BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
OCTOBER 5, 2021

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:01 p.m. on Tuesday, October 5, 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; Tinesha O. Allen, Meg Bohmke; Thomas C. Coen; L. Mark Dudenhefer; Gary F. Snellings.

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

ANNOUNCEMENTS – Ms. Vanuch started with a COVID-19 update, stating that the situation with COVID-19 is still very serious, although there is some good news. She said the Virginia Department of Health announced that the surge and the Delta variant are waning in Northern Virginia and the rest of the state. However, she said, Mary Washington Health Care is reporting that most of the hospitalized patients at Mary Washington and Stafford hospitals are unvaccinated, with all ICU and ventilator patients being unvaccinated patients. She said the hospital still is under stress, and she encouraged all listening to get the vaccine. She said on behalf of the Board members, thoughts and prayers go out to all healthcare workers who have worked so hard to take care of everyone during this very difficult time.

Ms. Vanuch said the new Chatham Bridge is set to open next weekend. She said the Board will be holding a ribbon cutting ceremony with the Virginia Department of Transportation and the City of Fredericksburg at 10 a.m., on the bridge, on Saturday, October 9, 2021. She said everyone from the public is invited, and pedestrians are welcome to stroll the bridge from 10 a.m.-2 p.m. without car traffic. She said the bridge is very beautiful and encouraged everyone to come out for the ribbon cutting.

Ms. Vanuch said this is a reminder that there will not be an evening Board session this evening, as they would be completing all the business this afternoon so members may attend National Night Out. She said this year, National Night Out takes place from 5-8 p.m. at the Lowes at Stafford Market Place in northern Stafford. She said this is a wonderful event and a time when the community and public safety come together to renew their vow to make the community safer. She said there are vendors, great food, public safety equipment, and demonstrations, and she asked for everyone to join for the event.

PRESENTATIONS

Ms. Vanuch said she had two proclamations to present. She said the first is for 2021 National Fire Prevention Week, recognized from October 3-9. She invited Fire Chief Joseph Cardello to the dais for the presentation of the proclamation. She said this year's campaign is "Learn the Sounds of Fire Safety." She said residents are asked to educate everyone in their homes on the different sounds that fire alarms and carbon monoxide detectors make. She said knowing what to do when an alarm sounds will help keep families safe. She then welcomed Chief Cardello.

Ms. Vanuch thanked Chief Cardello and presented him with a proclamation that recognized October 3-9, 2021 as National Fire Prevention Week.

Chief Cardello expressed his thanks and said National Fire Prevention Week started in 1925, which makes it the longest-running public health observance in America. He said the theme for Fire Prevention Week is "Learn the Sounds of Fire Safety." He said everyone knows what a smoke alarm sounds like when it's going off, and what he challenges everyone to do in October is to talk with their children and families not only about what it sounds like, but what to do in the event of a fire. He said three out of five home fire deaths in America were in houses with no working smoke alarms, and these are tragedies that could have easily been prevented. He said this month, Stafford County Fire and Rescue will be out in elementary schools talking to children about fire safety and will also be out in the communities—knocking on doors, checking smoke alarms, and providing information to residents about the importance of smoke alarms. He said if any resident needs assistance with a smoke alarm, SCFR can be reached during business hours at 540.658.7200 or on the web or social media pages to leave a message to which a response will be made right away.

Ms. Vanuch thanked Chief Cardello.

Next, Ms. Vanuch said she is delighted to welcome the next group up to the dais. She said this year the Board partnered with the Stafford Schools to sponsor a Hispanic Heritage art contest to celebrate Hispanic Heritage Month. She said the finalists are here to accept a proclamation on behalf of the Hispanic community. She commented that these children are so incredibly talented and had them present their artwork, adding that making decisions for this contest has been some of the toughest they have had to make. She said over the last couple of weeks, the Board had the opportunity to look over all of the artwork and choose a winner, which was a very tough choice.

Ms. Vanuch asked each artist to say their name, the school they attend, and the grade they are in, so the public knows who is present and accepting a proclamation for this art contest. The following artists introduced themselves:

Nelly Munoz Colay from Conway Elementary School is in fifth grade.
Daniela Cordova from Kate Waller Barrett Elementary School is in fourth grade.
Isabella Sophia Roman from Margaret Brent Elementary School is in fourth grade.
Natalia Martinez from Hampton Oaks Elementary School is in third grade.
Sasha Mercado from Falmouth Elementary School is in third grade.
Mariah Edwards from Anthony Burns Elementary School is in fifth grade.
Mia Rangel from Park Ridge Elementary School is in fifth grade.
Amanda Campos-Bocaz from Ferry Farm Elementary School is in third grade.
Daniela Ceja Perez from Widewater Elementary School is in fifth grade.
Jasmine Palomino from Stafford Elementary School is in third grade.

Ms. Vanuch read the proclamation and asked for attendees to join her in a round of applause for all the finalists, and before she named the winner, she gave parents the opportunity to take photos with the Supervisors. She asked for everyone to offer a round of applause for the parents and families who came to support their children.

Ms. Vanuch said on behalf of the entire Board of Supervisors, she is happy to announce that Ms. Mariah Edwards from Anthony Burns Elementary School is the winner of the contest. She said the Board liked her submission because of how well the artwork was executed and how it depicted traditional dances of Hispanic culture. She said Mariah's drawing was from a photograph of her aunt and uncle, who are actual folkloric dancers, and her drawing was in great likeness to the original photograph. She offered her congratulations to all the artists and said the Board does have a small gift for everyone, along with a gift card for Mariah to go with her proclamation and a goody bag. She thanked them all and awarded each artist with a bag.

Ms. Vanuch announced that each Board member is wearing a purple ribbon because October is Domestic Violence Awareness Month, and the purple ribbons recognize the more than 10 million women and men who are physically abused by an intimate partner in the United States. She said she wants to be perfectly clear that no one deserves to be abused, and no one should ever live in fear. She said if anyone is being abused, or knows of someone being abused, to call the National Domestic Violence Hotline at 1-800-799-7233 (1-800-799-SAFE). She said it is never too late to ask for help.

ADDITIONS–DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Ms. Vanuch asked if there were any additions or deletions of the regular agenda.

Mr. Presley said there was an addition under New Business, Item #24 to consider authorizing the Chairman to send a letter on behalf of the Board to the legislature requesting additional time and resources in order to successfully implement the provisions of the Marcus Alert legislation. He said staff will be working with the Sheriff's Department to craft that letter based upon their needs and will provide it back to the Board on October 19 under Unfinished Business.

Mr. Presley said #17 under Unfinished Business, 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) for Proposed Ordinance O21-40 was deleted.

Mr. Presley said this was to approve the zoning reclassification. He said at the request of the applicant, this item has been asked to be moved to February 2022. He said that item would be required to go back to public hearing because under the by-laws, there will be a new Board in place and they will need to reconvene the public hearing at that time.

Mr. Presley said there were handouts for the following items: #20 of Unfinished Business, is a revised resolution R21-325, which is requesting the School Board to participate in a joint investigation regarding pupil transportation issues, or to provide a report from the School Board's Transportation Advisory Committee; #19 is a revised resolution (R21-352) in reference to the ARPA funding strategy and the ARPA appropriation and is a result of the work session that just took place prior to this meeting.

Mr. Coen motioned, seconded by Ms. Lamb, to approve the agenda with the modifications.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC – Ms. Vanuch read the protocol for presentations by the public. She said now is the time if any member of the public is here to address the Board, you will have three minutes to address the Board and to state your name, address, and the district residing in, if known, when the green light comes on. She said when the yellow light comes on, that is a warning there is one minute left and when the red light comes on, please conclude all comments.

1. Ms. Alane Callendar, 622 Lancaster Street – commented about the Mainline development, which was just removed from the agenda. She said since she did not speak at the public

hearing on that issue, she wanted to make a couple of comments now. She said she thinks it is important for some redevelopment at that part of the County, and this development has some nice features. She said she is concerned about the amount of acreage of woods that might be removed for this development. She said she thinks whenever a new development is completed, more needs to be done to preserve the existing tree cover. She said what has happened by the courthouse was a lot of devastation, with so many trees removed for a potential development that has no known dates of completion. She said in the meantime, the land is stripped that can cause erosion problems, wildlife is impacted, and so forth. She said she is concerned whenever a new development is approved, there should be a very wide buffer of existing trees remaining, adding that it is much nicer for the community.

Ms. Callendar said she is also concerned about the schools for children with this new development. She said from what she understands, the County is way behind in the acquisition of land for new schools, and in the plan for building new schools. She asked where the children from this development would be going to school where there is not already overcrowding or near capacity situations. She said she wants to see a lot better planning for public schools.

