BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR BOARD MEETING
OCTOBER 19, 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 19, 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 *(arrived at 3:02 p.m.)*; 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.

Ms. Vanuch recognized Deputy Jason Mooney, who was killed in an automobile accident on I-95 as he was responding to an accident. Ms. Vanuch said that like so many public safety members who devote their lives to protecting others and serving the community, he had his life cut short after only being in the sheriff's office for 18 months. She stated that Deputy Mooney had also served as a US Marine and volunteer firefighter, further demonstrating his passion for service. She acknowledged the sacrifice and loss by his family and friends, and she encouraged people to visit the "Officer Down" memorial page at www.odmp.org\search. Attendees observed a moment of silence.

Ms. Vanuch stated that she wanted to alert the public to another health crisis facing the community, stating that October is Breast Cancer Awareness Month. She stated that Board members were wearing pink ribbons to recognize the month. She shared statistics that if breast cancer is detected early, the five-year survival rate is 95%, and she encouraged women not to delay their mammograms and have all women in the family see a doctor and learn more about early detection, especially if there is a history of breast cancer in the family.

Ms. Vanuch reported that the Chatham Bridge had opened a few weeks ago with a wonderful ceremony, and she encouraged the public to visit the bridge, which can be crossed by car, on foot, or by bike. She said there is a dedicated pedestrian lane with a rail between it and the traffic lanes, plus a scenic overlook with an incredibly beautiful view. She thanked VDOT and the contractor for opening the bridge early and under budget, with the new bridge over the Rappahannock on I-95 South opening last week, there are through-lanes for people traveling south below Fredericksburg and separate lanes for local traffic alone. She stated that the County is confident that the opening of both of these bridges will relieve some of the traffic volume experienced over the summer.

PRESENTATIONS

2021 VIRGINIA ASSOCIATION OF COUNTIES ACHIEVEMENT AWARD, "STAFFORD COUNTY JOINS WITH SCHOOLS TO PIVOT TO AN ALTERNATIVE FORM OF FIELD TRIP" – Ms. Vanuch introduced Virginia Association of Counties (VACO) Director of Government Relations Chris McDonald to present an achievement award to Stafford County for the virtual wastewater treatment facility tour created with local schools. She said that Stafford was also recognized for this by the National Association of Counties (NACO) for that same program, and staff is working on additional virtual field trips for middle school science students.

Mr. Chris McDonald thanked the Board and the public and stated that it was his distinct honor to present Stafford County with a well-deserved 2021 VACO Achievement Award. He stated that VACO was founded in 1934 and established to serve and support efforts of County officials through legislative advocacy at the state and federal levels, education programs, member services, technical analysis expertise, and communications efforts.

Mr. McDonald said that VACO established the achievement awards program 19 years ago to better recognize counties that have developed and adopted innovative programs to providing public services, as well as programs that can serve as models for other localities to emulate. He stated that this year, they had three judges who reviewed and selected their winning program submissions: Ted Povar, the associate director of the Virginia Institute of Government and a former city manager; Dr. Cheryl Bailey, senior vice president of Springstead Incorporated and former deputy county administrator for Chesterfield County; and Larry Land, retired VACO director of policy development.

Mr. McDonald explained that in reviewing submissions, judges look at several key criteria: does the program offer an innovative solution to a problem, situation, or delivery of services; does the program promote intergovernmental cooperation and/or cooperation with local, state, federal, or private entities in addressing the problem or situation; does the program provide a model that other local governments may learn from or implement in their own localities; and is the program based on other programs from another public or private entity but represents an innovative approach or customization. He stated that judges use their own decades of experience and instincts when making their final decisions.

Mr. McDonald reported that over the years, the VACO Achievement Awards have grown increasingly competitive, and this year alone, they received 102 entries—up 26 from last year. He said that of these submissions, only 30 winners were picked, from just 19 counties; this was one of their lowest and most selective winning rates in many years. He noted that this was Stafford County's tenth achievement award, with five awards won in the last five years and Stafford ranking as VACO's ninth all-time winningest county. He said that VACO was pleased to recognize Stafford for the "creative pivot" of alternative forms of field trips for students, as the County and country continue to grapple with the COVID pandemic.

Mr. McDonald said that typically, Stafford hosts wastewater tours, 3rd grade tours at the government center, and a student government day for high-schoolers, complete with a mock board meeting. He said that in the spring of 2020, the County was forced to suspend all in-person facility tours, and many schools shifted to virtual learning. He stated that he would turn the presentation over to Andrew Spence, Chris Edwards, and Jason Cook.

Stafford Director of Community Engagement Andrew Spence introduced Director of Utilities Chris Edwards and Wastewater Treatment Plant Manager Jason Cook. Mr. Spence said that due to the spread of COVID-19, Stafford's utilities department teamed up with public schools and Community Engagement to come up with a new way to keep students engaged. He stated that the schools incorporated grade 6 science curriculum components into a virtual wastewater treatment facility tour for students of all ages, and since July 2020, residents and students have continued to learn about County processes under this new format. He said that plans call for expanding this innovative method, and they are working on a second edition of the same type of treatment platform with the Utilities department, providing a learning opportunity extended to all classrooms in the future.

Mr. Spence expressed appreciation to the Board and staff in executing a program like this and to the Utilities for all the good work they do for the County.

Mr. McDonald reiterated his congratulations to Stafford County and said VACO looked forward to their participation in future achievement awards.

Ms. Vanuch asked the Board and staff to come together for a photo as the County received the award.

PRESENTATION OF PROCLAMATION RECOGNIZING OCTOBER 24, 2021 AS WORLD POLIO DAY IN STAFFORD COUNTY – Ms. Vanuch reported that Rotary Clubs around the world have been instrumental in helping to eradicate polio through their good works, and the County has a proclamation to present to local clubs, and she asked Rotary Club members to come up to the dais. She introduced Stafford Rotary members Sandy Duckworth, Jake Alborg, Cherice Taylor, Don Duckworth; and North Stafford Rotary members Renee Laws, Mike Vrabel, and Cheri Lynn Maea. Ms. Vanuch read the proclamation aloud, noting that World Polio Day is held on October 24 every year in honor of the birth of Jonas Salk, the researcher who developed the first polio vaccine in 1955.

PRESENTATION OF PROCLAMATION RECOGNIZING THE EFFORTS OF THE COMMUNITY AND THE SHERIFF'S OFFICE IN HOSTING NATIONAL NIGHT OUT ON OCTOBER 5, 2021 – Ms. Vanuch called Sheriff David Decatur to the dais and noted that Stafford County had to skip a year of National Night out and delayed it to this year from August to October—but many people seemed to like the change because it was much cooler. She reported that they had a fantastic turnout for the event, which was on October 4 at the Stafford Marketplace in the Lowe's parking lot. She stated that this is one of the best gatherings in the community, and this year was extra-special as they all were able to be together again. Ms. Vanuch said that Sheriff Decatur and his staff, along with the crime prevention unit and volunteers, organized National Night Out. She stated that the County invited them to this meeting to accept a proclamation recognizing National Night Out in Stafford County, and she read the proclamation aloud.

Sheriff David Decatur thanked the Board for the recognition, stating that National Night Out is all about engaging the community and people coming together and working together to prevent crime and have a great quality of life in Stafford. He recognized those present and Sergeant Burgess, who was not present, for their work on the event. The group recognized Lowe's for hosting the event. Ms. Vanuch presented the proclamation to Sheriff Decatur.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Presley stated that there were changes to Item 23 on the agenda, a revised background report to include a list of bidders for the landscaping contract for the utility facilities, R31-380; and Item 27, revised proposed ordinance O21-47 for the consideration of awarding of bonuses for sworn officers and eligible County employees. He said that he also had a request from a Board member to rearrange some of the agenda items for the evening session, specifically Item 30, a public hearing for conditional use permit R21-336 for the Embrey Mill Town Center Childcare, to move it ahead of Item 25, to be followed by Item 27, which was also a request and pertained to the O21-47 item he mentioned pertaining to bonuses. He stated that a Board member had requested deletion of Item 7 on the agenda regarding the resolution R21-336 for the Belmont Ferry Farm Trail.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve the regular agenda with modifications, excluding Item 7.

Mr. Snellings asked what it means to exclude it and whether that meant it would not be removed from the consent agenda.

Ms. Bohmke said that was correct.

Mr. Coen noted that they would then discuss the item.

Ms. Vanuch clarified that it could then be pulled from consent for discussion and vote up or down.

The Voting Board tally was:

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

Mr. Coen motioned to delete Item 7.

Ms. McClendon explained that if the item were to be deleted before the adoption of the agenda, it should have occurred prior to that, and the Board could go back and reconsider that. She clarified that it can still be pulled from consent during Supervisor comments.

PRESENTATIONS BY THE PUBLIC

1. Ms. Sharon Robertson – stated that she has been anxiously awaiting the Ferry Farm bike and walking trail, as she and many other residents have wanted a safe place to bike and walk in the County without the risk of injury that comes with utilizing the streets and roads. Ms. Robertson said the Board canceled the project funding, taking away from residents a safe place to exercise. She said that for years, she has had to go to rural areas in Stafford County to ride her bike—but even those areas are no longer safe with the extensive development in the County and the significant increase of car volume on the road. Ms. Robertson said that despite riding just after sunrise on weekends, when cars are very limited, she found herself honked at and run off the road at least a half dozen times, causing injury to her legs and ankles, as well as broken ribs. She said that a truck had driven so close to her that the side mirror hit her and propelled her into a ditch, landing on her face. She stated that five years ago, she was riding with friends on the north end of Mountain View, when development on Poplar and Hartwood Road was just starting, and she found herself sandwiched between a truck bumper and the front end of a horse trailer. Ms. Robertson said that the driver at first tried to pass her on a curve, but then to avoid a head-on collision, decided just to run her over.

Ms. Robertson stated that she has been run off the road on Cool Springs Road and Deacon Road numerous times, and she has witnessed an increase in aggressive drivers—which continues to get worse with the effects that COVID regulations have had on people. She noted that VDOT won't even build these bike lanes anymore, and the lanes themselves pose a hazard, with the debris in the lane including glass, metal, wires, and trash, which are all dangerous to bikers. Ms. Robertson said that there is no safe place to bike in the County, which is why her bike hangs on her garage wall gathering dust. She stated that hand-held phones continue to be an issue, despite the fact they are illegal while driving, and she found herself in a ditch recently because the driver was on their phone and not paying attention. She said that a local radio personality, Brian Strobel, had been killed in his neighborhood some years before while walking his dog.

Ms. Robertson emphasized that the trail is important to the community, and she wanted to be able to teach her grandchildren to ride a bike—but she will have to leave the County to find a safe place. She stated that skinned knees and a few tears are part of learning and are even somewhat endearing as we watch our children and grandchildren growing and learning new skills, and she cannot believe anyone would accept the loss of a soul because the County voted to keep runners and bikers alongside vehicles. She said that this would only end badly.

