said the Brooke Road Emergency Access Road design is 30% complete, VDOT has installed site cameras, remedial work was performed at Accokeek Creek by state and federal agencies, and preliminary access road layout has been provided to impacted landowners and posted on the county website. She said engineers are working to identify necessary right-of-way located outside of the dedicated roadway easements, and right-of-way acquisition is anticipated to begin in the fall of this year.

Ms. Fox went on to say that Lynhaven Lane Sight Distance Project construction bids have been received, the relocation of the fence line and removal of vegetation from the sight easement have been completed, bids have been received to construct approximately 127 linear feet of retaining wall, and on August 16, all bids were in excess of the budget. She said as of today, additional funding sources are being reviewed. She said the Lynhaven Way Roadway Improvement Project right-of-way acquisition phase is 20% complete and is part of the VDOT/Stafford SSYP program, working to develop the plats for land acquisition and addressing challenges with land acquisition on property near the intersection with Courthouse Road.

Ms. Fox said the Claiborne Run Parallel Force Main-Phase 1B final design is 100% complete, and the easement acquisition is 95% complete. She said environmental permits have been acquired, and they are finalizing responses to VDOT comments in preparation of bidding in fall of this year. She said the Falls Run Force Main final design is 20% complete and the design alignment concept

is finalized, and it will be subject to regulatory and agency approvals. She said they have received a response from the National Park Service with guidance on their permitting process and are moving forward with the design to address their requirements and obtain permits to cross their property. She said the Falls Run Gravity Interceptor Sewer Phase 2 design is 100% complete, property acquisition is 25% complete, right-of-way easement acquisition has begun, and environmental permitting is underway; staff anticipates early 2022 construction advertisement, which was delayed due to the property acquisition.

Ms. Fox said that Lower Accokeek Gravity, Force Main, and Pump Station construction is 100% complete, and the punch list is 50% complete. She said Little Falls Run Wastewater Treatment Plant Facility and Regulatory Upgrades final design is 60% complete, and the county has reviewed the 60% plans and provided comments to engineers currently working towards the 90% plans. She said that Capital applied for grant funding through the water quality improvement fund and would research additional funding sources through possible state and federal funding through the ARPA and infrastructure bill. She said the 342 Pressure Zone Upgrades final design is 100% complete, easement acquisition is underway and is 25% complete, environmental permits have been acquired, VDOT comments have been addressed and resubmitted, and construction is to be coordinated with Enon Road Elevated Water Storage Tank at the same time.

Ms. Fox reported that 243 Pressure Zone Upgrades preliminary design has not started yet, but scoping meetings with the engineers have been completed, and the task order for preliminary alignment study is currently in the approval process. She said the 342 Pressure Zone Upgrades – Enon Road Elevated Water Storage Tank final design is 100% complete, the planning department comments have been addressed, and the permit and application have been submitted to Virginia Department of Health for addressing final comments. She said the tank project is scheduled to coincide with the completion of the 342-06 waterline project, and bidding is scheduled for September or October 2021. She said the Lake Carroll Dam Improvements construction bid package is in preparation for rebid. She said the bids that came in May 2021 were significantly higher than the budget, which is \$789k, and the bids were for \$1.7M. She said the project will be rebid in September, with revisions to potentially lower the costs. She said if bids continue to be higher than current budget, staff will seek further direction from the Board.

Ms. Fox said Lake Arrowhead Dam (Upper Dam) Improvement's property acquisition phase is 50% complete. She said county legal staff and project staff continue to work on property acquisition, bid advertisement is yet to be determined depending on that acquisition, and maintenance work on the lower-level drain valve and outfall pipe is anticipated to be done in late 2021. She concluded her report, and the Board had no questions.

Mr. Presley said next is the VDOT report, which will be provided by Kyle Bates,

Mr. Kyle Bates said the first project is the I-95 Southbound Rappahannock River Crossing project. He said the bridge can be seen between the two bridges, and VDOT is nearing the end of that project. He said some of those new lanes will be opening as soon as next month in October. He said there will be some lane shifts throughout the end of the year until the bridge is at full capacity. He said anytime there is work on I-95, there is a lot of traffic that will need to be directed in many locations. He said the next project is a sister project with the northbound crossing, which is currently being worked on; that project has begun and VDOT is on target for on-time delivery for spring of 2024. He said this will do essentially the same thing as the southbound project is doing, taking the local traffic from Route 17 to Route 3, and the lanes coming from a northbound perspective will be able to separate from the general-purpose lanes.

Mr. Bates said there is also the Fred-Ex project, and this contract delivery date is in late 2022; VDOT will be closing the American Legion Bridge beginning in January of 2022, and it will be closed for nine months. He said as is done with all projects, VDOT will be putting out press releases. He said conversations have already happened with school transportation and fire and rescue and would continue to take place throughout the entire process to ensure it goes smoothly. He said the next project is the Route 3 Chatham Bridge Superstructure Replacement, which is another megaproject nearing an end. He said the bridge will be open in October, though they have not set a date yet. He said VDOT is working right now to finalize the planning as it comes to a reopening even. He said there have been some closures that started today for River Road that are restricting some of the turn movements there. He said these closures are only during the daytime today and tomorrow and should open in the evenings at 5 p.m. He said they are milling up some of the surfacing as part of the project, but River Road will be restricted to a right-in/right-out post project.

Mr. Bates said the Route 1 Bridge Replacement over the Potomac Creek is a full replacement that will widen the bridge. He said this project will replace the Route 1 bridge over Potomac Creek, and the new structure will be wider with four travel lanes; VDOT will continue to maintain four lanes of traffic along Route 1 during that time, and that is scheduled for completion in early 2022. He said the next project is on Route 3 CSX bridge repairs, which is Route 3 Business over the top of the railroad. He said this is a beam-in repair project and it came to VDOT's attention that there were some issues with the beam repair. He said it was very important that those were repaired to keep from having to close the bridge. He said there have been a lot of problems trying to get CSX flaggers, which has significantly delayed the project, and they are trying to catch up on a lot of that time now. He said VDOT does have one lane closed westbound that is closed Monday through Friday and will be going on through the end of February. He said they pick up the closures every Friday afternoon, but that will be closed through February.

Ms. Bohmke said some constituents have asked why VDOT did not work on that in conjunction with the Chatham Bridge. She asked if VDOT was aware of the beam issues or if that was something that VDOT just became aware of.

Mr. Bates said he does not know the exact date, but they were aware of it during the Chatham Bridge Project, and the problem was getting these CSX flaggers. He said they could only do some of the work that didn't require a full lane closure. He said when it comes to getting down and working around CSX, VDOT cannot do that unless they get a flagger from CSX, and they have struggled. He said it was not just this project that they have struggled with. He said there was another project on this contract, and they had the same issues in Spotsylvania.

Mr. Bates said the preliminary engineering is underway for the Leeland Road Pedestrian Project that has been spoken about. He said the presented slide is the original sketch and the original timeline, with the current completion date for Summer of 2023; as Supervisors have stated, they are looking at options on this project. He said VDOT went to the August meeting with the homeowners association to give them the offer and heard a lot of feedback from that. He said they have taken that feedback and have met with elected officials, and they are continuing to work on this. He said they definitely hear the concerns and are finding another alternative that will still give the local connectivity that everyone is looking for, while hopefully being able to minimize some of the impacts to the community. He said that October date may change, along with the HOA, and there is a lot of work to do between now and then. He said VDOT has to design a new project to make sure it's going to fit within the right-of-way and determine what the cost impacts will be.

Mr. Bates said the next project is the 644 bridge replacement over Aquia Creek, and he really appreciates the Board working with VDOT last month. He said the County Administrator sent some information out, and VDOT has been working with fire, EMS, and schools to determine the feasibility of closing this road for construction—and they are going to save approximately \$1M by doing so. He said as with all of their other bridge replacements, he is going to get that information out to the public and ensure there are proper turnarounds, etc. He said this project is scheduled to be completed in 2026.

Mr. Bates shared information regarding the pipeline studies that were recently approved and funded, and these studies on both Route 1 and the Centerport area are going to give Stafford County the option to look at some of these studies and projects to apply for future Smart Scale projects. He said they are going to look at intersections and strategic ways to keep thoroughfare on the Route 1 corridor, which gets a lot of traffic from 95 when there are incidents, accidents, and crashes. He said this is going to give VDOT the ability to have some data behind some of the roadway projects considered. He said there is a lot of development in the Centerport area, and this will give them

the ability in early 2022 to have some projects that the county can apply for on the next round of Smart Scale.

Mr. Bates stated that some smaller VDOT projects include the shoulder wedge widening improvements, and they just completed the widening on Spotted Tavern and Crop Road. He said he has gotten some questions about the resurfacing that will be done before the winter, so they are coming back to resurface those routes through the resurfacing contract. He said this is a great program that was started back when Keith Dayton was here, when they looked at all of the roads in Stafford County that weren't getting the attention that some of the primary routes with a lot of traffic were getting. He said VDOT has partnered with the county to work on some of these things. He said that while VDOT is doing the work, the county is assisting with the funding, and then they come back and resurface the entire road on the state's dime. He said it is a fantastic program and they will continue to do this. He said the next round is starting, and they are looking at a portion of Hartwood, Mountain View, and Winding Creek roads.

Mr. Bates said VDOT recently did some work at Holly Corner at Coakley Lane. He said Coakley was a road they did through the Rural Rustic Program a few years back and were able to improve some sight distance at this intersection where the two state roads connect. He said the image presented shows where the berm was cut down to greatly improve some sight distance, and that project is complete.

Mr. Bates said VDOT has the Onville Road Project that the county had prioritized and is looking within the next 60 days to widen the shoulders along the right side of Onville Road, turning from 610 approximately four feet in some locations to get an asphalt shoulder where none exists today. He said that work should begin and be completed within the next 60 days.

Mr. Bates said another rural project is on Route 658, Brent Point Road. He said within the next 30 days, VDOT will begin construction. He said they are done with the erosion and sediment control, will eventually hard surface this road. He said they will be doing some grading and draining improvements, some pipe replacements, cutting of trees and things like that to ensure safe, traversable roadways. He said at the end of that process they will surface treat the road. He said gravel roads also prohibit some things VDOT does during snow removal.

Mr. Bates said on Stefangia, there is a tree-trimming removal in the clear zone to remove any of the hazardous trees that were within the clear zone and improve some of the sight distance. He said tree trimming has been completed and the larger tree removal is upcoming. He said they will be moving to Mountain View after that per the agreement that was signed and will be doing the same thing on Mountain View once Stefangia is completed.

Mr. Bates said Shelton Shop is very preliminary, and VDOT has not yet met with the county to define a scope, but this was prioritized by the county for the six-year secondary road plan. He said the idea behind the project is to improve sight distance at Winding Creek and Shelton Shop.

Mr. Bates stated that VDOT is actively mowing on the primaries and secondaries and will be coming back to Stafford to do their last cycle of mowing, which should start next week. He said that's going to be both primaries and another round to hit all primaries within Stafford County. He said that should improve many of the current sight distance issues.

Mr. Bates said Brooke Road recently had the beaver dams removed, and they worked with the USDA to get that done, replaced the water level markers, and got the cameras out for 511. He said VDOT does have a pipe replacement scheduled, though the environmental process is a lengthy one, given where it is, and they may be having to replace that pipe in the spring. He said they have only had to close Brooke Road three times this calendar year, and last year it was closed around 13 times. He said some of that was weather and some was beaver dams, with a variety of other things playing into that.

Mr. Bates said the next slide is the resurfacing schedule that VDOT is working on, with Route 17 Warrenton and then some of the surface treatment routes below that. He said VDOT also has the upcoming resurfacing schedule that has not been completed yet, but they have a lot of these areas where there is also the widening of the road. He said they were also able to get some roads from I-95 to Route 1, and there are 77.83 lane miles of resurfacing in Stafford County taking place.

Mr. Snellings asked what the cost of one lane mile is to resurface.

Mr. Bates said it does depend on what the lane treatment is, but asphalt is about \$250k or so—making a two-lane road about half million dollars. He said they are looking to put out some more cape seal and surface treatment contracts since they find that goes a lot further, especially on the secondary routes. He said they have to be very selective with where those are with some of these roads that have needed a resurfacing for quite some time. He said those cannot have a cape seal, as the road has to be in fair condition. He said it is a nice surface once it's on and traffic has run over it, and it is a much cheaper alternative—coming in around \$30-40k per lane mile. He noted that this is cost-effective and efficient.

Ms. Bohmke commented that there are a couple of very deep potholes on Harrell Road right now and asked if those would be fixed before the resurfacing is completed.

Mr. Bates responded that they would and said the deep potholes need to be fixed now, but for holistic purposes, any resurfacing schedule that VDOT has will be patched prior to surface

treatments being applied; otherwise, it would create base failures. He said VDOT puts that in all of their contracts.

Mr. Bates said that wraps up his presentation and said he will send an email regarding some of the other items discussed individually.

Ms. Lamb thanked Mr. Bates but said she is quite disappointed about the culverts and really had hoped those were going to be done this fall. She asked if it was going to be one or two that would be done during the maintenance project.

Mr. Bates replied that it is just one culvert and said if they can get it done in the fall, they definitely would, but they are waiting on the environmental permit at this time—which has taken longer than expected.

Ms. Lamb thanked Mr. Bates for pumping out Brooke Road and for being proactive.

Mr. Snellings asked Mr. Bates if he heard from Mr. Scott from Colonial Forge.

Mr. Bates confirmed that he had.

Mr. Snellings asked if anyone from VDOT could meet with himself and the residents there to take a look at that.

Mr. Bates said Mr. Snellings had just reminded him that they had chatted a few months ago related to some other things going on in the neighborhood, and they can look at the crosswalk there. He said VDOT tries to funnel people to the safest and most appropriate location to cross, but his point is very well taken. He said VDOT needs to look at that and see how they can change that behavior or fix it.

Mr. Snellings also mentioned the intersection of Route 1 and American Legion Road, noting that the traffic light in the afternoon starting about 3:00 backs up traffic sometimes two and three miles going southbound. He asked if it could be looked at to maybe change the timing or something.

Mr. Bates replied that he will see if it is in coordination with anything, but he can look at the timing to see if it can be adjusted. He said the only thing that has to be considered when adjusting the timing on a road is that if giving extra time to the side roads, it's got to be taken from Route 1. He said during the AM peak and the PM peak, that is not usually a good idea. He said he will take a look at it nonetheless, and there may be some tweaking that can be done.

Ms. Bohmke said she wanted to offer a friendly reminder about the blinking light at Falmouth Fire Station and at the intersection of Castlerock and Butler Road.

Mr. Bates said that is one of his notes, and he has a meeting next week to discuss speeding and some other measures being taken.

Mr. Coen said Mr. Bates is more than welcome to come and visit at the Colonial Forge High School between 3:25 and 3:45 p.m., and he can stand with Mr. Bates to watch and direct traffic. He said it may be something that needs to be communicated to the school system regarding all of the high schools and middle schools.

Mr. Bates explained that he had talked to the assistant principal within the last month, on the first day of school. He said they ended up changing some timing and are putting up signs to restrict some of the right turns. He said with the time change, the sign is now incorrect, so that needs to be replaced. He said there is a local project there to fix some of that, but nonetheless, if there is some tweaking that can be done, they will do it. He said it is a delicate puzzle, and this is why they appreciate innovative intersections, as they keep the traffic moving and side traffic does not have to make a left turn across it.

Ms. Vanuch said before Mr. Bates leaves, she wanted to mention that he did talk briefly about the Leeland Trail sidewalk coming back to the Board potentially on October 5 in the infrastructure meeting. She said if he misses that meeting, the next time it would likely come before the Board in an infrastructure meeting would be November 16. She said that's fine, as the Board wants it to be right and wants VDOT to work with the residents, but she just wanted to give him the timing and to say it out loud so people would also hear it.

Mr. Bates said if he cannot make that October meeting because they are still working through the process, that email will be blasted out to everybody.

Mr. Presley said the final item under his report is the COVID-19 update, which would be presented by Kim Murphy Orr.

Ms. Kim Murphy Orr said she works with Stafford County Fire and Rescue in the Emergency Management Division. She said Stafford County is currently rated in high transmission because the county is over a 10% positivity rate, as well as case counts. She said the seven-day average of cases is 74, which is up from 56 last week, and there is a steady incline of cases. She said the Stafford County weekly positivity rate is 13.53%. She stated that when she got hired in December, the county was at 18%, and they were 5% away from where they were in December before the

January spike. She said the case rates in VIRGINIA continue to rise steadily, with 32 of 35 districts in a surge.

Ms. Orr said for the week of August 28-September 3, the county increased mask usage, and vaccinations across Virginia have shown a significant uptick in activity, and total case counts could still come close to historic heights in the coming weeks. She said modeling indicates in the short term, mask usage and social distancing are the most effective countermeasures against a fall surge. She said in the long term, increased vaccinations could prevent tens of thousands of winter cases. She said with the Delta variant as a new variant strain, the CDC recommends that all individuals continue to wear a mask indoors and continue to social distance, especially if in a high transmission rate area. Ms. Orr said she has also been seeing a new symptom the virus, with those individuals who are positive complaining of an ear infection or ear pain and think it's a sinus infection, but their tests come back as positive for COVID.

Ms. Orr said the presented slide is a snapshot of Stafford County, the Rappahannock Area Health District (RAHD), Virginia, and all of the United States. She reported that for Stafford County in one week between August 28 and September 3, there were 515 new cases, which was up from 390 cases the prior week. She said the hospitalizations stayed the same at nine, for a total of 416 people in Stafford County that have been hospitalized. She said there have been two unfortunate deaths due to COVID this past week. She said currently in the RAHD, there are 85 patients hospitalized. She said the next slide is a snapshot of what it looks like in Stafford County as far as hospitalizations. She said Stafford County is in the blue, RAHD hospitalizations is in red. She said for that week, there are 85 individuals who remain in the hospital due to Covid, and of those, nine are Stafford County residents. She said the yellow line shows a steady but slight incline, and at one point last week, there was a case rate of over 100 in one day.

Ms. Orr said the vaccine update shows that growth in vaccination rates remains higher than June and July. She said that although the White House has stated that boosters should be given and available beginning the week of September 20, the CDC and other health organizations are still evaluating the need for a booster. She said the CDC does recommend a third dose for immunocompromised individuals who are age 12 and older. She said on August 23, the FDA granted full approval of the Pfizer-BioTech COVID-19 vaccine for individuals 16 and older. She said this vaccine will be marketed under a new name but is the same vaccine. She said the CDC and other health organizations, such as ACIP, continue to review the potential inclusion of five to 11-year-olds receiving a vaccine by this fall. She said the emergency use authorization for Pfizer will continue to cover children 12 to 15 years old. She said additional data is required for full approval and safety for this age. She said Moderna and Johnson & Johnson vaccines will continue to be administered as well, as the FDA reviews data about their real-world use.

Ms. Orr said last week, there were 144,000 individuals with administered doses, which is up 1,700 doses in one week. She said the percentage of the population that is fully vaccinated is 45.7%, and last week it was 45.1%. She said it has been increasing but is hoped to increase a bit more, and the number of people fully vaccinated in Stafford County is 69,877.

Ms. Vanuch asked how these numbers account for federal government employees. She said she knows a lot of federal government employees were offered the vaccine at their place of employment, so a lot of folks drove up north or south to get the vaccine. She asked if those were calculated in these numbers.

Ms. Orr responded that the federal numbers are not calculated in these reports.

Ms. Vanuch said this is giving a false number, as there is over 60% of the workforce in federal employees and contractors.

Ms. Orr said that as of August 28, 4,832,258 Virginians have been fully vaccinated against COVID-19. She said of these, 0.4% have developed COVID-19, 0.016% have been hospitalized, and 0.0032% have died. She said these are called vaccine breakthrough cases, and one can still contract the virus even if fully vaccinated; however, it is less likely. She said the total breakthrough cases are 17,256; out of those, 760 have been hospitalized, and there have been 154 breakthrough deaths in Virginia.

Ms. Orr said the next slide shows the rate of infection by vaccination status. She said fully vaccinated individuals show the bottom-line trend, partially vaccinated are shown in teal, and the unvaccinated are shown in yellow. She said the unvaccinated are at a sharp incline to get the virus, infected at a rate of 9.2 times higher than those fully vaccinated and 2.5 times that of partially vaccinated.

Ms. Orr said the Virginia Children and COVID-19 State Data Report states that Virginia has had 124,000 COVID cases, which is an increase from last week. She said the percent of total cases is 16% who have contracted COVID-19. She said the total child hospitalizations out of that number is 788, for a 2.4% of children hospitalized. She said there has been a total of 10 deaths, which is an increase from last week of one, with 0.01% of cases resulting in child death, and that has not changed in the last two weeks.

Ms. Orr said the next slide gives a snapshot of Stafford County employees. She said the total quarantined from September 5 is 664 people, but this does not give a true snapshot of how many have developed the virus. She said at the beginning, there was no requirement for testing, but they have now started that. She said there were about 114 of known cases captured. She said this week

alone, there were six known positives who work for the county and 19 that are currently quarantined.

Ms. Orr said the next slide shows the total employees quarantined in the county in the blue as a one-year snapshot. She said the COVID-positive in red does not reflect an accurate depiction because testing was not required, and there are low numbers seen in the months of June and July. She said the fully vaccinated breakthrough cases total five, from July 31 until the week of August 28, for county employees. She noted that in addition, Stafford County continues to provide outreach and conduct vaccine clinics for county employees. She said anyone that needs a vaccine clinic can reach out to her. She said they conducted a clinic for employees on September 2 and continue to provide vaccination to homebound residents. She said individuals who are not able to leave their home and need a vaccine can reach out and call the RAHD at 540-899-4797 to get on the homebound list. She said once a person is on the list, someone from the department will come out to the house and administer the COVID vaccination. She said they also engage in monthly community education in collaboration with the REMS Council every other week.

Ms. Orr said for additional information, as of September 8, RAHD will be discontinuing the weekly free drive-through COVID-19 testing at Stafford Hospital. She said additional free drive-through testing is being hosted throughout the health district, and more information and registration links can be found at the RAHD website. She said if a copy of a vaccine administration is needed, people can visit www.vaccinate.virginia.gov and use the vaccination request portal to view or print it.

CONSENT AGENDA

Ms. Vanuch announced that there are two Board members missing today: Ms. Allen is on an extended leave of medical absence and the Board wishes her well, and hopefully she will join them again soon. She said Mr. Dudenhefer is dealing with some devastation at his mother-in-law's house in Louisiana with cleaning up from the hurricane, so the Board is praying for him and his family and is looking forward to his return as well.

Ms. Lamb motioned, seconded by Ms. Bohmke to adopt the Consent Agenda, minus item #15.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Item 1. County Administration; Approve Minutes of the August 17, 2021 Board Meeting.

Item 2. County Administration; Approve The August 17, 2021 Board of Supervisors Meeting With Quantico Base Commander Colonel Michael L. Brooks Minutes.

Item 3. County Administration; Adopt a Joint Schools Working Committee Charter.

Item 4. County Administration; Authorize Four Hours Holiday Pay on Friday, September 10, 2021 In Observance of the 20th Anniversary Of September 11th.

Item 5. Budget and Management; A Resolution To Appropriate VPSA 2020b Funds for Park Ridge Elementary School.

Resolution R21-328 reads as follows:

A RESOLUTION TO APPROPRIATE VIRGINIA PUBLIC SCHOOL AUTHORITY (VPSA) FUNDS FOR CHILLER REPLACEMENT AT PARK RIDGE ELEMENTARY SCHOOL

WHEREAS, the Superintendent of Schools has requested the Board appropriate funds for the Park Ridge Elementary School chiller replacement (Project); and

WHEREAS, pursuant to Resolution R20-95, the Board authorized the issuance and sale of VPSA bonds in an amount not to exceed \$10,000,000; and

WHEREAS, the Schools have Repair, Replacement, and Rehabilitation (3R) projects that were approved with the adoption of the fiscal year (FY)2021-2030 Capital Improvement Program (CIP); and

WHEREAS, bids for the Project exceeded the proposed budget of \$655,700; but Schools staff have identified savings in the amount of \$71,924 from the Colonial Forge High School Tennis Courts project, which was also authorized as part of the VPSA borrow pursuant to Resolution R20-95, which can used to support the increased costs of the Project; and

WHEREAS, the Board desires to appropriate VPSA funds in the amount of \$727,624 for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that Seven Hundred Twenty-Seven Thousand Six Hundred Twenty-Four Dollars (\$727,624) in VPSA 2020B funds, held in the County's Capital Projects Fund, be and it hereby is appropriated as follows:

Fund	Purpose	Amount
County's Capital Projects Fund	Transfer to Schools' Construction Fund	\$727,624
Schools' Construction Fund	Park Ridge Elementary School – Chiller Replacement	\$727,624

Item 6. Capital Projects Transportation; A Resolution to Petition the Virginia Department of Transportation to Abandon Old Segments and to Include New Segments of Courthouse Road (SR-630) into the State Secondary System.