2. Mr. David Fauth, 18 Antietam Loop – stated he is speaking about proposed resolution R21-325 to consider requesting the School Board to participate in a joint investigation regarding pupil transportation issues. He said he is frustrated that the Board of Supervisors must resort to proposing a joint investigation even though there is no maximum contract amount or timeline on that resolution. He said that while he is not available to bid on this investigation, it seems pretty straightforward to read the public documents and pull together a timeline of events and discussion of the various events that have contributed to the transportation issues.

   Mr. Fauth stated that in late 2019, a transportation audit was conducted and then was presented on October 13, 2020. He said in the minutes, Ms. Hazard observed that it seems "we" should begin implementing the recommendations from the audit sooner rather than later, and Dr. Kizner had recommended that Board members take some time to read the entire audit report and then hold a work session with Transportation Director Barry Sudduth to develop a timeline and concrete plan of action. He said it appears no action was taken.

   Mr. Fauth said from the audit, School Board action is required to determine whether the bell time should change. He continued by saying the School Board should first determine whether to conduct a detailed assessment focused on the desired outcomes and the extent of changes required to achieve those outcomes, and this assessment should be completed prior to November 2020, with any bell-time changes finalized prior to January 2021 to facilitate proper implementation planning for the start of school in August 2021. He said again, it appears this recommendation was not followed.

Mr. Fauth continued by saying that the May 11, 2021 Board meeting again saw the topic of the bell-schedule change, and Dr. Kizner and Mr. Sudduth responded that the plan would work and to trust them. He stated that on May 18, 2021, the plan was updated and approved, and in June Mr. Sudduth retired. He continued his timeline saying August 9th, the first day of school, phones and emails blew up and subsequent transportation updates were provided on August 10 and 17, 2021. He said on August 17, 2021, there was an approval of school bus driver recruitment and retention strategies. He stated that on September 14, there was a formation of an ad hoc committee; on September 20, there was a presentation of transportation data, proposed bell- time change, and bus schedule change; on September 28, there was another transportation update and new bell times.

Mr. Fauth said there are multiple contributing factors, including the need for an additional high school and elementary school to minimize the length of the bus routes. He said the Board can go ahead and request an investigation, but he does not think much more will be learned than what is already available in the public minutes, and it shouldn't take much to put together a quick summary of the issues. He thanked the Board.

Ms. Vanuch asked if there were any other speakers. Seeing none, she moved to the next agenda item.

REPORTS BY BOARD MEMBERS

Ms. Lamb deferred her remarks.

Mr. Snellings deferred his remarks.

Ms. Allen said it is good to be back. She said the last few months have been really challenging, but she is happy to be back and thanked everyone for their well wishes and prayers and she thanked her Board colleagues and staff.

Ms. Bohmke said she would like to pull Item 13 on the Consent Agenda.

Mr. Coen said that October is Breast Cancer Awareness Month, and everyone should be cognizant and take these issues very seriously. Mr. Coen offered thanks to Kyle Bates, whom he asked to look at a traffic situation at Colonial Forge High School. He said Mr. Bates had met with Mr.

Snellings the day before since this is in his district, and Mr. Coen noted that he'd asked Mr. Bates to look at other schools as well. He also said he is pulling Item 7 on the Consent Agenda.

Mr. Dudenhefer deferred his remarks.

Ms. Vanuch deferred her remarks.

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

REPORT OF THE COUNTY ADMINISTRATOR – Mr. Presley offered no report but said there are two informational items, which include a regular update of the 20/40 Strategic Plan and Other Priorities, as well as the monthly Expenditure Listing report.

CONSENT AGENDA

Ms. Bohmke motioned, seconded by Ms. Lamb to adopt the Consent Agenda minus agenda item #7 and #13.

The Voting Board tally was:

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

Item 1. County Administration; Approve Minutes of the September 21, 2021 Board Meeting.

Item 2. County Administration; Budget and Appropriate Capital Project Reserve Funds for Improvements to the General District Court Clerk's Offices.

Resolution R21-369 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS FOR IMPROVEMENTS TO THE GENERAL DISTRICT COURT CLERK'S OFFICES

WHEREAS, space constraints in the Courthouse have been well documented; and

WHEREAS, the Board previously approved a Courthouse improvement project for the Juvenile and Domestic Relations Clerk's offices, storage spaces, and courtrooms, which are under design and expected to take a few years to complete; and

WHEREAS, the General District Court Clerk's offices have more immediate needs for additional work space and safety improvements which can be completed in-house; and

WHEREAS, staff has compiled the estimated costs to deliver the needed improvements and finds the costs are appropriate for the scope of work;

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that funds in the County's Capital Projects Reserve held in the General Fund Reserves be and they hereby are budgeted and appropriated as follows for improvements to the General District Court Clerk's offices:

Department	**Amount**
Community Facilities for Capital Improvements	$196,938

Item 3. Community Engagement; A Proclamation to Recognize the Efforts of the Community and the Sheriff's Office in Hosting National Night Out on October5, 2021.

Proclamation P21-11 reads as follows:

A PROCLAMATION TO RECOGNIZE THE EFFORTS OF THE COMMUNITY AND THE SHERIFF'S OFFICE IN HOSTING NATIONAL NIGHT OUT ON OCTOBER 5, 2021

WHEREAS, the National Association of Town Watch sponsors a unique nationwide community awareness and crime prevention program annually, entitled "National Night Out" that began in 1984; and

WHEREAS, this year marked Stafford's return to hosting a National Night event, after being unable to hold an event in 2020 due to the Coronavirus pandemic; and

WHEREAS, this event provides an opportunity for Stafford County to join forces with thousands of communities across the country in promoting relationships between the community and police to enhance the prevention of crime; and

WHEREAS, the Office of the Stafford County Sheriff sponsored a main event locally at Stafford Marketplace, and smaller events were held in five neighborhoods this year; Stone River, Hickory Ridge, Clearview Heights, Garrison Woods and Augustine North, which held its event in August; and

WHEREAS, the Stafford Marketplace event was a time of celebration and fellowship with community organizations, County entities, citizens and businesses all participating to help encourage citizen engagement in the community; and

WHEREAS, Stafford County continues to strengthen public and private relationships with residents and businesses alike through community outreach programs such as National Night Out; and

WHEREAS, we commend the work of all staff, volunteers and local sponsors who worked tirelessly to make this event the best it can be;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does recognize and honor the Stafford County Sheriff's Office as well as the many partnering neighborhood organizations who hold National Night Out for our community.

Item 4. Community and Engagement; A Proclamation Declaring October 3-9, 2021, as Fire Prevention Week in Stafford.

Proclamation P21-24 reads as follows:

A PROCLAMATION DECLARING OCTOBER 3 – 9, 2021, AS FIRE PREVENTION WEEK IN STAFFORD

WHEREAS, the County of Stafford is committed to ensuring the safety and security of all those living in and visiting our county; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,770 people in the United States in 2019, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 339,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as two minutes to escape safely; and

WHEREAS working smoke alarms cut the risk of dying by fifty percent in reported home fires; and

WHEREAS, Stafford residents should be sure everyone in the home understands the sounds of the alarms and knows how to respond; and

WHEREAS, Stafford residents who plan and practice a home fire escape plan are more prepared and will be more likely to survive a fire; and

WHEREAS, Stafford residents will make sure their smoke and carbon monoxide alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Stafford first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2021 Fire Prevention Week theme, "Learn the Sounds of Fire Safety," effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does proclaim October 3 – 9, 2021, as Fire Prevention Week throughout Stafford County, and urges all the people of Stafford to "Learn the Sounds of Fire Safety" for Fire Prevention Week 2021 and to support the many public safety activities and efforts of Stafford's fire and emergency services.

Item 5. Community Engagement: A Proclamation Declaring October 24, 2021, as World Polio Day in Stafford County.

Proclamation P21-26 reads as follows:

A PROCLAMATION RECOGNIZING OCTOBER 24, 2021, AS WORLD POLIO DAY IN STAFFORD COUNTY

WHEREAS, World Polio Day is held throughout the world on October 24 in celebration of the birth of Jonas Salk, the American researcher who developed the first polio vaccine in 1955; and

WHEREAS, Rotary International and its global partners launched the Global Polio Eradication Initiative (GPEI) more than three decades ago when polio paralyzed 1,000 children every day; and

WHEREAS, since the launch of the GPEI in 1988, more than 17.4 million people, mainly in the developing world, who otherwise may have been paralyzed, are walking because they have been immunized against polio, and

WHEREAS, more than 200,000 paralytic cases of polio are now prevented every year through this initiative which today includes Rotary International Foundation, the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF, the Bill & Melinda Gates Foundation, and Gavi, the Vaccine Alliance, to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99.9 percent since 1988 and the world stands on the threshold of eradicating the disease with only two countries, Afghanistan and Pakistan, each having had only one wild polio case so far in 2021, and

WHEREAS, to date, Rotary has contributed more than $2.2 billion and countless volunteer hours to protecting nearly three billion children in 122 countries; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute more than $10 billion to this effort; and

WHEREAS, there are over 1.2 million Rotary members in 36,000 clubs throughout the world that sponsor service projects to address such critical issues as poverty, disease, hunger, illiteracy, and the environment in their local communities and abroad;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does proclaim October 24, 2021, as World Polio Day in Stafford County;

BE IT FURTHER PROCLAIMED that Stafford County, Virginia, commits to the continued fight for a polio free world.