2. Mr. Robert Grimes stated that he is a resident of Kimberwick Lane in the Griffis-Widewater District and was before them to speak in support of lighting along Onville Road, which is super-narrow with no shoulder and no sidewalks and is the back entrance to the base. He said that people walk along that road a lot—to work, to the store—with nowhere to walk except on the road. Mr. Grimes said that a few years ago, he contacted Mr. Cavalier, who got signs put on the road to say "Walk Against Traffic" so drivers can at least see you coming down the road. He stated that while it helped, those signs are ignored on a regular basis. He said that getting lighting on that road would help, and getting a sidewalk and shoulders would be the best solution. He stated that there is a blind corner at Barrett Heights and Garrison Woods that prevents drivers from seeing people when they're heading towards Garrisonville Road. He applauded the Board for moving forward with this and hoped they would approve it to at least get lighting, with the next step being sidewalks and shoulders put on that road.

3. Ms. Gayle Kaufmann, 214 Lakeshore Drive – stated she has been a registered nurse in the George Washington district for 21 years. She said that when she talks to patients, part of their discussion is that 30 minutes of exercise five days a week decreases your risk of cardiovascular disease, diabetes, and obesity. She said to get that exercise walking or cycling five times a week is free and accessible to everyone—if there is a safe place to do

it. She stated that the walking and cycling trail from Belmont to Ferry Farm is in the best interest of the majority of the citizens in that district, and hundreds of households in Ferry Farm and Argyle Heights neighborhoods would benefit from the last phase of the trail, and children and adults could walk or bike to downtown or to the YMCA for exercise and wellness classes, or they could bike to St. Clair Brooks Park to play baseball or skateboard. She said that these are all things that her children have continued to do, but they have to drive to get there. Ms. Kaufmann said that she has tried to bike to the YMCA because she uses it on a regular basis, and she has found it unsafe between Ferry Road and Cool Springs Road because of all the debris on the shoulder of the road—and even if they could just complete that segment, it would make a big difference. She stated that her understanding is that the opposition is from the townhouse community off of Dairy Road, who have expressed fears that their safety would be at risk because of the proximity to the trail. She said that the cyclists in the local cycling club are physicians, lawyers, pilots, engineers, and law enforcement officers—people in the community—not out to commit a crime; they just want a safe place to exercise. She stated that she has never felt unsafe or threatened by anyone on the Heritage Trail downtown. She said that since the funding was there and was approved by VDOT, and this was planned since 2006, there is no reason to cancel at this time.

4. Ms. Mary Elizabeth McManus of Derby Drive stated that she is an avid walker and has walked all of the trails in Stafford and in the city. She said that she was so disappointed that this was postponed or defunded because it is a wonderful opportunity to see friends and get together, and you can walk from Belmont to Chatham to Ferry Farm. She stated that she was looking forward to bringing her grandchildren on bicycles to ride and be safe on a trail. She said that she has already walked over the new bridge several times, which is wonderful but dubbed "the bridge to nowhere," just like the old Blue-Gray Parkway. She said that this would be the bridge to Ferry Farm, the bridge to Pratt, and would bring people to Libby Ice Cream and the pizza parlor, along with other revenue. Ms. McManus said she runs with a group of women in the city, and if they could get them to come over and spend money on things like coffee and ice cream, that would be a wonderful thing. She stated that she hoped they could stop the defunding of the trails, noting that she often sees Ms. Bohmke walking.

5. Mr. Richard Coleman of Sentry Court in Stafford commented on an approach to grappling with the history of white supremacy that rejects the belief that what is in the past is in the past, and asked if it is true that a country with a white population allowed the institution of slavery on the black population; is it true that if we maintain the actions of the past, we have not left the past behind them. He stated that critical race theory is something that is not taught—it embodies an opinion that is a critique of American history and civic policy.

He said that opposition to its teaching is a straw man for opposition to recognizing historical facts that examine public policy and might shed light on the past. He asked if critical race theory was divisive or if the truth of it was just uncomfortable, with the choice to resolve problems of division by ignoring what divides us or acknowledging those divisions and taking actions to resolve them. Mr. Coleman said that by refusing to discuss and resolve divisive forces, divisive acts go unchallenged, bystanders are allowed to ignore divisive actions, and the targets of divisive action remain isolated. He stated that proponents of critical race theory intend to grapple with the history, and one of the facts he noted while researching was that a doctrine that adjudicates questions based on intent versus a doctrine that adjudicates questions based on perceived outcome leads to very different outcomes. He said that the Board's vote on critical race theory reflected whether they should be judged on their intent to fight divisive principles, but they ignored the intent of the proponents of critical race theory and instead base their vote on the perception of the outcome—which is that uncomfortable facts are exposed. He stated that this is intent versus outcome: one standard of judgment for a predominately white body and a different standard for a predominately black body. He said that this Board seems oblivious to the fact that they acted with bias as they voted to denounce an opinion that bias exists in government policies. Mr. Coleman stated that one member of the public opposed critical race theory because of something in her child's school, as the teacher asked the students what they thought of the American Dream and whether it was still available to everyone. He said that we don't know whether there were economic and educational policies that affected that, but she assumed it was about race—yet didn't want to talk about race because she opposed critical race theory.

6. Dr. Robert Harris of the Colonial Forge subdivision in the Hartwood District said that he had three topics he wished to discuss. He stated that he was an Army military policeman with over 30 years of law enforcement, security, and counter-terrorism experience within the states and overseas, as well as combat zones. Dr. Harris said that he has a PhD in public policy with a concentration in homeland security, and a master's in homeland security, a BS in pre-law, and an AS in paralegal studies. He stated that he is currently a federal contractor working as a senior criminal analyst for the Department of Defense, addressing domestic and international terrorism. He said that he is not saying this to brag but to give them a general idea of his credentials, because he would like to discuss the requirement of Stafford residents to provide their full home address in this public forum. He said that this is extremely dangerous and unnecessary, and it places residents in needless danger, as these meetings are recorded—and bad actors such as rapists, thieves, murderers, unstable political adversaries, and pranksters have access to the recordings, which contain home addresses.

Dr. Harris stated that several weeks ago, he sent the chair, vice-chair, and Hartwood representative an email about this issue, but he never received a response and nothing has changed. He said that if the Board is not willing to change this policy, he would like to know why and recommend that they provide their own full home addresses at the beginning of each meeting so it may be recorded along with other residents of Stafford County.

Dr. Harris stated that his second topic relates to the Board members, who thought it was a good idea to use their official position to further their xenophobic world views by blocking the All-Muslim Association of America from using land they purchased as a cemetery. He said that their xenophobic actions cost taxpayers almost $900K, which is unacceptable, and each of them who went along with this despicable act should be ashamed to show their faces in public and should resign immediately. He stated that he realized this would not be the case, because people with their type of world views do not do the right thing without being forced to do so. Dr. Harris said that unfortunately, the Hartwood District has a candidate, Lisa Halstead, who is running for a seat on the Board and has similar xenophobic world views—and he is directing all of his extra time and energy to ensure that she is not elected. He stated that the last thing they need is another pro-hate, pro-inequality, pro-anti-science elected Stafford official. He said that as soon as this election cycle was completed, he would be turning his attention toward them because there should be some type of consequences for their malfeasance, which cost taxpayers almost $900K.

REPORTS BY BOARD MEMBERS

Mr. Snellings stated that he would be out of office in 73 days.

Ms. Allen had no reports.

Ms. Bohmke thanked the sheriff's department for the banquet they held recognizing the good work of Sheriff Decatur's team, as well as the Mt. Ararat Church for preparing food and serving it, which they do every year.

Ms. Bohmke reported that the FBI did a very intensive training per Virginia Railway Express (VRE) Executive Director Rich Dalton, with over 100 canine teams from all over the Mid-Atlantic that distributed fake bombs in train facilities, with each team evaluated on the task accomplished. She said that the group felt it was a phenomenal training and one they had never done before, and that it was a great way to keep riders safe in the event the railway is subjected to a bomb. She stated that VRE ridership is coming back, but painfully slow because people are still teleworking. She said that on-time performance is excellent until they reach the Union Station tunnel, and she was not aware that the congestion is due to the moisture that hits the portals there, which stops a lot of the Amtrak trains.

Ms. Bohmke reported that GWRC interviewed its final two candidates, and an offer has been given to one of them, with those contract negotiations currently underway.

Ms. Bohmke said that regarding the R-Board and the landfill, people could either e-mail comments or come to the November 17th meeting if they are interested in the cost of the trailers, which would be a public hearing. She stated that people have been opposed to the $20 charge for an eight-foot trailer for a long time, and this is an opportunity to speak.

Ms. Bohmke stated that the Chatham Bridge event was phenomenal, with kids on scooters, people on bicycles, and many pedestrians—and everyone is enjoying the new bridge being open. She said if people are interested in the connection between the trail that parallels the river coming up under Chatham Bridge, VDOT has indicated that would be completed by the end of December. She said that a lot of people asked her about the trail to Belmont during that event, and she just told them that the Board had voted against it, and it's apparent that people really want to see that trail continued over to Ferry Farm. She reiterated her desire to pull Item 7.

Mr. Coen recognized public safety personnel, particularly C-Shift, Engine 1, and the EMTs for their excellent and professional care provided, as well as the ER staff at Stafford Hospital. He stated that those entities are great and help people when they're dealing with crises. He stated that last Saturday was national Move Over Day and provided some statistics related to this acknowledgement. He reported that 91 firefighters have been struck and killed since 2000—with 19 of those in 2017 and 2018 alone. He emphasized that people really need to give public safety personnel the room to do their job to take care of people's lives.

Mr. Coen reported that Stafford County Fire & Rescue has aided 56 people since spring with getting vaccinations, as many people cannot get out of their homes to go to pharmacies or see their doctors for vaccinations or other shots. He said that only one pharmacy in the area is doing this, and they are doing it in selective instances and communities, so there is clearly a need to help people who are unable to get out of their homes go and get their vaccinations. He stated that that this is just another example of the County and particularly fire and rescue of meeting the needs of the diverse population, and he would eagerly vote in favor of this agenda item.

Mr. Dudenhefer reported that there was a groundbreaking held at the Garrison development, and they now have permission to build, but the heavy site work wouldn't happen until spring because of the possibility of a severe winter that could make all the work done now have to be redone in the future. He stated that they are moving forward and there are a lot of great aspects to this, but he appealed to the public to be patient, as it would take a while—with 18 months to two years to put in the piping, drainage, lighting, and streetlights that need to go in. He emphasized that there had been signings of retail and restaurants, with a schedule on when the movie theatre would be built, so a lot of good things would be a part of this development.

Ms. Lamb reported that a cyber company that has been doing extremely well, even during the pandemic, just filed a plan for a new building in the Aquia District. She stated that she looks forward to this planning process, and this business will create a lot of jobs for people in Stafford.

Ms. Lamb stated that October is First Responders Month, with the 28th being First Responders Day, and she looked forward to seeing activities in Stafford around this recognition

REPORT OF THE COUNTY ATTORNEY – Ms. McClendon stated that she had no report at this time.

REPORT OF THE COUNTY ADMINISTRATOR – Mr. Presley reported that he had met with Interim School Superintendent Dr. Stanley Jones, who brought up the matter of their ad hoc committee dealing with transportation issues. Mr. Presley said they had their first meeting the previous Thursday, which was basically an organizational meeting, and the Sheriff's department also has a representative on that committee; Dr. Jones has also extended the offer to the Board to send a representative. Mr. Presley said that the committee doesn't expect to have a report until sometime in February. He said that Ms. Andrea Light would be providing a financial update on the first quarter.