Resolution R21-272 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON OLD SEGMENTS OF COURTHOUSE ROAD (SR-630) AND TO INCLUDE NEWLY CONSTRUCTED SEGMENTS OF COURTHOUSE ROAD (SR-630) INTO THE STATE SECONDARY SYSTEM OF HIGHWAYS, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, Virginia Department of Transportation (VDOT) Project 0630-089-140, C-502 reconstructed 0.82 mile of Courthouse Road (SR-630) from a two-lane road to an improved two-lane collector highway located approximately 0.4 mile southeast of Jefferson Davis Highway (US-1) in the Aquia Election District (Project); and

WHEREAS, the completion of the Project resulted in adjustments to the existing roadway alignment, abandonments and additions to the State Secondary System of State Highways (Secondary System), however not all affected streets have been addressed; and

WHEREAS, several sections of Courthouse Road (SR-630) need to be added to the Secondary System and abandoned from the Secondary System as detailed below; and

WHEREAS, the new roads serve the same citizens as those portions of old road identified to be abandoned and those segments no longer serve a public need; and

WHEREAS, pursuant to Virginia Code § 33.2-912, the Board desires to petition VDOT to abandon sections of Courthouse Road (SR-630) and Jennifer Lane (SR-1345) as detailed below from the Secondary System; and

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition VDOT to include sections of Courthouse Road (SR-630) as detailed below into the Secondary System; and

WHEREAS, VDOT inspected the applicable sections of Courthouse Road (SR-630) and found it satisfactory for acceptance into the Secondary System;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to abandon the following sections of Courthouse Road (SR-360) and Jennifer Lane (SR-1345) from the Secondary System of State Highways:

Street Name/ Route Number	Station	ROW Length Width
Courthouse Road (SR-630)	From: 0.06 mi SE. of Inter. with Dent Rd. (SR-707) (B) To: 0.34 mi. NW of Inter. with Spartan Dr. (SR-1557) (C)	0.16 mi. Variable
Courthouse Road (SR-630)	From: 0.06 mi S. of Inter. with Black Hawk Dr. (SR-1344) (O) To: 0.37 mi. W of Inter. with Galt Way (SR-1365)	0.25 mi. Variable
Courthouse Road (SR-630)	From: 0.07 mi N. of Inter. with Black Hawk Dr. (SR-1344) (L) To: Black Hawk Dr. (SR-1344) (M)	0.07 mi Variable
Courthouse Road (SR-630)	From: 0.09 mi NW. of Inter. with Spartan Dr. (SR-1557) (D) To: 0.03 mi. NW of Inter. with Spartan Dr. (SR-1557) (E)	0.06 mi. Variable
Courthouse Road (SR-630)	From: 0.10 mi SE. of Inter. with Spartan Dr. (SR-1557) (H) To: 0.33 mi. N of Inter. with Black Hawk Dr. (SR-1344) (I)	0.11 mi Variable
Courthouse Road (SR-630)	From: 0.28 mi N. of Inter. with Black Hawk Dr. (SR-1344) (J) To: 0.11 mi. N of Inter. with Black Hawk Dr. (SR-1344) (K)	0.17 mi. Variable
Courthouse Road (SR-630)	From: Old Inter. with Jennifer Ln. (SR-1345) (G) To: 0.10 mi. SE of Inter. with Spartan Dr. (SR-1557) (H)	0.09 mi Variable
Jennifer Lane (SR-1345)	From: Old Inter. with Jennifer Ln. (SR-1345) (G) To: 0.06 mi. E of Inter. with Jennifer Ln. (SR-1345) (F1)	0.05 mi. Variable

and;

BE IT FURTHER RESOLVED that VDOT is petitioned to include the following sections of Courthouse Road (SR-630) and Jennifer Lane (SR-1345) within the Secondary System of State Highways:

Street Name/ Route Number	Station	ROW Length Width
Courthouse Road (SR-630)	From: 0.06 mi SE. of Inter. with Dent Rd. (SR-707) (B) To: 0.34 mi. NW of Inter. with Spartan Dr. (SR-1557) (C)	0.15 mi. 64'
Courthouse Road (SR-630)	From: 0.06 mi S. of Inter. with Black Hawk Dr. (SR-1344) (O) To: 0.37 mi. W of Inter. with Galt Way (SR-1365)	0.23 mi. 64'
Courthouse Road (SR-630)	From: 0.07 mi N. of Inter. with Black Hawk Dr. (SR-1344) (L) To: Black Hawk Dr. (SR-1344) (M)	0.07 mi 64'
Courthouse Road (SR-630)	From: 0.09 mi NW. of Inter. with Spartan Dr. (SR-1557) (D) To: 0.03 mi. NW of Inter. with Spartan Dr. (SR-1557) (E)	0.06 mi. 64'
Courthouse Road (SR-630)	From: 0.10 mi SE. of Inter. with Spartan Dr. (SR-1557) (H) To: 0.33 mi. N of Inter. with Black Hawk Dr. (SR-1344) (I)	0.10 mi 64'
Courthouse Road (SR-630)	From: 0.28 mi N. of Inter. with Black Hawk Dr. (SR-1344) (J) To: 0.11 mi. N of Inter. with Black Hawk Dr. (SR-1344) (K)	0.17 mi. 64'
Courthouse Road (SR-630)	From: Old Inter. with Jennifer Ln. (SR-1345) (G) To: 0.10 mi. SE of Inter. with Spartan Dr. (SR-1557) (H)	0.09 mi 64'

Jennifer Lane (SR-1345)	From: 0.06 mi E. Inter. with Jennifer Ln. (SR-1345) (F1) To: 0.06 mi. E of Inter. with Jennifer Ln. (SR-1345) (F)	0.05 mi. 50'
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An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, is authorized to forward a copy of this Resolution to VDOT Land Use Director, Fredericksburg District.

Item 7. Capital Projects Transportation; A Resolution Petitioning VDOT to Include Elm Street, Hollycrest Place, and Old Oaks Court Within Shelton Woods, Sections 2 And 3, into the Secondary System Of State Highways.

Resolution R21-284 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE ELM STREET, HOLLYCREST PLACE AND OLD OAKS COURT WITHIN SHELTON WOODS SECTION 2 AND 3 INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS, LOCATED WITHIN THE ROCKHILL ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Elm Street, Hollycrest Place, and Old Oaks Court within Shelton Woods Section 2 and 3 into the Secondary System of State Highways; and

WHEREAS, VDOT inspected Elm Street, Hollycrest Place, and Old Oaks Court 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 7th day of September, 2021, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Shelton Woods Section 2 and 3, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Elm Street (SR-2402)	From: Inter. with Hollycrest Place (SR-2405) To: Inter. with Old Oaks Court (SR-2406)	0.08 mi. ROW 50'
Elm Street (SR-2402)	From: Inter. with Old Oaks Court (SR-2406) To: 0.06 mi. E of Inter. with Old Oaks Court (SR-2406)	0.06 mi. ROW 50'
Hollycrest Place (SR-2405)	From: 0.12 mi. S of Inter. with Elm Street (SR-2402) To: Inter. with Elm Street (SR-2402)	0.12 mi. ROW 50'
Hollycrest Place (SR-2405)	From: Inter. with Elm Street (SR-2402) To: 0.07 mi. Inter. with Elm Street (SR-2402)	0.07 mi. ROW 50'

Old Oaks Court (SR-2406)	From: 0.17 mi. SE of Inter. with Elm Street (SR-2402) To: Inter. with Elm Street (SR-2402)	0.17 mi. ROW 50'
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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, Shelton Woods Section Two, recorded among the land records of Stafford County, Virginia in Plat Map No. PM160000035 with Instrument No. LR160003580 on March 7, 2016, and Shelton Woods Section Three, recorded among the land records of Stafford County, Virginia in Plat Map No. PM180000007 with Instrument No. LR180001167 on January 23, 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 8. Capital Projects; Budget And Appropriate Funds to Complete the Wayside Sewer and Claiborne Force Main Phase 1A Projects.

Resolution R21-318 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS TO
COMPLETE THE WAYSIDE SEWER AND CLAIBORNE FORCE
MAIN PHASE 1A PROJECTS

WHEREAS, Stafford County awarded two contracts for the construction of Wayside Interceptor Project and Claiborne Run Parallel Force Main Phase 1A to Midas Utilities, LLC (Midas) in 2017; and

WHEREAS, Midas defaulted on both contracts in 2020, and was adequately and appropriately bonded; and

WHEREAS, Midas's bonding company, The Guarantee Company of North America USA, secured a new contractor and provided funds in the amount of \$434,148.32 for the completion of both projects; and

WHEREAS, the funding is required to be budgeted and appropriated by the Board prior to its encumbrance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day September, 2021, that Four Hundred Thirty-Four Thousand One Hundred Forty-Eight Dollars and Thirty-Two Cents (\$434,148.32) in funds provided by The Guarantee Company of North America USA, bonding agent of Midas Utilities, LLC, be and it hereby is budgeted and appropriated to the Utilities Fund for completion of the Wayside Interceptor Project and the Claiborne Run Parallel Force Main Phase 1A Project.

Item 9. Community Engagement; A Proclamation Recognizing National Hispanic Heritage Month.

Proclamation P21-13 reads as follows:

A PROCLAMATION RECOGNIZING SEPTEMBER 15 TO OCTOBER 15
AS NATIONAL HISPANIC HERITAGE MONTH 2021

WHEREAS, Hispanic Americans have made significant contributions in all phases of our economic, social, cultural and political life; and

WHEREAS, each year, Americans observe National Hispanic Heritage Month by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, the theme of this year's Hispanic Heritage Month is "Esperanza: A Celebration of Hispanic Heritage and Hope," a call to celebrate Hispanic Heritage and to reflect on how great our tomorrow can be if we hold onto our resilience and hope; and

WHEREAS, Stafford is proud that persons of Hispanic or Latino descent constitute more than 15% of Stafford's total population and have added to and enhanced the community life in the county; and

WHEREAS, Hispanic and Latino Staffordians are leaders in business, military service, education, healthcare, science and technology and other areas that propel Stafford forward in jobs and business and education; and

WHEREAS, Our Hispanic community contributes to the incredible diversity and unity of Stafford County, with a rich history of different cultures and ethnic impact; and

WHEREAS, as Stafford continues to build a community that welcomes all, we thank our Hispanic and Latino community for their many contributions to both Stafford and our country;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does recognize National Hispanic Heritage Month, 2021.

Item 10. Community Engagement; Proclamation Recognizing September 17 - 23, 2021, as Constitution Week.

Proclamation P21-14 reads as follows:

A PROCLAMATION RECOGNIZING SEPTEMBER 17 – 23, 2021,
AS CONSTITUTION WEEK IN STAFFORD COUNTY

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2021, marks the two hundred and thirty-fourth

anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, two of America's and Stafford's most revered native sons, George Washington and George Mason, attended and had significant impacts on the Constitutional Convention of 1787; and

WHEREAS, George Mason wrote the Virginia Declaration of Rights, which became the basis for the Bill of Rights, and then became the first 10 amendments to the Constitution; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 7th day of September, 2021, that the Board encourages citizens to reaffirm the ideals of our founding fathers by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, the Constitution of the United States of America.

Item 11. Community Engagement: A Proclamation to Honor and Recognize the Sixth Marine Division.

Proclamation P21-23 reads as follows:

A PROCLAMATION TO HONOR AND RECOGNIZE THE SIXTH
MARINE DIVISION ON THE OCCASION OF ITS 50TH REUNION

WHEREAS, the Sixth Marine Division Association has honored our area by holding the 50th and last Reunion of the Sixth Marine Division in Stafford County; and

WHEREAS, the Sixth Marine Division is known for its incredible heroism in the fight for Okinawa, for which it was awarded the Presidential Unit Citation; and

WHEREAS, Marines are known for their willingness to fight when others would not. Those who served in the Sixth Marine Division, which is the only Marine unit to be both formed and disbanded on foreign soil, rose to the challenge and fought in the final days of the war in 1945 to help secure Okinawa, a key to the victory over Japan; and

WHEREAS, Stafford has a special relationship with Marine Corps Base Quantico and claims the Marines as our own, with many living at some point in Stafford County; and

WHEREAS, the Marines who served in the Sixth Marine Division are incomparable. They formed the bedrock of our country after the war and were willing to sacrifice self for the greater good; and

WHEREAS, even though this is the 50th and last Reunion of the Sixth Marine Division, we will not forget this exemplary group of individuals. You will always be in our hearts and an example we aspire to in the days to come; and

WHEREAS, to the Marines of the Sixth Marine Division, Semper Fi and thank you for your service from a very grateful Stafford County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does honor and recognize the Sixth Marine Division on the occasion of its 50th Reunion.

Item 12. Commonwealth's Attorney; A Resolution Authorizing the Acceptance of the Victim/Witness Program Grant #22- O1194vw-19 from the Virginia Department of Criminal Justice Services for FY2022-2023 in the Amount of \$194,753.

Resolution R21-323 reads as follows:

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A
VICTIM/WITNESS PROGRAM GRANT #22-O1194VW19 FROM THE
VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR FY2022-
2023

WHEREAS, pursuant to Resolution R21-121, the County Administrator was authorized to apply for continuance of the Victim Witness Program Grant #21-X9564VW19 (Fiscal Years 2018-2021) to the Virginia Department of Criminal Justice Services; and

WHEREAS, in August 2021, a Statement of Grant Award and Statement of Award Special Conditions was received by the County Administrator for approval for Victim Witness Program funding in the total maximum amount of \$194,753 ("Grant Funds"); and

WHEREAS, Grant Funds cannot be used to replace other available funds and the Grant Funds will be used for personnel expenses only;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that County Administrator be and he is authorized to accept the Victim/Witness Program Grant #22-O1194VW19 from the Virginia Department of Criminal Justice Services for FY2022-2023 in the amount of \$194,753.

Item 13. Finance; A Resolution to Approve the Issuance, Sale and Award of Water and Sewer System Revenue Refunding Bond, Series 2021, And Setting Forth the Form, Details and Provisions for the Payment Thereof.

Resolution R21-324 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA, APPROVING THE ISSUANCE, SALE AND AWARD OF ITS WATER AND SEWER SYSTEM REVENUE REFUNDING BOND, SERIES 2021, AND SETTING FORTH THE FORM, DETAILS AND PROVISIONS FOR THE PAYMENT THEREOF

WHEREAS, the Board of Supervisors (the "Board") of Stafford County, Virginia (the "County"), has determined that it is necessary to issue and sell its Water and Sewer System Revenue Refunding Bond, Series 2021 (the "Bond") to (i) refinance all or a portion of the County's, Water and Sewer System Revenue Bond, Series 2012 (the "Prior Bond") and (ii) finance, if and as needed, the costs of issuance related to the issuance and sale of the Bond (collectively, the "Project"); and

WHEREAS, no public hearing is required on the Bond under the Virginia Code; and

WHEREAS, the Virginia Resources Authority ("VRA") has indicated its willingness to purchase such a Bond from the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (the "VRA Bonds"), in accordance with the terms of a Local Bond Sale and Financing Agreement (the "Financing Agreement"), between VRA and the County, or such other financing agreement that may be entered into in connection with a separate series of the Bond; and

WHEREAS, the Financing Agreement is expected to indicate that the proceeds requested from VRA (the "Proceeds Requested") will be an amount sufficient to refund, redeem and defease the Prior Bond and pay cost of issuance, all subject to the parameters herein; and

WHEREAS, the date of the sale of the VRA Bonds is referred to as the "VRA Sale Date;" and

WHEREAS, VRA has informed the County that VRA's objective is to pay the County a purchase price for the Bond that in VRA's judgment reflects its market value (the "Purchase Price Objective") taking into consideration the Proceeds Requested and such factors as the purchase price received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA) (collectively, the "VRA Costs") and other market conditions relating to the sale of the VRA Bonds; and

WHEREAS, such factors are expected to result in the County receiving a purchase price other than the par amount of the Bond and consequently (i) the aggregate principal amount of the Bond may be greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested or (ii) the County may receive less than the Proceeds Requested if the financing parameters established under Section 1, Section 4 or Section 5 of this Resolution restrict the principal amount of the Bond such that the maximum principal amount of the Bond does not exceed the Proceeds Requested by at least the amount of the VRA Costs and any original issue discount, the amount to be paid to the County, given the Purchase Price Objective and market conditions; and

WHEREAS, the foregoing arrangements will be reflected in the Financing Agreement, a form of which has been filed in the County's records;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Stafford County, Virginia, as follows:

Authorization of Issuance of Bond. The Board hereby determines that it is necessary and advisable and will benefit the residents of the County through the promotion of their health, safety and welfare (i) to contract a debt and to issue the Bond and (ii) to award and sell the Bond to or at the direction of VRA. The issuance and sale of the Bond is hereby authorized on the terms and conditions set forth herein and in the Financing Agreement, and in accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Bond pursuant to the provisions of the Public Finance Act of 1991, as amended. The proceeds from the issuance and sale of the Bond shall be used to pay all or a portion of the Project. The Bond shall be issued in one or more series with appropriate nomenclature and series designations, as determined by the County Administrator (the "County Representative").

Authorization of Financing Agreement. The form of the Financing Agreement on file with the County is hereby approved. The County Representative is hereby authorized and directed to execute the Financing Agreement in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Representative, whose approval shall be evidenced conclusively by the execution and delivery thereof.

Pledge of Revenues. The Bond shall be limited obligations of the County as to which the principal of, premium, if any, and interest shall be payable solely from the net revenues (i.e. revenue less operating expenses) derived by the County from its water and sewer systems, as such systems may be expanded from time to time, and from other funds, if any, that have been or may be pledged for such purpose. Nothing in this Resolution, the Bond or any documentation under which the Bond may be issued shall be deemed to pledge the full faith and credit and taxing power of the County to the payment of the Bond. The Bond will be issued under and is equally and ratably secured by a Master Indenture of Trust dated as of November 1, 1993 (as previously supplemented and amended, the "Master Indenture") between the County and The Bank of New York Mellon Trust Company, N.A., as successor trustee (the "Master Trustee"), and as further supplemented by a Third Supplemental Indenture of Trust (the "Supplemental Indenture" and together with the Master Indenture, the "Indenture") to be dated a date determined by the County Representative, all between the County and the Master Trustee, as "Parity Indebtedness" as defined therein.

Refunding of the Prior Bond. The refunding of the Prior Bond shall be executed as follows:

(a) the Board hereby authorizes and directs the County Representative to cause the Prior Bond to be refunded to be called for optional redemption on its earliest optional redemption date required under applicable federal tax law;

(b) the redemption proceedings, including the giving of redemption notices to the holders of the refunded Prior Bond shall be done pursuant to the terms of the Prior Bond; and

(c) the County hereby authorizes the County Representative to cause to be prepared and to execute and deliver an escrow agreement or agreements between the County and an escrow agent or escrow agents to be selected by the County Representative providing for the irrevocable deposit of the proceeds of the Bond in amounts sufficient, when invested as set forth in the escrow agreement(s), to provide for the payment of the principal of, premium, if any, and interest on the refunded Prior Bond.

Sale of the Bond; Terms and Conditions. (a) The Bond may be issued in one or more series and the Bond of each series shall be issued as a single bond in fully registered form and shall be dated the date of its issuance. The County Representative is hereby authorized to determine whether to issue the Bond in one or more series in connection with one or more of VRA's Virginia Pooled Financing Programs; provided that the parameters set forth in (b) below are satisfied.

(b) The Board hereby authorizes the sale of the Bond to or at the direction of VRA on terms that VRA shall determine subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that (i) the Bond shall generate a net present value savings of at least 5% of the principal amount of the Prior Bond being refunded, (ii) the Bond shall be payable in principal installments ending no later than the last year that a Prior Bond being refunded matures and, (iii) the Bond shall be subject to prepayment upon the terms set forth in the Financing Agreement.

(c) Subject to the parameters in subsection (b), the County further authorizes the County Representative to accept the final terms presented by VRA, including the final principal amount and the amortization schedule (including the principal installment dates and amounts) of the Bond. If the limitation on the maximum aggregate principal amount of the Bond set forth above restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the Purchase Price Objective and market conditions, the County Representative is authorized to accept a purchase price for the Bond at an amount less than the Proceeds Requested.

(d) The actions of the County Representative in determining the final terms of the Bond shall be conclusive, and no further action shall be necessary on the part of the Board. As set forth in the Financing Agreement, the Board agrees to pay such "supplemental interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve. The principal of and premium, if any, and interest on the Bond shall be payable in lawful money of the United States of America.

Details of Bond. The Bond shall be issued upon the terms established pursuant to this Resolution, the Indenture and the Financing Agreement. The Bond shall be issued in fully registered form, and shall be numbered from R-1 upwards consecutively with the appropriate series designation. The Bond shall mature in the years and amounts, shall bear interest payable semi-annually at such rates and shall be subject to redemption prior to maturity on such terms all as set forth in the Financing Agreement. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Form of Bond and Supplemental Indenture. The Bond shall be in substantially the form attached as Exhibit A to the Financing Agreement and on file in the County's records, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution or any subsequent ordinance or resolution of the Board. There may be endorsed on the Bond such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto. The Supplemental Indenture shall be in substantially the same form as the prior supplemental indentures, pledging the net revenues derived from the ownership and operation of the County's water and sewer systems to payment of the principal of, premium, if any, and interest on the Bond, and contain such other provisions as the County Representative shall determine to be necessary and appropriate.

Appointment of Bond Registrar and Paying Agent. The County Representative is hereby authorized to select and appoint as Registrar and Paying Agent for the Bond (the "Bond Registrar") a bank or other financial institution capable of performing such duties. In the absence of such selection and appointment by the County Representative, the Treasurer of the County is appointed as Bond Registrar. The Board or the County Representative may appoint a subsequent Bond Registrar or one or more paying agents for the Bond upon giving written notice to VRA specifying the name and location of the principal office of any such Bond Registrar or paying agent.

Execution of Bond. The County Representative is hereby authorized and directed to execute an appropriate negotiable Bond, and the Clerk of the Board (the "Clerk") is hereby authorized and directed to affix the seal of the County thereto. The County Representative is hereby authorized and directed to deliver the Bond to or at the direction of VRA upon payment of the purchase price therefor. The manner of execution and affixation of the seal may be by facsimile; provided, however, that if the signatures of the County Representative and the Clerk are both by facsimile, the Bond shall not be valid until signed by the manual signature of the Bond Registrar.

Official Statement. The County authorizes and consents to the inclusion if necessary of information with respect to the County contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as any of them shall determine. The County Representative is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

Further Actions; Authorization of County Representative. The County Representative and such officers and agents of the County as may be designated by the County Representative, are hereby authorized and directed to take such further action as they deem necessary or appropriate regarding the issuance and sale of the Bond, including necessary steps to qualify or register them for sale in one or more jurisdictions and to secure credit enhancement therefor. All actions previously taken by the County Representative and such officers and agents in connection with the issuance and sale of the Bond are hereby ratified and confirmed. The authorizations granted in this Resolution to the County Administrator and the Clerk may be carried out by the Deputy,

Interim or Acting County Administrator and any Assistant or Deputy Clerk, respectively, in the absence of the primary officers.

SNAP Investment Authorization. The Board authorizes the Treasurer to have the option to utilize the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") in connection with the investment of the proceeds of the Bond. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the contract creating the investment program pool.

Filing of Resolution. The County Attorney of the County is authorized and directed to file a certified copy of this Resolution with the Circuit Court of the County pursuant to Sections 15.2-2607 and 15.2-2627 of the Virginia Code.

Effective Date; Expiration of Authorization. This Resolution shall take effect immediately upon passage. Except as set forth in the following sentence, the authorization to issue and sell the Bond shall expire on June 30, 2022, but all other provisions of this Resolution shall remain in full force and effect.

Item 14. Fire And Rescue; Ratify Application for the Eso Transition Hardware – Phase Two – Special Initiative Grant Opportunity Through the Virginia Office Of Emergency Medical Services.

Resolution R21-333 reads as follows:

A RESOLUTION RATIFYING THE GRANT APPLICATION TO THE ESO TRANSITION HARDWARE – PHASE TWO – SPECIAL INITIATIVE GRANT OPPORTUNITY THROUGH THE VIRGINIA OFFICE OF EMERGENCY MEDICAL SERVICES

WHEREAS, the Fire and Rescue Department (Department) desires to seek grant funding through the ESO Transition Hardware – Phase Two – Special Initiative Grant Opportunity through the Virginia Office of Emergency Medical Services (EMS); and

WHEREAS, the Office of EMS has transitioned the state patient care reporting platform to ESO; and

WHEREAS, the Office of EMS has recognized that patient care reporting hardware will need to be updated for accessibility and reliability; and

WHEREAS, the Office of EMS has fully funded this grant opportunity to enable localities to obtain the necessary hardware and no matching funds are required; and

WHEREAS, the grant application deadline was September 3, 2021, and the Board desires to ratify the submitted grant application;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that the application to the ESO Transition Hardware –

Phase Two – Special Initiative Grant Opportunity through the Virginia Office of EMS be and it hereby is ratified and approved up to a grant funding request in the amount of Two Hundred Six Thousand Four Hundred Ten Dollars and Seventy-Seven Cents (\$206,410.77); and

BE IT FURTHER RESOLVED that the actions taken by the County Administrator and Fire Chief, or their designees, to submit the above-referenced grant application are hereby ratified.

Item 15. Information Technology; Authorize a FY2022 Virginia Telecommunications Initiative (VATI) Grant Application (With Comcast as the Co-Applicant) to Bring Broadband Service to Various Unserved And Underserved Areas of the County.

Ms. Vanuch turned the meeting over to Ms. Lamb to discuss Item 15.

Ms. Lamb said Item 15 is about a new VATI grant application. She said she is not going to need Mr. Cannon but thanked him for his help. She said the reason she brought it out of the Consent Agenda is because she wanted to bring it to the public's attention to look at the available documentation. She said four years ago, the county started on the path of getting broadband into Stafford County. She said that now through the VATI grant process, there is over \$780k in addition to other monies received to other areas to provide that coverage. She said this particular VATI grant application, which she will absolutely approve, is now extending that into Hartwood, Rockhill, and Griffis-Widewater district, which are equally negatively impacted.