Item 6. Budget and Management; A Resolution to Amend the Capital Improvement Program Development Policy.

Resolution R21-193 reads as follows:

A RESOLUTION TO APPROVE AMENDMENTS TO THE CAPITAL IMPROVEMENT PROGRAM DEVELOPMENT POLICY

WHEREAS, the Board desires to amend the Capital Improvement Program Development Policy, last revised on July 2, 2019, to modify the definition of Large Scale Projects and update the list of Technical Review Committee members;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the amendments to the Capital Improvement Program Development Policy, last amended July 2, 2019, be and they hereby are approved as provided in the document attached hereto as **Exhibit A**.

Item 7. Budget and Management; A Resolution to Appropriate Funds for Design and Engineering Services for High School #6.

Ms. Vanuch offered the floor to Mr. Coen to address item number 7 of the Consent Agenda.

Mr. Coen said he had two quick questions for Ms. Light, pertaining to High School Number 6 and funding for the engineering and design. He asked if it was fair to believe that the amount being funded is the amount for the school that is in the Board-approved CIP.

Ms. Light responded that it does align with the CIP.

Mr. Coen asked if it also fair to say that this body, in the last five years, has not moved High School Number 6 from a certain standpoint out farther in the ten-year time period.

Ms. Light responded that High School Number 6 first appeared in the CIP in 2016 and at that point, it was scheduled to open in FY26. In FY17, it was moved to FY28, and then moved back in FY19 to FY26. She said it has remained in FY26 since then.

Mr. Coen thanked Ms. Light for her response and said the reason he brings that up is that there are often comments made that this Board has pushed out High School Number 6, which is erroneous.

He said as a lover of history it is an attitude that if you repeat a lie often enough, it becomes believed, and he feels it is important to dispel misinformation when it is being put forward. He said this Board has not moved High School 6 out in the last five years. He said secondly, there is often discussion as to the cost of High School Number 6, and the Board is approving funds in this resolution at the level that they believe the County can afford so that Elementary School 18 can still be handled, along with the three R's and other projects in the CIP.

Mr. Coen motioned, seconded by Ms. Lamb to approve proposed Resolution R21-358.

The Voting Board tally was:

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

Resolution R21-358 reads as follows:

A RESOLUTION TO APPROPRIATE FUNDS FOR THE DESIGN AND ENGINEERING OF HIGH SCHOOL #6

WHEREAS, the Superintendent of Schools has requested the Board appropriate funds for High School #6; and

WHEREAS, High School #6 was approved within the adoption of the FY2022 – 2031 Capital Improvement Program (CIP); and

WHEREAS, the Board desires to appropriate Virginia Public School Authority (VPSA) bond funds in the amount of $6,695,000 for design and engineering services for High School #6;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that Six Hundred Twenty-Two Thousand Six Hundred Fifty-Nine Dollars ($622,659) in 2020B VPSA revenue, Five Million Four Hundred Fifty-Six Thousand Dollars ($5,456,000) in 2021B VPSA revenue, and Eight Hundred Seventy-Seven Thousand Three Hundred Forty-One Dollars ($877,341) in Capital Project Reserve funds be and there hereby are appropriated as follows for design and engineering services for High School #6:

Fund	Purpose	Amount
County's Capital Project Fund	Transfer to Schools' Construction Fund	**$6,956,000**

; and

BE IT FURTHER RESOLVED that Six Million Nine Hundred Fifty-Six Thousand Dollars ($6,956,000) in the County's Capital Project Fund is appropriated as follows:

Fund	Project	Amount

Schools' Construction Fund	High School #6 – Design and Engineering	**$6,956,000**

Item 8. Budget and Management; Budget and Appropriate Federal Funding in FY2022 and Increase the County's Authorized Strength for One Full-Time Equivalent Position for Social Services.

Resolution R21-364 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDING IN FISCAL YEAR (FY) 2022 FOR ONE FULL-TIME EQUIVALENT POSITION FOR SOCIAL SERVICES AND INCREASE THE COUNTY'S AUTHORIZED STRENGTH

WHEREAS, the Supplemental Nutrition Assistance Program-Employment and Training (SNAPET) is part of the Commonwealth's Workforce Development System; and

WHEREAS, SNAPET is a multi-component employment and training program designed to assist SNAP recipients in their employment and training needs; and

WHEREAS, as the Department of Social Services moves forward in the pursuit of excellence and assisting clients with achieving independence, the need to enhance case management services has become a major focus for the Department; and

WHEREAS, the Department of Social Services is requesting authorization of one Self Sufficiency Specialist II; and

WHEREAS, the position will be funded 100% by federal funds in FY2022 and by 84.5% federal funding, thereafter;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that federal funds received to support the Self Sufficiency Specialist II position be and they here are budgeted and appropriated as follows:

General Fund Department	Amount
Social Services	$42,741

; and

BE IT FURTHER RESOLVED, that the County's authorized full-time strength is as stated below, and recruitment and maintaining full-time positions up to the authorized strength is permitted:

General Fund	FY2022	Revised FY2022

Non-Public Safety	~~412~~	414
Public Safety	493	494
Utilities Fund	162	162
Capital Projects Fund	2	2
Transportation Fund	2	2
Total	~~1,071~~	1,074*

*The Revised FY2022 includes positions authorized in proposed Resolutions R21-364 and R21-374, which are concurrently on the Board's agenda for approval.

Item 9. Budget and Management; Budget and Appropriate Capital Projects Reserve Funds to the Sheriff for Server Upgrades.

Resolution R21-373 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE CAPITAL PROJECTS RESERVE FUNDS TO THE SHERIFF

WHEREAS, the Sheriff's Office oversees servers that provide video surveillance for multiple County buildings; and

WHEREAS, issues have occurred with the video feed causing delays, a choppy feed, and locking up; and

WHEREAS, the Sheriff's Office has tried unsuccessfully to remedy these issues with computer upgrades and additional ethernet drops; and

WHEREAS, additional funds are needed to replace the servers;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that Capital Projects Reserve funds held in the General Fund be and they hereby are budgeted and appropriated as follows:

General Fund Department	Amount
Sheriff	$158,963

Item 10. Capital Projects Transportation; Request Reimbursement from the Potomac and Rappahannock Transportation Commission (PRTC) for Transportation Expenditures.

Resolution R21-361 reads as follows:

A RESOLUTION REQUESTING REIMBURSEMENT FROM THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (PRTC) FOR TRANSPORTATION EXPENDITURES

WHEREAS, Stafford County budgeted funds in its Transportation Fund for various programs including the Fredericksburg Regional Transit Authority (FRED), Stafford Regional Airport, social services client transportation, and road improvements during Fiscal Year (FY) 2020 through FY2021; and

WHEREAS, gas tax receipts due to the County from the Commonwealth of Virginia are held by the PRTC as the fiscal agent until reimbursement is requested for eligible expenses; and

WHEREAS, the County expended $1,400,418.00 in FY2020, and $2,358,483.00 in FY20201, in eligible transportation-related expenses; and

WHEREAS, the Board requests that PRTC reimburse the County for these transportation-related expenses from the County's Motor Fuels Tax Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does request that the Potomac and Rappahannock Transportation Commission (PRTC) reimburse the County for transportation-related expenses eligible for gas tax reimbursement in the amount of Three Million Seven Hundred Fifty-Eight Thousand Nine Hundred One Dollars ($3,758,901) for Fiscal Years 2020 through 2021 from the County's Motor Fuels Tax Fund; and

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

<u>Item 11. Capital Projects Transportation; A Resolution Authorizing the County Administrator to Advertise a Public Hearing to Consider Amending and Reordaining Stafford County Code Sec. 15-56, "Designation of Restricted Parking Areas" to Add Certain Streets within the Briarwood Estates Subdivision</u>

<u>Resolution R21-368 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND REORDAINING STAFFORD COUNTY CODE SEC. 15-56, "DESIGNATION OF RESTRICTED PARKING AREAS," TO ADD CERTAIN STREETS WITHIN THE BRIARWOOD ESTATES SUBDIVISION, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Virginia Code §§ 46.2-1222.1 and 46.2-1224 authorize the County to regulate or prohibit parking on any public highway in the County, of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

WHEREAS, the Board finds that regulating or prohibiting the parking of watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes on public highways serves the public health, safety, and welfare of the County and its citizens; and