Ms. Bohmke asked what day of the month the transportation committee meets.

Mr. Presley responded that the first meeting that they just had was to set up those things, and he could get more information about that and disseminate it to the Board.

Ms. Vanuch asked him to prepare that for the next meeting agenda, and they could discuss whether it was consent or regular agenda.

Ms. Andrea Light, Budget and Management Director reported that transactions were quite limited at this point of the year, but she would provide an update on the General Fund, Utilities, and Transportation Funds. She stated that property tax comprises about 68% of County general fund revenues, which wouldn't be billed until November, so there would be better information once those bills are created. She said that they saw a lot of positive activity in consumption taxes, with sales tax up 23% over the same period last year and recordation up 38%; transient occupancy and meals tax are exceeding pre-pandemic levels, so tourism activity is really coming back. She stated that the County is seeing a reduction in building permit fees, and they are down from the same period from the prior year.

Ms. Light reported that the Northern Virginia Cigarette Tax Board has done some changes with administration and staffing and has now accepted Stafford and all other localities as part of this Board, beginning taxing on January 1, 2022. She said that the Stafford Board has not finalized this ordinance, as they were waiting to become part of this organization, and staff would be bringing it back to them in November.

Ms. Light reported that general fund expenditures align with the County's budget, to include health insurance. She stated that the juvenile detention center is tracking below budget, so they are anticipating some savings there, and there is less than $100K in CARES Act funding being monitored in final expenditures to ensure they spend every dollar of the $26.7 million that Stafford received for CARES Act. She said that under other funds, there was not much to talk about in transportation, and the gas tax won't come in until at least November—but impact fees are already exceeding budget projections for this time of year.

Ms. Light reported that Utilities are seeing a year-over-year increase in user fees, and they are anticipating spending $30 million in capital expenditures this year, which aligns with the budget. She said that state grants for hardship for utilities' customers were applied, and they are looking at another round of applications coming up soon. Ms. Light stated that their availabilities are slightly lagging, but pro ratas are slightly above budget, and staff would continue to monitor that.

Ms. Light said that overall, actuals are aligning with the budget, with revenues slightly above and expenditures slightly below, and they are continuing to monitor the budget and report any concerns to the Board.

Ms. Allen asked how the cigarette tax revenue would be done—as a lump sum or quarterly.

Ms. Light responded that it would be quarterly, and it would be based on how much is collected, distributing administrative fees and sending the revenue to localities.

Mr. Presley stated that regarding the ad hoc committee for school transportation, Ms. McClendon had pointed out that it would require the Board to suspend their bylaws to appoint someone to a board or committee.

Ms. Vanuch asked if the Board was ready to act on appointing someone to that.

Ms. Allen asked if it had to be a Board member or whether it could be a person in the public.

Mr. Presley responded that his understanding is that it could be a Board member, citizen, or staff person—whatever they preferred.

Ms. Bohmke stated that she did not have a problem suspending their bylaws, and it would be important to find out when this person is available because they all have busy calendars. She said that she is interested but is just one person.

Mr. Coen asked if it they could possibly reach out during the meeting and find out that information, as the Board does not meet again until November and may be missing an opportunity. He said they could wait for making an official vote, but it would be prudent to move forward.

Mr. Presley agreed to make those inquiries during break.

CONSENT AGENDA

Ms. Bohmke moved to approve the consent agenda, minus Item 7, and Mr. Coen seconded.

The Voting Board tally was:

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

Item 1. County Administration; Approve the October 5, 2021 Board of Supervisors Meeting Minutes.

Item 2. County Administration; Approve the October 5, 2021 Board of Supervisors American Rescue Plan Act Funding Work Session Minutes.

Item 3. County Administration; Authorize the Chairman to send a Letter, on Behalf of the Board, to the Virginia General Assembly Requesting Additional Times and Resources in Order to Successfully Implement the Provisions of the Marcus Alert Legislation.

Item 4. County Administration; Authorize A Public Hearing to Consider an Ordinance to Amend the Lake Carroll Service District Boundaries Located within the George Washington Election District.

Resolution R21-394 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR

TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF THE BOUNDARIES OF THE LAKE CARROLL SERVICE DISTRICT, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Lake Carroll Service District (LCSD) was established in November 2017 to allow the County to make improvements to the Kennedy Dam; and

WHEREAS, the boundaries of the LCSD when established excluded Tax Map Parcel 58-24B, which includes Lake Carroll and Kennedy Dam; and

WHEREAS, inclusion of the lake and the dam in LCSD is required in order to perform the work required to improve the dam; and

WHEREAS, the County desires to amend the LCSD boundaries to include Tax Map Parcel No. 58-24B; and

WHEREAS, the Board desires and is required to conduct a public hearing to consider amending the LCSD boundaries;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider amending the Lake Carroll Service District boundaries to include Tax Map Parcel No. 58-24B.

Item 5. Budget and Management; Budget and Appropriate Funding for Mechanical Systems Repair at Colonial Forge High School.

Resolution R21-389 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDING FOR MECHANICAL SYSTEMS REPAIR AT COLONIAL FORGE HIGH SCHOOL

WHEREAS, the Superintendent of Schools has requested the Board appropriate funds for the Colonial Forge High School Mechanical Systems Repair (Project); and

WHEREAS, the Fiscal Years (FY) 2021-2030 Capital Improvement Program (CIP) included the Project as an unfunded project; and

WHEREAS, Schools staff recommends the Project be completed to replace the original chiller installed in the school building 22 years ago, which is past the end of its useful life; and

WHEREAS, Schools have prior year carryover funds held in the County's General Fund Reserves available and that can be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that funds held in the County's General Fund Reserves for future Schools projects be and they hereby are budgeted and appropriated as follows:

Fund	Purpose	Amount
County's General Fund	Transfer to Schools' Construction Fund	**$552,600**
Schools' Construction Fund	Colonial Forge High School – Mechanical Systems Repair	**$552,600**

Item 6. Capital Projects; Authorize the County Administrator to Execute a Contract with Patterson Construction Company, Inc. for Pump Station Rehabilitation and Site Work Construction at the Sweetbriar Woods Pump Station.

Resolution R21-371 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH PATTERSON CONSTRUCTION COMPANY, INC. FOR PUMP STATION REHABILITATION AND SITE WORK CONSTRUCTION AT THE SWEETBRIAR WOODS PUMP STATION LOCATED IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Sweetbriar Woods Pump Station (Pump Station) is subject to occasional wastewater overflows during heavy rainfall events; and

WHEREAS, various sewer investigations have been conducted to identify the source of excess sewer flows in the sewershed, but have been largely unproductive to date; and

WHEREAS, increasing of the Pump Station's capacity is the most viable solution to mitigate overflows; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bids (IFB) #22-010-9408SB to provide Pump Station upgrades; and

WHEREAS, Patterson Construction Company, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available and have been appropriated in the Utilities CIP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to execute a contract with Patterson Construction Company, Inc. for rehabilitation and site work at the Sweetbriar Woods Pump Station in an amount not to exceed Two Hundred Eighty-Three

Thousand Four Hundred Forty-Four Dollars ($283,444.00), unless modified by a duly-authorized change order.

7. Capital Projects Transportation; Authorize the County Administrator to Send a Letter to VDOT Requesting Cancellation of the Belmont-Ferry Farm Trail, Phase 6, Project and to Repay Reimbursement Funds Received to Date.

Ms. Bohmke stated that she pulled Item 7 because she knows people in south Stafford are passionate about having the trail extended, and she feels that they need to reach out this time to the Kenmore Foundation, which is a part of Ferry Farm. She said that many of the foundation's members live in the community, and she does not think it makes much sense to move the trail over to the side of the Dairy Queen, because then people have to traverse back across again. She stated that Stafford County's number one goal is public safety—so why would they have people traversing twice across a road, which is something she has always been against. She noted that there are homes on the Heritage Trail that are less than 30 feet from the trail. Ms. Bohmke said she was disappointed that they weren't able to assuage the people who live in the townhomes, and it's very difficult when people ask when the rest of the trail is going to be complete and the Board has to answer that it's not. She stated that she would not support defunding this, as VDOT had already started the process.

Mr. Coen said that he had some great concerns when he saw the wording of this resolution, so he contacted staff because he didn't think the language matched the past actions and comments of this Board. He stated that he spoke with staff on Monday, and they were working on rewording to make it more in line with past actions, but some other issues popped up so there wasn't an actual conclusion to the reworking of the resolution. Mr. Coen said that the big discussion at the last meeting wasn't about if there would be a trail but about the route of the trail. He stated that there was also concern that VDOT was giving different entities different information on this. He said that he would make a motion for deferral because the language as it is in the resolution infers killing the trail—which he has never said he was in favor of and doesn't think others were either—and it's prudent to give staff time to get the wording correct. Mr. Coen said that people spoke about different approaches for this, and with the language that is there now, it may make it difficult to do anything or get any type of funding, without having to go completely back to the drawing board.

Mr. Coen motioned, seconded by Mr. Dudenhefer, to defer R21-376 to their meeting in November.

Ms. Lamb commented that she agrees, as walkability is important all over Stafford, with equal challenges of no place to walk, ride a bike, or do anything—so it's important to have this trail. She said the discussion they had and the reason why they defunded this particular design of the trail was because it was not making citizens happy, which is what the Board is there to do. Ms. Lamb stated that they would find an appropriate route that would serve the majority, then it would get everyone's vote. She said she would support the deferral because she is aware now of the perception that the Board is canceling the trail, when in fact they are finding a more appropriate route. She noted that regarding the funds that expired for the $130,000, VDOT had extended that repeatedly, but the County has assurances that they will be able to get other money to use for that trail.

Ms. Bohmke stated that she would support the deferral, but it's really just a formality at this point because the process is already moving forward. She said that VDOT told her something different than what they had told Mr. Coen, and it seemed to be semantics at this point.

Mr. Snellings asked what the purpose would be for bringing the item back in November.

Mr. Coen responded that staff had told him that there needed to be an obligatory measure that said the funds they had to pay back to VDOT would have to go that way, and that's what he thought the resolution would be—an obligatory move that they were giving back that money, not the bigger picture.

Mr. Snellings stated that his concern is that they had a public hearing and people came, and they voted on the item, and he did not remember voting on an alternate—he recalled voting to "kill the trail," or technically the end of it. He said that he would defer to the County Attorney, but they need to be careful because they may have to hold another public hearing if they do something different.

Ms. McClendon said that there was extensive public comment on this but not a public hearing.

Mr. Snellings acknowledged that this was correct and said he would go along with the deferral, but he expressed that he was still somewhat confused.

Mr. Presley said that staff would work on the language, and there were certain requirements that VDOT had; it wasn't just about giving the money back, it was about deallocating the money that was promised to complete the trail. He stated that even though VDOT was moving forward with the other projects the Board prioritized in the trail's place, they still would like the County to deallocate the funding for the current alignment on record, as well as send a letter to say the County would refund the money that's required.

The Voting Board tally was:

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

Item 8. Capital Projects Transportation; A Resolution to Authorize the Installation of Mast Arm Lighting Along Onville Road and to Budget and Appropriate the Funds.