Ms. Lamb made a motion, seconded by Mr. Coen to approve R21-322.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-322 reads as follows:

A RESOLUTION TO AUTHORIZE A FY2022 VIRGINIA
TELECOMMUNICATIONS INITIATIVE (VATI) GRANT APPLICATION
WITH COMCAST CORPORATION AS CO-APPLICANT TO BRING
BROADBAND INTERNET SERVICE TO VARIOUS UNSERVED AND
UNDERSERVED AREAS OF THE COUNTY

WHEREAS, the County seeks to provide service to 634 unserved and underserved homes and businesses mostly in portions of the Hartwood, Rockhill, and Griffis-Widewater Election Districts; and

WHEREAS, the Virginia Department of Housing and Community Development (DHCD) has implemented the Virginia Telecommunications Initiative (VATI), which provides grants to

supplement construction costs by private sector broadband service providers in partnership with local governments; and

WHEREAS, the County seeks to apply for the fiscal year (FY) 2022 VATI grant, which will award projects in an amount not to exceed 10% of DHCD's total available VATI funds in FY2022; and

WHEREAS, the County identified Comcast Corporation (Comcast) as an eligible co-applicant for the VATI grant through Request for Information #22-01-1245-RFI; and

WHEREAS, Comcast has proposed to construct and bring wireline broadband service to 634 unserved and underserved homes and businesses in the County with an anticipated total project cost of \$5,762,536; and

WHEREAS, based on the proposed project costs, the request for VATI grant funds would include a minimum local match of 41% of the total project cost, of which 15% or \$864,380 would be provided by Comcast and 26% or \$1,500,000 would be provided by the County; and

WHEREAS, American Rescue Plan Act (ARPA) funds can be used for the County's portion of the local match; and

WHEREAS, pursuant to Resolution R21-263, the Board previously appropriated \$3,000,000 in ARPA funds for the County-wide Fiber Project; and

WHEREAS, if the FY2022 VATI grant is awarded, staff desires to reallocate the prior appropriation to cover the County's portion of the local match associated with the FY2022 VATI grant; and

WHEREAS, the VATI grant application deadline is September 14, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that the County Administrator be and he hereby is authorized to submit a FY2022 Virginia Telecommunications Initiative grant application with co-applicant Comcast Corporation to extend wireline broadband service to approximately 634 unserved and underserved homes and businesses primarily in the Hartwood, Rockhill, and Griffis-Widewater Election Districts; and

BE IT FURTHER RESOLVED, that if awarded, Comcast Corporation will provide 15% or \$864,380 in matching funds, and Stafford County would provide \$1,500,000 in American Rescue Plan Act (ARPA) funds previously appropriated for the County-wide Fiber Project, as a local match, plus an undetermined in-kind match for a minimum of 41% total local match.

Item 16. Treasurer; Authorize the County Administrator to Execute a Contract with Invoice Cloud, Inc. for an Electronic Billing and Payment System.

Resolution R21-291 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
EXECUTE A CONTRACT WITH INVOICE CLOUD, INC. FOR AN
ELECTRONIC BILLING AND PAYMENT SYSTEM

WHEREAS, the Treasurer is responsible for payment processing of all taxes and utility bills, including other miscellaneous fees, from citizens through a variety of payment options; and

WHEREAS, the County may cooperatively procure a contract with Invoice Cloud, Inc. (Invoice Cloud) for an electronic billing and payment system through City of Norfolk, Virginia Contract No. 7965-0-2020, effective through August 31, 2025; and

WHEREAS, Invoice Cloud will allow customers to view and pay taxes and utility bills online, offering a more user-friendly application to sign up for paperless billing; and

WHEREAS, Invoice Cloud also provides citizens with enhancements and improvements to allow the County to stay ahead of the payment and engagement technology, and interface with other systems that the County currently uses by providing for a more seamless implementation process; and

WHEREAS, funding for online credit card payments are passed on to citizens as a convenience fee, and funding for any E-Check/ACH payments, paperless billing presentment, inbound IVR and credit card chargebacks processed will be paid for through the Utilities Fund and General Fund, subject to annual Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that the County Administrator be and is hereby authorized to execute a four-year contract with Invoice Cloud, Inc. for an electronic billing and payment system to process utility payments, taxes, and other miscellaneous fees in a total contract amount of Two Hundred Eighty Thousand Dollars (\$280,000); and

BE IT FURTHER RESOLVED that the FY2022 costs shall not exceed Seventy Thousand Dollars (\$70,000), and each subsequent contract year's cost shall not increase by more than the amount directly correlated to the number of additional utility payments, tax or other Stafford County fees processed within each contract year, unless amended by a duly-authorized contract amendment.

Add-on Item. Community Engagement; A Proclamation to Declare September 11, 2021, Patriot Day in Stafford County.

Proclamation P21-25 reads as follows:

A PROCLAMATION TO DECLARE SEPTEMBER 11, 2021, PATRIOT
DAY IN STAFFORD COUNTY

WHEREAS, on September 11, 2001, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, D.C.; and

WHEREAS, the fourth hijacked aircraft crashed in southwestern Pennsylvania after passengers tried to take control of the aircraft in order to prevent the hijackers from crashing the aircraft, becoming an important symbol of democracy and freedom; and

WHEREAS, these attacks were by far the deadliest terrorist attacks ever launched against the United States, killing thousands of innocent people; and

WHEREAS, Stafford has a special relationship with Marine Corps Base Quantico and claims the Marines as our own, with many of these service men and women living at some point in Stafford County; and

WHEREAS, in the aftermath of the attacks, the people of the United States stood united in providing support for those in need; and

WHEREAS, Stafford County asks that residents join in remembering the lives lost both from the deadly attacks on September 11th, and those who made the ultimate sacrifice in the years that followed to protect and serve state and nation; and

WHEREAS, Stafford County asks that residents particularly join us in marking this day by flying flags at half-staff and observing a moment of silence at 8:46 a.m., which on September 11 coincides with the timing of the first aircraft to impact the Twin Towers and in honor of the individuals who lost their lives as a result of the terrorist attacks on September 11, 2001;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does declare and proclaim September 11, 2021, as Patriot Day in Stafford County

UNFINISHED BUSINESS

Ms. Vanuch said she knows there is some public present around critical race theory, and the schools are here, and she is trying to be supportive of their time. She asked if anyone has any issues with taking up Item 18 first, and then going back to Item 17. Hearing no objections, Ms. Vanuch moved to Item 18.

Item. 18. County Administration; Presentation of Stafford County's 2020 Census Results and Next Steps in the Redistricting Process.

Mr. Harvey said he and Mr. Toigo would be doing a joint presentation regarding the 2020 census results and its implications to the county for reapportionment and redistricting. He said his department received preliminary information on August 21, 2021 regarding the census and how it

can potentially impact redistricting. He said the data is also available on the census Bureau's website for information regarding Stafford County in particular, as well as the Commonwealth and the nation. He said his department is using GIS software to help analyze the data for redistricting purposes, and as of today, he is not aware of being able to manipulate that data yet but are waiting for a download of information before that can be done.

He reported that on a national level, the population has increased by about 22 million people over the last 10 years to over 331M people, which is the slowest population growth as a country since the 1930s. He said the population growth has been somewhat uneven throughout the country, with declines in the Northeast and Midwest in the area typically known as the Rust Belt. He said there is growth continuing to be seen the South and West, with 83.6% of the population residing in metropolitan areas. He said Virginia has also grown similarly to what has been seen in the South, but over the last decade, Virginia's population growth has slowed somewhat.

Mr. Harvey displayed a map of the United States and said it showed the rate of population growth, with the green being 20% or more, down to the orange color at zero. He said when looking at the map, there is a lot of green and green shades showing the Stafford area in the Washington Metropolitan area.

Mr. Harvey said with regard to US demographics, the population is more multiracial and ethnically diverse. He said there has been significant growth in the population as being multiracial, or of some varying races. He said white is still the majority of the people in the country, though that is changing, as have the different categories increasing over the past decade. He said similarly with Stafford County, the population has grown by approximately 28,000 since 2010 to almost 157,000 people in the county. He said this is a 21.2% increase, which places Stafford as number two in the Commonwealth for growth over the last decade. He said this is also the 7th largest jurisdiction in Virginia. He said there are almost 53,000 housing units in the county, which was close to a 9,000-unit increase over the past decade, or close to 900 units per year over the last decade. He said that is a 20% increase in housing units over that same timeframe. He said the distribution rate is 22,418.1. He said for the purpose of reapportionment, there could be a variable of plus or minus 5% in that number.

Mr. Harvey said his next slide takes into account the population in 2010 in the first column, with the population in 2020. He said the next column and two further to the left are what is referred to as the "over/under." He said the negative means that the number is over the deviation that is acceptable, and the plus means it's under the deviation that is possible. He said that has some ramifications for the various different election districts, where some are going to have to gain population and others are going to have to lose population in their districts to make them equal and balanced. He said the next slide offers more information about the county's population

demographics and is generally following the state and becoming a more diverse community. He said when looking at Stafford's overall population, it is more multiracial and more diverse and is also a population that continues to grow very quickly, being one of the highest growth rates in the Commonwealth, and it is slightly more diverse than Virginia as a whole.

Mr. Harvey said when looking at reapportionment, it is likely that Hartwood and Aquia are going to have to decrease in size both in geography and in the number of people within that election district. He said George Washington, Rock Hill, and Falmouth are under the equal population figure and will likely have to increase. He said Grasonville and Griffis-Widewater are closest to the projected over/under number and may be able to stay somewhat static. He said that Mr. Toigo would discuss redistricting and specifically how it is affecting things at the state level.

Constituent and Legislative Affairs Officer Anthony Toigo said redistricting is beginning, and August 12 is the date that the census Bureau released redistricting data to states and localities. He said that date did trigger the start of Virginia's Redistricting Commission's work. He said they have 45 days to submit to the General Assembly, the state, House, and Senate maps, and 60 days to submit to the General Assembly the congressional maps, which will be seen in the next slide. He said there is going to be a special session of the General Assembly in mid- to late fall of this year, though a date has not been set at this time. He said that session would focus on the approval of the redistricting maps.

Mr. Toigo said there are a couple of topics to be aware of, with the first being that the Virginia Redistricting Commission voted 12-4 at a recent meeting in August to proceed with drawing the new federal and state maps from a totally blank slate. He said that could prolong the process, but they are not using the current and existing district boundaries as their point of start.

Mr. Toigo said prison counts are another issue, and new legislation from the 2020 General Assembly session requires incarcerated persons to be counted in the census to localities in which they resided prior to their incarceration. He said that has already received legal challenge from Senator Hackworth, Virginia newest State Senator from Southwest Virginia. He said he also has five prisons in his district and is alleging that could affect his district's Federal and State funding going forward. He said that lawsuit is ongoing.

Mr. Toigo said this next slide is a graphic prepared by the Virginia Division of Legislative Services and details the various statutory deadlines that the commission and the state would have to meet based on the date when the redistricting data is received. He said the slide is looking at August 12 in the first columns, and then as mentioned before, the 45-day and 60-day deadlines. He said the 45-day deadline to submit the state data maps would be September 26, and the 60-day deadline to submit the congressional maps would be October 11. He said there are several scenarios that could

play out here, all of which could be adoption by the General Assembly, or ultimately, adoption by the Supreme Court of Virginia. He said if the Redistricting Commission does not submit their maps by the September 26 and October 21 deadlines to the Virginia General Assembly, they are granted an additional two weeks. He said if they failed to submit after that, the courts draw the maps entirely. He said there are various approvals throughout this process, and the major point for the Board is that approvals for maps could be seen anywhere between October 11, and even December, if the process plays out all the way through with the General Assembly and it ends up with the court system.

Mr. Toigo said this could also affect what is done locally. He said things are becoming slightly clearer, but things also remain certainly very much unclear. He said there are two state laws to be cognizant of, with the first being Senate Bill 740 from the 2020 session, which is to split precincts. He said that bill requires every local precinct to be wholly contained within a single congressional state senate, House of Delegates, and local election district. He said the challenge here is that the county must make sure that the split precincts are wholly contained to meet this legislative requirement.

Mr. Toigo reported that the Virginia Voting Rights Act, which was passed recently this year, restores preclearance to the redistricting process. He said there are two means that localities can pursue to meet preclearance requirements and include applying for a Certificate of No Objection with the Virginia Attorney General's Office. He said that basically says the county would send the maps to the Attorney General, who can approve them and send back with no objection or concern. He said there is also a public comment process and under that scenario, a locality must publish a notice for public comment on its proposed election district and precinct maps on its website for 30 days. He said during that public comment time, one public comment period must be held. He said if going with that scenario, it would have to be incorporated into the end of the redistricting process to encapsulate the public comments. He said once the maps are approved, the county has to make notice for another 30 days that the maps will take effect 30 days thereafter. He said in speaking with the County Attorney, when it gets to that point, Stafford could pursue both scenarios. He said the Attorney General's No Objection Certificate is much quicker, but if the county ends up needing to pursue both routes to satisfy those items, it is possible.

Mr. Toigo said that for next steps, all of this is being communicated to the full Board today, but staff would recommend that the Redistricting Committee get back together sometime in mid to late September and start nailing down what that census and redistricting data looks like, especially at the census-block level.

Mr. Toigo said another item to consider is establishing criteria for precinct names. He said they have established that there will be 10 to 12 new precincts, and establishing criteria about how to

name those precincts could be done now. He said lastly, he and the team will be working on additional stakeholder and public official meetings, and there are some dates already being floated. He said there are five stakeholder applications, and they would be contacting those groups shortly: the Republican Committee, the Democrat Committee, the League of Women Voters, the NAACP, and the Electoral Board.

Item 17. Discuss Stafford County School Curriculum, Project 1619, And Critical Race Theory.

Ms. Vanuch said this was new business at the last meeting, and Mr. Snellings brought this to the Board for discussion and is on the agenda for Unfinished Business. She said she would defer to Mr. Snellings first, then open it up to the Board for additional discussion.

Dr. Stanley Jones stated that his first presentation to the Board was to discuss a different topic, but he appreciates the opportunity to be able to speak. He said he recognizes the Board has a long agenda and he would be brief. He said the answer to the question about critical race theory is simple: they do not teach it and never have. He said there is a lot of emotion across the country about this issue, and every single thing that is taught in the schools is available and developed by the Virginia Department of Education. He said they do not teach it and did send information to Mr. Presley after the August 24 Board meeting with the state.

Dr. Jones said he wished Mr. Cortez were here, as he thinks the School Board has been very transparent about whether or not they give CRT any attention—and they do not. He said the schools are trying to recover from a pandemic, and most of the focus is on unfinished learning. He said it has been 18 months without having kids in school, and that is the school's focus. He said he would invite the public to go to the website, as learning information is available and accessible to the public. He said there is a History and Social Science page on the site, with information about the courses that are taught. He said there is a member of the team on the Board of Supervisors who he thinks is relatively familiar with the curriculum.

Dr. Jones said he would go right to Mr. Snellings' questions about the writings of Ibram Kendi and Robert D'Angelo, which inquired as to whether those materials are made available to teachers and staff and students in Stafford County. He said the answer is no, it is not part of the curriculum. He said there was also a question about a 9/11 sensitivity training video that was on the VDOE website last week. He said that has been taken down, and the teachers are not a part of that. He said there was a question about teacher orientation, and that information is also on the website as far as what the schools do for their teachers. He said he spent two days in the new teacher orientation, and there was no discussion about white privilege in that orientation. He said that everyone across the country is struggling to find teachers, and he feels what is being done in

Stafford County is going to make a difference when it comes to retention. He said they do quite a bit to support the new teachers and said they work with them all year long to support them.

Dr. Jones said the last question was if teachers, staff, or students are asked to identify by their pronoun. He said that is not a directive or expectation that has been set by any of the staff in Stafford County. He said there may be a lot of information in the media that would lead people to believe the schools are doing some of those things, but they are not.

Dr. Jones said there are two General Assembly bills that were passed this year. He said Senate Bill 1196 and House Bill 1904, which focus on cultural competency training for school staff. He said if anyone wants to learn more about cultural competency training, that really is looking at the diversity of the students being served and making sure the schools are prepared to serve all students. He said there is a new African American history elective that will be offered in the Spring of 2022, and they are still awaiting some guidance on the VDOE on that course.

Mr. Snellings thanked Dr. Jones for being present and said he is the one who initiated this and did so because he was getting questions and comments from his constituents. He said he was then asking certain people and was not getting answers. He said about six weeks ago, he had asked Dr. Kizner to attend, and that did not happen, but he appreciates Dr. Jones presenting today. He said there was a lady in the last meeting where Dr. Jones is standing and said that her children were specifically asked to identify their pronoun, which really concerns him. He said when he looks at the emails from Dr. Jones, he signs his emails Stanly B Jones, EDD (He/Him/His). Mr. Snellings said Dr. Jones is identifying his pronoun and asked if any teachers in his system are asking any students to identify their pronoun.

Dr. Jones said that is not happening to his knowledge.

Mr. Snellings asked if Dr. Jones can assure the Board that this won't happen.

Dr. Jones responded he cannot say what an individual will do, but he said there has not been a directive for staff to do that, nor is there an expectation.

Mr. Snellings asked Dr. Jones to confirm he believes it is not happening.

Dr. Jones said he did not say that, but rather they have not directed their staff to do that, and it is not an expectation.

Mr. Snellings said it is not an expectation, but it is obviously happening and that concerns him. He said going back to the Virginia Department of Education on 9/11 sensitivity training, he doesn't

know that the audience knows what that is or not, but it is shameful that the Department of Education in Virginia would authorize this to be shown to our teachers. He said it tells people in that video that those 19 terrorists were not terrorists, but rather extremists, and that the United States of America is not an exceptional country but is just like anyone else. He said it went on for an hour and a half. Mr. Snellings said Dr. Jones is saying that his teachers never saw that video.

Dr. Jones said to his knowledge they did not, and the video was taken down.

Mr. Snellings said the VDOE took it down because they got so much heat and couldn't handle it. He said his concern is with the Department of Education and wondered what was going through their minds. He said that Fairfax paid Ibram Kendi \$20,000 for a video and bought his book and gave it to all of their teachers. He said Prince William County is having the same issues. He said if you go through this book, it is unbelievable.

Dr. Jones said he is going to be candid with the Board. He said he is focused on unfinished learning for Stafford County Public Schools and is here to represent Stafford County Public Schools. He said he cannot speak to what any other school district is doing.

Ms. Snellings said he does not expect that, but he is concerned that some of this seems to be sifting down. He said when he grew up here, it was not part of Northern Virginia. He said in the last 20 years of his life, Stafford is all of a sudden part of Northern Virginia. He said it really concerns him. He said if the Board has his assurances that this will not happen, and the School Board's assurances, that is what this Board is looking for. He said this was what he is looking for and believes it's what the constituents are looking for. He said this just won't happen in the Stafford County School System.

Dr. Jones said he cannot control the individual decision of any staff member but will say the Virginia Department of Education and the state have set the parameters under which teachers are evaluated, and it is clear that they are expected to teach a curriculum written by the state. He said if there are teachers that are not following the state's guidance or the school district's guidance, he will deal with that.

Mr. Snellings asked if Dr. Jones found a teacher that is teaching some form of critical race theory, he would correct that.

Dr. Jones said that is a personnel matter and it cannot be talked about publicly, but yes there is a process for addressing that.

Mr. Coen asked if a parent feels that anything in the classroom is not appropriate, and they do not feel comfortable going to the first level, which is the teacher, and they don't feel comfortable going to the administration, and for whatever reason they don't feel comfortable going to the School Board member would be beneficial, if Dr. Jones' contention is they should feel comfortable reaching out to his office to express that information so it can be handled.

Dr. Jones said he has two comments. He said first of all, he is the interim superintendent, but previously he was the Associate Superintendent for Instruction, so he thinks he has a pretty good idea of what is being taught, or at least what is supposed to be being taught. He said under him is the entire curriculum department with direct reports to him. He said he would encourage anyone with questions about what is being taught to first go out to the website and see the curriculum, but to answer the question, he has no problem with that whatsoever.

Mr. Coen said the reason he brings that up is because he is well aware of the social studies curriculum, but many of the individuals who have communicated at that podium, or sent emails, were talking about other disciplines. He said he has repeatedly said it is not happening in social studies, so somebody in his department who he has a great deal of respect for is teaching African American history class and is saying, "No, we're not doing these things." He said the public comment is that there have been disciplines that were not social studies. He said that is where the Board was feeling uncomfortable that people had come to them with concerns, and the Board wants to make sure there is an appropriate place for them to reach out.

Dr. Jones said this is a distraction for the schools, to be honest. He said if they continue to get questions among the staff about this, he will direct them not to respond, as there is more important work to do. He said he hates to be that harsh, but he is prepared to do so. He said there is important work to do to make up for the last 18 months, and that's where their focus is.

Ms. Lamb said she wants to address a comment he made about not being able to control the performance of his staff, and she wants to make sure she understood him correctly.

Dr. Jones said he can't control an individual decision by an individual staff member. He said he can respond to it, but he can't control what they do.

Ms. Lamb said to his point, if the county has staff that did something egregious, then the County Administrator would be fired.

Dr. Jones said he is not afraid of accountability. He said the Board has two employees, the Superintendent and the Board Clerk, and if that is a reflection of his evaluation, he is not afraid of accountability.

Ms. Lamb thanked him for his response and said the Board is the same way.

Mr. Snellings said he is very concerned about Dr. Jones' last comment. He said what Dr. Jones is saying now is that from this day forward you don't want to hear any more complaints about critical race theory, pronouns, or anything else because there are more important things to do. Mr. Snellings said he is sure that is accurate and knows the struggles Dr. Jones has from buses to lack of teachers and everything else, but he asked if Dr. Jones is telling the people of this county that this is it, the questions have been answered and it's over.

Dr. Jones said what he is suggesting is that the schools are focused on unfinished learning. He said that is the highest priority among the staff and his expectation, and if teachers are not focused on that, he will deal with it.

Mr. Snellings asked if he would still take complaints.

Dr. Jones said he cannot control the complaints he gets but can only control how he responds to them.

Mr. Snellings said he does not want to get into a contest, but it concerns him when Dr. Jones says they won't respond.

Dr. Jones said he did not say that, and he does not want to argue. He said he thinks what he suggested is that he will encourage staff to focus on the most important thing right now, which is recovering from the last 18 months of the pandemic. He said he thinks that is what the Board expects him to do, thinks that it is the duty to the public, thinks that is what the School Board expects—and that is his number one priority.

Ms. Vanuch said all of the public schools in Virginia teach the VDOE curriculum. She said what the Board is hearing from constituents is how individual teachers are choosing to educate that particular curriculum. She said she can tell Dr. Jones that he has spiked the Board's ratings because her phone keeps blowing up with examples of issues that parents have had in the schools. She said her first question is if a student, for example, had a teacher that was required by Google form in a required field to fill out the he/his/him pronouns, where should those types of complaints be directed going forward.

Dr. Jones said initially the complaint should go to the teacher and to the school staff.

Ms. Vanuch asked how the district would be providing a list back to the School Board or making a list public to the community.

Dr. Jones said typically if a parent has a concern at the school level, what would be expected is to initially connect at the school level. He said most of the families engage with schools at the school level, and to the extent that it can be resolved at the school level, it will be done that way.

Ms. Vanuch remarked that if she is working with Mr. Presley and there are 100 different complaints in one department, she would expect him at some level to bring that to the Board and say there may be a problem in this particular class in a particular school. She asked how that will be tracked if it's self-governed with the teacher and within the school.

Dr. Jones said that he engages with leadership every week at all school levels, and there are regular meetings with the principals every single week. He said there is a once-a-month all-principals meeting, and typically if they are hearing a major concern, it will be addressed directly with staff when the concern arises. He said that is part of the operation protocol.

Ms. Vanuch said she did a little pursuing and said she does not have kids in Stafford schools and does not have kids at all, but she did a little bit of research as she was very unfamiliar with some of the complaints she was receiving from constituents. She said she went on the website and ended up on the diversity, equity, and inclusion/cultural sensitivity page. She said on there was a link to the National Equity Project. She asked what that was.

Dr. Jones said he would have to have Ms. Bandy speak to that, but the National Equity Project is just one among many resources of work with school divisions across the country. He said that is a resource to the schools.

Ms. Vanuch said it is concerning to her because their foundational principles when visiting their website is the education of critical race theory. She said all of the fundamental principles under there are critical race theory, so she was able, without having kids in the school, to click two buttons and end up on something that educates critical race theory. She said those kinds of things are what parents are seeing, which definitely aid to the concerns that they may be having.

Dr. Jones said maybe there is some misunderstanding about what critical race theory is. He said his understanding of critical race theory is that it is something that is taught at the higher education level and focuses on law schools in particular. He said none of his schools are higher education schools nor law schools. He said they are focused on the content and the curriculum standards set by the state.

Ms. Vanuch said that she does not have the definition right in front of her but can say if one looks up CRT on Wikipedia, it is definitely not a law-school-based curriculum.

Mr. Snellings said he does not have any further questions for Dr. Jones but thanked him for being present. He said he would like to bring back to the next meeting a resolution by the Board stating opposition to any critical race theory and the request to identify pronouns from students. He said he would like to tie that to funding and that any monies that would be used for this type of instruction be withheld by the Board.

Ms. Bohmke said she would like to address the reference to two clicks on the site, and that group should not be tied into this, as it is all about critical race theory with that particular link in that national organization.

Mr. Snellings made a motion, seconded by Ms. Lamb, to bring back a resolution under Unfinished Business on September 21, 2021.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Ms. Vanuch thanked Dr. Jones for his time.