WHEREAS, the Board adopted Ordinance O10-37, which established criteria for the designation of restricted parking areas; and

WHEREAS, residents of the Briarwood Estates subdivision have submitted a petition representing over 51% of community support requesting the establishment of a restricted parking area within the Briarwood Estates subdivision, and the petition satisfies the requirements of Stafford County Code Sec. 15-56; and

WHEREAS, the petition from the Residents requests that Briarwood Drive (SR-1190), Clarion Drive (SR-665), Heritage Road (SR-1170), Hardwick Street (SR-1195), Ashbury Drive (SR-1193), Vesta Drive (SR-1194), Wickham Court (SR-1192), and Wynngate Court (SR-1191) within the Briarwood Estates subdivision be designated as a restricted parking area; and

WHEREAS, the above-referenced streets within Briarwood Estates subdivision meet the established criteria to designate a restricted parking area; and

WHEREAS, the Board desires to consider public comments concerning the proposed restricted parking area within Briarwood Estates subdivision;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and reordaining Stafford County Code Sec. 15-56, "Designation of restricted parking areas" to designate Briarwood Drive (SR-1190), Clarion Drive (SR-665), Heritage Road (SR-1170), Hardwick Street (SR-1195), Ashbury Drive (SR-1193),Vesta Drive (SR-1194), Wickham Court (SR-1192), and Wynngate Court (SR-1191) within the Briarwood Estates subdivision as a restricted parking area, pursuant to proposed Ordinance O21-48.

Item 12. Capital Projects Transportation; A Resolution Authorizing the County Administrator to Execute Contracts with Firms to Provide On-call Professional Transportation Engineering Services for the County

Resolution R21-370 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH FIRMS TO PROVIDE ON-CALL

PROFESSIONAL SERVICES FOR CATEGORY C-TRANSPORTATION PLANNING AND ANALYSIS FOR THE COUNTY

WHEREAS, the County contracts with multiple engineering firms authorized to perform professional, on-call services for various County projects; and

WHEREAS, the County solicited proposals pursuant to Request for Proposals (RFP) No. 21-011-9602SP from qualified firms to provide on-call engineering services for three categories of transportation projects:

- Category A-Transportation Engineering,
- Category B-Transportation Construction, and
- Category C- Transportation Planning and Analysis; and

WHEREAS, Virginia Department of Transportation (VDOT) reviews the solicitation and engineering proposals received to determine if they are in compliance with VDOT standards; and

WHEREAS, staff has evaluated the proposals received and determined that Rummel, Klepper & Kahl, LLP, ATCS, P.L.C., and Volkert, Inc. are the most qualified to provide transportation planning and analysis services; and

WHEREAS, VDOT has completed review of the proposals for Category C, and determined that they are in compliance with VDOT standards; and

WHEREAS, individual project or task orders that meet or exceed $200,000 will require approval by the Board, and the sum of all projects during the contract term shall not exceed the sums set forth in Virginia Code § 2.2-4303.1, as amended; and

WHEREAS, funds for these services are available in the Transportation Fund, subject to annual budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the County Administrator be and he hereby is authorized to execute contracts for one year with four optional one-year renewal periods with Rummel, Klepper & Kahl, LLP, ATCS, P.L.C., and Volkert, Inc. to provide professional, on-call transportation engineering services for transportation projects in Category C- Transportation Planning and Analysis; and

BE IT FURTHER RESOLVED that aggregate costs of the contracts shall not exceed the sums set forth in Virginia Code § 2.2-4303.1, as amended, and individual projects or task orders are authorized up to Two Hundred Thousand Dollars ($200,000), unless modified by a duly-authorized contract amendment.

Item 13. Finance; Authorize the County Administrator to Reclassify and Convert the Part-Time Records Retention Specialist Position to the Full-Time Records and FOIA Specialist Position, and Designate a New FOIA Officer.

Ms. Vanuch turned the floor over to Ms. Bohmke to address Item 13 pulled from the Consent Agenda.

Ms. Bohmke said there was discussion during the work session on ARPA funding, and she is satisfied with the information Mr. Presley provided in answer to the questions. She said she is aghast at the number of FOIA requests from July to October 5^{th} and said it was unbelievable. She said unfortunately, this position is well justified.

Ms. Bohmke motioned, seconded by Mr. Coen to approve proposed Resolution R21-374.

The Voting Board tally was:

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

Resolution R21-374 reads as follows:

A RESOLUTION (1) AUTHORIZING THE RECLASSIFICATION OF THE RECORDS RETENTION SPECIALIST POSITION TO THE RECORDS AND FOIA SPECIALIST POSITION, AND CONVERTING THE SAME FROM PART-TIME TO FULL-TIME; AND (2) DESIGNATING A NEW FOIA OFFICER

WHEREAS, the Administrative Assistant to the County Administrator is the County's FOIA Officer and is currently responsible for serving as a point of contact for members of the public requesting public records and coordinating responses to Virginia Freedom of Information Act ("FOIA") requests; and

WHEREAS, the position of Records Retention Specialist was created in the Finance Department as a part-time position; and

WHEREAS, the FOIA Officer duties are more compatible with the Records Retention Specialist position; and

WHEREAS, the addition of the FOIA Officer's duties would require more time, training, knowledge, skills, and abilities of the Records Retention Specialist, and justifies converting the combined position to a full-time position; and

WHEREAS, pursuant to Virginia Code § 2.2-3704.2(A), each governing body shall designate and publicly identify at least one FOIA officer; and

WHEREAS, the County's current FOIA Officer is retiring in October 2021; and

WHEREAS, the Board desires to designate a new FOIA Officer;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does authorize the County Administrator to reclassify and convert the part-time Records Retention Specialist position to the full-time Records and FOIA Specialist position; and

BE IT FURTHER RESOLVED, that the County's authorized full-time strength is as stated below, and recruitment and maintaining full-time positions up to the authorized strength is permitted:

General Fund	FY2022	Revised FY2022
Non-Public Safety	~~412~~	414
Public Safety	493	494
Utilities Fund	162	162
Capital Projects Fund	2	2
Transportation Fund	2	2
Total	~~1,071~~	1,074*

*The Revised FY2022 includes positions authorized in proposed Resolutions R21-364 and R21-374, which are concurrently on the Board's agenda for approval; and

BE IT FURTHER RESOLVED that the Board designates and publicly identifies that the employee filling the position of Records and FOIA Specialist shall be the County's FOIA Officer effective October 29, 2021, and the FOIA Officer's name and contact information shall be posted on the County's website and other places by October 29, 2021 to provide the public notice; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to update the County's Freedom of Information Act (FOIA) Policy, the Rights of Requesters and Responsibilities of Stafford County under the Virginia Freedom of Information Act, and any other document he deems necessary and appropriate, to update the name and contact information of the County's FOIA Officer.

Item 14. Parks, Recreation and Community Facilities; Accept Donation of 1.8 Acre Property Adjacent to Smith Lake Park.

Resolution R21-363 reads as follows:

A RESOLUTION TO ACCEPT THE DONATION OF PROPERTY ADJACENT TO SMITH LAKE PARK

WHEREAS, Barabara F. Gallahan, Stephen H. Grimes, and Sandra Williams (Property Owners) desire to donate to the County Tax Map Parcel No. 21-71 (Property), consisting of 1.8 acres of property, located between I-95 and Smith Lake Park within the Griffis-Widewater Election District; and

WHEREAS, the Property was formerly part of a farm that was divided when I-95 was constructed and is now vacant land with no structures or other improvements on the land; and

WHEREAS, the Property can be included in the total acreage of Smith Lake Park, and maintained by the Department of Parks, Recreation and Community Facilities for park purposes; and

WHEREAS, the Board desires to accept donation of the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the Board be and it accept the donation of Tax Map Parcel No. 21-71 (Property), to become part of the total acreage of Smith Lake Park; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute all documents, and pay any and all closing and recordation costs necessary and appropriate to transfer the Property to the County.

Item 15. Utilities; Authorize the County Administrator to Execute a Task Order with Sagres Construction Corporation for the Wayne Street Water Connector Improvement Project.

Resolution R21-359 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SAGRES CONTRUCTION CORPORATION FOR WAYNE STREET WATER CONNECTOR IMPROVEMENTS

WHEREAS, improvements to the Wayne Street water connector would address the aging and deteriorating infrastructure, which conveys water in the Ferry Farms Subdivision; and

WHEREAS, the improvements would increase the service life of the water distribution system, improve reliability, and reduce service disruptions; and

WHEREAS, the work can be procured via a task order through the Utilities on-call construction contract with Sagres Construction Corporation, Contract #21-003-5030SB-R-SC; and

WHEREAS, staff has reviewed the cost proposal and believes it is reasonable for the scope of work desired; and

WHEREAS, funds for the work are available in the Utilities Capital Improvement Program Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the County Administrator be and he hereby is authorized to execute a task order with Sagres Construction Corporation for the Wayne Street Water Connector Improvement project, in an amount not to exceed Two Hundred Ninety-Eight Thousand Five Hundred Ninety-Four Dollars ($298,594), unless modified by a duly executed change order.