Resolution R21-377 reads as follows:

A RESOLUTION TO AUTHORIZE THE INSTALLATION OF MAST ARM LIGHTING ALONG ONVILLE ROAD AND BUDGET AND APPROPRIATE FUNDS, LOCATED IN THE GRIFFIS-WIDEWATER DISTRICT

WHEREAS, the Board identified the installation of temporary mast arm lighting along Onville Road (SR-641) (Project) as a way to increase pedestrian visibility and safety; and

WHEREAS, the County received a preliminary cost estimate from Dominion Energy Virginia (Dominion) for the purchase, installation, and operation of mast arm lighting on existing Dominion power poles; and

WHEREAS, staff reviewed the cost estimate and determined that it is reasonable for the scope of work requested; and

WHEREAS, the estimated cost for the Project is $7,700 for installation, and an annual operating cost of $965, with a five-year total cost of $13,000; and

WHEREAS, funds need to be budgeted and appropriated to the Transportation Fund for the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to request Dominion Energy Virginia to install temporary mast arm lighting along Onville Road (SR-641), and to fund lighting and operation costs for five years, in an amount not to exceed Thirteen Thousand Dollars ($13,000), unless modified by a duly-authorized contract amendment; and

BE IT FURTHER RESOLVED that funds from the General Fund be and they hereby are budgeted and appropriated as follows for the installation of temporary mast arm lighting along Onville Road (SR-641):

General Fund	**Amount**
Transfer to Transportation Fund	$13,000

Transportation Fund	**Amount**
	$13,000

Item 9. Capital Projects Transportation; Authorize the County Administrator to Execute Contracts with Firms to Provide On-Call Professional Services for Category A - Transportation Engineering and Category B - Transportation Construction Management and Field Inspection for the County.

Resolution R21-381 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH FIRMS TO PROVIDE ON-CALL PROFESSIONAL SERVICES FOR CATEGORY A-TRANSPORTATION ENGINEERING AND CATEGORY B - TRANSPORTATION CONSTRUCTION MANAGEMENT AND FIELD INSPECTION 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 Proposal (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 Management and Field Inspection,
- Category C- Transportation Planning and Analysis; and

WHEREAS, the Board previously awarded contracts for Category C- Transportation Planning and Analysis, pursuant to Resolution R21-370; and

WHEREAS, the Virginia Department of Transportation (VDOT) reviewed the remaining Categories A and B to determine if the solicitation and engineering proposals received were in compliance with VDOT standards; and

WHEREAS, staff evaluated the proposals received and determined that Rinker Design Associates, P.C., Timmons Group, Inc., and Wallace, Montgomery & Associates, LLP are the most qualified to provide Category A-transportation engineering services; and

WHEREAS, staff evaluated the proposals received and determined that A. Morton Thomas & Associates, Inc., ATCS, PLC, and Whitman, Requardt and Associates, LLP are the most qualified to provide Category B-transportation construction management and field inspection services; 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 19th 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 Rinker Design Associates, P.C., Timmons Group, Inc., and Wallace, Montgomery & Associates, LLP to provide professional, on-call transportation engineering services for transportation projects in Category A-Transportation Engineering; and with A. Morton Thomas & Associates, Inc., ATCS, PLC, and Whitman, Requardt and Associates, LLP to provide professional, on-call transportation engineering services for transportation projects in Category B-Transportation Construction Management and Field Inspections; 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.

<u>Item 10. Capital Projects Transportation; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Route 1 and Telegraph Road/Woodstock Lane Safety Improvement Project.</u>

<u>Resolution R21-382 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE ROUTE 1 AT TELEGRAPH ROAD AND WOODSTOCK LANE INTERSECTION IMPROVEMENT PROJECT, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Board identified completion of safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project) as a critical part of the County's road improvement plan; and

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

WHEREAS, Tax Map Parcel No. 21-164 (Property) consists of approximately 1.3960 acres of land owned by Iglesia Pentecostal Unida En Accion (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 2,680 square feet of temporary construction easement on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the parcel is Three Thousand Five Hundred Dollars ($3,500), based upon the 2020 tax assessment value; and

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

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

WHEREAS, to determine the necessity for condemnation and exercise of its quick-take powers to acquire the easement for the construction of the safety improvements on Route 1 at Telegraph Road and Woodstock Lane, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, that the County Administrator be and he here by is authorized to advertise a public hearing to consider the condemnation and use of the County's quick-take powers to acquire a temporary construction easement on the property of Iglesia Pentecostal Unida En Accion, Tax Map Parcel No. 21-164, in connection with the safety improvements on Route 1 at Telegraph Road and Woodstock Road, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 11. Capital Projects; Authorize the County Administrator to Execute Amendment #2 to Task Order #2 with O'Brien & Gere Engineers, Inc., A Ramboll Company, for Engineering Services for the Smith Lake Booster Pump Station.

Resolution R21-387 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AMENDMENT #2 TO TASK ORDER #2 WITH O'BRIEN & GERE ENGINEERS, INC., A RAMBOLL COMPANY, FOR ENGINEERING SERVICES FOR THE SMITH LAKE BOOSTER PUMP STATION, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, O'Brien & Gere Engineers, Inc., (Ramboll) was engaged on December 18, 2019, via Task Order #2 pursuant to Contract 16-4111-P401-OBG, to provide preliminary engineering to recommend a concept and cost estimate for upgrade of the electrical system at the Smith Lake Booster Pump Station, in the amount of $31,605; and

WHEREAS, field reviews of the existing site revealed that the options for a total solution within the fence line of the pump station would be unduly expensive due to the presence of existing utilities and the structure of the existing pump station building; and

WHEREAS, as a result, County staff directed Ramboll to consider options outside the pump station fence line and they were subsequently able to identify one with good feasibility; and

WHEREAS, in order to qualify the additional option, Ramboll required additional land survey and geotechnical review of the soils in the proposed area of construction; and

WHEREAS, Amendment #1 to Task Order #2 was issued on July 16, 2020, authorizing Ramboll to evaluate the new option and subcontract for survey and geotechnical work according to its proposal dated June 11, 2020, in the amount of $20,419, for a total contract amount of $52,024; and

WHEREAS, the County accepted Ramboll's submittal of a final Preliminary Engineering Report (PER) with recommendations for the option outside the fence line; and

WHEREAS, Ramboll has submitted a proposal for performance of final design services, proposed Amendment #2 to Task Order #2 in the amount of $102,751; and

WHEREAS, staff reviewed the proposal received from Ramboll, and determined it to be of reasonable scope and cost for the services proposed; and

WHEREAS, funds are available in the Capital Improvement Program fund for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he is hereby authorized to execute a second amendment to Task Order #2 with O'Brien & Gere Engineers, Inc., a Ramboll Company, for the performance of final design services for Smith Lake Booster Pump Station, in an amount not to exceed One Hundred Two Thousand Seven Hundred Fifty-One Dollars ($102,751), for a total contract amount of One Hundred Fifty-Four Thousand Seven Hundred Seventy-Five Dollars ($154,775) for Task Order #2, unless modified by a duly-authorized contract amendment.

Item 12. Capital Projects Transportation; Authorize the County Administrator to Execute a Contract with Sagres Construction Corporation for Constructing of the Courthouse Road Sight Distance Improvements – Retaining Wall at Lynhaven Lane Project; and Budget and Appropriate Funds.

Resolution R21-395 reads as follows:

TO EXECUTE A CONTRACT WITH SAGRES CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE COURTHOUSE ROAD SIGHT DISTANCE IMPROVEMENTS - RETAINING WALL AT LYNHAVEN LANE PROJECT; AND BUDGETING AND APPROPRIATING FUNDING

WHEREAS, pursuant to the proffer statement accepted with Ordinance O13-18, proffers to improve the intersection sight distance at the intersection of Lynhaven Lane (Private) with Courthouse Road (SR-630) (Project) were collected, with an approximate balance of $268,171; and

WHEREAS, the County solicited competitively sealed bids, pursuant to Invitation for Bid (IFB) #21-068-4110SB for the construction of the Project; and

WHERAS, staff determined Sagres Construction Corporation to be the lowest responsive and responsible bidder; and

WHEREAS, funding for the Project is available in the proffers for this purpose, but must be budgeted and appropriated;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and hereby is authorized to execute a contract with Sagres Construction Corporation in an amount not to exceed Two Hundred Twenty-Five Thousand Seven Hundred Fifty Dollars ($225,750) for the construction of the Courthouse Road Sight Distance Improvements – Retaining Wall at Lynhaven Lane project, unless modified by a duly-authorized change order; and

BE IT FURTHER RESOLVED that proffer funds received from the Shelton Woods development, pursuant to Ordinance O13-28, are budgeted and appropriated for the construction of the Courthouse Road Sight Distance Improvements – Retaining Wall at Lynhaven Lane project, as follows:

Fund	**Department**	**Amount**
General Fund	Transfer to the Transportation Fund	$225,750

Fund	**Purpose**	**Amount**
Transportation Fund	Courthouse Road Sight Distance Improvements – Retaining Wall at Lynhaven Lane project	$225,750

Item 13. County Attorney; Authorize the County Administrator to Advertise a Public Hearing to Consider Granting a Permanent Ingress-Egress Easement on County-Owned Property, Tax Map Parcel No. 30-53, to the Estate of J.W. Clark.

Resolution R21-391 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER GRANTING A PERMANENT INGRESS-EGRESS EASEMENT ON COUNTY-OWNED PROPERTY, TAX MAP PARCEL NO. 30-53, TO THE ESTATE OF J. W. CLARK, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, the County is the owner of Tax Map Parcel No. 30-53 (Property), which is located beside Fire Station 2 off Courthouse Road, within the Hartwood Election District; and

WHEREAS, the heirs of J. W. Clark, also known as John W. Clarke, owners of the adjacent parcel, Tax Map Parcel No. 30-54, have requested an ingress-egress easement across the Property to access Clarke Hill Road; and

WHEREAS, the Board desires and is required to hold a public hearing to consider granting the ingress-egress easement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does authorize the County Administrator to advertise a public hearing to consider granting a permanent 15-foot ingress-egress easement on County-owned Tax Map Parcel No. 30-53 to the Estate of J. W. Clark, also know of record as John W. Clarke.

Item 14. Fire and Rescue; A Resolution Authorizing the County Administrator to Accept the Virginia Office of Emergency Services Grant for ESO Transition Software and To Budget and Appropriate the Funds.

Resolution R21-385 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ACCEPT THE VIRGINIA OFFICE OF EMERGENCY SERVICES GRANT FOR ESO TRANSITION SOFTWARE AND TO BUDGET AND APPROPRIATE THE FUNDS

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

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

WHEREAS, the Virginia OEMS awarded Stafford County $176,288.50 to purchase hardware compatible with ESO, the state's new patient care reporting platform; and

WHEREAS, the Office of EMS has fully funded this grant opportunity and no match is required; and

WHEREAS, the Memorandum of Agreement can be submitted and the grant award can be accepted electronically through the Virginia OEMS online portal;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to execute any documents which he deems necessary and appropriate to accept the ESO Transition Hardware – Phase Two – Special Initiative Grant Opportunity Funds; and

BE IT FURTHER RESOLVED, that the ESO Transition Hardware – Phase Two – Special Initiative Grant funds are budgeted and appropriated as follows:

Fund	Department	Amount

County's Grant Fund	Fire and Rescue Department	$176,289

Item 15. Fire and Rescue; Budget and Appropriate Funds to Purchase a Fireboat.