Item 19. County Attorney; Present And Discuss Proposed Amendments to the Board's By-Laws and Rules of Procedure, and Electronic Participation in Meetings Policy.

Ms. Vanuch said this item is being deferred until September 21, 2021.

Item 20. Human Resources; Adopt a Telework Policy for County Employees.

Ms. Shannon Wagner said this topic has come before the Board a few times, and she would run through a response to some questions that have come up, which she would then divert to the Board for discussion. She said the presented slide highlights some of the labor market challenges that are existing across the nation for both public and private sector employers. She said Stafford County already faces wage competition to the north and retirements that are happening at an increasing pace, worker's compensation benefits are at a higher place than they have been previously—and all of this compound into a very different labor market in finding good candidates to fill vacant positions. She said many localities are seeing significant vacancy rates, and percentages of positions that remain vacant and unfilled, and Stafford County is experiencing some of that. She said the key point here as it relates to telework is that many other employers competing for talent are offering telework policies to some extent, and the county feels it is important from this perspective to be able to offer a telework policy in some form.

Ms. Wagner stated that a question had come up at the last meeting regarding the worker's compensation provider and the relationship to the safety checklist that is currently in draft to be included as part of the process. She said the worker's comp provider does not require that the county ask employees to complete a safety checklist, but it is part of their best practices and also something that has been seen in a number of other examples of established telework policies. She said the real intent is for Stafford County to find a way for the employee to acknowledge that the site that they will be working in is free of hazards and will be kept that way. She noted that there are other options to meet this goal.

Ms. Wagner said the number of days in the proposed policy has come up a number of times from different meetings and conversations. She said the proposed policy would allow for two telework days maximum per week for an employee, with a maximum of one telework day per week for a manager (someone who is supervising one or more employees). She said exceptions to this can be reviewed and approved by the County Administrator in cases where there may be extenuating circumstances. She said her department is planning to bring an update back to the Finance, Audit, and Budget (FAB) Committee within six months of approval to give an update on how things are going and have further discussion. She said during the approval, it would be helpful to understand if the Board supports the proposed number of days of telework or if an alternative arrangement would be preferred.

Mr. Snellings asked if because the county's insurance representatives don't require safety checklist, it would be eliminated from the proposal.

Ms. Wagner said it has not been eliminated from the proposal, but it could be done.

Mr. Snellings thanked her for the response.

Ms. Bohmke said she was the one who recommended that this be done as a pilot and then come back in six months. She asked what kind of metrics are going to be used when this is revisited.

Ms. Wagner said her team had worked with a number of departments to find out what metrics would work for them, as there are a number of different types of jobs at the county. She said she does not think it will be a universal one-size-fits-most approach, but she would continue to work with the departments to bring back some cumulative statistics for the FAB committee. She commented that is a work in progress.

Ms. Lamb said that when the metric analysis is being done, when there is disparate data, using regression analysis to compare apples and oranges can give the answer the Board is looking for regarding improvement, or productivity, or the impact on productivity to the county.

Mr. Snellings asked why a new metric is needed when the county has just had employees at home for a year. He asked why this would need to be done again, as they already know it works.

Ms. Lamb said one of the reasons she suggested metrics in one of the previous subcommittee meetings was, from what she understands, not all departments captured that—and there were significant questions about the productivity that occurred. She said she understood that it was not cohesive across the organization.

Mr. Presley said this is something that is going to be very different from department to department in terms of the metrics. He said six months is not really going to be enough time because a baseline has not yet been established. He said the six-month trial is really going to be more valued at whether departments are getting their work done and whether there more complaints being heard. He said some of that was seen reflected the status when a lot of employees went to teleworking until things adjusted and got the technology and everything in place. He said he does not think it's an issue now because of where things were at the end of the pandemic. He said it is being looked at and will continue to be. He said as his team has spoken about in the past, there are department-level business plans being completed as part of this effort with the Office of Budget and Management, and every department will have concrete metrics that will provide the baseline—and anything done moving forward will be judged against that.

Ms. Lamb made a motion, seconded by Ms. Bohmke to approve R21-267 Telework Policy.

Mr. Coen said he agrees with Mr. Snellings that the six-month time frame is not needed, as they have lived it for a year, and he is not sure that the data is available. He said if it's part of this, he will support it, but he really thinks that the county is at a stage where if there are problems, the County Administrator and his staff will lean on the people who are not doing the work. He said he will support it but does not think it's necessary.

Ms. Vanuch asked if the Board was getting a lot of complaints whether there was a reason the Board could not review the policy in a shorter time period.

Ms. Wagner confirmed that this was an option.

Mr. Snellings said he is going to reluctantly support this and said “reluctantly” because he does not think two days is enough. He said they have heard that their neighbors to the north are already doing this. He said he is in support of three or four days, but this is a start. He stated that is not in agreement with the safety checklist as it's an invasion of privacy but will support it to get it rolling.

Ms. Lamb said she will support it but does agree with Mr. Snellings, as she always thought the safety checklist was silly when the federal government required it. She said she is glad to hear it does not have an impact on worker's comp. She said going back to the reason why they said six months to try two days, she is fully supportive of five days per week from home if that makes sense and improves the productivity of the individuals and retention.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-267 reads as follows:

**A RESOLUTION TO ADOPT THE STAFFORD COUNTY DEPARTMENT OF
HUMAN RESOURCES TELEWORK POLICY**

WHEREAS, the Stafford County Department of Human Resources Telework Policy (Policy) is established to improve the quality of work/life balance, improve productivity, reduce absenteeism, decrease turnover, enhance recruitment, and increase job satisfaction; and

WHEREAS, the Policy will provide greater flexibility and balance to employees while supporting the County's values of Organizational Excellence, Stronger Together, Infinite Possibilities, and Customer First; and

WHEREAS, the Policy will provide a recruitment and retention incentive along with maintaining a competitive position with other localities and employers with which the County competes for talent; and

WHEREAS, eligible employees may apply to telework a maximum of two (2) days per week and an eligible manager may apply to telework a maximum of one (1) day a week; and

WHEREAS, the Policy establishes guidelines to ensure appropriate equipment and workspace are provided and used by employees when teleworking; and

WHEREAS, proper safety and security practices are in the Policy to assure the safety of both the employee and County remain a high priority; and

WHEREAS, performance expectations are outlined in the Policy and telework agreements for accountability related to the effectiveness and efficiency of operations during telework arrangements; and

WHEREAS, staff will provide an update of this telework program to the Finance, Audit, and Budget Committee approximately six months after adoption in order to discuss whether any changes to the program may be desired;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 7th day of September, 2021, that the Stafford County Department of Human Resources Telework Policy be and it hereby is adopted.

Item 21. Capital Projects Transportation; Discuss Final Project Applications for FY 23-24 Transportation Alternatives and FY 27-28 Revenue Sharing.

Ms. Vanuch said she was informed that as part of the Capital Projects Transportation discussion, the Board also needs to add to that the Belmont Ferry Farm Phase 6, which is Item 24 under new business. She asked Mr. Owsiak if he is prepared to handle all of those in his presentation.

Mr. Owsiak responded that he was but said it might make better sense to discuss the Belmont Ferry Farm project first, since that has an impact on the revenue sharing and TAP applications.

NEW BUSINESS

Item 22. Capital Projects Transportation; Consider Lighting Options For Onville Road Between Worth Avenue and Garrison Woods Drive. – This item was deferred until the September 21, 2021 Board meeting.

Item 23. Development Services; Discuss the Proposed Neighborhood Stormwater Infrastructure Grant Program. – This item was deferred until the September 21, 2021 Board meeting.

Item 24. Capital Projects; Consider Route Options for the Belmont/Ferry Farm Trail, Phase 6.

Mr. Owsiak stated that he would provide an update on the Belmont Ferry Farm Trail project and obtain some direction from the Board on how to proceed. He said as a brief history on the project, the Belmont Ferry Farm Trail system came to fruition back in 1999 when VDOT first approved the initial funding for this project. He said fast-forward about a decade and construction was already underway for the first two phases of what is ultimately a six-phase project. He said by 2018, initial segments of the trail from Belmont to Pratt Park had already been constructed and had also wrapped up on Phase 4 of the project between Pratt Park and Chatham Bridge. He said more recently, staff have been working with the consultant engineers on a final phase of the project intended to extend the trail all the way out to Ferry Farm.

Mr. Owsiak said since the project inception, the final phase of this trail has consisted of numerous potential alignments and many have been eliminated for a variety of reasons, from environmental impacts along the river, difficulties with the National Park Service, and pushback from the Ferry Farm Foundation itself. He said the latest alignment of the trail was approved by the Board in 2019, which actually terminated the project at the Route 3 and Cool Springs Road intersection due

to the difficulties obtaining the right-of-ways at the Ferry Farm Foundation. He said his department has developed approximately 30% design plans for this alignment, and those were submitted to VDOT in late 2020 for review.

Mr. Owsiak reported that VDOT had raised concerns about the federal funding requirements and required that the project extend all the way out to the Ferry Road intersection, as well as begin construction by 2022 to be in compliance with the federal funds and cut-off limitations associated with them. He said that to meet those VDOT requirements, staff has looked at two options for this project. He said the first option is to construct a trail from the Chatham Bridge to the CSX underpass via the Old Dairy Lane alignment and existing VDOT right-of-way along that road alignment. He said the local property owners are not in favor of this alignment due to potential impacts to their property. He said staff did look at aligning the trail to go along Route 3 and down Naomi Road to the CSX underpass; however, this alignment would require a considerable amount of work on Route 3. He said there is a large slope that would need to be built out. He said this would be a large expense and right-of-way acquisition, not to mention crossings across Naomi Road and impacts to the trail there.

Mr. Owsiak said once connected at the CSX underpass, the trail would continue following along Naomi Road and down to the Route 3/Cool Springs intersection, where it would cross Route 3 at that point and then continue down the east side of Route 3 in front of the commercial center and terminate at Ferry Road where the old 7-Eleven was. He said other trail alignment down Naomi Road also significantly increases costs and requires difficult property acquisitions. He said the estimated cost to extend the entire project from Chatham Bridge down to Ferry Road is approximately \$3.5M.

Mr. Owsiak reported that the second option staff developed for this project is to cancel this phase of the Belmont Ferry Farm project and instead terminate the trail at its current connection with Chatham Bridge. He said this would require the county to repay any kind of federal reimbursement used from VDOT to date, which totals approximately \$130k. He said cancelling the project would not prohibit the county from seeking additional funding for a new project at a later date. He said his next two slides lay out the proposed alignment for the Belmont Ferry Farm Trail; the line in yellow would follow the existing line of Old Dairy Road connecting up to the underpass at the CSX railroad; and the option in green shows the trail continuing down Route 3, down Naomi Road, and again to the underpass going all the way to Cool Springs. He said for the ending phase of that project from Cool Springs, they developed two options. He said the preferred option is to go to the southern portion of Route 3 in front of the shopping center; the other alignment previously looked at was along the west side of Route 3, running all the way down the Ferry Foundation property into the farm.

Mr. Owsiak stated that his department is looking for a decision on the project, as it is going to have an impact on the projects and funding the county is seeking for FY23 and 24 transportation alternatives projects. He said this is possibly one of the projects they would seek funding for, and they would need to kick another project off the list to pursue this option. He said if the Board decided to defer action on the Belmont Ferry Farm Trail tonight, there is one more opportunity to bring it back to the Board on September 21, before final applications for these funding programs are due on October 1.

Ms. Bohmke commented that some of the people that live back on Dairy Lane referenced the flooding there and the bridge that has been compromised. She asked if all of that been assumed in the \$3.5M.

Mr. Owsiak confirmed that it had been and said that his team had already developed 30% plans for that section along Old Dairy Lane, which would replace a box culvert that has been washed out quite a bit. He noted that a pedestrian bridge would go up to replace that structure.

Ms. Bohmke asked if the flooding would continue back there or with the new improvements, it won't be a problem.

Mr. Owsiak responded that flooding should not be an issue for the Belmont Ferry Farm Trail section itself, and it is actually part of a different effort his team is taking here. He said they have installed a variety of flood sensors throughout the county, and one is at the Dairy Lane underpass to keep a tally on possible flooding conditions.

Ms. Lamb said one of the constituents stood up and talked about 16 acres of land access that the town owns being cut off and that this was going to impact their liability. She asked him to address that and show on a map where those 16 acres are that they will lose access to.

Mr. Owsiak replied that it is difficult to show on a map but said while presenting a slide of the current status, the yellow alignment is where it connects to the existing blue trail, and he believes Ms. Watson owns quite a bit of property on both sides of that existing VDOT right-of-way. He said he believes that is what she was referring to, where if the county constructed an actual improvement, it would provide a physical blockage from her accessing her other portion of land.

Ms. Lamb clarified that it is her private property and not land owned by the townhomes.

Mr. Owsiak said he does not believe the townhomes owns the property back there.

Mr. Coen said Ms. Watson has a home on Naomi Road, and her property is bisected by this. He said the townhomes are a little farther down, so it is two different parcels.

Mr. Coen made a motion, seconded by Mr. Snellings for R21-330 to stop the trail at Chatham Bridge.

Ms. Bohmke made a substitute motion and was seconded by Ms. Lamb for discussion to approve the Belmont Ferry Farm Trail.

Ms. Lamb said she has a point of order and asked Mr. Coen if his motion was to approve R21-330. She said she does not have that on her list as a TAP for Salisbury Drive and Foreston Drive and asked if that was wrong.

Mr. Owsiak explained that in developing applications for the TAP projects, the team has pursued three projects currently because they were unsure of the status of Belmont Ferry Farm Trail. He said those two resolutions for the TAP projects set up priorities for funding, and VDOT has asked the county to limit the project applications to just two projects for the TAP program. He said R21-320 would set the priorities at Belmont Ferry Farm and Salisbury, and R21-330 would remove Belmont and set priorities to Salisbury and Foreston Woods.

Ms. McClendon asked if the substitute motion was for R21-320.

Ms. Vanuch confirmed this with the Board.

Ms. Bohmke said the county has been working on this for a long time, and there had just been another meeting at Infrastructure where they discussed several different options. She said she agreed to a compromise for it being over in front of the shopping center. She said she certainly understands the George Washington constituents concerns and her question and recommendation would be that could the county put up some kind of a fence as part of the trail project to protect the people there from any passerby seeing the lot, as it is a safety issue. She said the enforcement would be as it relates to the vehicles and people parking back there. Ms. Bohmke said she does not see that as a big issue and understands that residents do not have a lot of extra parking. She said if someone gets towed, it's only going to happen once and they won't park there again. She said it is the Board's responsibility to notify people that they need to park at the shopping center to get on the trail. She said there have been a lot of emails and conversations, as well as comments from those who spoke today, and there are people in the townhomes that are in favor of the project.

Ms. Bohmke commented that walkability is really important, and if nothing else with COVID, people have discovered the outdoors with their families. She said she is a big trail person, and she

and Bob Thomas had fought for the trail and the dedicated lane going across the Chatham Bridge. She noted that VDOT really didn't want to do that—and it did add a lot of extra cost—but she thinks it's something the community is very excited about. She said she definitely wants to work with the people who live in the townhomes, and there are some things that the county might be able to do to mitigate some of their concerns. She stated that for the entire county and community, it would be great to extend the trail.

Ms. Lamb said she wants to discuss this because she feels quite uncomfortable about one thing. She said when she looked at this with Mr. Coen and talked about this, she acknowledged that all of this is in his district. She said he understands the voice of his constituents, and understanding all of the different points was very important to her. She said initially she did agree with Mr. Coen, and the reason she is doing this is as a public apology to Mr. Coen. She said she does not like it when anyone flips or changes their mind, which is what she has done. She said there are two reasons for this—the first being that moving that portion across the street away from Ferry Farm was important to her.

Ms. Lamb said another impetus was the realization through DRTP that the county would be doing some improvements on that one bridge. She said once she spoke with DRTP, then she understood; just like there was a missed opportunity before, if it doesn't get designed now, then it would be a missed opportunity later. She said for that reason, it is important to get the project on the books now, so it has to be taken into consideration in the new design. She said nobody likes the current design, but she also knows that in the future it's going to be changed.

Ms. Lamb said her third reason is that walkability is critical for Stafford County, there are places that nobody wants paths to go, and it's always "not in my backyard." She said she has to take great consideration to where things will be in the bigger plan to not have missed opportunities later. She said she supports what is being done now, and in addition to that, Ms. Bohmke raised significant concerns about the protection of the residents. She said she wants to make sure they find those mitigation measures—whether they are applied or are paid for in a reimbursement process—to protect the tot lots, and to make sure their parking lot is appropriately used, knowing that enforcement will be difficult.

Ms. Lamb said she does not know how to add that to the resolution, but she will not support it without that. She said replacing the landscaping was already going to happen. She said a lot of the things are planned to be done, but they need to be sure it is codified in what the Board is saying so it doesn't get lost. She said that is coming from the Planning Commission to this Board. She said she apologies publicly to Mr. Coen, but she has changed her mind and is doing so because she thinks it's for the betterment of Stafford County.

Mr. Snellings said he would remind the fellow Board members that this is in Mr. Coen's district, and Mr. Coen is the one who is going to be getting all of the complaints and having people upset with him at election time because this trail is going through backyards—while the rest of Board would walk away from it. He asked how long the extension was.

Mr. Owsiak responded that he does not know the exact distance but said it is less than a mile.

Mr. Snellings said he does not believe the population of Stafford County's health is going to go into the sewer because of a 0.7-mile of a trail is not extended. He said it is Mr. Coen's district, and he has decided against it. He said Mr. Coen's constituents are against it, and the Board needs to vote against it. He said if that doesn't happen, and something comes up in one of the districts, you can guess what's going to happen.

Mr. Coen said this started back in 2014, and people have been lucid, clear, and consistent that having the trail go down Dairy Lane is not amenable to them. He said they worked with Mr. Janey to come up with a plan that would put it on Naomi Road, and many residents that live in that area currently walk up Naomi Road to go across the Chatham Bridge and into the City. He said they are already using that road. He said that as was eloquently pointed out by Ms. Watson, whose land will be bisected, that is not being addressed by individuals wanting to seek compensation or help. He said Ms. Watson pointed out that when Mr. Janey builds his project, he has to put in sidewalks anyways, so that is a moot point. He said the idea about the tunnel was raised, and at this juncture, there is no definitive knowledge of what VDOT wants to do with it and whether it's going to be completely closed, made into a one-way closed for pedestrian, or have a light on one side—and all of that is up in the air.

Mr. Bates said he believes they found a solution for that and would look at having alternating traffic through one lane of that tunnel, and the other side of the tunnel would be used by pedestrians as a shared-use path. He said it does need sight distance for that.

Mr. Coen recalled that the tunnel would be on Naomi Road. He said they don't know that for certain, and this is looking at a cost to the county of \$130,000 if the trail is stopped right now at Chatham. He said it was discovered that there is other money that will be available regarding bike trails and walking trails from Quantico down to Dahlgren. He said he thinks about a month ago that Ms. Bohmke said there is more money coming through the various channels. He said this is not a killing of said trail—it is a delaying of said trail.

Mr. Coen also pointed out that it is in Mr. Janey's proffer to pay for and do this trail, so if this trail is shoved down Dairy Lane against the residents' desires, when Mr. Janey comes in for his development, he will then have to come in to get a proffer adjustment, of which the advertisement

of that public hearing will be borne by this Board. He said when the Board is talking about this, the discussion is about spending \$570,000 and the cost of the advertisement. He said the point was raised that the Board should be working with the people, which was the whole point of the Board waiting during the last meeting. He said he reached out to the neighbors, and there is nothing that can be done to mitigate the fact that this will go on their property. He said he reached out to Ms. Watson and there is nothing that can be done to mitigate the impact on her property. He said therefore, it is being said to these people that the Board doesn't care because a trail wants to go in at this date rather than waiting a year or two when there is more information. He said if they are thinking of 30-40 years from now, they could wait a year or two when VDOT has finally given all of the information on the tunnel, when the Board finally knows what is happening with the high-speed rail and whether it's making a new tunnel. He said maybe, by some miracle, they will get rid of the one that is falling down.

Mr. Coen said VDOT is at this juncture talking with Mr. Janey about working on his development, which was not happening for two or three months. He said that rather than waiting a couple of months and respect the people who will be impacted by this who have a solution and like the solution are honored and respected, there is a desire by some to move forward without that. He said if he seems a little annoyed, it's because he is massively annoyed. He said in the infrastructure meeting, when staff showed the alternate paths, they said residents who oppose this path did so because of wetlands and disagreements with property owners. He said this has been changed for this presentation, but some of those paths were stopped because of the residents not wanting them, and now the Board is going to have say to those residents in this area, because they are not your constituents, too bad for you. He said he will vote against this motion and is deeply displeased.

Ms. Bohmke commented that she thinks the public needs to know that in Mr. Janey's property, VDOT talked about taking some land from his property, which would total about 23 feet, and Mr. Janey specifically said he does not have 23 feet to give. She said she respects what Mr. Coen is saying, but she is not sure the path is even going to take place at Naomi Road when Mr. Janey brings his project. She said she does not think that is even a fair option at this point because even if 20 feet is needed, he doesn't have it. She said maybe they should have gotten into more particulars when Mr. Janey proffered this—that he didn't have enough room—and now everyone is hanging on something that may not even ever work.

Ms. Bohmke said that she would like to pull her substitute motion back, and in light of the fact that there are two Board members out, she would like to have a deferral until the September 21 meeting so that Supervisors Dudenhefer and Allen could participate.

Ms. Lamb agreed to pull the motion back and ask for a deferral.

The Voting Board tally was:

Yea: (4) Bohme, Shelton, Snellings, Vanuch
Nay: (1) Coen
Absent: (2) Allen, Dudenhefer

Item 21. Capital Projects Transportation; Discuss Final Project Applications for FY 23-24 Transportation Alternatives and FY 27-28 Revenue Sharing.

Mr. Owsiak stated that he'd like to continue the presentation on revenue-sharing applications, so perhaps the Board would make a vote on that resolution so the County could finish up those project allocations.

Ms. Vanuch responded that he could do so, very briefly, and asked if they had been covered under Infrastructure earlier.

Mr. Owsiak said that they were touched on briefly. He stated that VDOT had already issued a call for projects, and the County has submitted its preapplications, and VDOT has already screened those in for eligible projects. He noted that final applications are due October 1. He said that he would just discuss the revenue-sharing because he would come back and discuss the TAP projects on September 21.

RECESS

At 6:00 p.m., Ms. Vanuch stated that she would have to call a quick recess, as four Board members were not in attendance. The Board reconvened their meeting at 6:04 p.m.

Mr. Owsiak explained that this is a revenue-reimbursement project where dollars are matched 1:1 from the state, with a maximum of \$5 million per fiscal year and \$10 million per project. He said that per the County's CIP, they've already identified two projects to submit for FY27-28 Revenue-Sharing: the Garrisonville Road project and the Route 1/Layhill Road intersection.

Mr. Owsiak presented an overview of the Garrisonville Road project, stating that it would involve widening of the road to six lanes from Eustace to Shelton Shop and would have a raised-concrete median with five-foot sidewalks on both sides. He said for the Route 1/Layhill project, there would be widening to provide some additional turn lanes on Layhill Road onto Route 1, as well as on Forbes Street and into the commercial intersection with the bank and gas station.

Mr. Owsiak stated that R21-319 sets the funding priorities for revenue-sharing, with Garrisonville Road being the number one priority and Layhill being second, selected primarily due to funding

required for those two projects. He said that this resolution would authorize the application for funding and commit the County to the matching \$10 million.

He asked if the Board had questions.

There being none, Ms. Vanuch asked for a motion on R21-319.

Ms. Lamb motioned, seconded by Ms. Bohmke, to adopt R21-319.

The Voting Board tally was:

Yea: (4) Bohmke, Coen, Lamb, Vanuch
Nay: (0)
Absent: (3) Allen, Dudenhefer, Snellings

Mr. Owsiak noted that he would bring back discussion on Belmont Berry Farm and the TAP projects on September 21, 2021.

Ms. Vanuch stated that due to time constraints, the Board would be moving New Business to after Public Hearings and would now be going into Closed Session until their 7:00 p.m. meeting.

CLOSED MEETING

At 6:06 p.m., Ms. Lamb, seconded by Ms. Bohmke, to adopt proposed Resolution CM21-16.

The Voting Board tally was:

Yea: (5) Bohmke, Coen, Lamb, Snellings, Vanuch
Nay: (0)
Absent: (2) Allen, Dudenhefer

Ms. Vanuch stated: "I would like to disclose that I own property located across the street from 1508 Garrisonville Road, which is owned by the All-Muslim Association of America and is the subject of active litigation. My property is among several parcels which could be impacted or affected by the use of 1508 Garrisonville Road as a cemetery. Discussions regarding litigation and the 1508 Garrisonville Road property would have County-wide impacts and would have no soul impact on my property alone. In accordance with Virginia Code Section 2.2-3.12(b)1, I have no conflict of interest that would prevent me from participating fairly, objectively, and in the best interest of the public. I have also provided disclosure to the clerk in writing. Clerk, if you will please record my disclosure in the record today and at any future meeting where the Board discusses or considers this matter."

Resolution CM21-16 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 *United States v. Stafford County*, *All Muslim Association of America v. Stafford County*, and *Allen, et al. v. Stafford County* where such consultation in open meeting would adversely affect the litigating posture of the Board; discussion and consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and discussion concerning the expansion of an existing business where no previous announcement has been made of the business' interest in expanding its facilities in the County; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(5), 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 7th day of September, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

At 6:06 p.m., Chairman Vanuch recessed the afternoon session of the September 7, 2021 Board meeting.