Item 16. Utilities; A Resolution Authorizing the County Administrator to Approve Expenditures for Pump and Haul Services.

Resolution R21-360 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES FOR PUMP AND HAUL SERVICES

WHEREAS, the County currently provides subsidized pump and haul services to 16 homes in locations throughout the County; and

WHEREAS, the County contracts with 24/7 Grease Trap & Plumbing, Inc., Contract #19-5001-B007, pursuant to Invitation for Bid (IFB) #913182, to provide the pump and haul services; and

WHEREAS, the total contract value is anticipated to exceed $200,000 in total costs for these services; and

WHEREAS, funds for the pump and haul services are available in the Utilities Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the County Administrator be and he hereby is authorized to approve expenditures for 24/7 Grease Trap & Plumbing, Inc., Contract #19-5001-B007, for pump and haul services in an amount not to exceed Fifteen Thousand Dollars ($15,000) in fiscal year 2022, for a total contract amount of $214,304, unless modified by a duly-executed contract amendment.

UNFINISHED BUSINESS

17. 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 said this item has been deferred into the year 2022 per the applicant's request.

Item. 18. Budget and Management: Consider Adopting the American Rescue Plan Act (ARPA) Funding Strategy.

Ms. Vanuch asked Board members if they felt a presentation was necessary as they just reviewed this and asked if there were any additional questions. Seeing no one respond, she asked for a motion to approve.

Ms. Lamb motioned, seconded by Mr. Snellings to approve proposed Resolution R21-353.

The Voting Board tally was:

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

Resolution R21-353 reads as follows:

A RESOLUTION APPROVING THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING STRATEGY

WHEREAS, the federal government provided funding to localities through the American Rescue Plan Act of 2021 (ARPA); and

WHEREAS, Stafford County is anticipated to receive a total of $29,695,536 in two equal tranches, with the first tranche having been received in May 2021; and

WHEREAS, the Board has appropriated $5,361,416 on Resolutions R21-194; R21-231; R21-289 and R21-288; and

WHEREAS, the Board has considered the needs of the County and its business community and citizens, and the Stafford 2040 Strategic Plan; and

WHEREAS, the adoption of this Resolution will establish the Board's strategy to move forward and expend the ARPA funds (ARPA Funding Strategy), but it does not constitute authorization to spend the funds or contract for goods or services;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the American Rescue Plan Act (ARPA) funding strategy be and it hereby is approved for the following purposes and in the following amounts and percentages from the remaining, unspent funds from the first tranche of ARPA funding, all as in compliance with guidance from the Department of Treasury:

Purpose	Percent	Amount
To support Stafford citizens economically or otherwise disadvantaged by the COVID-19 pandemic ($300,000 appropriated on R21-231 to United Way)	10%	$2,669,554
To support Stafford County Economic Development, including support of businesses	10%	$2,969,554
Dedicated and Responsive Public Safety Team		$4,887,207
Vibrant and Exciting Business Community		$2,420,000
Organizational Excellent		$2,990,587
The Heartbeat of Recreation, History and Culture		$400,000
The Use of Revenue Replacement for Bonuses		$1,632,513
Rehire furloughed employees and administration of funds		$4,948,792
Remaining Revenue Replacement to support future capital costs		$1,145,913

; and

BE IT FURTHER RESOLVED, the County Administrator, or his designee, is authorized to use revenue replacement funds to provide for the most effective and efficient purchasing of goods and services and to reduce the burden to staff.

Item 19. Budget and Management; Consider Appropriating American Rescue Plan Act (ARPA) Funding for the Sheriff's Office and Economic Development.

Ms. Vanuch said the Board has been provided with a new resolution, R21-352, that has removed the economic development piece. She said it is ARPA grant funding for the Sheriff at $41,616.

She asked if anyone had any questions on the new resolution provided.

Ms. Bohmke motioned, seconded by Mr. Coen to approve proposed Resolution R21-352.

The Voting Board tally was:

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

Resolution R21-352 reads as follows:

A RESOLUTION APPROPRIATING AMERICAN RESCUE PLAN ACT (ARPA) GRANT FUNDS

WHEREAS, on March 11, 2021, the Federal Government approved the American Recovery Plan Act (ARPA) and provided ARPA grant funds to support localities recovering from the COVID-19 public health pandemic; and

WHEREAS, in May 2021, the first tranche of two was received by the County in the amount of $14,847,768; and

WHEREAS, the Board has previously approved the following ARPA grant fund appropriations:

Resolution	Grant Amount	Purpose
R21-194	$80,208	Consulting services needed to administer the grant funding in FY2021
R21-231	$300,000	United Way to provide rent and mortgage assistance to Stafford County residents impacted by COVID-19
R21-262	$1,650,000	Extension of a gravity sewer line in the area of Cedar Lane
R21-265	$450,000	Installation of an access road at Old Duff House
R21-263	$3,000,000	County-wide telecommunications fiber
R21-289	$8,273	Staff salaries for grant administration
R21-288	$142,935	Rehiring furloughed employees

; and

WHEREAS, the COVID-19 pandemic has created the need for the Sheriff's Office to use Zoom video conferencing for virtual meetings and trainings; and

WHEREAS, the Sheriff's Office also requests grant funds for the purchase of 34 iPads with internet access and protective cases to help manage the pandemic in a safe and healthy manner and to be more productive out in the field; and

NOW, THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that American Rescue Plan Act (ARPA) grant funds be and they hereby are appropriated in fiscal year 2021 as follows, to purchase Apple iPads and accessories by the Sheriff's Office:

Fund	Department	Amount
ARPA Grant Fund	Sheriff	$41,616
	TOTAL ARPA Grant Fun Appropriation	**$41,616**

<u>Item 20. Board of Supervisors Consider Requesting the School Board to Participate in a Joint Investigation Regarding Pupil Transportation Issues.</u>

Ms. Vanuch asked her fellow Supervisors to look at the meeting materials and asked if they would like to do anything with this resolution. She said she watches the School Board meetings and noted that they have created a Transportation Advisory Committee comprised of public citizens. She said she is happy to know that one of her residents is on that committee and has no worries that citizen will get to the bottom of what happened with the transportation debacle. She said she had asked staff to edit that resolution so that the Transportation Advisory Committee would provide a report not only to the School Board but also to the Board of Supervisors. She said that is a summary of the resolution, and she would defer to the rest of the Board as to whether or not to take action on it today.

Ms. Allen said she is in support of the Board of Supervisors receiving a copy of that report because this was a countywide issue. She said she would really like to know what happened, as she still has not received a report or even a phone call about what the issues are. She said it is each of their responsibilities to report to their constituents about what happens in their district, and while this issue is not a direct responsibility of the Board of Supervisors, they are responsible for knowing and sharing details of the ongoings of their districts.

Ms. Vanuch asked if that was a motion.

Ms. Allen confirmed that it was a motion to approve.

Ms. Bohmke said she is in support of the resolution as well but asked if it had a deadline. She said she did not see a deadline in the resolution and would also ask Mr. Presley to provide the Board a copy of the transportation report that speaker David Fauth mentioned in his public comment. Ms. Bohmke said she did not realize that had occurred and that the school division did not take any action on the report.

Mr. Presley said he would request a copy of the report. He said as far as the timeline for the committee that the School Board put together, he is not sure what that is.

Ms. Vanuch said they have not met yet but would say if they have not received a report in six months, the Board could ping on this resolution for the timeline. She said she is also very supportive of removing the "requesting a joint investigation" part because they have done exactly what that investigation would do—set up an advisory committee from the public. She said she really hopes they talk to the bus drivers because she had a bus driver walk up to her outside of a grocery store who blew her mind with information. She said she really hopes that committee will take some time and reach out to the bus drivers.

Ms. Vanuch asked if this resolution could be amended by striking out that "the Board is requesting the School Board to participate in a joint investigation" and instead say "the Board is requesting to be provided with the report from the School Board Transportation Advisory Committee on the transportation issues."

Ms. McClendon confirmed that this particular change could be made. She noted that it is an "or" proposition and in drafting it, the language was left there just in case the Board does not get that report. She emphasized that it is a request, and the School Board may decline it, so this gives the Board some flexibility if they do not receive what they are looking for.

Ms. Bohmke said six months is a long time and feels that this committee should have information at their fingertips. She asked if there was a way to request a summary within three months and something more detailed later, as she feels like in six months there will be another issue.

Ms. Vanuch agreed and said that perhaps with four months, it gets everyone through the holidays.