Resolution R21-396 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS FOR THE PURCHASE OF A FIREBOAT

WHEREAS, the County's Department of Fire, Rescue, and Emergency Services (Department) is responsible for providing fire, rescue, and emergency medical services for the citizens of Stafford County; and

WHEREAS, the provision of public safety services has been identified as a top priority for the Board; and

WHEREAS, the Department requires an appropriately designed and constructed fireboat to assist in the provision of emergency services on and near the water; and

WHEREAS, $341,000 was budgeted in the Fiscal Year 2021 Capital Improvement Program (CIP), pursuant to Resolution R20-203; and

WHEREAS, costs are anticipated to exceed the budgeted CIP funds; and

WHEREAS, the Department has consulted with the Department of Management and Budget, and an additional $250,000 is needed and available in the prior year fund balance for this purchase;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that prior year fund balance held in the County's General Fund be and it hereby is budgeted and appropriated as follows for the purchase of a fireboat:

Fund	**Department**	**Amount**
General Fund	Transfer to Capital Projects Fund	$250,000

; and

BE IT FURTHER RESOLVED capital projects funds are appropriated as follows for the purchase of a fireboat:

Fund	**Department**	**Amount**
Capital Projects Fund	Fire and Rescue Capital	$591,000

Item 16. Fire and Rescue; A Resolution to Budget and Appropriate Funds to Purchase a Public Health Vehicle.

Resolution R21-397 reads as follows:

A RESOLUTION BUDGETING AND APPROPRIATING FUNDS FOR PURCHASE OF A PUBLIC HEALTH UTILITY VEHICLE

WHEREAS, the County's Department of Fire, Rescue, and Emergency Services (Department) is responsible for providing fire, rescue, and emergency medical services for the citizens of Stafford County; and

WHEREAS, the provision of public safety services has been identified as a top priority for the Board; and

WHEREAS, the Department has a need for a public health utility vehicle to assist in the provision of preventative care and community health education; and

WHEREAS, various supplies and equipment will be required to stock and equip the public health utility vehicle; and

WHEREAS, the Department has consulted with the Department of Management and Budget and $200,000 is available in prior year fund balance and can be used for this purpose;
NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that prior yearend fund balance held in the General Fund be and it hereby is budgeted and appropriated as follows for the purchase of a public health utility vehicle and equipment:

Fund	**Department**	**Amount**
General Fund	Fire and Rescue	$200,000

Item 17. Parks, Recreation & Community Facilities; Authorize a Contract with Ruppert Landscape, Inc. for Landscaping and Grounds Maintenance Services.

Resolution R21-141 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH RUPPERT LANDSCAPE, INC., FOR LANDSCAPING AND GROUNDS MAINTENANCE SERVICES FOR PARKS AND RECREATION AND COMMUNITY FACILITIES LOCATIONS

WHEREAS, landscaping, grounds maintenance, and Virginia Department of Transportation (VDOT) right-of-way services are needed at various County facilities, that are beyond the capabilities of County staff; and

WHEREAS, the County solicited competitively sealed bids, pursuant to Invitation for Bid (IFB) #22-008-5090-SB, for ground maintenance, landscaping and snow removal services; and

WHEREAS, staff determined Ruppert Landscape, Inc., to be the lowest responsive and responsible bidder to furnish grounds maintenance and landscaping services required for Parks, Recreation and Community Facilities (PRCF) locations and VDOT right-of-way sites (Lot 2 of the IFB); and

WHEREAS, first year costs are estimated to be up to $200,000, and funds are available in the PRCF FY2022 budget; and

WHEREAS, annual expenditures are available in PRCF's operational budget as approved annually by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to execute a contract for a one-year with four optional one-year renewal terms with Ruppert Landscape, Inc. for landscaping and grounds maintenance services at various County facilities managed by Parks, Recreation and Community Facilities, and Virginia Department of Transportation right-of-way maintenance services, in a total contract amount of One Million Sixty-One Thousand Eight Hundred Twenty-Six Dollars ($1,061,826); and

BE IT FURTHER RESOLVED, that the first year contract costs shall not exceed Two Hundred Thousand Dollars ($200,000), and subsequent renewal costs shall not increase by more than the number of facilities that require landscaping and grounds maintenance services, and the price increases permitted in IFB #22-008-05090-SB, unless authorized by a duly-executed contract amendment.

Item 18. Planning and Zoning; Authorize an Extension to the Time Limits for Consideration of Reclassification Application RC16151330 Willow Run.

Resolution R21-403 reads as follows:

A RESOLUTION EXTENDING THE TIME LIMIT TO CONSIDER A REQUEST TO RECLASSIFY FROM THE A-1, AGRICULTURAL AND B-2, URBAN COMMERCIAL ZONING DISTRICTS TO THE R-2, URBAN RESIDENTIAL - MEDIUM DENSITY ZONING DISTRICT (30.15 ACRES); AND FROM THE A-1 ZONING DISTRICT TO THE B-2 ZONING DISTRICT (5.60 ACRES) TAX MAP PARCEL NOS. 36-29, 36-37A, AND A PORTION OF TAX MAP PARCEL NOS. 44-61 AND 44-61A; AND A PROPOSAL TO AMEND PROFFERED CONDITIONS ON A PORTION OF TAX MAP PARCEL NOS. 44-61 AND 44-61A, ZONED B-2, URBAN COMMERCIAL (7.53 ACRES), ALL LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Ward Corporation (Applicant) submitted application RC16151330 (Application), requesting a reclassification from the A-1, Agricultural and B-2, Urban Commercial Zoning Districts to the R-2, Urban Residential - Medium Density Zoning District (30.15 acres); and from the A-1 Zoning District to the B-2 Zoning District (5.60 acres) on Tax Map Parcel Nos. 36-29, 36-37A, and a portion of Tax Map Parcel Nos. 44-61 and 44-61A; and a proposal to amend proffered conditions on a portion of Tax Map Parcel Nos. 44-61 and 44-61A zoned B-2, Urban Commercial (7.53 acres), all located within the Hartwood Election District; and

WHEREAS, the Planning Commission made a recommendation on the Application on September 22, 2021; and

WHEREAS, the time limit applicable to the Application is December 2, 2021 pursuant to County Code Sec. 28-204(f), but permits the Applicant to request a time extension in writing prior to such deadline with a definitive time for moving forward with or withdrawing the Application, subject to approval by the Board; and

WHEREAS, on October 13, 2021, the Applicant requested that the time limit be extended to February 28, 2022, to allow time for the Application to be considered by the Board during a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the time limit for consideration of application RC16151330 be and it hereby is extended to February 28, 2022.

Item 19. Utilities; Authorize the County Administrator to Execute a Task Order with A & M Concrete Corp. for the Marshall Place Waterline Improvements.

Resolution R21-378 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH A & M CONCRETE CORP. FOR THE MARSHALL PLACE WATERLINE IMPROVEMENTS PROJECT, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the waterline improvements along Marshall Place specifically address aging and deteriorating infrastructure, which conveys potable water in the Ferry Farms Subdivision; and

WHEREAS, the new piping, control valves, and service connections would be more reliable and significantly reduce service disruptions and annual maintenance costs; and

WHEREAS, the work may be procured by a task order through the Utilities on-call construction contract with A & M Concrete Corp., Contract #21-003-5030SB-R-AM; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to execute a task order with A & M Concrete Corp. for the Marshall Place waterline improvements project, in an amount not to exceed Three Hundred Ninety-Eight Thousand Two Hundred Twenty Dollars ($398,220), unless modified by a duly-executed change order.

Item 20. Utilities; Authorize the County Administrator to Execute a Contract with GM Lewis Enterprises LLC for Grounds Maintenance for Utilities Facilities.

Resolution R21-380 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH GM LEWIS ENTERPRISES, LLC FOR GROUNDS MAINTENANCE FOR UTILITIES FACILITIES.

WHEREAS, grounds maintenance, landscaping and snow removal services are needed for the County's water and wastewater treatment facilities, sewer pump stations, water booster pump stations and water tanks; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bid (IFB) #22-008-5090-SB, for grounds maintenance, landscaping and snow removal services, for one year with four, one-year renewal periods; and

WHEREAS, GM Lewis Enterprises, LLC was determined by staff to be the lowest responsive and responsible bidder to furnish grounds maintenance, landscaping and snow removal services required by the Utilities facilities; and

WHEREAS, funds for these services are available in the Utilities Enterprise Fund, subject to annual budget and appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2021, that the County Administrator be and he hereby is authorized to execute a contract for one year, with four optional one-year Renewal terms with GM Lewis Enterprises, LLC for grounds maintenance, landscaping, and snow removal services for Utilities facilities in an amount not to exceed One hundred Twenty-Four Thousand, Seven Hundred Eleven Dollars ($124,711) unless modified by a duly executed contract amendment.

Item 21. Utilities; Authorize the County Administrator to Advertise a Public Hearing to Consider Amending Stafford County Code Sec. 25-1, "Definitions," Sec. 25-22, "Mandatory Sewer Connections," and Sec. 25-23, "Mandatory Water Connections," Related to Mandatory Water and Sewer Connections.

Resolution R21-386 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING STAFFORD COUNTY CODE SEC. 25-1, "DEFINITIONS," SEC. 25-22, "MANDATORY SEWER CONNECTIONS," AND SEC. 25-23, "MANDATORY WATER CONNECTIONS," RELATED TO MANDATORY WATER AND SEWER CONNECTIONS

WHEREAS, a conflict exists between the County Code, Chapter 25, and the Comprehensive Plan regarding the requirements and plans to connect to public water and sewer; and

WHEREAS, to correct the conflict, staff proposes revisions to the County Code, which would clarify the process that property owners must go through to connect to public water and sewer outside of the Urban Services Area established in the Comprehensive Plan; and

WHEREAS, on September 14, 2021, following a public hearing, the Utilities Commission recommended approval of the proposed amendments; and

WHEREAS, at its meeting on October 5, 2021, the Board's Infrastructure Committee, recommended sending the proposed amendments to the full Board to authorize a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amendments to Stafford County Code Sec. 25-1, "Definitions," Sec. 25-22, "Mandatory Sewer Connections," and Sec. 25-23, "Mandatory Water Connections," regarding mandatory water and sewer connections, pursuant to proposed Ordinance O21-49.

Item 22. Utilities; Authorize the County Administrator to Apply for COVID-19 Municipal Utility Relief Program Funding and Accept, Budget and Appropriate COVID-19 Relief Funds.