CALL TO ORDER - At 7:00 p.m. Chairman Vanuch called the evening session to order. Ms. Vanuch gave the invocation and Ms. Bohmke led the Pledge of Allegiance to the flag of the United States of America

PRESENTATIONS BY THE PUBLIC – Ms. Vanuch said this is the time of the public presentations portion of the meeting, where any member of the public can come and address the Board and will come to the podium, state their name, address, and the district of Stafford County that they reside in, if known. She said members of the public can speak about anything as long as the Board is addressed as a whole and not individual Supervisors. She explained the protocol and timing for public speakers.

Staff reminded Ms. Vanuch that the Board needs to certify closed session.

CLOSED MEETING CERTIFICATION – At 7:02 p.m., Ms. Lamb motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R21-16(c).

The Voting Board tally was:

Yea: (5) Bohmke, Coen, Lamb, Snellings, Vanuch
Nay: (0)
Absent: (2) Allen, Dudenhefer

Resolution CM21-16(c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD
COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON
SEPTEMBER 7, 2021

WHEREAS, the Board has, on this the 7th day of September, 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 7th day of September, 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.

PRESENTATIONS BY THE PUBLIC – Ms. Vanuch announced that Supervisor Allen is out on a medical leave of absence, and Supervisor Dudenhefer is in Louisiana helping his mother with the aftermath of the flooding related to Hurricane Ida.

1. Ms. Mary Repass stated that she is a resident of Leeland Station in the Falmouth District and has been a longtime resident of Stafford County. Ms. Repass stated that she had taken a walk the day before and came home more informed but a little confused, noting that she had walked from Conway Elementary to Walnut Farm, and the Board is aware of the trees being torn down and the road being widened there. Ms. Repass said that she hadn't walked the path in three or four weeks, and in that time, VDOT has put green ribbons around the trees and shrubs—and it's an eye-opener to see what was going to happen. She stated that she has seen the facts and figures, but when she saw the ribbons around the trees, it made a big impact on her. She commented that the road is almost as wide as Jefferson Davis Highway in some ways, and she is in favor of making roads safe for pedestrians and cyclists, but there has got to be a better way to deal with this and a better alternative. Ms. Repass encouraged them to do the same walk and felt it would be informative to them as well.

2. Ms. Deborah Bitner addressed the Board and thanked them for their public service. Ms. Bitner said she was before them to express concern about the Leeland project and the bike lanes, stating that she is a resident of Falmouth Village, and her backyard is adjacent to Leeland Road. She stated that she understands that she's only one person and the Board's desire is to make improvements in the County, but as an individual taxpayer, she feels the cost of this is too high. Ms. Bitner continued by saying she felt they were paying for this multiple time, as there was federal funding and compensation through easement, which would not compensate her for the loss of her property value, which is a huge part of her retirement.

Ms. Bitner stated that she gladly moved into Stafford County and paid taxes here, but now she felt like she was forced to leave, and she would pay for this mostly through her quality of life. She said that she has eight trees as a buffer from the sound and view of that road, which is well traveled, and without those trees, she would not have bought that property. Ms. Bitner also said that when she went to a meeting about this in October 2019, no one could provide an answer as to whether they would bury the utility lines, and they will have to take down her fence and trees—which will take many years to grow. She noted that she'd heard people at Leeland Station say they wouldn't be replacing the original trees because of concerns about root damage to the pedestrian path.

Ms. Bitner asked that people take into consideration property owners, taxpayers, and their quality of life, as she plans to live the remainder of her life in her home. She stated that this has all been disrupted, and she is up and down Deacon Road all the time, which has a bike lane—and she rarely sees any cyclists on that. She said that she knows how many people walk by her home in the back, as she is either in her garage or on her back deck all the time. Ms. Bitner said that the theory is if you build it, they will come, but would that be enough to justify what would be done to all the taxpayers.

Ms. Bitner stated that her last point was about this being “environmentally friendly,” and she asked how environmentally friendly it was to cut down all the trees and bushes along that road and wondered if that money could be spent elsewhere. She added that she has a neighbor where the easement would be coming right up to their back door, and she reiterated that she's all for improvement, but this seems a bit much.

3. Ms. Kate Shifflett stated that she is a resident of Garfield Street in the Rock Hill District, and she and her husband have owned property in Eastern View for the past nine years. She stated that she is concerned about the Vulcan Quarry expansion proposal, and she appreciated the Planning Commission's work to ask questions and sift through information

from Vulcan, address community concerns, and ultimately determine the proposal is not acceptable.

Ms. Shifflett said that she toured the quarry in April, and one of the staff members who led the tour said, "You're not going to live next to a quarry and not see us, hear us, or feel us." Ms. Shifflett said that became even more true for her home when the tree line was bulldozed and the berm was built behind her neighborhood. She stated that from her front porch, she hears blasting, the conveyor belt, rock crushing, and trucks backing up—and in her opinion, the current berm fails to mitigate impacts to adjacent residents. She stated that she does not want this for her neighborhood if quarrying activities move closer and doesn't want it to happen to neighbors in Suburban Estates and Raintree, or to her neighbors on the Kelly Way cul-de-sac, where no berm at all is proposed between them and the relocated concrete plant.

Ms. Shifflett stated that in the proposal, there is a five-year overlap of extraction of rock in both pit areas, and sentencing neighbors to this compounded noise seems incredibly unreasonable. She said that she is worried about increased heavy industrial traffic brought with the concrete plant to Garrisonville Road, Shelton Shop, and backroads. She said that last month, there was an accident with a large dump truck and a vehicle and the intersection in front of Vulcan—and thankfully there were no injuries, but a hundred gallons of fuel spilled all over the road. She asked if it was safe to add more trucks here.

Ms. Shifflett said that it is also not clearly addressed what type of concrete plant is proposed, and in March, Vulcan sent a letter to neighbors regarding proposed expansion, referring to moving the Redi-Mix facility to the quarry property. She said it was now referred to as a "concrete batch plant," which are different types of production with different impacts to the community, and that needs to be addressed. She expressed concern that property values would decrease as mining and production activity creep closer to her neighborhood, and asked if the County has researched the impact of mining and concrete production on residential home prices.

Ms. Shifflett stated that the County is growing exponentially, with new businesses added and neighborhoods built, and green space will likely be harder to come by as growth continues. She said that they deserve the parkland that was promised when Vulcan turns back land to the County, and that should not be extended to 2055. She added that she is also concerned about the date being extended to reservoir use and asked if the County has reevaluated its upcoming water needs with the addition of new developments such as Downtown Stafford or Mainline. She also asked if the expenses for the quarry been

compared to the costs of adding infrastructure to current reservoirs and asked if the County can afford to discount the quarry property by pushing back the timeline.

Ms. Shifflett said that she didn't think the County would be in favor of putting a neighborhood this close to a quarry today, and she asked why it would be okay to move the quarry even closer to taxpaying residences and moving a concrete plant closer to a residential area and away from one that doesn't even exist in Downtown Stafford. She stated that Vulcan proposes 79 more years of quarry operations and says they plan in decades—but she wondered if the County was planning in decades. She emphasized that they need to take care of their kids, grandkids, and great grandkids.

4. Mr. William Jones stated that he is a resident of Garfield Street in the Eastern View development, noting that he is opposed to the Vulcan quarry expansion for several reasons. Mr. Jones said that he moved to Eastern View about 15 years ago with the knowledge and understanding that the quarry at its current operating capacity would not affect his neighborhood's homes—but now his home often rocks from the quarry detonations, and there's a huge crack in his foundation with estimated repair costs of \$25,000, which several of his neighbors on Garfield Street have also experienced. Mr. Jones stated that they could now see and hear a lot of the activity that's visibly going on in the quarry, which was not the case when he first moved there. He said that they were not only concerned about the current quarry capacity's damage, as this would only get worse should the County move forward and grant Vulcan the request. He stated that there are 161 homes in his development, and when you add that to other neighborhoods, their primary concern is their #1 investment. He emphasized that Vulcan is a business, with a primary concern in building shareholder wealth—but homeowners don't have that luxury, and damage comes out of pocket instead of a tax write-off as it is for businesses.

Mr. Jones also asked the Board to look at the County benefit from this, noting that in 2003, Stafford revoked the machinery and tools property assessment, which was a major tax on Vulcan that they now no longer pay. He said that Vulcan's own impact statement indicates that the tax impact to them would be nominal at less than \$10,000 of additional tax revenue to the County. Mr. Jones said that he had asked Vulcan what benefit the County was getting from this, and the company responded that they provide rocks for the roads. Mr. Jones emphasized that that's not being done for free, and the County is just like any other customer.

Mr. Jones stated that since COVID, his home now serves as his fitness center and the office of his mid-size CPA, which serves clients in Stafford, Fredericksburg, and D.C. He said that one of his neighbors said the County made a monumental error in allowing residences

to be built near the quarry, but he would differ a bit and say the County made a monumental error in allowing the quarry's previous expansion. Mr. Jones emphasized that the residents aren't moving closer to the quarry—the quarry is moving closer to the residents. He asked the County to put a halt to this and to respect property owners' most valuable possessions, their homes.

5. Mr. Dave Freeborn of Eastern View stated that he has lived here since 1994, and they are not against Vulcan—just the expansion. He said that there is increasing noise, and it sounds like you're living next to a train. He said that he grew up about a mile from a train track, which was kind of enjoyable, but the quarry is less than a half-mile and is louder, continually. Mr. Freeborn said there is a lot of traffic there, and he sat outside their entrance to monitor the volume, and he counted about 250 trucks entering and leaving, and that wasn't even a full day but only about half. He said the next day he went to the cement plant, and while Vulcan says they have about 12 trucks, that doesn't take into account the deliveries, the customers coming in and out, etc.

Mr. Freeborn said that Vulcan will say there is no impact in terms of dust and residue, but he watched and saw that every time a front-end loader would dump material, there was particulate matter, dust, and clouds pouring out. He noted that his nephew has a master's in geology and commented in viewing overhead photos that they shouldn't be allowed to move closer to residences. He stated that his nephew also said that it wasn't right for Vulcan's seismic meters to be six inches down, and the state should review everything before the company tries to expand.

Mr. Freeborn said that he suspected Vulcan was trying to do an end run and get the County to approve this, then go to the state and say that everyone in Stafford agrees with the project. He emphasized that he didn't think they would ever find anyone living adjacent to the property, "Let's expand."

6. Mr. Joe Brito of Rocky Run Road addressed the Board and presented a map. He stated that he represents about 3,500 people who want a regional approach to roadbuilding and trails, and they have signed petitions for the road he is proposing. Mr. Brito said that he basically came up with a modified version of Stafford County's comprehensive plan, noting the location of existing roads, which he linked together to form one long road that will go from Route 610 to Harrison Road. Mr. Brito stated that the problem with transportation in the region is they only have two main north/south roads, which consist of 10 lanes currently—but they have 10 east/west roads that have 34 lanes, so there is a deficit of north/south lanes.

Mr. Brito said that he is proposing a new road that goes 15 miles, which would connect to 20 existing roads. He stated that they don't have a transportation grid system, so they are relying on two north/south roads, and anytime there is an accident, there is gridlock. He said that a third road that would be mainly a local road would relieve traffic on Route 1 for a 15-mile section, on 610 all the way to Harrison Road, on the busiest sections of Route 630, on Route 17 between GEICO and Route 1, on Route 3 between Salem Church Road and Route 1. He noted that this provides better access to hospitals, and the residents of the Del Webb community would be three miles closer to the hospital and 11 traffic lights less, so they can cut their time in half in transit to the hospital. He concluded by stating that connectivity is how we get out of gridlock.

7. Ms. Kristen Maxson, 1816 Jefferson Davis Highway – stated she came to speak to the Board about false news posted November 17, 2015 signed by Christopher Capp and the proposed resolution of R15-344, with an assigned representative Michael Smith. She said that she hasn't received any call from him, so she is querying again. Ms. Maxson said that the FEMA hundred-year floodplain map has changed in the past years, and the protocol is that a letter is sent out to property owners, but she has not received letter. She noted that she has also not received a letter regarding TDRs, so there seems to be misinformation or miscommunication from Chris Edwards and Jason Towery. Ms. Maxson thanked the Board for their work but said she would like to be in better communication with the County and receive the proper correspondence. Ms. Maxson commented that the floodplain map shows a wide swath of water that is most likely coming from the development to the east, and this information needs to be sent to property owners. She added that taxpayers today have spoken about losing their land, and they need to be informed.
8. Ms. Annalee Judd, 223 Switchyard Court – stated that she is new to the area and recently heard of the plan to destroy their beautiful path by cutting down mature shade trees and foliage. She said that she had a lot of questions and wondered how many Board members lived there—and it was interesting that those who didn't live in Leeland Station had the power to go against the wishes of the taxpaying Leeland Station residents who voted no on the VDOT plan to cut down all the mature trees and rip out all the bushes and take down the pretty barrier fence. She asked why this proposal was being forced through against their wishes and asked who presented it initially and was pushing this agenda and wondered if they lived in Leeland Station.

Ms. Judd asked what the reasoning is behind this plan and who was paying for it, adding that she wondered if "following the money" was what this was all about. She asked why go to the expense and turmoil of upsetting adjacent local residents to widen an existing bike path that leads to nowhere, and it would be sensible to use those funds to build a

connecting path that would lead to Deacon Road, thus ensuring safe passage from Leeland Station to the nearest business district. She said that she currently enjoys the cool shade of the mature trees that shelter the bike path, and she likes the white fence and foliage barrier between the path itself and Leeland Road—it's a safe, quiet sanctuary in comparison to the blazing hot roadside sidewalk on the west side of Primer House Road, which she considers dangerously close to the road itself, with speeding traffic zooming by. She urged the Board to leave the bike path alone and spend their efforts and money on creating a connecting path that would safely transport local residents to local businesses on Deacon Road.

9. Ms. Ruth Carlone, 300 Mount Olive Road - stated that she and some of her neighbors went to Supervisors to get a meeting about the road, and they have tried since 2014 to get the speeding down. Ms. Carlone asked for the Hartwood Supervisor (Mr. Snellings) to call a district meeting, as that district has had the most changes and tree-cutting, which is "devastation personified" in that district. She said that they need to get the word out and get the Supervisor to address the residents there so they know what's coming up, as districts need to get the word out—with Burns Corner and the other side of Route 630 being greatly impacted.

There being no further speakers, Ms. Vanuch proceeded to the Public Hearing agenda items.

PUBLIC HEARINGS

Item. 28. Finance; Consider Adoption of a Resolution Authorizing the Issuance and Sale of General Obligation School Bonds of Stafford County, Virginia in an Amount not to Exceed \$12,500,000 to be Sold to the Virginia Public School Authority.

Chief Financial Officer Jon Munch stated that he would provide a brief summary of the resolution that's the subject of the first public hearing. He said that interest rates are still at historic lows, but given current market conditions and potential inflationary pressures on the economy, there has been a lot of discussion recently about rate increases in the near future. Mr. Munch said that in looking at the CIP and discussing this with the FAB Committee on August 17, they discussed a strategy for taking advantage of the current low rates by changing the order of spending on projects where they would actually issue debt first while rates are so low, and conserve cash funding for the end of the project. He noted that FAB recommended moving forward with this model, with the strategy being to issue the debt now while market conditions are favorable and utilize the cash funding in future years when the rates were presumably higher—which would save quite a bit of money.

Mr. Munch stated that the first round impacted by this approach is the Stafford County Public Schools projects—a 3R project and High School #6 project—and staff is asking the Board to authorize the issuance of the additional debt, on top of what was authorized at the April meeting. He emphasized that the plan does not increase the overall project budget and does not change anything about the split about the various funding sources; it was really just about timing. He said that the School Board recently adopted a resolution on August 24 requesting that issuance.

Ms. Vanuch opened the public hearing. There being no speakers, she closed the public hearing and brought the matter back before the Board.

Ms. Bohmke motioned, seconded by Mr. Coen, to adopt proposed Resolution R21-316.

The Voting Board tally was:

Yea:	(5) Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)
Absent:	(2) Allen, Dudenhefer

Resolution R21-316 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$12,480,000 GENERAL OBLIGATION SCHOOL BOND OF STAFFORD COUNTY, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, on April 6, 2021, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of Section 15.2-2606 of the Virginia Code, and on April 20, 2021, the Board adopted a resolution identified as Resolution R21-105 (Resolution R21-105), approving the issuance and sale of general obligation school bonds in an amount not to exceed \$6,460,000 for the purpose of financing certain projects more particularly specified therein (collectively, the "Spring 2021 Projects"), subject to the adoption of a subsequent resolution authorizing and setting forth the terms of such bonds; and

WHEREAS, the County has not previously issued general obligation school bonds pursuant to Resolution R21-105; and

WHEREAS, on September 7, 2021, the Board held a public hearing, duly noticed, on the issuance of the County's general obligation school bonds in accordance with the requirements of Section 15.2-2606 of the Virginia Code on up to \$6,020,000 of general obligation school bonds to finance (a) a capital school improvement project for public school purposes including, but not limited to, the costs of Stafford County Public Schools High School # 6 Project and (b) costs of issuing the bonds (the "Fall 2021 Project" and together with the Spring 2021 Projects, the "Projects"); and

WHEREAS, the Board has now determined that it is necessary and expedient to borrow an amount not to exceed the amount specified in paragraph 1 below and to issue from the authorization under Resolution 21-105 and this Resolution its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing a portion of the Projects, and to authorize and set forth the details thereof, as required by Resolution 21-105 and this Resolution; and

WHEREAS, the School Board of the County has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond; and

WHEREAS, the Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond along with the local school bonds of certain other localities with a portion of the proceeds of certain bonds to be issued by VPSA in the fall of 2021 (the "VPSA Bonds"); and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that \$11,610,000 is the amount of proceeds requested by the County (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond; and

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration such factors as the amortization schedule the County has requested for the Local School Bond relative to the amortization schedules requested by other localities, the purchase price to be received by VPSA from the sale of the VPSA Bonds, and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in paragraph 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Stafford County, Virginia:

Authorization of Local School Bond and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed \$12,480,000 (the "Local School Bond") for the purpose of financing a portion of the Projects. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

Sale of the Local School Bond. The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate"), and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form required by VPSA, which form is hereby approved, with such completions, insertions, omissions and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

Details of the Local School Bond. The Local School Bond shall be dated 17 days prior to the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2021B"; shall bear interest from its dated date payable semi-annually on each January 15 and July 15 (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on July 15 in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

Interest Rates and Principal Installments. Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that each interest rate shall be five one-hundredths of one percent (0.05%) over the interest rate to be paid by VPSA for the corresponding principal payment date of the VPSA Bonds, a portion of the proceeds of which will be used to purchase the Local School Bond, and provided further that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The Interest Payment Dates and the Principal Installments are subject to change at the request of VPSA. Each Delegate is hereby authorized and directed to accept changes in the Interest Payment Dates and the Principal Installments at the request of VPSA based on the final term to maturity of the VPSA Bonds, requirements imposed on VPSA by the nationally-recognized rating agencies and the final principal amount of the Local School Bond; provided, however, that the principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not be later than the end of the fiscal year that is 21 years after the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School

Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

Form of the Local School Bond. The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Local School Bond:

For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for banks in the Commonwealth of Virginia (the "Commonwealth") or for the Commonwealth, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

U.S. Bank National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

Prepayment or Redemption. Unless required otherwise by VPSA, the Principal Installments of the Local School Bond held by VPSA coming due on or before July 15, 2031, and the definitive bond for which the Local School Bond held by VPSA may be exchanged that mature on or before July 15, 2031, are not subject to prepayment or redemption prior to their stated maturities. The Principal Installments of the Local School Bond held by VPSA coming due on or after July 15, 2032, and the definitive bond(s) for which the Local School Bond held by VPSA may be exchanged that mature on or after July 15, 2032, are subject to prepayment or redemption at the option of the County prior to their stated maturities in whole or in part, on any date on or after July 15, 2031, upon payment of the prepayment or redemption prices (expressed as percentages of Principal Installments to be prepaid or the principal amount of the Local School Bond to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
July 15, 2031 through July 14, 2032	101%
July 15, 2032 through July 14, 2033	100½
July 15, 2033 and thereafter	100

Provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without

first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

If VPSA refunds the VPSA Bonds in the future and such refunding causes the Local School Bond to be deemed refunded, the prepayment or redemption of the Local School Bond will be subject to VPSA approval and subject to similar prepayment or redemption provisions as set forth above that correspond to the call period of the VPSA bonds issued in part to refund the Local School Bond.

Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

Use of Proceeds Certificate and Tax Compliance Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

State Non-Arbitrage Program; Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program in connection with the Local School Bond. The Chairman of the Board, the County Administrator and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Local School Bond by and among the County, the other participants in

the sale of the VPSA Bonds, VPSA, the investment manager and the depository, substantially in the form submitted to the Board at this meeting, which form is hereby approved.

Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 4 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

Refunding. The Board hereby acknowledges that VPSA may issue refunding bonds to refund any bonds previously issued by VPSA, including the VPSA Bonds issued to purchase the Local School Bond, and that the purpose of such refunding bonds would be to enable VPSA to pass on annual debt service savings to the local issuers, including the County. Each of the Delegates is authorized to execute and deliver to VPSA such allonge to the Local School Bond, revised debt service schedule, IRS Form 8038-G or such other documents reasonably deemed necessary by VPSA and VPSA's bond counsel to be necessary to reflect and facilitate the refunding of the Local School Bond and the allocation of the annual debt service savings to the County by VPSA. The Clerk to the Board is authorized to affix the County's seal on any such documents and attest or countersign the same.

Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

Election to Proceed under Public Finance Act. In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of Stafford County, Virginia (the "Board"), hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board held on Tuesday, September 7, 2021, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Crystal L. Vanuch, Chairman; Cindy C. Lamb, Vice Chairman. Members absent from the meeting were: Tinesha O. Allen; L. Mark Dudenhefer. Members voting in favor of the foregoing resolution were: Crystal L. Vanuch,

Chairman; Cindy C. Lamb, Vice Chairman; Meg Bohmke; Thomas C. Coen; Gary F. Snellings. Members voting against the foregoing resolution were: none. Members abstaining from voting on the foregoing resolution were: none.

WITNESS MY HAND and the seal of the Board of Supervisors of Stafford County, Virginia, as of September 7, 2021.

Item. 29. Capital Projects Transportation; Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Courthouse Road and Route 1 Intersection Improvement Project.

Ms. Vanuch read the names of the affected parcels.

Mr. Owsiak stated that he would present on the condemnations associated with the Route 1 and Courthouse Road intersection improvement project, stating that it would widen Route 1 between the Bell's Hill and Hope Road intersection, and the Courthouse Road intersection, to provide dedicated left-turn lanes at the intersections. He said that these would reduce congestion and delay experienced there and improve roadway safety throughout the corridor. He stated that the County had contracted with Bowman Consulting in 2014 for the project design and right-of-way acquisition services, and the County would need to acquire the necessary property rights before utility relocation and construction can begin. He noted that they are expecting relocation to start this fall, with construction anticipated to start in the summer of 2022 and be completed by the end of 2023.

Mr. Owsiak reported that there are a total of 30 parcels impacted by this project, and the County just recently had reached agreement and received a signed purchased agreement for another property, which is the subject of this meeting's condemnation—so they will not need to take action on R21-226 Duffey Family Trust. He said this brings the total to 22 parcels for which the County has reached an agreement, and the Board had previously authorized condemnation on another five parcels in June 2019, with the County working with outside counsel to reach settlements with those individuals. He said that leaves three properties remaining to be acquired, and negotiations thus far have reached an impasse. He referenced on a slide presented the three properties being considered for condemnation action at this point.

Mr. Owsiak presented a slide reflecting the history of contact the County has had with impacted landowners out on the project, beginning when survey notification letters were sent in December 2014, followed by a public hearing in June 2016, and initial property acquisition letters presented in fall of 2018; the County has been in negotiation with these landowners ever since. He mentioned that the updated offer letters were presented to two of the landowners for Tax Map Parcel 30-59 and 30-59B due to recent increase in the temporary construction easement, which was needed to provide an entrance onto 30-59. He reiterated that Board action on R21-226 was not necessary at this time.

Mr. Owsiak explained that the first parcel under consideration this evening was Tax Map Parcel 30-44C, and he presented an aerial view of the parcel, which is located on the southwest corner of Roue 1 and Courthouse Road and is the site of Aquia Realty. He stated that the County needs to acquire about 1,179 square feet of fee-simple right-of-way, and another 1,440 square feet of temporary construction easement. He said that the initial offer letter for this property was presented in November 2018, and negotiators have met with the landowner numerous times over the past several years in an attempt to reach an agreement. He stated that the landowner had recently submitted a counteroffer, which was rejected by the County, as it far exceeded the value of the property and its current structures. Mr. Owsiak said that discussions with the landowner have indicated support for the condemnation since the monetary values for the County's offer and counteroffer were so far apart. He said that Resolution R21-227 would authorize condemnation on the parcel.

Mr. Owsiak explained that Tax Map Parcel 30-59 is located on the southeast corner on Route 1 and is currently the site of the Christian Center and Daycare, and the County needs to acquire 4,632 square feet in fee-simple right-of-way, along with another 275 square feet for permanent drainage easement and 350 square feet for a permanent utility easement, and another approximately 15,000 square feet for a construction easement. He stated that an initial offer letter was presented in December 2018, and after some unsuccessful negotiation attempts, the Board approved condemnation on this parcel in July 2019. However, he said, just before the County was able to file that certificate of take with the court, a portion of the property was sold off and forced a restarting of the entire effort—with new appraisals and new bona fide offers. He said that the offer was presented on June 15, 2021; the County has had discussions with the landowner but has not received any formal counteroffer, just an offer from the owner's attorney to dedicate the entire parcel to the County for the current tax-assessed value of \$1.7 million. Mr. Owsiak noted that this was quite different than the parcel needed just for the construction of the roadway, which is far less than the entire parcel. Mr. Owsiak said that due to the lack of response from the landowner, negotiations have stalled, and Resolution R21-228 would authorize condemnation on the parcel.