Ms. Allen said she agreed with the end of year timeline, and there would be a turnover of the Board. She said they can always request more time, if necessary, but there is at least an expected timeframe.

Ms. Vanuch said she believes the committee was set up so the change in Board would not impact them and their work.

Ms. Allen motioned, seconded by Mr. Coen to approve proposed Resolution R21-325.

The Voting Board tally was:

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

<u>Resolution R21-325 reads as follows:</u>

A RESOLUTION REQUESTING THE SCHOOL BOARD PARTICIPATE IN A JOINT INVESTIGATION REGARDING PUPIL TRANSPORTATION ISSUES OR PROVIDE A REPORT FROM THE SCHOOL BOARD'S TRANSPORTATION ADVISORY COMMITTEE

WHEREAS, Stafford County Public Schools started the 2021-2022 school year on August 9, 2021; and

WHEREAS, many parents and students throughout the County encountered significant transportation challenges; and

WHEREAS, both the Board and School Board have received numerous questions and complaints regarding pupil transportation, including buses being late, buses not showing up, and buses dropping children off at the wrong stops; and

WHEREAS, the Board desires to work with the School Board to investigate, through an independent contractor, the pupil transportation issues encountered and to create and implement near-term and long-term solutions to the pupil transportation challenges; and

WHEREAS, the School Board recently established a Transportation Advisory Committee to review available data and routes, and short- and long-term transportation issues, and make recommendations to the School Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does request the School Board to participate in a joint investigation, through an independent contractor, to examine Stafford County Public Schools pupil transportation issues, particularly those surrounding the start of the 2021-2022 school year; or in the alternative the Board requests the School Board provide a report from the School Board's Transportation Advisory Committee at a Board meeting, and provide relevant data, documents, findings, and written materials from the Committee, which are not protected from disclosure by December 31, 2021.

Item 21. County Attorney; Consider Proposed Amendments to the Board's By-Laws and Rules of Procedure, and Electronic Participation in Meetings Policy.

Mr. Coen reported that the committee met, came forward with, and compiled its information—but because of extremely long agendas over the summer and some absences of Board members, it is finally being brought forward today. He said that in July, the Virginia legislature also changed some codes relating to electronic meetings and the procedures thereof. He said that based on questions and input from others, before reviewing the resolution, he is looking for input into whether this Board should be making changes of by-laws so soon before the beginning of new terms and change of representation, or just review the items under the state code.

Mr. Snellings said three members will no longer be present in 88 days, and he does not think it is fair to the next Board nor does this group need to make the decision, but they can go ahead and incorporate the new state code—but any other changes to the by-laws should be left to the new Board that takes office on January 1, 2022.

Ms. Bohmke said she agrees with Mr. Snellings and thinks it is the fair thing to do, as they will be the by-laws of that new Board.

Ms. Vanuch also expressed her agreement.

Mr. Coen said he also agrees. He said the committee did a lot of work, but based on the timing, he does agree to wait until January.

Ms. Vanuch asked if they would like to take action on the electronic meeting state code changes.

Mr. Coen made the motion, seconded by Ms. Lamb, to amend Section 7 of the Board of Supervisors' policies to follow state code.

Ms. McClendon clarified that the portion up for change in the by-laws covers general provisions and guidance to help the electronic meetings. She said the actual state code provision that is changing is the electronic participation in meeting policy, and that is separate from the Board's by-laws. She asked that the policy be updated, instead of the by-laws, to comply.

The Voting Board tally was:

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

Resolution R21-246 reads as follows:

A RESOLUTION ADOPTING AN AMENDED POLICY GOVERNING ELECTRONIC PARTICIPATION IN MEETINGS BY BOARD MEMBERS

WHEREAS, the Board adopted its Policy Governing Electronic Participation in Meetings by Members (Policy) in 2014; and

WHEREAS, the Board desires to update its Policy to reflect changes in State law;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the Board be and it hereby does adopt amendments to the Stafford County Board of Supervisors Policy Governing Electronic Participation in Meetings by Members, as last revised in 2021.

NEW BUSINESS

Item 22. Development Services; Discuss the Proposed Neighborhood Stormwater Infrastructure Grant Program.

Director of Development Services Paul Santay said he apologizes because he thinks he is going to slow down the pace of the meeting, but he will do his best to move quickly through this discussion of the proposed stormwater and infrastructure grant program. He said as a quick refresher and in response to the Board's strategic priorities, the Board commissioned the creation of the Stormwater Infrastructure Funding and Implementation Committee (SIFI) in November 2020. He said supervisors Bohmke and Lamb are members on that committee. He said there have been various meetings and multiple discussions, and as a result, they concluded with the local grant program being detailed today.

Mr. Santay stated that during the FY22 budget discussion, the Board also earmarked $100K towards whatever the result would be in terms of a funding strategy going forward for this kind of program. He said a large driver of the selection of this proposed grant pilot program was the General Assembly's adoption of the 2019 state code that grants this authority to local governments. He said this basically paves the way for localities to establish local government grant funds for the purpose of assisting owners of private properties that need assistance for everything from erosion and sediment control, stormwater management, and localized flooding—all on developed lands.

Mr. Santay stated that over the last few years, the County has seen a dramatic uptick in community-wide drainage issues, or localized flooding issues, pipe failures, sink holes, etc. He said he would argue it goes back further than that, as he has been with the County for 17 years and remembers 16 and a half years of drainage complaints. He said this is not new but has shown an uptick over the last few years. He said that while the previous needs of the County in terms of stormwater management were being addressed, there are more emerging needs that need a solution moving forward.

Mr. Santay said that is the goal of the new Stormwater Infrastructure Grant Program. He said it is not a cure-all for the stormwater issues being seen throughout the County, but the Committee believes it is really a great start and potentially provides the foundation if the Board chooses to continue with this program.

Mr. Santay explained that the program provides funding to privately owned but publicly dedicated residential drainage systems and stormwater management facilities, and eligibility includes everything from homeowners' associations to non-HOA residential subdivisions to even private property issues on solo properties. He said as far as grant-funding options, there are a lot of circumstances in which stormwater situations arise and include inventorying and inspecting existing infrastructure, repairing systems, and providing maintenance on everything from stormwater infrastructure to drainage systems to stormwater ponds in a residential community. He noted that the committee did broaden the scope on where certain portions of the community could take advantage of the program.

Mr. Santay mentioned that this program is a County applicant cost-share program, meaning that the applicants themselves must contribute private funds to utilize the grant funding provided with this program. He said he likens it to the SLAF funding coming down from the state level to a local level, and it can provide much benefit to struggling property owners. He noted that it does have maximum and minimum awards.

Mr. Dudenhefer asked if this meant matching funds or contribution. He gave the example of Blossom Wood Court and the collapse of the pipe. He said the two people on each side do not have significant funds, and he has been trying to piece together funds to get to the $85K for that repair. He asked how that would qualify and how he could apply.

Mr. Santay said he would discuss Blossom Wood Court at the end of the presentation and said it is probably the perfect example for this program. He said the committee did look at some of those instances where homeowners, or a group of homeowners, may not have the funds to deal with these types of things. He said he thinks that would be part of the discussion as to what might need to change.

Mr. Santay said the application process being proposed could be a complete reimbursement of half of the funds, once the project is completed, which would not necessarily put the people in Mr. Dudenhefer's example in a great position. He said the other option is that there could be discussion to make changes where some funding is put forth on the private side first, with reimbursements submitted as the project commences, where they could get the money to then use towards moving on to the next phase of the project. He said the committee did not think it was appropriate to forward grant money out from the beginning without any sort of stake in the game from the homeowners.

Mr. Dudenhefer said he agrees with that, especially on the private properties. He said the Board should not just jump in to fix everyone's problems, as that is not affordable. He said this is a very familiar situation to all, and he is no closer to fixing the problem now than he was two years ago.

Ms. Allen asked if there is a percentage that homeowners must pay for the program to match and whether there would be a set percentage or a sliding scale percentage, or how that would be determined.

Mr. Santay responded that he would get into the details during the presentation, but for things like a drainage issue or pond repair, it is a 50/50 match up to a certain threshold. He said as far as some of the upfront professional engineering work that might be done, that is a 75/25 situation where the County would fund up to 75% for that kind of effort. He said he would be going into more detail on that and what the maximums are for those kinds of projects.

Ms. Allen said in a follow-up to that, she wondered about severe cases for which they are unable to get to the minimum percentage and whether there would be something of an income scale to determine eligibility.

Mr. Santay said he thinks that is a definite point of discussion for the Board, and as Supervisor Lamb had mentioned, this is really a pilot program and a first-year response; changes can be made as the program grows. He said he would be back at the next meeting to discuss authorizing a public hearing, as they are not able to proceed with this type of grant program without holding a public hearing.

Ms. Allen then asked if there is an extensive list of where these areas are, or whether people have to reach out with issues to request help.