Resolution R21-404 reads as follows:

A RESOLUTION TO AUTHORIZE APPLYING FOR, ACCEPTING, BUDGETING AND APPROPRIATING CARES ACT GRANT FUNDS FOR UTILITIES CUSTOMERS

WHEREAS, the County declared a local state of emergency on March 16, 2020, in response to the threat to the public health and safety of the residents of Stafford County due to the novel coronavirus disease 2019 (COVID-19); and

WHEREAS, although the County has ended its local declared emergency, County residents and utilities customers are still suffering impacts from COVID-19; and

WHEREAS, on March 11, 2021, the federal government approved the American Recovery Plan Act (ARPA) and provided ARPA grant funds to support states and localities recovering from the COVID-19 public health pandemic by providing State and Local Fiscal Recovery Funds (SLFRF); and

WHEREAS, under the Commonwealth's COVID-19 ARPA SLFRF Municipal Utility Relief Program (Utilities Grant), residential municipal utility system customers may be eligible for relief due to ongoing matters related to the COVID-19 pandemic; and

WHEREAS, Utilities Grant funds are available to assist utility customers experiencing economic hardship due to the COVID-19 pandemic, covering the time period of August 31, 2021 through January 30, 2022; and

WHEREAS, the grant application deadline is October 22, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the County Administrator be and he hereby is authorized to apply for grant funding under the Commonwealth of Virginia American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds (SLFRF) Municipal Utility Relief Program in the amount of One Million Six Hundred Twenty-Nine Thousand Thirty-Three Dollars ($1,629,033); and

BE IT FURTHER RESOLVED that grant funding awarded pursuant to the Commonwealth of Virginia's COVID-19 ARPA SLFRF Municipal Utility Relief Program in the amount of up to One Million Six Hundred Twenty-Nine Thousand Thirty-Three Dollars ($1,629,033) is hereby accepted, budgeted, and appropriated as follows:

Fund	Department	Amount
County's Grants Fund	Transfer to Utilities Fund (Customer Assistance)	$1,629,033

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

23. County Administration: Discuss the Board of Supervisors 2022 General Assembly Legislative Program.

Mr. Anthony Toigo reported that the General Assembly would meet from January 12–March 12, 2022, and it is a budget year. He said that what's unique about this budget year, besides taking place after an election where the administration and entire House of Delegates are up, Virginia has a $2.6 billion budget surplus—due primarily to under-projection of revenues due to COVID-19, and that would be a certain topic of contention in the next session. He said that the new administration would take the lead on proposing that budget, but those funds would be available going into next year.

Mr. Toigo stated that the Legislative Committee recommends four top initiatives, which are not much different than what they've had in past years. He said the only new one he wanted to highlight was the Marcus Alert system, which is a request for additional funding from the state and to delay the RCSB's deadline to implement that system by July 2021, with the Board approving the consent item earlier to send a letter to their delegation.

Mr. Toigo reported that there were six total deletions, mainly due to resolution or recommendation by the Planning Commission, all reflected in Attachment 1. He said that there were a few additions under healthy growth, public safety, and transportation; there were several from the Commission related to PDR and TDR and development rights. He said there was a general support item for the completion of state redistricting, which gives the Board flexibility to weigh in on that issue if they needed to. He said that there was also an item under Responsive Transportation System for staff to start researching amendments to the vegetation removal item that came through a few years ago with the students, to make it more effective and applicable locally. He said that at the recommendation of the Sheriff's office and Legislative Committee, there was an item that is basically what the Board keeps in its program every year to address unfunded mandates but specifically for law enforcement. He stated that he would be back on November 16 to further discuss next steps, with a resolution before the Board. He noted that prefiling of legislation begins November 15, and they are working with the delegation to schedule a delegation meeting, and they hoped to have that in person—likely in early December.

Ms. Allen asked why they were removing the timbering item.
Mr. Toigo responded that there was a study currently happening at the state level to make recommendations to states and localities for tree conservation, so they are waiting on those results. He said they could put it back in the program, but it's really to see what those recommendations are and then come back in the fall of 2022 with additional recommendations for the 2023 session.

Ms. Allen said she would like to propose, if the Board agrees, to include working with the schools on getting an environmental, eco-friendly curriculum that would be part of the Widewater state funding. She stated that she had spoken with Friends of Widewater State Park President Phil Hornung, and with Senator Scott Surovell, who mentioned that he was going to push for the other parts of the park to be completed with the budget, including getting DCR to rezone to allow for children to use the park for eco-learning, but they would need the Board's support to push it on their legislative agenda to the General Assembly.

Mr. Dudenhefer said that at their FAMPO meeting the previous evening, it was brought up that the incumbent delegate in the south part of Stafford was pushing for a mandatory Regional Transit Authority (RTA) in Planning District 16. He stated that the County had sent a letter in 2020 in which they vehemently opposed that legislation, and there were last-minute amendments and substitutes to it. He said that he thinks they should go on record in their priorities that they oppose the RTA concept as presented, as there are no inputs from the County in terms of what they are proposing. He stated that this would be a big issue and has the potential of forcing them into a situation where they would significantly raise taxes on Stafford citizens and not have control over where the money goes—under the guise that it's helping RTA.

Ms. Bohmke stated that she wanted to make sure she understood what Ms. Allen was suggesting, as the students can go down to the park and do whatever work they want to, through their teacher and their school, and she wanted to know what else Ms. Allen was recommending.

Ms. Allen explained that what they are proposing is to make it part of the curriculum, and the schools are working on that, but her understanding is that when students are finished, they would get some type of recognition stating that they went through the program—perhaps something noting it on their diplomas. She stated that it would be done in concert with the schools, the Department of Conservation and Recreation, and Stafford County. She stated that she could get Mr. Hornung to speak at the next meeting about it, but she wasn't sure what the timeline is.

Ms. Bohmke asked if it was K-12 and if she had a target.

Ms. Allen responded that it would be up to the schools, and she didn't know what the age limit was.

Ms. Vanuch suggested that Ms. Allen gather additional information from Mr. Hornung and other necessary sources, then have that circulated to Mr. Toigo so he could brief Julia Hammond, the lobbyist on it, so they could determine exactly what they would be asking for in legislative priorities when he presents it to her on November 16.

Mr. Presley stated that the County has had a longstanding position in their program already to support improvements to Widewater State Park, including phase three improvements, but the specific ask would help get it through and get it in DCR's budget.

Ms. Lamb stated that she also wanted to talk about the RTA, and the Regional Transportation Improvement Committee had started off as an RTA, but after it went to subcommittee, it transitioned to be a regional transportation improvement program—which added even more layers of bureaucracy to the existing transportation issues and replicated FAMPO. She said that Mr. Toigo's email indicated that there was already someone opposing that, and she asked where he was seeing that.

Mr. Toigo explained that on Page 24 of the draft General Assembly program, since the Board weighed in earlier this year with R21-77, formally opposing House Bill 1910 (the RTIC bill from earlier this year), staff put in the legislative program an opposition to the creation of a regional transportation improvement committee (RTIC) for the Fredericksburg area. He stated that it is in the program and is not currently a priority but could be if the Board is inclined. He said that the language on Page 24 is specific to an RTIC, but they could amend it to say "RTIC or RTA."

Ms. Lamb responded affirmatively.

Mr. Coen said there was a Civics seal that students can get on their diploma, so they may want to check and see if the environmental recognition was similar, because the Civics one was fairly easy to do and didn't cost anything. He also asked if this were something that could be done virtually, and perhaps staff could explore this.

24. Budget and Management; Budget and Appropriate Prior Year Fund Balance for School Bus Purchase.

Ms. Light reported that the schools were asking for a budget and appropriation of approximately $1.6 million in prior year funding for the purchase of 15 additional buses, which was approved by the School Board on October 12. She said that in their FY22 School Budget, it does have funding for 12 buses, and schools continue to increase the funding that they put into their budget for buses every year, until they can get to a sustainable replacement cycle. She stated that at this time, the County continues to use ongoing and one-time money; the reserves have been set aside for year-end carry forwards from schools, and these can be used through financial policies for one-time purchases. She said that these buses would provide an adequate number of spare buses for the schools, and they have had quite an increase in applicants since the Board approved bonuses—with over 200 applicants since the beginning of the school year.

Ms. Bohmke said that since these are school buses, she would like to ask her fellow Supervisors if they would waive the bylaws and consider this time sensitive. She said that the Falmouth School Board member, Dr. Chase, indicated that the schools don't even have some of the buses that they ordered in the last round. She emphasized that they need buses and this is part of their cyclical replacement process, and she asked if there was any reason to wait a month.

Ms. Bohmke motioned, Ms. Lamb seconded to deem this item time sensitive.

Mr. Snellings asked if these buses would be air-conditioned.

Ms. Light responded that they would be.
The Voting Board tally was:

Yea:	(6)	Allen, Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(1)	Dudenhefer

Absent: (0)

Ms. Bohmke motioned, Mr. Coen seconded for approval of R21-408.

The Voting Board tally was:

Yea:	(6)	Allen, Bohmke, Coen, Lamb, Snellings, Vanuch
Nay:	(1)	Dudenhefer
Absent:	(0)	

Resolution R21-408 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDING FOR THE PURCHASE OF 15 MAINSTREAM SCHOOL BUSES

WHEREAS, at its October 12, 2021, the School Board approved requesting the Board budget and appropriate funds for the purchase of 15 mainstream school buses; and

WHEREAS, the Schools have identified the need for 15 mainstream school buses to maintain an adequate number of spare buses in the fleet;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that Schools' Capital Projects Reserve funds held in the County's General Fund be and they hereby are budgeted and appropriated as follows for the purchase of 15 mainstream school buses:

Fund	Purpose	Amount
County's General Fund	Transfer to Schools' Operating Fund	**$1,644,971**
Schools' Operating Fund	Purchase of 15 Mainstream School Buses	**$1,644,971**

CLOSED MEETING

At 4:25 p.m., Ms. Lamb motioned, seconded by Mr. Snellings to approve proposed Resolution CM21-19.

The Voting tally was:

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

Resolution CM21-19 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel regarding (1) legal counsel representation provided by the County and legal fees, and (2) the federal vaccine/testing requirement and the performance responsibilities of specific public officers, which are both specific legal matters requiring the provision of legal advice by counsel.; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) 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 19th day of October, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 5:02 p.m., Ms. Lamb motioned, seconded by Mr. Dudenhefer to approve proposed Resolution CM21-19(c).

The Voting Board tally was:

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

Resolution CM21-19(c) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON OCTOBER 19, 2021

WHEREAS, the Board has, on this the 19th 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 19th 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.

ACTIONS FROM CLOSED MEETING

Mr. Dudenhefer, seconded by Ms. Lamb, to approve proposed Resolution R21-398.

The Voting Board tally was:

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

Resolution R21-398 reads as follows:

A RESOLUTION ADOPTING A BOARD POLICY REGARDING LEGAL COUNSEL REPRESENTATION AND USE BY COUNTY PUBLIC OFFICIALS AND APPLICABLE COUNTY STAFF

WHEREAS, pursuant to Virginia Code § 15.2-1520, the Board is authorized to employ and pay counsel fees to defend the Board and Boards, Authorities, Committees, and Commissions (BACC) (collectively, County officials) and County staff when such claims result from their actions in furtherance of the performance of their duties or service as an official or staff; and

WHEREAS, the Board has appointed a County Attorney and it is the duty of the County Attorney and her office to provide these legal services; and

WHEREAS, the Board desires to establish a policy to clearly define this requirement and the procedures that will be followed when an actual or potential conflict of interest situation arises;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does adopted the following policy regarding the legal counsel representation and use:

Stafford County Board of Supervisors
Legal Counsel Representation and Use Policy

I. The County Attorney, or in the County Attorney's discretion insurance counsel or outside counsel, shall defend the County, the Board and any Boards, Authorities, Committees, or Commissions (BACC), and any individual member, and staff, against any legal challenges and claims resulting from the performance of their official duties as County public officials and staff. When an actual or potential conflict of interest exists and in the County Attorney's sole discretion neither she nor her office can ethically provide legal representation to the Board and any other County public official, BACC, or the County and staff, the County Attorney will obtain counsel, at the County's expense, to represent the County public official, BACC, or the County and staff.