Mr. Owsiak explained that Tax Map Parcel 30-59B, located adjacent to 30-59, is currently a gravel parking lot. He said that the County needs to acquire 1,145 square feet of fee-simple right-of-way, another 1,860 square feet of permanent utility easement, 1,028 square feet for an ingress/egress easement, and another 1,775 square feet for a temporary construction easement. He said that the original bona fide offer was presented to the landowners on March 2, 2021, with the updated offer presented on the 15th for the temporary construction easement. He stated that the County has had some discussion with the landowner's attorney regarding some possible modifications to their entrance but thus far has not received a formal counteroffer or acceptance of the original offer; the

lack of response has effectively stalled negotiations on this parcel, and Resolution R21-229 would authorize condemnation on the parcel.

Mr. Owsiak summarized that the three condemnations are necessary to acquire the property rights needed to begin utility relocations and move forward to construction. He said that staff recommends approval of the three condemnations as presented for parcels 30-44C, 30-59, and 30-59B. He said that certified letters would be sent to landowners informing them of the condemnation action, at least 30 days prior to filing the certificate with the court. He said that although they are recommending condemnation to keep on schedule, staff and the consultant would continue to work with the property owners to try to reach an amicable settlement. Mr. Owsiak asked if there were questions.

Mr. Snellings asked him to identify the districts for each property.

Mr. Owsiak responded that Parcel 30-44C is in the Hartwood District; Parcel 30-59 and Parcel 30-59B are in the Aquia District.

Ms. Lamb asked if the large construction easement on Parcel 30-59 would seemingly have an impact on their operational capability, and she asked what would happen with that.

Mr. Owsiak responded that they have parking along Route 3 on top of a hill, and the temporary construction easement would allow them to go back in and reconstruct some of their property frontage and provide them an entrance onto Route 1. He said that the County is eliminating about 11 of the existing 20 parking spaces, and the appraisal decided that the highest and best use of the property was a complete redevelopment of the entire property—so they did not take that into account in terms of loss of parking in the appraisal.

Ms. Lamb asked if the judge in the quick take process would consider that.

Mr. Owsiak responded that it should, adding that if they can reach a settlement prior to that, they certainly would.

Ms. Vanuch opened the public hearing.

Ms. Jo Knight stated that she lives at 103 Nautical Cove and is a property owner, adding that she feels she shouldn't be limited to three minutes. She said that a lot of this is convoluted, and things started around 2015—and they were supposed to have parking returned to them, which is a very important issue, especially with her and with a small parcel and a large building of 5,000 square feet. She said that she had to relocate a tenant in the building because they needed additional

parking and it would not be there for the lease term. Ms. Knight stated that things seemed to go downhill when she started talking about the parking on the side that she was promised, and she got tired of that. She said that they put a fountain and bench instead of additional parking, adding that she's been attacked in her parking lot once, and to her the County's approach feels like "blockbusting" that results in loss of property value.

Ms. Knight said that in the last 50 years she's had her real estate company, she has seen nine other companies go under or relocate because they didn't do well. She stated that she has managed to do very well and has a great billboard, and there is value in that—but it would be taken. Ms. Knight protested having only three minutes.

Ms. Vanuch clarified that she would have additional time if this went to court, but she was subject to the rules for public hearings in this forum.

There being no further speakers, Ms. Vanuch closed the public hearing and brought the matter back before the Board.

Mr. Snellings expressed concern about Ms. Knight's parking and asked if there was something they could do to make up for that.

Mr. Owsiak responded that they have been trying to work out something for her, but it is a small lot and the County's project is impacting quite a bit of the frontage. He said they have attempted to replace as much parking as they were impacting, and at last count had been able to come up with 13 spaces and two spaces in the front. Mr. Owsiak stated that they would continue working with Ms. Knight, and he clarified for Mr. Snellings that the park and bench area she mentioned was the proposed JPI development on the corner, which does not affect her property.

Mr. Snellings asked how many parking spaces were being taken from her.

Mr. Owsiak responded that there are five pull-in spaces in front of the building, and the County would be taking three. He stated that it was his understanding that what they would be providing was very comparable to what Ms. Knight has today in terms of spaces.

Mr. Snellings asked if this was time sensitive.

Mr. Owsiak said that it is time sensitive because they need to move forward with utility relocations to keep the project on schedule for advertisement.

Mr. Snellings asked if it would hurt to defer this to the next meeting so he could get a handle on the parking situation.

Mr. Owsiak replied that they could certainly wait another two weeks.

Mr. Snellings motioned, seconded by Mr. Coen, to defer R21-227 until the Board's September 21, 2021 meeting.

Ms. Vanuch asked for staff to address the billboard issue Ms. Knight had mentioned.

Mr. Owsiak explained that staff had looked at this quite a lot and had sent surveyors back out to take some more detailed measurements—but the billboard encroaches on the existing right-of-way and would have to be demolished. He said that zoning laws prevent that type of billboard from being allowed on Route 1.

Ms. Vanuch asked if Ms. Knight would be grandfathered, since she's been here a long time.

Mr. Owsiak responded that if the project weren't impacting the sign, it wouldn't be an issue, but half the sign is in construction limits so they were having to impact it that way.

Ms. Vanuch commented that if Ms. Knight decided to change the use of the property and had to come in for a conditional use permit, it would be nonconforming since the parking was being eliminated—and she wondered how this and other businesses would be compensated, as they'd be subject to the new rules.

Mr. Owsiak stated that his understanding is that if the project creates a nonconformity, there is no penalty for that, and it just exists as a nonconformity. He said that if they came in and asked to redevelop their property, they would have to meet current parking requirements.

Ms. Vanuch said that was her concern and thanked him for the clarification.

The Voting Board tally to defer R21-227 until the September 21, 2021 meeting was:

Yea:	(5) Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)
Absent:	(2) Allen, Dudenhefer

Ms. Lamb motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-228.

The Voting Board tally was:

Yea: (5) Bohmke, Coen, Lamb, Snellings, Vanuch
Nay: (0)
Absent: (2) Allen, Dudenhefer

Resolution R21-228 – Tax Map Parcel# 30-59 reads as follows:

A RESOLUTION AUTHORIZING THE 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. 30-59, LOCATED WITHIN THE AQUIA ELECTION 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

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

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Three Hundred Fifty-One Thousand Nine Hundred Fifteen Dollars (\$351,915), based upon the 2021 appraisal conducted by a licensed appraiser; 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 terms of purchase cannot be agreed upon, and the County's consulting negotiator was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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 Energy Virginia, and temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Virginia Electric and Power and Electric Company, doing business as Dominion Energy Virginia, (Dominion), and temporary construction easement on Tax Map Parcel No. 30-59 (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Three Hundred Fifty-One Thousand Nine Hundred Fifteen Dollars (\$351,915) 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 Thurston Properties, LLC (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 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, and 15,034 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 Hundred Fifty-One Thousand Nine Hundred Fifteen Dollars (\$351,915) 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, 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.

Ms. Lamb motioned, seconded by Mr. Coen to approve proposed Resolution for R21-229.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-229 – Tax Map Parcel# 30-59B reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PERMANENT INGRESS-EGRESS EASEMENT, PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 30-59B, LOCATED WITHIN THE AQUIA ELECTION 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

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

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property 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 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 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, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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 ingress-egress easement, permanent utility easement to be conveyed to Dominion Energy Virginia, and temporary construction easement, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent ingress-egress easement, permanent utility easement to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia, (Dominion) and temporary construction easement on Tax Map Parcel No. 30-59B (Property) for the Route 1 and Courthouse Road Intersection Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Thirty-Four Thousand Nine Hundred Ninety-Five Dollars (\$34,995) as just compensation for the fee simple right-of-way, permanent ingress-egress 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 Jeanne M. Anderson and Beth M. Williams (Property Owners) 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 1,145 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, and 1,775 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 Thirty-Four Thousand Nine Hundred Ninety-Five Dollars (\$34,995) with the Clerk of the Stafford County Circuit Court, for the Property Owners' benefit, before entering and taking possession of the fee simple right-of-way, permanent ingress-egress 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 30. Capital Projects Transportation; Consider Condemnation and Exercise of Quick-Take Powers in Connection with the Route 1 And Telegraph Road/Woodstock Lane Intersection Safety Improvement Project.

Ms. Vanuch read the names of the subject properties.

Mr. Owsiak said that he would present on the property condemnations associated with the Route 1 and Telegraph Road/Woodstock Lane improvement project. He stated that the project would provide some minor widening on Route 1 to improve the intersections at Telegraph Road and Woodstock Lane, with some realignment of Telegraph at the intersection with Route 1, along with a permanent signal to be installed there. He said there would also be a short section of raised-concrete median along Route 1 near the intersection with Woodstock Lane, which will provide for protected left turns onto Woodstock—but it would limit egress to that road to a right-in/right-out only.

Mr. Owsiak reported that the County contracted with Rinker Design Associates in 2018 for design and right-of-way acquisition services for this project, and the County would need to acquire the necessary property rights before utility relocation and roadway construction can begin. He said that currently, they are anticipated utility relocation to begin this fall, with roadway construction starting in the summer of 2022, to be completed by the end of 2023. He stated that there are a total of 12 parcels impacted by this project, six of which require the acquisition of utility easements before the County can relocate the impacted utilities and begin construction, and that's why they're before the Board this evening.

Mr. Owsiak said that of the six properties with utility easements, the County has already reached agreements with two of the property owners, but negotiations have reached an impasse on the four other properties. He stated that while they are continuing to work with the owners to bring a settlement, they are bringing the properties before the Board to consider a condemnation action. He presented a slide showing the history of contact with affected landowners, starting in April of 2018 when notification letters about the surveying efforts were sent out. He said that the County held a formal public hearing in November of 2019, with initial offer letters presented to all property owners by June of 2021, with negotiations underway ever since.

Mr. Owsiak reported that the first parcel under consideration is Tax Map Parcel 21-66, stating that the parcel is across the street from the intersection of Route 1 and Telegraph Road, and the County needs to acquire 1,809 square feet of fee-simple right-of-way, 4,068 square feet of permanent drainage easement, 3,346 square feet of permanent VDOT traffic signal easement, 12,543 square feet of permanent VDOT utility easement, and another 5,090 square feet of temporary construction easement. He said that the initial offer for this property was presented to the landowner on June 22, 2021, and negotiators have met the landowner numerous times to answer questions about the impacts to their property from the project.

Mr. Owsiak noted that one of their main concerns was allowing left turns into their property from their intersection at Telegraph Road with the signal, and after some back-and-forth discussions with VDOT, the County was able to convince them to allow conditional left turns into that

business, so it is hoped that an agreement will be reached with the landowner. He said that they have indicated they are working on preparing a counteroffer, but the County has not received anything to date, so negotiations have reached a standstill, and Resolution R21-306 would authorize condemnation on this parcel.

Mr. Owsiak reported that the next parcel is Tax Map Parcel 21-69B, which is located across the intersection from Route 1 and Woodstock Lane and is the site of several mobile homes. He stated that the County needs to acquire 4,360 square feet of fee-simple right-of-way, 1,813 square feet of permanent drainage easement, 15,418 square feet of permanent utility easement, and another 35,000 square feet in temporary construction easement. He stated that the County's bona fide offer was delivered to the owner on June 24, and the consultant has made numerous attempts to contact the landowner and finally made contact on July 26, only to be informed at that point that the landowner was seeking legal counsel. Mr. Owsiak said that he met with the property owner on August 17, and in discussing the specifics of the project, they were informed the landowner would be providing a counteroffer—but to date, the County has not received that, and negotiations have reached an impasse. He stated that Resolution R21-307 would authorize the condemnation on this parcel.

Mr. Owsiak reported that the next parcel is Tax Map Parcel 21-70, located in the northwest corner of the intersection of Route 1 and Woodstock Lane, and it is currently utilized as a fueling station and used car lot. He said the County needs to acquire 7,542 square feet of fee-simple right-of-way, 8,665 square feet of permanent drainage easement, 7,663 square feet of permanent utility easement, and another 11,019 square feet of temporary construction easement. He stated that the bona fide offer for the property was presented on June 15 of this year, and representatives from Rinker Design Associates have met with the owner a few times since to discuss the project and impacts to the property. Mr. Owsiak said that despite several recent attempts to contact the landowner, they have not been able to make contact since August 12, and he wasn't sure why—but due to the lack of communication, negotiations on this parcel have also stalled. He noted that staff is recommending moving forward with condemnation with Resolution R21-308.

Mr. Owsiak stated that the last item is Tax Map Parcel 21-69, located between the intersections of Telegraph Road and Woodstock Lane along Route 1, and it is currently being used as a used car lot. He said the County needs to acquire a 349-square-foot utility easement on this property for the project. He said that the original offer letter was delivered to the landowner on May 5, 2021, and the County has had much difficulty contacting the landowner, with negotiations not receiving a response since June 22. Mr. Owsiak reported that the County had sent him a formal letter requesting response on August 19 and had a discussion with negotiators this afternoon, who informed the County that they were able to reach the landowner and he was preparing a counteroffer to submit shortly. Mr. Owsiak clarified that the County has not received a

counteroffer, and to keep the project on schedule, staff recommends moving forward with Resolution R21-309, which will authorize condemnation on this parcel.

Mr. Owsiak said that in summary, these four condemnations are necessary to acquire the property rights to begin utility relocation and eventual construction, and staff recommends approval for the parcels 21-66, 21-69B, 21-70, and 21-69. He reiterated that certified letters would be sent to landowners informing them of the action before the County files with the court, and they will also get a letter after the fact; the County, as always, will continue to work with the landowners in attempt to reach a settlement.

Ms. Vanuch opened the public hearing. There being no speakers, she closed the public hearing and brought the matter before the Board. She noted that Ms. Allen was absent and asked for motions in her absence.

Ms. Bohmke motioned, seconded by Ms. Lamb to approve proposed Resolution for R21-306.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-306 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY; PERMANENT DRAINAGE EASEMENT; PERMANENT TRAFFIC SIGNAL EASEMENT TO BE CONVEYED TO VIRGINIA DEPARTMENT OF TRANSPORTATION; PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA, VERIZON SOUTH INC., COLUMBIA GAS OF VIRGINIA, INC., AND VDOT; TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCES AND PARKING LOTS; AND TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 21-66, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board identified the completion of safety improvements on Route 1 at Telegraph Road and Woodstock Lane (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

WHEREAS, Tax Map Parcel No. 21-66 (Property) consists of approximately 4.9374 acres of land owned by L.C. Taylor Enterprises, Inc. (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 1,809 square feet of fee simple right-of-way, 4,068 square feet of permanent drainage easement, 3,346 square feet of permanent traffic signal easement to be conveyed to the Virginia Department of Transportation (VDOT), 12,543 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), Verizon South Inc. (Verizon), Columbia Gas of Virginia, Inc. (Columbia Gas), and VDOT, 4,612 square feet of temporary construction easement for entrances and parking lots, and 478 square feet of temporary construction easement on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Fifty-Eight Thousand Seven Hundred Dollars (\$58,700), based upon the 2021 appraisal conducted by a licensed appraiser; 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 terms of purchase cannot be agreed upon, and the County's acquisition consultant was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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 traffic signal easement to be conveyed to VDOT, permanent utility easement to be conveyed to Dominion, Verizon, Columbia Gas, and VDOT, temporary construction easement for entrances and parking lots, and temporary construction easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent drainage easement, permanent traffic signal easement to be conveyed to the Virginia Department of Transportation (VDOT), permanent utility easement to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion), Verizon South Inc. (Verizon), Columbia Gas of Virginia, Inc. (Columbia Gas), and VDOT, temporary construction easement for entrances and parking lots, and temporary construction easement on Tax Map Parcel No. 21-66 (Property) for safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Fifty-Eight Thousand Seven Hundred Dollars (\$58,700) as just compensation for the fee simple right-of-way, permanent drainage easement, permanent traffic signal easement to be conveyed to VDOT, permanent utility easement to be conveyed to Dominion, Verizon, Columbia Gas, and VDOT, temporary construction easement for entrances and parking lots, and temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and L.C. Taylor Enterprises, 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 1,809 square feet of fee simple right-of-way, 4,068 square feet of permanent drainage easement, 3,346 square feet of traffic signal easement to be conveyed to VDOT, 12,543 square feet of permanent utility easement to be conveyed to Dominion, Verizon, Columbia Gas, and VDOT, 4,612 square feet of temporary construction easement for entrances and parking lots, and 478 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 Fifty-Eight Thousand Seven Hundred Dollars (\$58,700) 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, permanent drainage easement, permanent traffic signal easement to be conveyed to VDOT, permanent utility easement to be conveyed to Dominion, Verizon, Columbia Gas, and VDOT, temporary construction easement for entrances and parking lots, 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.

Ms. Lamb motioned, seconded by Mr. Coen to approve proposed Resolution for R21-307.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-307 reads as follows:

A RESOLUTION AUTHORIZING THE 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, VERIZON SOUTH INC., AND VIRGINIA DEPARTMENT OF TRANSPORTATION; TEMPORARY CONSTRUCTION EASEMENT FOR SLOPES; AND TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCES/PARKING, ON TAX MAP

**PARCEL NO. 21-69B, LOCATED WITHIN THE GRIFFIS-WIDEWATER
ELECTION DISTRICT**

WHEREAS, the Board identified the completion of safety improvements on Route 1 at Telegraph Road and Woodstock Lane (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

WHEREAS, Tax Map Parcel No. 21-69B (Property) consists of approximately 2.0608 acres of land owned by Mark A. Stephens, LTD. (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 4,360 square feet of fee simple right-of-way, 1,813 square feet of permanent drainage easement, 15,418 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia (Dominion), Verizon South Inc. (Verizon), and the Virginia Department of Transportation (VDOT), 18,107 square feet of temporary construction easement for slopes, and 16,907 square feet of temporary construction easement for entrances and parking lots on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is One Hundred Forty-Four Thousand Four Hundred Dollars (\$144,400), based upon the 2021 appraisal conducted by a licensed appraiser; 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 terms of purchase cannot be agreed upon, and the County's acquisition consultant was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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, Verizon, and VDOT, temporary construction easement for slopes, and temporary construction easement for entrances and parking lots on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion), Verizon South Inc. (Verizon), and the Virginia Department of Transportation (VDOT), temporary construction easement for slopes, and temporary construction easement for entrances and parking lots on Tax Map Parcel No. 21-69B (Property) for safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of One Hundred Forty-Four Thousand Four Hundred Dollars (\$144,400) as just compensation for the fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Dominion, Verizon, and VDOT, temporary construction easement for slopes, and temporary construction easement for entrances and parking lots, including damages, if any, to the remainder of the Property, that the Board and Mark A. Stephens, LTD. (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 4,360 square feet of fee simple right-of-way, 1,813 square feet of permanent drainage easement, 15,418 square feet of permanent utility easement to be conveyed to Dominion, Verizon, and VDOT, 18,107 square feet of temporary construction easement for slopes, and 16,907 square feet of temporary construction easement for entrances and parking lots 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 One Hundred Forty-Four Thousand Four Hundred Dollars (\$144,400) 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, permanent drainage easement, permanent utility easement to be conveyed to Dominion, Verizon, and VDOT, temporary construction easement for slopes, and temporary construction easement for entrances and parking lots in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Ms. Lamb motioned, seconded by Ms. Bohmke to approve proposed Resolution for R21-308.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Proposed Resolution R21-308 reads as follows:

A RESOLUTION AUTHORIZING THE 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 THE VIRGINIA DEPARTMENT OF TRANSPORTATION; TEMPORARY CONSTRUCTION EASEMENT FOR SLOPES; TEMPORARY CONSTRUCTION EASEMENT FOR ENTRANCES AND PARKING LOTS; AND TEMPORARY CONSTRUCTION EASEMENT FOR UTILITY RELOCATIONS ON TAX MAP PARCEL NO. 21-70, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board identified the completion of safety improvements on Route 1 at Telegraph Road and Woodstock Lane (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

WHEREAS, Tax Map Parcel No. 21-70 (Property) consists of approximately 10.4100 acres of land owned by Manassas Ice and Fuel Company, Incorporated (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 7,542 square feet of fee simple right-of-way, 8,665 square feet of permanent drainage easement, 7,663 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia and the Virginia Department of Transportation (VDOT), 6,632 square feet of temporary construction easement for slopes, 3,922 square feet of temporary construction easement for entrances and parking lots, and 465 square feet of temporary construction easement for utility relocations on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is One Hundred Ten Thousand Dollars (\$110,000), based upon the 2021 appraisal conducted by a licensed appraiser; 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 terms of purchase cannot be agreed upon, and the County's acquisition consultant was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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 VDOT, temporary construction easement for slopes, temporary construction easement from entrances and parking lots, and temporary construction easement for utility relocations on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion) and the Virginia Department of Transportation (VDOT), temporary construction easement for slopes, temporary construction easement for entrances and parking lots, and temporary construction easement for utility relocations on Tax Map Parcel No. 21-70 (Property) for safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of One Hundred Ten Thousand Dollars (\$110,000) as just compensation for the fee simple right-of-way, permanent drainage easement, permanent utility easement to be conveyed to Dominion and VDOT, temporary construction easement for slopes, temporary construction easement for entrances and parking lots, and temporary construction easement for utility relocations, including damages, if any, to the remainder of the Property, that the Board and Manassas Ice and Fuel Company, Incorporated, also known of record as Manassas Ice & Fuel Company, Incorporated (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 7,542 square feet of fee simple right-of-way, 8,665 square feet of permanent drainage easement, 7,663 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia and VDOT, 6,632 square feet of temporary construction easement for slopes, 3,922 square feet of temporary construction easement for entrances and parking lots, and 465 square feet of temporary construction easement for utility relocations, 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 One Hundred Ten Thousand Dollars (\$110,000) 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, permanent drainage easement, permanent utility easement to be conveyed to Dominion and VDOT, temporary construction easement for slopes, temporary construction easement for entrances and parking lots, and temporary construction easement for utility relocations in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Mr. Coen motioned, seconded by Ms. Lamb to approve proposed Resolution for R21-309.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-309 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A PERMANENT UTILITY EASEMENT TO BE CONVEYED TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON TAX MAP PARCEL NO. 21-69, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board identified the completion of safety improvements on Route 1 at Telegraph Road and Woodstock Lane (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

WHEREAS, Tax Map Parcel No. 21-69 (Property) consists of approximately 0.5342 acres of land owned by Mohibi Properties, LLC (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 349 square feet of permanent utility easement to be conveyed to the Virginia Department of Transportation (VDOT) on the Property; and

WHEREAS, the fair market value for the required area of the Property, together with damages, if any, to the remainder of the Property is Three Thousand Seven Hundred Dollars (\$3,700), based upon the 2020 tax assessment land value; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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 permanent utility easement to be conveyed to VDOT on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of permanent utility easement to be conveyed to the Virginia Department of Transportation (VDOT) on Tax Map Parcel No. 21-69 (Property) for safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Three Thousand Seven Hundred Dollars (\$3,700) as just compensation for the permanent utility easement to be conveyed to VDOT, including damages, if any, to the remainder of the Property, that the Board and Mohibi Properties, LLC (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 of 349 square feet of permanent utility easement to be conveyed to VDOT 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 Seven Hundred Dollars (\$3,700) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the permanent utility easement to be conveyed to VDOT in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Item 31. Capital Projects Transportation; Consider Condemnation and Exercise of Quick-Take Powers in Connection With the Berea Church Road Improvement Project.

Mr. Owsiak reported that he would discuss the property condemnation associated with the Berea Church Road improvement project, which would reconstruct portions of the Berea Church Road between U.S. 17 and Truslow Road. He said they would be doing this to improve existing roadway geometry, primarily focusing on improving horizontal and vertical curves and roadway safety. He stated that the County contracted with ATCS in May 2017 for roadway design and amended the contract in April 2019 to include right-of-way acquisition services provided by their subconsultant, ERM & Associates. He noted that the County would need to acquire the property rights to begin utility relocation and before construction can begin, and they are looking for utility relocation to happen this fall and construction to start next fall, to be completed by the end of 2023. He said that

this project impacts a total of 24 parcels, and the County has reached agreement with 22 of those property owners thus far. He stated that the County has reached tentative agreements with the two remaining property owners and is waiting to receive the signed agreements from the owners.

Mr. Owsiak said that the County did reach agreement on the property being considered for condemnation but has been unsuccessful in obtaining clear title; therefore, the County Attorney has recommended condemnation on the parcel. He showed a slide depicting contact with the owners from May 2017, when survey notification letters were sent out, and they had a public hearing in June 2018, with offer letters for property owners delivered by the fall of 2020 and negotiations happening ever since. He reiterated that the County had reached agreement with this property owner but still had to move forward with condemnation due to the liens already on the property. He pointed out the property on an aerial photo, noting that it was located about 1,000 feet east of the intersection with U.S. 17, and the County would need to acquire about 425 square feet of fee-simple right-of-way, 289 square feet of permanent drainage easement, 2,126 square feet of permanent utility easement, and another 990 square feet for a temporary construction easement.