Mr. Santay said an informal list has been generated over the course of many years, but this program would be a once-per-year solicitation that would be promoted through public outreach efforts and solicitations.

Ms. Allen asked how many projects this program will allow for each year.

Mr. Santay said it really depends on how they get scored, but one project could take the maximum $25K if it is eligible; with only $100K allocated for the first year, only a handful of projects may absorb the bulk of the costs. He said the committee thinks there are other projects out there that are just as reasonable—and at a lower cost—that may also score well to be part of the selection process. He said again this is a pilot program and they will need to see what the demand is first.

Ms. Allen asked if the requests are greater than what the program can meet, whether they would come back to the Board for additional funding, to tackle a certain number of projects based on the demand.

Mr. Santay said the committee would be able to tell the Board what kind of demand is being seen for projects and if the current funding is adequate or not in the years moving forward.

Ms. Allen asked Mr. Presley if in future years, the Board and/or County would have the capacity to increase those funds without having to take it from somewhere else.

Mr. Presley said as part of the budget process, the Board can look at raising the amount of the funds, but this would require determining priorities; these funds will have to come from somewhere else or from raising taxes.

Mr. Santay said this program does not provide grant funding for non-residential properties. He said it is not that those issues don't exist, but the funding is not allocated for non-residential properties; the bigger need is seen in residential communities. He said it also does not address anything within the VDOT right-of-way, which would not be considered for this program. He said driveway culverts will also not be considered in the program, as those are for the sole benefit of a single property owner, and this program is designed to address a drainage issue that affects multiple property owners or has a rather large impact area. He said it also does not include any on-lot stormwater management facilities that impact only a single property.

Mr. Santay stated that regarding the grant funding itself, the first column shown on his slide is for the investigation aspect of what causes drainage issues and is for inventorying and inspecting, as well as completing engineering studies. He said that provides a nice amount of grant funding to support the investigative nature of what the underlying causes might be, rather than just repairing the issue from what is seen at the surface. He said the second grant category is to address the drainage and conveyance systems that need maintenance and repair, which provides the assistance to address those failed issues. He said the third column is the same as the drainage and conveyance systems but is just the maintenance, repairs, and improvements to actual stormwater facilities or ponds. He said there is a lot that goes into the stormwater ponds, and he would like to see those continue to be maintained, or to be repaired if failing.

Mr. Santay said he will caveat everything by saying this is a reimbursement program, so while it would be great to use funds right from the beginning to help with these instances, it does make fiscal sense to be more of a reimbursement program, like the County does with the state on stormwater management retrofits.

Mr. Santay said in looking at the first column of completing the investigation, there is value to having a professional design engineer send a camera into the pipe to find out the source of the issue. He said that portion of the program offers a 75/25 match whereby the County will provide a maximum of $6,000. He said the second column demonstrates the more extensive funding opportunity—a 50/50 match up to a maximum of $25,000 for qualifying projects. He said the stormwater pond maintenance and the BMP repairs and maintenance are also a 50/50 match, but the maximum County contribution to that section is $7,500. He said part of the reason for that is because most of the stormwater ponds in the County are already under some sort of maintenance program, and a lot of them are already being regularly maintained, have reserve studies in place, or have funding already being prepared for them. He said the committee wanted to limit the funding options for things they felt would be more appropriate.

Mr. Santay said each of these categories is able to obtain grant funding by reimbursement up to two years after the project is completed. He said the committee did not want property owners to be stressed with having to apply, finish, and complete everything in a year to hopefully get funding—so it can get stretched out to two years to be submitted for funding reimbursement.

Mr. Santay stated that the applications would be solicited from October to December, which gives staff time over the late winter and early spring to review and select projects for property owners to move forward, select contractors, and go forward with the project. He said as with any application, the content and criteria are important. He said he is hopeful that with this process, applicants will perform due diligence to provide very detailed information and include all studies and assessments already completed. He said while staff can help research, they are looking for complete and succinct applications.

Mr. Santay indicated that once applications are submitted, the committee recommended that staff assume the responsibility of scoring the criteria initially. He said the County has excellent staff members who are happy to score each application separately, and those scores would then be combined to get an average and then take the results of those scores back to the committee for discussion and selection.

Ms. Allen asked if the scoring would be on the application.

Mr. Santay responded that transparency is very important, and in the application's final draft, the scoring criteria is outlined. He explained that the scoring criteria was selected on various circumstances based on how critical the issues are. He said if it involves health, safety, or welfare with homes and property, it will take a greater precedence than other scoring metrics. He said the easement requirements are also included. He said what the County does not want to do is get into a situation where the funding goes toward a private issue that doesn't establish a long-term maintenance or responsibility. He said if a stormwater drainage issue is already in an established easement that outlines who is responsible for the maintenance thereafter, that will be scored fairly high. He said the County does not want to invest in a project where at the end of the project, maintenance responsibility is not established. He said the scoring maximums are anywhere from 5, 10, and 15 points, but they will score based on factors in between.

Mr. Santay emphasized that while every nuance cannot be captured, the Committee felt that the criteria was refined enough to identify what those successful projects would be while eliminating the ones that would not be appropriate for funding. He said a lot of the criteria listed is used in various grant programs seen in Virginia at the local level and also captures some of the scoring metrics seen at the SLAF level. He said this has also been tailored to Stafford-specific issues, and there is a desire to see long-term maintenance of these problems once they are fixed.

Mr. Santay stated that the next two slides show examples of current situations that could be eligible for the program. He said the first is Blossom Wood Court, which has an ongoing issue, and this project would score very well even though they have not had an engineering study completed. He said the HOA has gone back and forth as to whether they are involved or not, but it has forced the homeowners to figure out a solution. He said the committee's best guess on this project was $65K, and if it is one of the projects selected, it would address a drainage and stormwater problems and would be eligible for up to $25,000 of reimbursed funding out of the program. He said what they would like to ensure, if this is selected, is that the long-term maintenance matters would be addressed.
He said the second example is in the England Run Townhomes, where there are a few stormwater ponds. He said from his memory, they do a great job on maintenance, and the County inspects all of their facilities as they do with all County facilities every two years. He said they just happen to have a rather large maintenance issue that they didn't expect. He said they are addressing the issue and are in the middle of fixing it. He said this project would score very well in the stormwater pond repair and maintenance column, and the funding would offer a $7,500 maximum reimbursement.

Mr. Santay said that before he answers questions, he wants to remind the Board that Ms. Allen would be coming back later in October to seek authorization to advertise for public hearing.

Ms. Allen asked for clarification on determining the easement for Blossom Wood Court. She asked if before a grant is awarded, whether the County would make sure there is an agreement in place for management of the long-term maintenance.

Mr. Santay responded that the property is already in an easement.

Ms. Allen clarified that if this were not the case with a given property, the County would ensure there was a plan for maintenance in place.

Mr. Dudenhefer commented that he has multiple people willing to provide funds for this issue, and the $25K would probably get him there. He said he has a developer, VDOT, and other contributors, and he feels this gives him leverage with the HOA. He stated that there is good opportunity with this program. He then asked if it needed to be the specific homeowner who provides funds or if any party could do so.

Mr. Santay responded that it could be the homeowner, a group of homeowners, an established HOA, or a party willing to put up the funds to match whatever the grant opportunity would be.

Ms. Allen asked who was making the final decision once the projects have been scored.

Mr. Santay replied that internally, it was discussed that the committee would determine approvals but did not want to take away from the full Board, should that be the decision.

Ms. Allen said she asked because the equity issue potentially becomes political, and she would recommend leaving the decision to staff based on their expertise and recommendations; there would therefore be no questions of impropriety on any Board member's behalf. She said she is very concerned about equity and affordability, and she asked what would happen with some of the larger projects if the homeowners really can't afford it.

Mr. Santay responded that part of the requirement is to make sure they have matching funding. He said as desirable as it would be to have a project completed, if the matching funds are not available, the project is not eligible for the reimbursement program.

Ms. Lamb said she was on the committee and wanted to remind people that one of the decisions to make the criteria as transparent as possible just to get rid of any subjectivity that might come in. She said in addition, offer the reminder that because Virginia has had significant problems across the Commonwealth, there is the Virginia Community Flood Preparation Fund that is also able to be tapped into. She said there is also the Federal Flood Mitigation Assistance Fund. She said there are other grants and other opportunities to leverage the funding, but this is Stafford County's pilot project to get things started.

Ms. Bohmke offered her thanks to everyone for setting this up. She said she thought it was decided that the Committee wouldn't be involved in decision-making and that it would just be done under a general government committee, so it didn't get politicized.

Mr. John Saunders said the goal is to score the projects and show the committee how many projects the program can fund if scored at a certain level, or if seeking additional funding or an adjustment, show the Committee options to maximize funding. He said everything would be scored and decided before coming to the committee.