II. For the purpose of this policy, County public official and County staff encompass current and former County public officials and County staff.

III. County public officials and County staff may, if they desire, retain their own legal counsel at their expense.

IV. Any exceptions to this policy must be approved by the Board of Supervisors by adoption of a resolution after a closed session discussion with the County Attorney and applicable staff.

Mr. Dudenhefer motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-399.

The Voting Board tally was:

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

Resolution R21-399 reads as follows:

A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF LEGAL FEES

WHEREAS, the Board adopted Resolution R21-398 establishing its policy concerning legal counsel representation and use on October 19, 2021 (Policy); and

WHEREAS, prior to establishing the Policy, the Board was involved in federal litigation in which plaintiffs subpoenaed documents and demanded depositions from former Board and former Boards, Authorities, Committees, and Commissions (BACC) members; and

WHEREAS, as the Policy was not established, the former Board and BACC members retained counsel, at their own expense, to represent them in legal challenges and claims resulting from the performance of their official duties when they were County public officials; and

WHEREAS, the Board desires to reimburse the former Board and BACC members for the legal fees incurred;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does authorize the reimbursement of legal fees in the amount of Ten Thousand One Hundred Nineteen Dollars and Seventy-Five Cents ($10,119.75) to former Board member Wendy Maurer for legal counsel services involved in the *All Muslim Association of America, Inc v. Stafford County, et al.* (1:20-cv-638) and *United States of America v. Stafford County, et al.* (1:20-cv-693) cases.

Mr. Dudenhefer motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-400.

The Voting Board tally was:

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

Absent: (0)

Resolution R21-400 reads as follows:

A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF LEGAL FEES

WHEREAS, the Board adopted Resolution R21-398 establishing its policy concerning legal counsel representation and use on October 19, 2021 (Policy); and

WHEREAS, prior to establishing the Policy, the Board was involved in federal litigation in which plaintiffs subpoenaed documents and demanded depositions from former Board and former Boards, Authorities, Committees, and Commissions (BACC) members; and

WHEREAS, as the Policy was not established, the former Board and BACC members retained counsel, at their own expense, to represent them in legal challenges and claims resulting from the performance of their official duties when they were County public officials; and

WHEREAS, the Board desires to reimburse the former Board and BACC members for the legal fees incurred;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does authorize the reimbursement of legal fees in the amount of Three Thousand Seven Hundred Thirty-Four Dollars and Fifty Cents ($3,734.50) to former BACC member Gail Clark for legal counsel services involved in the *All Muslim Association of America, Inc v. Stafford County, et al.* (1:20-cv-638) and *United States of America v. Stafford County, et al.* (1:20-cv-693) cases.

Mr. Dudenhefer motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-401.

The Voting Board tally was:

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

Resolution R21-401 reads as follows:

A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF LEGAL FEES

WHEREAS, the Board adopted Resolution R21-398 establishing its policy concerning legal counsel representation and use on October 19, 2021 (Policy); and

WHEREAS, prior to establishing the Policy, the Board was involved in federal litigation in which plaintiffs subpoenaed documents and demanded depositions from Board and Boards, Authorities, Committees, and Commissions (BACC) members; and

WHEREAS, as the Policy was not established, the Board and BACC members retained counsel, at their own expense, to represent them in legal challenges and claims brought against Stafford County; and

WHEREAS, the Board desires to reimburse the Board and BACC members for the legal fees incurred;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that it be and hereby does authorize the reimbursement of legal fees in the amount of Six Thousand Ninety-Five Dollars and Two Cents ($6,095.02) to BACC member Kristen Barnes for legal counsel services involved in the *All Muslim Association of America, Inc v. Stafford County, et al.* (1:20-cv-638) and *United States of America v. Stafford County, et al.* (1:20-cv-693) cases.

RECESS

At 5:04 p.m. Chairman Vanuch recessed the afternoon session of the October 19, 2021 meeting.

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

PRESENTATION

BAND TOGETHER TO FIGHT HUNGER - DRUM MAJORS - Ms. Vanuch stated that Stafford's five high schools hold an annual "Band Together to Fight Hunger" where all five bands join together in performance, with the goal of gathering food donations for the Fredericksburg Area Food Bank, which serves the region in which residents and employees live and work. She said that this is the 10th anniversary of the event, which would be held on November 1, 2021 at 7 p.m. at Mountain View High School. She invited Erin Tucker, the 2021 Band Together to Fight Hunger coordinator, and other participating students.

Ms. Erin Tucker introduced County band leadership: Emanuel Youbas from Brooke Point High School, Brooke Drozdowski and Liberty Grant from Colonial Forge High School, Brooke Pickerel from Mountain View High School, Luke Madison from North Stafford High School, and Katelyn Cockrell from Stafford High School.

Mr. Emanuel Youbas invited the Board to join them at Mountain View High School on November 1 at 7 p.m. for the 10th anniversary event, with a rain date of November 8. He said that gates would open at 5:30 p.m. so people would have time to drop off donations and enjoy dinner from concessions while they wait for the performances to begin.

Ms. Brooke Drozdowski said that Band Together to Fight Hunger is an exciting showcase of talented musicians from Stafford's five high schools and is the only event during the year where you can see all five marching bands in concert while giving back to the community at the same time. She said the event supports the Fredericksburg Regional Food Bank, which serves the counties where students, faculty, and support staff reside: Stafford, Spotsylvania, Caroline, King George, Locust Grove, and the City of Fredericksburg.

Ms. Liberty Grant said that admission to this event is free with a non-perishable food donation, and monetary donations are always gladly accepted. She stated that donations can be made by mailing a check to "Band Together" at Mountain View High School or through their online donation page, which is linked from the Band Together social media pages. She stated that on the virtual event during the last school year, they were able to provide 22,000 meals to surrounding communities, and their last in-person event in 2019 raised over 46,000 meals. She said that they would love to break those records in 2021 for the food-insecure citizens of the area.

Mr. Luke Madison stated that the Fredericksburg Regional Food Bank is a storehouse for food and other products collected, and these items are then distributed to the local food pantries and other programs in the communities. He said that the food bank is seeing more people than ever—parents who have lost work or had a reduction in hours, and retired seniors who are struggling to put food on the table—but the community can help if it can band together to fight hunger. He stated that last quarter alone, the food bank distributed 1,248,654 pounds of food that served over 12,000 people. He said that more than 3,500 were children, and 2,700 were senior citizens.

Ms. Katelyn Cockrell stated that by collaborating with the food bank, they can reach more people in need through their many partnerships and business connections, such as school programs, mobile pantry program sites, after-school snack programs, food for live programs, and fresh contents connections agencies. She said that it's incredible that they are able to touch the lives of so many adults and children in these surrounding counties by giving back for just one night.

Ms. Brooke Pickerel stated that after the field presentation to the Fredericksburg Regional Food Bank, attendees would be treated to a grand finale when all of the bands would band together to fight hunger—and 400+ students on the field playing together is pretty amazing and is one of the highlights of their season. Ms. Pickerel said the need in the community is real, and they hoped the public would join them in the campaign to fight food insecurity in the community with monetary and non-perishable food donations. She thanked the Board for their time and their continued commitment to band programs.

PRESENTATIONS BY THE PUBLIC

1. Ms. Lorraine Serbinski, 49 Hunton Drive - commented that the Board has heard her speak against VDOT's plan for Leeland Station's path, as well as from other residents. She said that VDOT has heard from them also and would be coming back to the table with a new idea, hopefully in November, and they hoped the Board would vote in favor of preserving the neighborhood trail. She stated that as a community, it is important that elected officials support them: "We chose y'all; now it's your turn to choose us."

2. Ms. Gina McVicker, 7 Rixey Court – stated that the Board has heard from many residents in recent meetings speaking about trail expansion that would encroach on or destroy their personal property, and in some cases, they have voted in support of the homeowners. She said that she is one of the residents who would be adversely affected if the current design of the Leeland Path expansion moves forward; her home and backyard will lose property value, privacy, shade, and noise buffer provided by hundreds of mature trees spanning Leeland Road. She stated that they are now about a month from VDOT's presentation of a revised design of the bike and pedestrian path, and she hopes that the redesign will reduce or even remove all of the impact to her neighborhood and property. Ms. McVicar asked the Board to continue to support the taxpayers in their districts and in favor of a new design that retains the safety, privacy, and beauty of Leeland Path.

3. Mr. Jeff Adams, 449 Kellogg Mill Road – stated that when his children were in high school, for five consecutive years at Stafford High School, a member of the marching band was either valedictorian or salutatorian. Mr. Adams stated that their neighboring counties of King George, Spotsylvania, Fauquier, and Culpeper have 11 high schools plus middle schools—and every one of them has one or more ag teacher. He said that Stafford County has five high schools but one ag program, and he wondered if it was because there were enough grocery stores that they didn't need farmers, noting that these children are missing out on tens of thousands of dollars in scholarships handed out by the FFA at the State Fair. He stated that his farm is in conservation easement and invited Board members out to his farm to see what their money has bought over the years, and he mentioned the limit of two Board members at a time. Mr. Adams mentioned several species of livestock that were on his farm.

   Mr. Adams thanked Mr. Snellings for letting him be the member on the Ag/PDR Board during his tenure, and said it was his honor to serve.

Mr. Adams said he hoped Mr. Snellings' successor would also consider him, but that was up to them.

4. Ms. Anita Dodd stated that the historical commission had already sent a letter addressing the Oakenwold issue, and she offered to answer questions.

Ms. Vanuch explained that this isn't a back-and-forth dialogue opportunity, so they cannot get into any questions and answers on that, but they would have staff reach out to her if they had any questions.

5. Ms. Annalee Judd, 223 Switchyard Court – addressed the Board and expressed support for preserving the bike path the way it is. She said she had used the path earlier in the day and it was shaded, cool, and safe—and it took all of her stress away to have a nice place to be able to walk. She stated that she didn't think the money spent on redoing the sidewalk was the right thing to do, and they should take the money and put it somewhere where a sidewalk is needed, such as going from her neighborhood up to Deacon Road.

6. Mr. Dave Thompson, 28 Walnut Farms Parkway – stated that they had a meeting at the elementary school there, and a VDOT representative there said that one of their focuses was to move traffic through the corridor faster—but he feels that traffic moves through there pretty fast already. He said that the speed limit is 35, and trucks are doing 45 and 50 down that road; they need to slow the traffic down, not speed it up. He said if the traffic is speeding up and there is a bike lane with pedestrians (which doesn't make sense to him) and an accident happens, it only takes one. He stated that the ability for a vehicle to stop for someone to jump out and grab someone on that lane who might be walking or running and take off with that person can happen within 15 seconds. Mr. Thompson said that he hoped the Board would consider the security that the separation provides, the ditch that provides some safety from vehicles, and the fact that it doesn't need to move faster. He said that they need a stoplight to slow it down, noting that I-95 traffic comes down on Route 1, and when that backs up, Google Maps reroutes people right down Leeland Road because they can go faster down that road. He stated that they need to slow it down and keep traffic from coming through a neighborhood where kids are trying to pass from one side of the road to the other and people are trying to cross.