Mr. Owsiak explained that the initial offer letter was presented to the landowner in December 2020, and the County met with the landowner on several occasions to answer questions, with a signed agreement with the landowner. He said that when the title company began their research to obtain the mortgage lender releases to acquire clear title to the property, it was discovered that there were numerous liens against the property. He said that staff was advised by the County Attorney's Office that each lien would require a separate release, and any issues with just one of those liens could jeopardize the whole process and make them have to start over or revert back to condemnation after all. He said that to move forward with the project and eliminate some of the cost and risk of seeking additional lien releases, the County decided to move forward with condemnation. He stated that he did reach out to the property owner and discussed the issue with him, and he was in support of moving forward with the condemnation.

Mr. Owsiak summarized that this condemnation is necessary to acquire the clear property rights and to begin utility relocation and construction, and staff recommends approval of Resolution R21-317 authorizing the condemnation on Tax Map Parcel 44-72.

Ms. Vanuch opened the public hearing.

Ms. Kristin Maxson addressed the Board, stating that she lives at 1816 Jefferson Davis Highway. She said that after hearing the condemnation news, it was heartbreaking. She said that while she does understand the process, the biggest question the Board needs to consider is if the utility takes ae public. She stated that if they are private, the person who owns the property may not be able to use that utility, and it might be as extreme as making their property uninhabitable later on. Ms.

Maxson said that when she hears the term “utility,” she would prefer that it be called “public utility.” She said that her other comment is that when she talks to her lawyer, in terms of “give or take,” he advised her that they can’t take more than 10% of the total they are taking—but it isn’t defined in the paperwork. She said that the landowner usually gets a lot of paperwork that is very confusing, so she hired several lawyers and that’s what it takes. Ms. Maxson thanked them for the work and encouraged them to communicate with people in layman’s terms on how to work with them in better ways.

There being no further public comment, Ms. Vanuch brought the matter back before the Board.

Mr. Snellings motioned, seconded by Ms. Bohmke to approve proposed Resolution for R21-317.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Resolution R21-317 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE FEE SIMPLE RIGHT-OF-WAY, PRESCRIPTIVE RIGHT-OF-WAY, PERMANENT DRAINAGE EASEMENTS, TEMPORARY CONSTRUCTION EASEMENT, AND PERMANENT UTILITY EASEMENT TO BE CONVEYED TO DOMINION ENERGY VIRGINIA ON TAX MAP PARCEL NO. 44-72, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the Board identified the completion of road improvements on Berea Church Road (SR-654) (Project), as a critical part of Stafford 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

WHEREAS, Tax Map Parcel No. 44-72 (Property) consists of approximately 0.5000 acres of land owned by the Jeffrey Scott Buchanan and Christina Marie Buchanan (Property Owners); and

WHEREAS, due to the design of the Project, the Board must acquire 1,924square feet of fee simple right-of-way, 289 square feet of permanent drainage easements, 990 square feet of temporary construction easement, and 2,126 square feet of permanent utility easement to be conveyed to Dominion Energy Virginia on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the Property is Five Thousand Six Hundred Dollars (\$5,600) based upon the 2020 tax assessment values; and

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

WHEREAS, the terms of purchase were agreed upon, and the County's consulting negotiator was successful in negotiating a final settlement with the Property Owners, but the County is unable to obtain clear title to the required areas of the Property due to outstanding liens against the Property; and

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on September 7, 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, prescriptive right-of-way, permanent drainage easements, temporary construction easement, and permanent utility easement to be conveyed to Dominion Energy Virginia, on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of fee simple right-of-way, permanent drainage easements, temporary construction easement, and permanent utility easement to be conveyed to Virginia Electric and Power Company, doing business as Dominion Energy Virginia (Dominion), on Tax Map Parcel No. 44-72 (Property) for the Berea Church Road Improvement Project (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Five Thousand Six Hundred Dollars (\$5,600) as just compensation for the fee simple right-of-way, permanent drainage easements, temporary construction easement, and permanent drainage easement to be conveyed to Dominion, including damages, if any, to the remainder of the Property, that the Board and Jeffrey Scott Buchanan and Christina Marie Buchanan (Property Owners) 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 1,924 square feet of fee simple right-of-way, 289 square feet of permanent drainage easements, 990 square feet of temporary construction easement, and 2,126 square feet of permanent utility easement to be conveyed to Dominion 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 Five Thousand Six Hundred Dollars (\$5,600) 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, permanent drainage easements, temporary construction easement, and permanent drainage easement to be conveyed to Dominion, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

Item 32. Planning and Zoning; A Proposed Zoning Reclassification from the R-1, Suburban Residential Zoning District to the Ud-3, Urban Development - Residential Mixed Use Zoning District on Tax Map Parcel Nos. 45-67, 45-67a, 45-69, 45-94, 45-95, 45-96, Consisting of 44.55 Acres, to Allow for the Development of up to 260 Apartments, 114 Townhomes, and 4,776 Square Feet of Commercial Space (Project Known as Mainline).

Ms. Vanuch stated that this is in the George Washington District and asked the Planning and Zoning Director to present the item.

Mr. Jeff Harvey reported that this is a proposed rezoning for a project known as Mainline, located on the north side of Route 17, about mid-block between Old Forge Drive, an RV Parkway intersection, and the Lendall Lane and Melchers Drive intersection. Mr. Harvey said this would be a rezoning from R-1 Suburban/Residential to the UD-3 Urban Development zoning district. He stated that the overall proposal would build 260 apartments and 114 townhomes, with close to 5,000 square feet of commercial space, and the total area of the project is 44.5 acres. Mr. Harvey stated that the applicant is Richard Counselman of S.L. Nusbaum Realty Company, and he is represented by Charlie Payne.

Mr. Harvey noted that the property is highlighted in blue on the map presented, and he pointed out its proximity to Route 17 and the highway corridor overlay zone, where they try to restrict access and coordinate access improvements so that it minimizes traffic impacts. He said that it was typical to a lot of areas within the County to see mostly commercial and industrial zoning along the highway in the Route 17 area, but there is a smattering of single-family detached residential, as well as the Corals Mobile Home Park across the street, zoned R-4, and some heavy industrial zoning in the nearby vicinity.

He presented an aerial view of the property and mentioned that the two intersections with signalization nearby are the RV Parkway and Old Forge Drive, with that signal being relocated; and the Melchers/Solomon Drive and Lendall Lane. He said the property currently has three dwellings on it but is mostly wooded; there are some cleared areas along the road frontage. Mr. Harvey stated that the property has limited road frontage of about 200 feet, and there are limited opportunities for commercial development. He said that the property immediately to the west is

industrial use; properties immediately to the east are a mixture of commercial and residential uses, including self-storage and office space.

Mr. Harvey presented the master plan submitted with the rezoning application; pursuant to the County's UD zoning category, there is a requirement for a Master Plan that lays out a grid network of streets and identifies pedestrian sheds with proximity to uses, as well as civic uses and recreational amenities. He said that the overall concept shows 260 multi-family uses, which would be located in 11 apartment buildings, and 114 townhomes. He pointed out the concept placement of the single buildings and townhomes on the lots. He mentioned a grid network of streets and inter-parcel connections to adjacent properties to help with overall traffic circulation in the area, meeting some of the recommendations in the comprehensive plan, with a connection off to the west to a vacant piece of property and one to the east that is currently being developed as office space.

Mr. Harvey stated that the overall project minimizes impacts to environmental features visible on the presented plan, with a stream to the east and one in the center part of the project, with Falls Run—a major tributary in the area—to the north. He said the project is proposing a half-mile walking trail, which would be located throughout the rear part of the property and would serve as an amenity for the community, tying into the sidewalk system. He stated that other amenities proposed are a 3,700-square-foot clubhouse complex in the front of the project, so it would blend in well with commercial activities along Route 17; other amenities include outdoor grilling space, seating areas, multi-purpose courts, a half basketball court, two pickleball courts, a fire pit area, a dog park, and a community garden.

Mr. Harvey reported that the project commits to a number of bedrooms in the various units, with 84 one-bedroom units, 128 two-bedroom units, and 48 three-bedroom units. He stated that the comprehensive plan for this property recognizes its location within the Warrenton Road targeted growth area, which is where 50% of the future growth in the County is intended to go. He pointed out that this is supposed to be a mixed-use area, with two different housing types and commercial uses on the property meeting the intent of that designation. He said that the comp plan for the area suggests that for multi-family structures, the density be 11-14 dwelling units per acre, and for townhouses it should be 5-8 dwelling units per acre; the overall proposal meets those density recommendations in the comp plan. He said that the comp plan also identifies future buildout within the targeted growth area, with 1,500 multi-family townhouse units, and since 2016 when the comp plan was updated, approximately 350 units have been approved.

Mr. Harvey reported that the building design has been committed to with the project and meets a number of the comp plan recommendations for neighborhood designs. He referenced an image showing that this is a multi-family structure that meets neighborhood design standards for having

a brick base, so it is suitable for fire protection—and vinyl is not the primary façade material. He stated that there is variation in the front façades, which are oriented to the front of the building; the entrances are readily visible. Mr. Harvey presented the architectural design for the townhomes, which meets a number of the neighborhood design standard recommendations.

Mr. Harvey said that in looking at rezoning applications, the County analyzes the project against a number of public facilities, meaning impacts to schools, parks, public safety, transportation, general governments, and libraries. He stated that as the Board is aware, the County is regulated on what it can ask from developers for proffers, and this property is subject to the July 1, 2019 proffer legislation—so it does provide some additional flexibility, but mitigation is generally limited to transportation, public safety, schools, and parks. He said that with schools, there would be approximately 121 students generated from this project, using the standard school board-recognized student generation rates. He noted that the applicant is mitigating impacts to schools, and the middle and high school serving this project lack capacity, so the applicant has offered a monetary proffer to offset the offsite impacts. He said the school proffers are based on 58 students, based on the existing by-right credits for the site; since the site is zoned R-1 Suburban/Residential, it could accommodate 67 dwelling units if it was to be built by right. He clarified that there are deficits in Drew Middle School and Stafford High School, but Falmouth High School currently has capacity, and these numbers are based on figures from 2019 because of COVID impacts in 2020.

Mr. Harvey stated that it has been identified that this area of the County has adequate park capacity based on the 2017 parks utilization plan, and for public safety, the site is serviced by Station 1 at Falmouth; there are current service-level deficits at Falmouth because there are issues with maintaining eight-minute response times 90% or more for all the calls. He said that for transportation, the applicant submitted a traffic impact analysis, and the estimated trip generation for the overall project is 2,300 vehicles per day, 143 leaving and entering in the morning, and 178 leaving and entering in the PM peak hours. He said that overall, the traffic analysis showed that there was a limited impact to levels of service. He stated that the intersections evaluated were the two intersections he previously mentioned at RV Parkway and Old Forge Drive, as well as Melchers and Lendall, but also at the site entrance. Mr. Harvey noted that in looking at the levels of service, none of the letter grades changed with the projects, so there would be no significant impact to the roadway network.

Mr. Harvey stated that regarding general government, there is a level of service deficit for the courthouse facility, which is in the current CIP but is off in the distance. He said that there is adequate level of service for the libraries, but the County has noted in the comprehensive plan that they may meet the threshold in 2023. He said that state code will not allow the County to request proffers or discuss them with the developer regarding general government and libraries, as they

are not one of the identified public facilities for which the County can obtain a monetary proffer, unless they were amenable to that. He stated that there is \$8,146.59 for schools from the townhomes, and the rest of the figures were for public safety for both the townhomes and multi-family units—and that's what was being proposed with this application, based on 307 units of the project and discounting the 67-unit credit.

Mr. Harvey said that for public facilities, staff believes that there is adequate level of service for parks and recreation transportation and libraries, but there is a deficit in general government, planned for buildout at a later date in the CIP. He stated that the applicant is attempting through cash proffers to mitigate the middle and high school impacts; they have also provided a cash proffer to attempt to mitigate the public safety impacts. He said that the proposed proffers are essentially "what you see is what you get," and the Generalized Development Plan is what will be committed to for the property, which limits the number of units based on that plan to 114 townhouse units and 260 multi-family units, plus the commercial square footage. He stated that the architectural designs have been committed to, the monetary proffers have been committed to, and there would be a phased construction of amenities as the project built out. He noted that additional proffers the applicant has offered include a 5% discount in the multi-family units to any Stafford County government employee, and they have offered \$100,000 in an escrow account that can be used to assist active-duty military, disabled veterans, or County employees in purchasing one of the townhouse units.

Mr. Harvey said that this also requires the construction of a 200-foot right-turn taper into the site entrance, as well as restriction of left-turn movements out of the site. He noted that this was a very important point for the Planning Commission, which was concerned about this section of U.S. 17 because it has an unrestricted center left-turn lane or "suicide lane," and they were concerned about traffic volumes in the left turns out—so the applicant has committed to making that restriction with their entrance.

Mr. Harvey stated that this project is located in a HUB Zone, and John Holden would explain what those zones are and their importance to the County.

Director of Economic Development and Tourism John Holden stated that HUB Zones are a key economic development tool that are limited around the country, but there are two in Stafford. He said that HUB Zones provide advantages for companies securing government contracts, and as one of the major employers in the County is government contracting, HUB Zones are important tools to encourage business expansion and investments. He stated that one of the requirements of HUB Zones is that for an eligible business to apply and use HUB Zone credits, 35% of their employees must live in a HUB Zone—so it's important to have opportunities for residents in the

HUB Zones so the employers can take advantage of those opportunities. Mr. Holden added that a letter of support was provided by an adjacent business owner in support of this project.

Mr. Harvey said that staff found a number of positives with the application, which is consistent with the recommendations in the Comp Plan regarding land use density and phasing recommendations for multi-family and townhome developments with the County's targeted growth areas. He said that the proffers submitted are reasonable and attempt to address the impacts to the project, and the proposal is consistent with infrastructure phasing within the Comp Plan, and mitigation to public facilities has been considered, especially public safety and schools. He noted that the density of the townhouse project is consistent with nearby Rappahannock Landing development, and building designs are consistent with the Comp Plan and neighborhood design standards recommendations. Mr. Harvey said that staff is not aware of any negative aspects and is recommending approval; they are in support of Ordinance O21-40, which would enable the rezoning of the property, and the Planning Commission recommended approval in its consideration as well.

Ms. Vanuch asked if there were any questions.

Ms. Lamb asked if there were any schools located within the HUB Zone.

Mr. Harvey responded that there is the middle school in the England Run neighborhood and the Head Start facility off of Melchers Drive, as well as Stafford High School and Drew Middle School.

Ms. Lamb stated that she had found out in working on the bylaws that a County employee is not a school employee, and earlier in the proffers where there is a 5% discount offered to County employees, she thinks it should say "County and school employees," which would also help fulfill requirements for the HUB Zone.

Mr. Harvey responded that this was voluntarily offered by the applicant, since it's a proffer, and he would defer to the applicant's representative to see if they are willing to add it.

Ms. Lamb said she would like to pursue that.

Mr. Coen stated that in a previous proposal that came before the Board, there was a question about dens and whether they are made into bedrooms, so he would like for that to be clarified. He commented that they often compare things that come in now versus things that came in pre-Governor McAuliffe, such as Embury Mill, and he asked Mr. Harvey to clarify the proffer law.

Mr. Harvey replied that under the current proffer legislation, the applicant submits a proposal and an estimated statement of impact; staff then looks at the statement of impact and if they agree, the applicant can offer a voluntary monetary proffer if there are offsite impacts, such as schools, fire and rescue, etc. He explained that under prior proffer legislation, the applicant can make a commitment to any schools or fire and rescue—regardless of whether they had an impact or not—so the current proffer legislation is much narrower in what the County can discuss and negotiate or ask from a developer.

Mr. Coen said that when he and Ms. Vanuch were on the Planning Commission, someone could come in and put in a turf field—because that's what the Supervisor was asking for—but those days are gone because of the new legislation. He stated that it's very fine-tuned in terms of what can be requested, and the County can't make that request.

Mr. Harvey added that the impacts are calculated at the time of rezoning, whereas in the past, they would look at what the impacts are throughout the buildout of the project—so that's another thing that has an impact on the cash proffers a developer can offer.

Ms. Bohmke expressed concern about the schools and capacity, and she suspects that if they contacted the principal at Falmouth Elementary, they would not have excess capacity of 89 students. She said that Rocky Run has trailers on their property, as described on staff's slide, and she asked Mr. Harvey to bring up the recreation slide and cite what those amenities are.

Mr. Harvey stated that the applicant can also elaborate, but the plan has an outdoor grilling area and seating areas, a multi-purpose court, a half basketball court, two pickleball courts, a half-mile walking trail, a fire pit area, a dog park, and a community garden.

Ms. Bohmke commented that there are 400+ people there, and her opinion is that the amenities are not sufficient.

Mr. Harvey said that there is also a clubhouse for the overall community, located in the front of the project.

Ms. Bohmke asked why they put the clubhouse in the front, as that's right next to Warrenton Road and you can hear the traffic.

Mr. Harvey stated that his recollection of the Planning Commission is that they were intending for this building to have a look and feel of any other commercial building so it would blend in with the overall community as it redevelops.

Ms. Bohmke asked if there was a swimming pool at that place.

Mr. Harvey responded there was not, as he recalled.

Ms. Lamb mentioned that on Attachment 3, Page 3 of 32, under “Recreational Amenities,” it does list a swimming pool.

Ms. Vanuch invited the applicant to speak.

Mr. Charlie Payne addressed the Board and thanked Mr. Harvey for his presentation, as he felt it was a very good overview of what they are planning. He stated that he has a PowerPoint that he would try to get through quickly and then answer any questions, adding that he would address Ms. Bohmke’s questions about the clubhouse orientation toward Warrenton Road and how the project ties into the targeted growth area to give it a mixed-use look.

Mr. Payne reported that S.L. Nusbaum is headquartered in Norfolk and has been in the Mid-Atlantic region for 115 years through four generations of ownership, with more than 7,000 apartments and five million square feet of commercial space that they manage and own. Mr. Payne stated that the property consists of close to 45 acres and is east of the interchange, so it is in Falmouth, and that area needs investment—both aesthetically and financially—and this is a \$50+ million project. He said that he was delighted to hear from economic development staff about the importance of the investment of this and the corridor, and it’s important to keep that in mind when talking about projects, especially residential mixed-use projects and what they can provide from an employment and economic development perspective in addition to housing.

Mr. Payne stated that the property is proposed for a UD-3 and includes 260 multi-family units, 114 townhomes, and close to 5,000 square feet of commercial space. He said that at the Planning Commission level, Mr. Apicella was adamant that this project should include commercial and the parcel itself should include some sort of mixed use—and they did reach a compromise with him on that point and will locate commercial onsite that will be built with the first phases of the project, and they are hopeful they will attract users to the site in the short term. He noted that the project is in the targeted Warrenton Road growth area, which is important because this is where growth is supposed to occur: where urban service areas are and where utilities and major road arteries are located. He said that this is near the improvements being made off of Warrenton Road at the I-95 interchange, it is in south Stafford, and the investment is necessary in this location.

Mr. Payne stated that he believes it will attract economic development opportunities onsite, and that part of Stafford could use a shot in the arm. He said that he felt this location could be very attractive, and being in a HUB Zone and having adjacent properties wanting this zoned B-3 could

be very helpful in attracting an employer to this location. He said that 35% of those in a HUB Zone must live in a HUB Zone, so this project could be a link to that opportunity. Mr. Payne reiterated how this meets the comprehensive plan objectives: it is in the growth and urban services areas, conforms to transportation goals, contributes to economic development and employment opportunities, and could serve as a home-work destination within the HUB Zone.

Mr. Payne stated that it also meets the UD planning requirements—walkable edge to center, well-connected road network, trails, pedestrian access, FRED stop, variety of housing stop, and a mix of residential uses that will serve a greater range of incomes and age groups—with this sort of mix happening a lot in this area. He noted that the uses are well-integrated, and amenities are tied to these various different uses, which residents want, particularly recreational amenities. He said that in working with the Planning Commission, they saw that the project made sense and was willing to work with the application on some key issues.

Mr. Payne referenced the Generalized Development Plan for the project, pointing out the location of Warrenton Road to the south of the property and stating that there is a lot of open space that can't be developed but could be used for amenities like walking trails. He mentioned the mix of townhomes and multi-family components, pointing out the traffic circle/roundabout and the centerpiece of the development. He stated that he had shared a link to a video on the Mezzo project in Virginia Beach, and this project would look a lot like that. Mr. Payne presented a view of the frontage and stated that a lot of it was driven by what's in the comprehensive plan and the fact that it is a mixed-use area, noting the location of the sales office out front and the clubhouse, pools, and grilling areas as you move toward the back of the development.

Mr. Payne presented several images of the Mezzo project and mentioned its integrated commercial and retail uses, as well as multi-family and other uses. He also presented images of the River Bend property in Gloucester and the Valor Apartments in Fredericksburg, which are also Nusbaum projects. He then presented the renderings they have proffered for this project, which show the building layout, elevations, and materials. He presented a slide showing that this project would generate revenues of about \$1.3 million annually and would net about \$89,000 per year, which means it would be a positive return for the county; there would be an estimated 641 jobs created from the project, with 429 of those being direct impact.

Mr. Payne said that the applicant is proffering about \$3.16 million, including impact fees. He stated that the Planning Commission asked them to update the school proffer analysis, so that is updated as of July 14, 2021 and bumped the prior proffers from \$1.4 million to \$1.8 million. He said that they also took another look at it and saw that public safety actually reduced, not increased, and the Commission wanted them to keep that number in at \$219K. He said that transportation impact fees total \$1.13 million, based on \$2,999 per unit. He clarified that what's being proffered are the

clubhouse, fitness center, swimming pool, two grilling and dining areas, fire pit areas, a tot lot, multi-purpose game and play area, community garden, half-court basketball court, pickleball court, dog park, and bicycle racks throughout the community.

Mr. Payne said that the other important part is to assist County employees who want to live in the jurisdiction but can't afford, it by offering discounts; they are happy to include school employees also—as it is often schoolteachers and first responders who are looking to live in the jurisdiction.

Mr. Snellings asked 5% of what.

Mr. Payne responded that it was 5% off of published rates.

Mr. Snellings asked if he knew what the published rates are.

Mr. Payne responded that they are not yet available.

[Speaker off-mic indicated that if the rents averaged \$1,600 a month, the discount would be \$80 for County and school employees.]

Mr. Payne stated that they would put \$100,000 into escrow for a “Hometown Heroes Assistance Fund” for veterans, disabled veterans, current military, first responders, Stafford County employees. He said that this would provide up to \$5,000 to assist in closing fees, which would be very helpful for first-time homebuyers who need that assistance. He stated that this program has been implemented in Spotsylvania County and has been very helpful, and each year, they notify the planning office as to what's left in that fund and how much remains. He said they would also be constructing and installing a 200-foot right-turn taper at the end of Glen Alice Lane and would be prohibiting left turns out, per the Planning Commission's direction. He noted that they have inter-parcel connections both east and west and have been working with property owners to get to the lights, eventually, and currently it is a right out.

Ms. Bohmke stated that the Southgate development in her district, where the County allowed a right turn in, but they have to come back out on Truslow Road, and it is horrible for the people who live there. She said that the residents for this Mainline project would have to go down to the Falmouth light, and they would turn right and go down under the overpass and make a U-turn—which is temporary, and it was uncertain what VDOT wants to do.

Mr. Payne responded that going west, they would take a right in or right out; coming east, they would have to make a U-turn at Old Forge, which VDOT has deemed acceptable. He added that VDOT was not against prohibiting the left out if the County wanted that.

Ms. Bohmke asked how far out it is from the new traffic light to the exit of this project.

Mr. Payne responded that it's about a quarter mile, and their plan is to make the inter-parcel connections and get to the lights—but what he described is the current plan until that happens.

Mr. Coen said that the light referred to is the one at Solomon Drive, so the light wouldn't be as far once they got the connector, and they could go down into the Falmouth intersection.

Mr. Payne mentioned that the property owner is also present and wanted to express support for the project. He stated that the Debernards and Embrys have been longtime residents of Stafford County and have owned the property for about a hundred years. He offered to answer questions.

Ms. Vanuch opened the public hearing.

1. Mr. Joe Brito of Rocky Run Road stated that the applicant should be allowed three minutes like everyone else, and it's one thing if he's answering question but another if he's giving a 20-minute presentation. Mr. Brito stated that Rocky Run Elementary School is only about four miles away from this and is at about 107% capacity—and by the time a new elementary school is built, they will need another one. He said with all the development coming in, they don't have the capability to finance these schools without large tax increases. He stated that they have gridlock on the roads but no plans to take care of it, and he doesn't understand how a Board can approve more residential development when the County doesn't have the capability to catch up with infrastructure, and they need to slow things down.

Mr. Brito said that this is supposed to be a mixed-use development, but he calculated it out and it's only about 1.5% commercial, and they used to have a standard of 25% commercial/75% residential for mixed use; this is 98.5% residential, which is not mixed use and doesn't comply with policies that make sense. He stated that they need to increase their commercial base and they can't do that by continuing to rezone the residential base, noting that the commercial base is currently paying about 20% of real estate taxes, and they need to increase that to 25% or more. He commented that there is also an issue with the right-in, right-out turns, which would be a nightmare during construction when there are dump trucks that have to make U-turns on Route 17. Mr. Brito asked if this was the right time for it and whether they need more commercial space, and there are no proffers for parks—which are needed in the future—and he is hoping that the new comprehensive plan has new parks, trails, etc. He thanked the Board.