Ms. Vanuch said this is still Unfinished Business and asked for Board input to bring this back in November or December, based on agenda availability.

Mr. Coen said he prefers if it would come back in November or December.

Ms. Allen said her understanding was that the committee had wanted to have it return in January.

Mr. Santay said that was the original intent, but if the solicitation needs to be pushed back a few months, it is not a problem.

Mr. Coen thanked the committee and staff. He stated that he wants to see more examples of potentially eligible projects and thinks it should be delineated by what the applicant is asking for, so the County knows what the money is going toward. He said he doesn't think the project should be able to be rescored in the same year, and individuals should not be able to pressure staff to change scores. He wondered since this is just a pilot program if they should just be considering whether to complete what is happening in a specific category—such as fixing up retention ponds or funding engineering—and doing it in January seems timelier, as details are still being worked out.

Item 23. Capital Projects Transportation; Consider Lighting Options for Onville Road Between Worth Avenue and Garrison Woods Drive.

Transportation Program Manager Alex Owsiak said he would discuss pedestrian lighting on Onville Road. He said as background, staff has been working with VDOT to pave the existing shoulder along Onville Road between the intersections with Worth Avenue and Garrison Woods Drive to provide a more stable surface for pedestrians, along with a greater separation from vehicular traffic. He said as part of the effort to improve pedestrian safety, the Board requested that staff investigate lighting options to make pedestrians more visible to passing motorists.

Mr. Owsiak said there are currently 10 Dominion poles along that stretch of Onville Road, and staff had met with Dominion Energy onsite about possibly mounting light fixtures to those. He said after conducting a field visit with Dominion engineers, it was determined that approximately seven of those existing power poles would be suitable for mast-arm mounting, and three are too far away from the edge of the roadway to provide suitable lighting. He said Dominion Energy would install the mast-arm lighting fixtures for the County, and they would be mounted approximately 30 feet in the air with an eight-foot extended mast arm and have a 1500-lumen light fixture. He said each fixture would cost approximately $1,100 to purchase and install, with a monthly electric bill of approximately $11.50.

Mr. Owsiak referenced his next slide, identifying the location of the 10 power poles along Onville Road, with the dots highlighted in green as those recommended by staff for lighting fixtures. He said the next slide shows an example of what the mast arm fixture looks like.

Mr. Owsiak said in addition to utilizing existing Dominion power poles, staff also investigated the feasibility of installing solar-powered fixtures along Onville Road. He said they did obtain a price quote for a solar lighting fixture similar to the LED lighting that Dominion Energy would provide, and these fixtures would be on a 20-ft pole and would consist of a 45W LED lighting fixture with a 270W solar panel and backup battery. He said these solar lights would require their own mounting pole with the solar panel and battery fixture, as well as a mounting foundation. He said the cost for the solar-powered lights was approximately $8,500 per light fixture; however, there may be some additional unseen costs if the County has to purchase easements with those fixtures or even possibly trim back trees for light to hit the solar panels.

Mr. Owsiak said should the Board decide to pursue lighting along Onville Road, staff would recommend the installation of the Dominion Energy mast-arm lighting due mainly to the cost savings. He said of the 10 power poles located along the east side of Onville Road between the intersections of Worth Avenue and Garrison Woods Drive, staff would recommend installation on seven of the poles. He said in total, the cost to purchase and install those light fixtures is approximately $7,700, with an annual operating electric bill of about $965. He said that over the next five years, the total cost is approximately $13,000.

Ms. Snellings asked if this has been done anywhere else or if this is a first-time project.

Mr. Owsiak responded that this is a first-time project.

Ms. Allen said she does not believe there is any other road that is a 24-hour base entrance where people are walking 10 p.m. until the wee hours, where people are coming to work on 610, and there have been some very close run-ins. She said there are no sidewalks, in addition to reduced visibility because of the bend in the road coming off of the military base.

Ms. Vanuch asked if this was time sensitive for this year.

Mr. Owsiak replied that he doesn't believe it is time sensitive. He said he does have a resolution already prepared, and if the Board did consider this a time-sensitive issue, they could go ahead and make a motion to authorize the transfer of money from the general fund to the transportation fund of $13,000 to pay for the installation and maintenance of these lights.

Ms. Lamb said there is so much on the agendas going forward, she asked what the problem with taking care of this now would be.

Ms. Vanuch asked Ms. McClendon if there is an issue if there is the will of the Board to move this forward for time sensitivity.

Ms. McClendon said it is a Board determination with regards to time sensitivity. She said she would also suggest that if the Board does not want to move forward today, it could be on the Consent Agenda for the next meeting, so it does not take up more time.

Ms. Vanuch said that is the way it will be handled.

Item 24. (ADD-ON): Consider Authorizing the Chairman to Send a Letter, on Behalf of the Board, to the Legislature Requesting Additional Time and Resources in Order to Successfully Implement the Provisions of the MARCUS Alert Legislation.

Ms. Vanuch stated that this is the add-on with regard to what the Board dealt with in the Public Safety Committee today regarding authorizing the Chairman to draft a letter in coordination with the Sheriff's Office, and the talking points, and to send to the represented delegation at the General Assembly regarding the Marcus Alert unfunded mandates. She said this letter would be drafted and be brought back to the Board at their October 19 meeting and be added to the Consent Agenda, if the Board is okay with that.

Mr. Coen motioned, seconded by Ms. Bohmke, to add the letter to the Consent Agenda of the Board's October 19, 2021 meeting.

The Voting Board Tally was:

Yea:	(7)	Allen, Bohme, Coen, Dudenhefer, Lamb, Snellings, Vanuch
Nay:	(0)	

CLOSED MEETING

At 4:29 p.m., Ms. Lamb motioned, seconded by Mr. Coen to approve proposed Resolution CM21-18.

The Voting Board tally was:

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

Resolution CM21-18 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 opioid-related litigation to which the County is a party where such consultation in open meeting would adversely affect the litigating posture of the Board; and regarding legal fees and services provided by the County, which is a specific legal matter requiring the provision of legal advice by counsel; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(7) and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 5:01 p.m., Ms. Lamb motioned, seconded by Mr. Coen to approve proposed Resolution CM21-18(c).

The Voting Board tally was:

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

Resolution CM21-18(c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON OCTOBER 5, 2021

WHEREAS, the Board has, on this the 5th day of October, 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 5th day of October, 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.

ACTION FROM CLOSED MEETING

Ms. Lamb motioned, seconded by Ms. Bohmke to approve proposed Resolution R21-379.

The Voting Board tally was:

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

Resolution R21-379 reads as follows:

A RESOLUTION AUTHORIZING PARTICIPATION IN THE SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN, AND THEIR RELATED CORPORATE ENTITIES, AND AUTHORIZING THE COUNTY ADMINISTRATOR AND COUNTY ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THESE SETTLEMENTS AND OTHER SIMILAR OPIOID-RELATED SETTLEMENTS

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts Stafford County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by the County's various departments and agencies; and

WHEREAS, the County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Stafford County; and

WHEREAS, the County has filed suit against McKesson, Cardinal Health, AmerisourceBergen, and Janssen Pharmaceuticals, along with certain of their related corporate entities for their role in the distribution, manufacture, and sale of the pharmaceutical opioid products that have fueled the opioid epidemic that has harmed the County; and

WHEREAS, The County's suit seeks recovery of the public funds previously expended and to be expended in the future to abate the consequences and harms of the opioid epidemic; and

WHEREAS, the Board has authorized opioid-related lawsuits be filed pursuant to Resolution R19-352; and

WHEREAS, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to $26 billion nationwide to resolve opioid-related claims against them; and

WHEREAS, the County's outside opioid litigation counsel has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlements and concurs with the recommendation of outside counsel; and

WHEREAS, similar settlement proposals are expected to be proposed as this process continues to evolve and the ability of the County Administrator and County Attorney to act upon similar settlements arising in the future with the remaining defendants will expedite this process;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of October, 2021, that the County Attorney and the County Administrator, or their designees, be and they hereby are authorized to execute the documents necessary to effectuate the County's participation in the settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, including the required release of claims against settling entities; and

BE IT FURTHER RESOLVED that the County Attorney, County Administrator, Chief Financial Officer, and Treasurer, or their designees, are also authorizes to execute any and all other documents necessary to effectuate any similar settlement proposal made by additional defendants against whom claims were filed pursuant to Resolution R19-352, where the Virginia Attorney General has also approved said settlement proposal, including any required release of claims against the settling entities.

THERE WAS NO EVENING SESSION AND NO PUBLIC HEARINGS ON OCTOBER 5, 2021

ADJOURNMENT – At 5:02 p.m., Chairman Vanuch adjourned the October 5, 2021 Stafford County Board of Supervisors meeting.

Frederick J. Presley
County Administrator

Crystal L. Vanuch
Chairman