2. Ms. Cassandra Brickner stated that she lives on in the adjacent property north of the project, on the other side of Falls Run. She expressed concern over the watershed that runs directly through the project, and she sees trash piling up in Falls Run that's coming down through the watershed, and a tree has fallen that's blocking Falls Run along her property. She said that with this project, there would be additional trash and pollution, and with the Rappahannock looking the way it does, she was concerned about what would happen to the river and what the mitigation would be. She asked where the stormwater management was for this project and where the water would be diverted. She said that Falls Run is a river when it rains, which is terrifying, and her neighbors on Kelly Road have a river through their yard, with a culvert at the bottom of their yard that goes directly into Falls Run—and she is concerned that someone will go into the culvert and die, because there is no way they're getting out. She stated that the County allowed this water in their backyard, with no piping or anything. Ms. Brickner said that in looking at the façade of the apartment buildings, she is reminded of the mess that is Route 17, and this project's façade is much more sterile than Nusbaum's previous projects. She emphasized that it isn't welcoming or warm, and she is surprised the County approved the design for the apartment building.
3. Ms. Ruth Carlone of 300 Mount Olive Road stated that she'd like to be provided with the total vehicles per day for the occupants in the apartments, so the public has some figures to look at. Ms. Carlone said that she'd also like for the applicant to furnish the playground equipment for the children and have that put in writing in the proffers. She added that Route 17 is definitely a mess, and they need to start looking at local transit to alleviate the number of trips—especially the Hartwood District, which is feeling the pressure of new projects, and the accidents are terrible on Poplar Road. Ms. Carlone emphasized that the applicant could proffer a small bus stop, which could also be used as a meeting spot. She stated that she did not understand the amenities occupancy permit for the 144th unit, as that was quite a time before the initial availability of the amenities and should be sooner. Ms. Carlone said the business use may not be compatible, and she also agreed with the point made about the façade.
4. Ms. Jackie Debernard stated that she is one of the owners of the property, which is located on this side of I-95 to Falmouth—and if you've been in that area, you know that commercial places are closed or unkept, and that end of 17 needs a bit of cleanup, which this project will do. Ms. Debernard said that this project could bring things like restaurants that would beautify Route 17 and draw people in, which would be a positive for the area.
5. Mr. Joe Debernard stated that Route 17 didn't just happen yesterday, and their property has been there for over a hundred years. He said that this project would be a big facelift to the road, which is currently a dirty, nasty highway. Mr. Debernard said if you get the people

there, the commercial will come, and this property has been on the market for 20 years—but they received no calls when it was just listed as commercial.

6. Mr. Roger Embry stated that he is also an owner of one of the properties before the Board to rezone, and he was at the Planning Commission meeting when they recommended unanimously to rezone it. He said one of the Planning Commissioners had said you have to start somewhere, and this \$50 million project would be a draw that would serve as a “dam breaker” for commercial to come in and build offices and upscale establishments. He stated that the community is going to need these amenities, and from Route 1 to I-95 is a dead zone, and this development would make it more of a live zone.

There being no further public comment, Ms. Vanuch closed the public hearing and brought the item back before the Board.

Mr. Payne readdressed the Board and stated that he appreciated the comments from these property owners and the community, and people will see a very high-quality project for this area and something the County can be proud of. He noted that the County doesn’t rezone a lot of residential projects, and he’s been practicing here for 20 years and can count them on his hands. He stated that he understands the Board’s dilemma but also knows they understand the comprehensive plan and the projects that follow it. He thanked the Board and added that he had to agree with the family members in terms of attracting commercial investment to the area, which they also heard from staff. He said that Mr. Meekens had written a letter of support, and his property was zoned B-3 in 1990—and he’s saying that this project could help him.

Ms. Vanuch stated that this proposal is in Mr. Coen’s district.

Mr. Coen said that he would be making a motion to defer this until the Board’s first meeting in October for several reasons, and he agreed with some of the comments made about the playground equipment, transit for commuter rides, and stormwater management. He noted that in the past, they had talked about mitigating the impact on Falls Run and the water. He said that he also wanted to touch on whether telecommuters could use the commercial property in the front. Mr. Coen stated that his reason for deferral is that the Board would likely be a full contingency, which he feels is more appropriate.

Ms. Lamb seconded the motion. She stated that she loves this project for many different reasons and agrees that Route 17 is a blighted area—almost as bad as Upton Road across the street from this—and she liked the applicant’s foresight that they need economic development to be the catalyst for this, which needed rooftops to attract commercial. Ms. Lamb stated that she supports this because it’s in the comprehensive plan in the urban services area, specifically in an area they

want to develop. She said that the area really needs help, she was sad it was being deferred, and she would be supporting this project.

Mr. Snellings stated that he hasn't made a final decision but is concerned about the schools because he knows what's coming. He said they have Westlake, which will have 700 homes; and there will be 600 homes on Centerport Parkway. He emphasized that the schools are packed to the rafters, so he has some deep concerns. He said that he travels this stretch of Route 17 three or four times a week, and it looks terrible and blighted—and he's not sure who's going to pay \$1,600 to live on it, which is his personal opinion. Mr. Snellings reiterated that his primary concern is schools.

Ms. Lamb commented that she has a schoolteacher constituent who is currently renting because her house is being sold out from underneath her—and she cannot find any place in Stafford County to live. She said that this constituent would absolutely pay \$1,600, and there is a housing shortage here, so any housing they can provide to keep residents off of I-95 is certainly better for everyone.

Ms. Vanuch clarified that this would be coming back on October 5, 2021 and would be heard at the 3:00 p.m. meeting, as there is no evening portion.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Item 33. Planning And Zoning; Consider Amending the Zoning Ordinance, County Code Sec. 28-35 to Amend Uses Permitted in the A-2, Rural Residential Zoning District.

Mr. Harvey stated that this is a proposed code amendment pursuant to Ordinance O21-01 to change the uses permitted in the A-2 Rural Residential zoning category. He said that several Board members have received complaints about agricultural uses in this category, which has sparked the discussion of whether they are appropriate in certain conditions, what the uses are in A-2, and whether those should be changed. He reported that the Board referred the issue to the Planning Commission, which had a number of meetings and public hearings on this and followed the lead of what they did previously when they reevaluated the A-1 zoning category. He said that this ordinance amendment would amend the Table of District Uses and Standards, Section 28-35, and would change "agriculture" to "an agricultural operation" as defined in the code, as well as setting a minimum lot size of two acres in the A-2 zone for someone to have an agricultural operation.

Mr. Harvey said that it would also move bed and breakfast/inn and community use of golf course from by-right uses to special exception uses; a special exception use requires a public hearing after

notice to adjacent owners before the Board of Zoning Appeals, which can establish reasonable conditions to protect the surrounding neighbors from that use. He stated that forestry would be limited to a minimum of 20 acres, with a plan approved by the Department of Forestry or a certified consulting forester, which implies that the forest would be replanted rather than precleared for land development.

Mr. Harvey stated that regarding current conditional use permit requirements for a club, lodge, and fraternal organization, those would be moved to a special exception—and the Planning Commission felt the CUP process was a bit onerous for those groups, given the scope and size of their activities. He said that bed and breakfast/inn, community use of golf course, and commercial kennels would be special exception uses as well.

Mr. Harvey said that Planning staff is recommending adoption of the ordinance, as well as the Planning Commission, and he offered to answer questions.

Ms. Vanuch asked if there were questions.

Mr. Snellings asked if he would be able to have chickens anymore if he was in A-2 and had two acres of land.

Mr. Harvey responded that he wouldn't be able to have an agricultural operation where he had chickens for sale purposes, but he could have chickens for personal consumption of eggs, etc.

Mr. Snellings commented that he couldn't sell the eggs.

Mr. Harvey confirmed this.

Mr. Snellings asked about honeybees.

Mr. Harvey responded that they would be permitted as an apiary in the A-2 zone and would continue to be permitted under this.

Ms. Bohmke asked if a person would be limited to the number of chickens they could have on their property.

Mr. Harvey replied that the code does not get into those specifics, as he recalls, but he could get back to the Board with that.

Ms. Bohmke commented that it sounds like this is the difference between a commercial operation and not.

Mr. Harvey responded that for the most part, that is correct.

Ms. Bohmke said that the man who spoke at the 3:00 p.m. meeting had mentioned a number, and she asked if that would be allowed if it wasn't a commercial operation.

Mr. Harvey stated that he could get back to the Board with the definition of "agricultural operation," but generally someone with that many animals had them for a use beyond that.

Ms. Lamb said that in the case of the Kottmyers, they are in A-1 and their house is very close to the fence line, and in the chicken coop about 65 feet away there were many, many roosters. She said that roosters are not good for meat, so the only explanation can be that they are fighting cocks. She said that in talking with Mr. Kottmyer about his discussion with the deputies, they have fined that landowner many times—but he makes such a large amount of money from his other income related to the roosters, it's not a big deal for him to pay it. Ms. Lamb stated that she feels that the Board has an opportunity to do something, but she doesn't know what it is, and perhaps it is separation of the building. She said that there could be a set distance between a house and accessory dwelling, and there would be a limit as to how many animals you could have on a property. She added that the cacophony from all the roosters this one property owners has is inappropriate. Ms. Lamb reiterated that she would like the Board to think about what a solution could be, because in cases like the roosters, they seem to be missing it.

Ms. Vanuch said that she was talking a lot about A-1, and this proposal was for A-2. She stated that even if they change the ordinances, it grandfathered that property owner—so the situation Ms. Lamb mentions could still be done legally. She commented that deferring this seems like the best thing to do, with time to look at animal limits, etc. Ms. Vanuch stated that where she lives, you can smell the chickens along Joshua Road in the summertime, so her thought was limiting the amount a person can have when the property is less than three acres.

Ms. Vanuch opened the public hearing.

1. Mr. Jackson Kottmyer, 2001 Brooke Road - stated that he is glad to see the change in the ordinance to three acres, and as they've heard, the quality of life in Stafford County is important to them, and as more and more farms are sold out to development, they are changing their status and are three-acre or five-acre lots. He said that currently, they're governed by HOAs, and once those go away and are still classified as A-1, a person can put anything they want on their property. He stated that most of the lots in these plats are

straight back—so there's a house less than a hundred yards away—and if he decides to take four cows, three horses, and 500 chickens, a neighbor has no right to tell him to stop. Mr. Kottmyer said that animal control says its hands are tied in doing anything.

Mr. Kottmyer said that agriculture in the ordinance currently says if a person claims they are agricultural, there is no noise ordinance—so roosters can cluck 24/7. He stated that his quality of life suffers, so the County needs to go back to the Planning Commission and reevaluate what the ordinance says. He stated that Spotsylvania County is less populated and has a matrix: six chickens, no roosters, on anything less than five acres. He said this was very simple and they weren't restricting anyone from having chickens, but a large number of chickens generates a strong smell. He stated that they asked for a setback with the first chicken coops his neighbor put in, and he was cited for a violation, but then he got a permit and the coops are still on the property line. He noted that the second batch of chicken coops are back off the property line, but the property owner is now adding another 18 chicken coops and will likely add more beyond that. Mr. Kottmyer urged the Board to send this back to the Planning Commission and to look at adjacent ordinances, because if it says "agricultural," deputies don't have the right to issue a violation. He added that they would be repeating this over and over as the County continues to grow.

There being no further public comment, Ms. Vanuch closed the public hearing and brought the matter before the Board.

Mr. Harvey brought up the Municode definition of "agricultural operation" and said it is "Any operation devoted to the bona fide production of crops, animals, or fowl, including the production of fruits and vegetables of all kinds, meat, dairy, and poultry products, nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity. Nursery operations are considered agricultural operations in addition to apiaries. Agricultural operations do not include establishments engaged in processing agricultural or silvicultural products or processing plants."

Mr. Harvey stated that the current definition does not limit the number of animals you can have, but if you're selling your animals, you are in an agricultural operation.

Ms. Vanuch asked if that was saying you can't have chickens in A-2 if you have less than three acres.

Mr. Harvey clarified that that would be true if you were selling. He confirmed that he was not aware of a limit if you were not selling, but that's where they would have to work with animal control officers to ensure the animals were kept in a safe and humane environment.

Ms. Vanuch asked if this pertained to livestock and horses.

Mr. Harvey responded that again, the animal control code would need to deal with whether the animals are well-kept, adequately fed, and have food, water, and shelter.

Ms. Vanuch said that she understands that, but the County can limit the number of horses per acre.

Mr. Harvey confirmed that they can.

Ms. Vanuch said this ordinance does not do that.

Mr. Harvey confirmed that it does not.

Ms. Bohmke asked Mr. Harvey to look into what Spotsylvania did and whether they had to grandfather everyone.

Mr. Harvey responded that he is not specifically up to speed with what Spotsylvania did, but this subject was before the Board many years ago, and staff at that time brought up Fairfax County, which has an animal unit requirement that limits the quantity and type of animals on property.

Ms. Bohmke said that perhaps staff can look at peer localities and what they have done with A-2.

Ms. Vanuch suggested that this go to a committee, such as the Community and Economic Development Committee (CEDC), for vetting—because these changes are not at all what she had anticipated coming forward to the Board and were much more in line with a specific amount of acreage permitting a specific number of animals, to put realistic acreage limits for the amount of agriculture.

Ms. Lamb motioned to move this to the CEDC before it goes to the Planning Commission.

Ms. Vanuch said it had already been to the Commission.

Ms. Lamb said they would modify what they wanted before it went anywhere else.

Ms. Bohmke seconded the motion.

Mr. Coen asked Mr. Presley to reach out to the sheriff regarding cockfighting, the penalties, etc.—as he found this alarming.

Ms. Vanuch clarified that the motion and the second are to send this item to CEDC for further investigation.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Ms. Vanuch stated that this concludes their public hearings, and the Board is deferring items 22 through 25 from New Business, and they would come back between September 21 and October 5. She said that she and Ms. Lamb would work on agenda review and make sure things were adequately spaced.

NEW BUSINESS

Item. 26. Discuss Requesting the School Board to Participate in a Joint Investigation Regarding Pupil Transportation Issues.

Ms. Vanuch stated that she requested that this item be placed on the agenda, and this was not meant to be confrontational to the schools, but they need to work in concert to determine what happened and provide constituents with answers so this doesn't happen again. She opened the floor for comments and said they could also decide whether to deem this time sensitive or not.

Mr. Coen said that this is relevant to the school system's professional learning communities (PLCs), whereby they communicate and look at the data and see how well things work and don't work and can be done better. He emphasized that it's not accusatory, aggressive, or negative in any way. He stated that Mr. Presley has done this in a number of meetings, and it's in line with best practices and what they do on this side of the street—and he is looking at it from that aspect.

Ms. Bohmke said that this should be relatively easy, and she hopes it doesn't have to be an "investigation" and could just be a report that the School Board gives back to the Board, including presenting to the Board at the podium and explaining what happened. Ms. Bohmke said that perhaps the situation was a perfect storm, and she has some thoughts on it—including possibly not letting Transportation Director Barry Sudduth leave in May and keeping him over to September or October to ensure things were running smoothly. She stated that there were a number of factors, and the schools likely know what they all are, so hopefully this is just a report they can share with the Board and community.

Ms. Bohmke commented that the issue of the bus driver shortage is not going to go away anytime

soon, and perhaps Mr. Presley can address the fact that some fire and rescue personnel have CDL licenses and could perhaps drive the passenger buses (not those requiring S certification). She said that there are issues running high school students to and from schools, and if you can run the activity buses, fire and rescue people could be doing that now—not mandatory, but optional, for additional pay if they so choose.

Mr. Presley said that this was brought before the fire chief, who reached out to the schools and made the offer to drive vans, etc., but thus far they have not received any requests from the schools, and they possibly were still trying to figure out what the needs are. He noted that there were several firefighters who said they would be interested in helping.

Ms. Bohmke stated that the word “investigation” has a negative connotation to her, and the schools are their largest partner agency—and nobody likes what happened with the school buses, but perhaps it could be called something like a “full transparency report.” She agreed that they do need to have answers for the community on what went wrong.

Mr. Presley explained that they have an after-action review with what went right and what went wrong, and how to prevent the latter in the future. He said they map it out and have exercises, if need be, such as the one they would have next week about the straight-line windstorms that caused extensive damage in the southern part of the County. Mr. Presley said that he has not had this conversation with Dr. Jones, but he is quite certain that the schools are doing something similar with respect to this matter. He noted that this is standard practice, and they are probably evaluating what went wrong and how to correct it—which is why he thinks they haven’t heard back yet about the offer for drivers. He stated that he has a daughter in high school and has seen improvements in times, drop-offs, and pickups. He agreed that week one was horrible, and they ended up driving and picking up almost every day, but it has improved.

Ms. Bohmke stated that there could have been major injuries or even fatalities from children standing outside waiting for so long, and it was a public safety issue. She said that in watching the School Board that night, she felt it was a state of emergency, and her biggest concern was that no one communicated to the school division heads and the School Board to let them know they were not ready for transportation. She said that school could have been pushed back for two or three weeks, and that issue could have been prevented.

Ms. Vanuch said that’s why she felt strongly that it needed to be investigated, and she wants to involve parents and independent people not working at the schools—and she has had several messages from bus drivers about what they think is going on. Ms. Vanuch stated that Mr. Presley’s daughter’s situation may have gotten better, but she has a dozen constituents whose situations have gotten worse or have not improved. She said that she would love to set up a joint work group or

something with parents, bus drivers, etc., to investigate this with an independent frame of mind, so it's not just the schools telling the County what they think they did wrong.

Mr. Snellings commented that he is concerned about creating a massive committee. He said that he was in the military and has been in business his whole life, and as Mr. Presley said, they did after-action reviews to see what went right and wrong. He stated that the School Board is likely going to do the same thing, and part of the problem is Facebook—the scourge of the world. He said that you would think the world had come to an end because somebody didn't get picked up on a bus. Mr. Snellings emphasized that the reality of this is they need to let the experts dig into this and find out what happened and report back to the Board. He stated that if they want to put someone on this, that's fine, but the more people involved, the more convoluted it's going to get.

Ms. Vanuch stated that she did not want to get into detailed discussions about the schools at this point, so they could either defer it and let it come back as unfinished business, if they don't feel that it's time sensitive.

Mr. Snellings said he would like for it to come back as Unfinished Business.

Mr. Coen agreed.

Ms. Vanuch said it would show up on the agenda as such.

Item 27. Budget and Management; Consider School Board's Request to Budget and Appropriate Prior Yearend Funds to Implement Bus Driver Recruitment and Retention Strategies.

Ms. Andrea Light stated that the Board is being asked to consider proposed resolution R21-326, which budgets and appropriates \$1.5 million of prior year fund balance to implement a strategy to recruit and retain bus drivers and support staff. He said there was a current shortage of approximately 22% of their FTEs, which create efficiency stresses across the system. She noted that staff also asked the Board to consider this as time sensitive, to meet the school's payroll cycle and the School Board's desired implementation date of the beginning of October.

Mr. Coen motioned, Ms. Bohmke seconded to make this matter time sensitive.

Mr. Snellings said his understanding was that this was coming from salary lapses.

Ms. Light clarified that it was not; it would be coming from prior year fund balance, which totals approximately \$6 million from previous school savings over FY2019 and FY2020.

Mr. Snellings recalled that the schools said it was coming from salary lapses, as quoted in the Freelance Star.

Assistant Superintendent of Administration and Finance Chris Fulmer confirmed that it is partially correct, and when he presented to the School Board, he explained that they wanted to use carryover funds, but they didn't want to wait to go through that process. He said that he told them to entrust him that they would have those savings if it was not approved by the carryover. He stated that they budget \$3 million in budgeted salary lapse and vacancy savings every year, so it is a considerable amount—but based on current vacancy savings, they would exceed that. He said they would be cutting it very close and would be very hard to manage, so that's why they're requesting that they used carryover money from FY21.

Ms. Vanuch asked what the increases would mean for next year, as those would be recurring costs.

Mr. Fulmer estimated \$2 million, as the \$1.4 million is based on current bus drivers, and they know they need to fill all of their vacancies, so that number would go up. He noted that they've had tremendous feedback and an increase in applications since this was announced, with CDL and non-CDL applicants and a very flush applicant pool. He added that they were fast-tracking to get them on the road.

Mr. Snellings asked if COVID relief money could be used for this.

Mr. Fulmer responded that he would not recommend using those one-time funds for this, as that puts them in questionable territory.

The Voting Board tally to deem this item time sensitive was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(2)	Allen, Dudenhefer

Mr. Coen commented that Mr. Dudenhefer has said he was hoping to use this year-end money to put toward high school #6, and he also quoted the former supervisor from Rock Hill, Wendy Mauer, who was always saying that \$1 million of debt equals a hundred salaries for a decade. He said that this is a great example of how building construction impacts other things in the budget, this is a perfect one.

Mr. Coen motioned, seconded by Ms. Bohmke to adopt proposed Resolution R21-326.

The Voting Board tally was:

Yea:	(5)	Bohmke, Coen, Lamb, Snellings, Vanuch
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Nay: (0)
Absent: (2) Allen, Dudenhefer

Resolution R21-326 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE SCHOOLS' PRIOR YEAREND SAVINGS TO SUPPORT FUNDING FOR THE RECRUITMENT AND RETENTION OF BUS DRIVERS

WHEREAS, on August 17, 2021, the School Board approved a bus driver recruitment and retention strategy to reduce bus driver shortages; and

WHEREAS, the Schools are currently at a deficit of 50 of the 225 bus drivers, or 22%; and

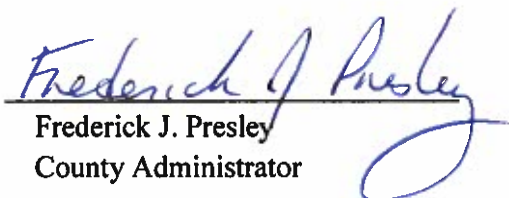
WHEREAS, yearend savings from the Schools is held by the County in the General Fund Reserves and funds are available and can be used for this purpose; and

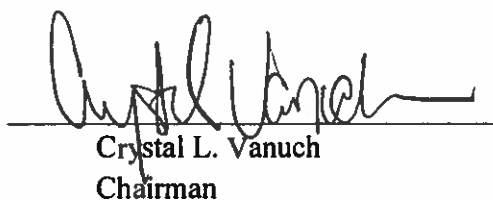
WHEREAS, the Board acknowledges that the County's Financial Policies do not support a trend of using nonrecurring revenue for operating and ongoing expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of September, 2021, that One Million Five Hundred Thousand Dollars (\$1,500,000) of Schools prior yearend savings, held in the County's General Fund Reserves, be and it hereby is budgeted and appropriated as follows:

Fund	Purpose	Amount
County's General Fund	Transfer to Schools' Operating Fund	\$1,500,000
Schools' Operating Fund	Transportation Salaries and Benefits	\$1,500,000

ADJOURNMENT – At 9:50 p.m., Chairman Vanuch adjourned the September 7, 2021 Stafford County Board of Supervisors meeting.


Frederick J. Presley
County Administrator


Crystal L. Vanuch
Chairman

From: ndunwody <ndunwody@aol.com>
Sent: Monday, August 30, 2021 11:42 AM
To: Frederick J. Presley <FPresley@staffordcountyva.gov>
Subject: Easement Access Through Chatham Landing

Robert and Nancy Zalokar, home owners
705 Shaw Court
Stafford, VA 22405

This is directed to all persons who have any input concerning the proposed walking path to be placed on the easement that runs beside Chatham Landing Home Owner's Association. If the parties involved with this project would drive to the site of the proposed path, it should be obvious how detrimental proposed path would be for an, otherwise quiet, safe, private community.

My husband and I would like to address our concerns on the walking path proposed on the easement that passes by Chatham Landing.

Safety Issues Parking

Chatham Landing HOA only allows resident/renter parking in one, of our two designated parking lots, other than the driveways of our townhouses. Most of these driveways accommodate only one vehicle, so both parking lots are usually full. Shaw Court is a narrow road. It allows for 2 vehicles to pass safely at the posted 15 mph speed limit. If, and when, a service vehicle must park on Shaw Court, one car is forced to yield right of way so they can safely maneuver around service vehicles. In case of emergency, a fire truck, or other emergency vehicle, would have to carefully maneuver our street, even when they are clear, to gain access to townhouses. If this road becomes congested by public traffic, road would be impassable, and it becomes a safety issue.

Claiborne Run, and the Rappahannock River, boarder Chatham Landing subdivision. The proposed path on the easement passes over Claiborne Run would allow passers-by easy access to the land owned by the Chatham Landing HOA behind the 100 block of Chatham Landing. Behind the numbered 700 block of townhouses, is a flood plain that borders the Rappahannock. This property is owned and maintained by Chatham Landing as common ground for it's residents and renters. If the general public becomes aware of this river frontage, we could equal the traffic congestion exhibited by Falmouth Park. I hope committee members are aware of the traffic problem and property destruction that has been created by that amount of vehicles and people trying to gain access to the Rappahannock River. We are a private community, and have no law enforcement to keep non-residents out.

Playground and pavilion

Chatham Landing is the only privately owned, closed community that is not on a thoroughfare being affected by this proposal. Our private parking lot, playground and pavilion are easily visible to those on the proposed walking path. In addition, we are surrounded by much wooded area which would be desirable area for vagrants, and the homeless. with unwanted trash, and potential crime.

The Chatham Landing Homeowner's Association understands the desirability, both financially and aesthetically, of putting the proposed path on the easement that passes by our community. Common sense should prevail for the hardships it will create for an otherwise peaceful community, in terms of safety, trespassers and trash.



Please consider using Naomi Road as an alternative route for the proposed walking path.

Sincerely,

Bob and Nancy Zalokar