PUBLIC HEARINGS

Item 30. Planning and Zoning; Consider a Request for a Conditional Use Permit to Allow a Child Care Center in the PD-2, Planned Development-2 Zoning District, on a Portion of Tax Map Parcel No. 29-53B (Project Known as Embrey Mill Town Center Child Care). – Mr. Jeff Harvey stated application CUP211-53998 is a conditional use permit for a childcare center in the PD2 zoning classification. He said the property is known as Parcel 29-53B and is a little over 1.5 acres, located within the Embrey Mill project within the Garrisonville District. He said the applicant is Edward Peete for North Stafford Associates, LLC, represented by Clark Leming of Leming & Healy.

Mr. Harvey presented a zoning map of the property's location, stating that PD2 zoning classification is a mixed-use designation of residential and commercial uses, located within a town center type of setting. He said that this particular part of Embrey Mill is largely a commercial area in close proximity to Courthouse Road near its intersection with Austin Ridge Drive and Mine Road, and close to the new I-95 interchange. He presented an aerial view showing the general location of the property, noting the Publix grocery store and additional shops, and he mentioned that they now have Sunflower Drive connecting all the way through Mine Road and Austin Ridge Drive. He noted that the whole area has been cleared and proposed for development.

Mr. Harvey presented a Generalized Development Plan for the overall project, and "Building 1" is the proposed building associated with the daycare center. He stated that the Board may recall this plan from earlier in the year when they considered a number of drive-through uses permitted along the road frontages of Courthouse Road and Austin Ridge Drive. He said this would be in an area that is commercial in nature—but with the conditional use permit, there would be some conditions imposed to ensure that the future users of the daycare center would be safe, and it would not create any nuisances or distractions to nearby businesses. He stated that the Land Use Plan recommends this property for mixed-use commercial and residential area, and it is within their Targeted Growth Area so there would be higher concentrations of development of the County; the commercial use fits in with the scheme of having mixed use in this area and complies with the mixed-use recommendations within the zoning category.

Mr. Harvey stated that the proposed conditions for the permit speak to compliance with the Generalized Development Plan, which has the overall site oriented internal to the shopping center rather than external to the side roads; it requires fencing around the play area and ensures that the use of the play area will only be in daylight hours. He said that it also requires shading in the playground area so children will not be overheated; it requires that any building entrances will be illuminated through SEPTED requirements, and it requires at least 12 parking spaces specifically dedicated to the childcare center. He said this proposal has a shared parking lot with nearby commercial uses, and the Planning Commission felt it was important to ensure that patrons of the daycare center had a place to park, so the recommended that the 12 closest spaces be included with the conditions for the daycare center use itself.

Mr. Harvey stated that positive factors are that the project is consistent with the land use recommendations of the comprehensive plan; it is consistent with the planned and established development patterns and emerging development patterns in the area. He said that staff believes that the proposed conditions will mitigate impacts to adjacent roadways and nearby uses, and the vehicle trips per day are less intense than what could be permitted with other commercial uses in the zoning category. He stated that negative factors are that the Targeted Growth Area envisions higher-density development and higher floor-area ratios where there may be multi-story buildings; however, based on the fact this is a daycare use, which is necessary to be close to this large residential concentration and a number of commercial activities, a high-level FAR and multi-story building is not practical for a daycare facility, as state licensing requirements stipulate that they must have an outdoor play area.

Mr. Harvey said that staff is recommending approval of the CUP with the conditions pursuant to R21-336, and the Planning Commission has unanimously supported the application.

The Chair invited the applicant to speak.

Mr. Clark Leming offered to answer the Board's questions. None were offered.

The Chair opened the public hearing. There were no speakers, and the Chair closed the public hearing and brought the matter before the Board.

Mr. Dudenhefer commented that this area is prime for development, and this is a use that is definitely compatible with what they need, as he did not think there was another daycare center along Route 1. He noted that with the new interchange, the traffic is significant.

Mr. Dudenhefer motioned, seconded by Mr. Snellings, to approve O21-41.

Ms. McClendon clarified that the correct number is R21-336.

Mr. Dudenhefer amended his motion, seconded by Mr. Snellings, to approve proposed Resolution R21-336.

The Voting Board tally was:

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

Resolution R21-336 reads as follows:

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A CHILD CARE CENTER IN THE PD-2, PLANNED DEVELOPMENT-2 ZONING DISTRICT ON TAX MAP PARCEL NO. 29-53B (PORTION), LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, North Stafford Associates, L.C. submitted application CUP21153998 (Application), requesting a conditional use permit to allow a child care center in the PD-2, Planned Development-2 Zoning District on Tax Map Parcel No. 29-53B (portion), located within the Garrisonville Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Section 28-35, Table 3.1, which permits this use in the PD-2, Planned Development-2 Zoning District, after a CUP is issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that a conditional use pursuant to application CUP21153998 (CUP) be and it hereby is approved with the following conditions:

1. This CUP allows a child care center in the PD-2, Planned Development-2 Zoning District on a portion of Tax Map Parcel No. 29-53B consisting of 1.56 acres (Property) in the location identified on the exhibit entitled "CUP Plat," sheet 2 of the document entitled "Embrey Mill Town Center South Phase Generalized Development Plan Building 1 – Child Care Center A Portion of 29-53B," prepared by VHB, sealed July 16, 2021 (GDP).

2. The Property shall be developed in general conformance with the GDP.

3. No fewer than 12 parking spaces adjacent to the building shall be identified and dedicated for use by child care center patrons during operating hours.

4. There shall be no outdoor play activities from dusk to dawn.

5. The outdoor play areas on the Property shall be enclosed by a wooden slat fence, vinyl fence, or any other type of fence made of a strong, durable, and sturdy material in compliance with state law and regulations.
6. Trees and/or other shade structures shall be provided within the rear playground area of the Property to shade playground areas. The quantity and placement of playground shading shall comply with state law and regulations.

7. All building entrances shall be properly illuminated in accordance with Crime Prevention Through Environmental Design (CPTED) principles.

8. The child care center on the Property, and its employees and agents, shall comply with all requirements, regulations, laws, and licensing required by the Commonwealth of Virginia and its Department of Social Services licensing requirements.

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

Item 27. Budget and Management; Consider Awarding Bonuses for Sworn Officers and Eligible County Employees, and Budgeting and Appropriating the Funds. – Ms. Light reported that the Board is holding a public hearing on O21-47 to consider bonuses for staff, which originated when the state approved ARPA funding to provide a $3,000 bonus to all Compensation Board-funded sworn sheriff's personnel. She said this supports about 93 of the County's 207 deputies, and staff recommends extending this bonus to all sworn sheriff's personnel at $3,000; this funding for the remaining amount of $368,163 can come from ARPA revenue replacement. She said that the Compensation Board does not choose the deputies on that list by merit or any other reason; it's just an inventory, and to give it just to those 93 is not very equitable.

Ms. Light said that in addition to the deputies, staff seeks the Board's direction on providing a $3,000 bonus to all ECC personnel—which is all Emergency Communications Center and uniformed fire and rescue staff at the same amount, so that all public safety would be equitable. She stated that this would be $632,983, which can be funded from ARPA revenue replacement. She also reported that staff seeks the Board's direction on full-time general government employees at a rate of $1,000 bonus for full-time employees and $500 for part-time; the amount necessary would be $631,000, which can be funded from ARPA revenue replacement. She stated that the Department of Utilities could fund their 162-member full-time staff bonus at $1,000 from vacancy savings in their current budget.

Ms. Light stated that in the proposed ordinance O21-47, staff included a six-month employment provision for all general government and utilities staff, and this condition required staff to stay for at least six months from the date of the ordinance, or April 19, 2022. She offered to answer questions.

Ms. Vanuch asked when the bonus would be received by employees, if it is passed.

Ms. Light responded that they are targeting the November 19 date, and it must be prior to November 30 for the Comp Board-funded positions.

Ms. Vanuch asked if it would just show up on their regular paychecks or be separate.

Ms. Light responded that it would be included in their regular paycheck.

Ms. Vanuch asked how taxes would be taken out.

Ms. Light responded that they would be taken out just like their regular pay.

The Chair opened the public hearing. There were no speakers, and she closed the public hearing and brought the matter back before the Board.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Ordinance O21-47.

Ms. Bohmke commented that this is another example of what the state does to localities, but as it turns out, it would be good for all County employees. She explained that the Compensation Board is comprised of state employees, and they only fund some of the County's deputies and other constitutional officers—with the rest paid by the Stafford County General Fund. Ms. Bohmke emphasized that they couldn't survive without all of the employees they fund, as well as general government employees. She said they looked at a lot of options and discussed things like caps for higher salaries, but they agreed that everyone works really hard and has been working hard during COVID, which has been a very difficult and trying time for everyone. She stated that she loves Stafford County and feels that employees across the board do a phenomenal job, and she hoped her colleagues would join her in supporting these bonuses.

Mr. Coen stated that there is a massive effort across the area to try to snag employees from other communities, and Stafford has been making a concerted effort at retention and keeping employees with institutional and community knowledge. He commented that the state, in its lack of wisdom, was trying to pit one group against another for whatever short-term gain they can get—when all of these people are facing difficult times because of the challenges presented by COVID. He emphasized that employees need to know that the County appreciates all they do.

Ms. Vanuch thanked her colleagues and noted that they'd had many one-on-one conversations, but they settled on the best option available to them, which was to award public safety officials $3,000 across the board. She thanked first responders and said it had been a couple of very difficult years. She stated that they appreciate all public employees and want them to stay here, which is why they've tied that bonus to retention; she thanked them for their service.

The Voting Board tally was:

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

Absent: (0)

Ordinance O21-47 reads as follows:

AN ORDINANCE TO AUTHORIZE BONUSES FOR SWORN OFFICERS AND ELIGIBLE COUNTY EMPLOYEES, AND TO BUDGET AND APPROPRIATE FUNDS

WHEREAS, the Commonwealth has provided American Recovery Plan Act (ARPA) funds to the County in support of bonuses for 93 sworn officers; and

WHEREAS, the Compensation Board has approved and the Board is required to pay a $3,000 bonus to Compensation Board funded sworn officers; and

WHEREAS, the County has 114 more sworn officers than the Compensation Board provides funding for and the Board desires to treat all sworn officers, Emergency Communication Center (ECC) staff, and Fire and Rescue uniformed personnel equally; and

WHEREAS, the Board desires to budget and appropriate the $300,344 received from the Compensation Board for sworn officers' bonuses; and

WHEREAS, the Board desires to appropriate $1,001,146 in County ARPA funds to provide $3,000 bonus to all non-Compensation Board funded sworn officers, ECC staff, and Fire and Rescue uniformed personnel; and

WHEREAS, the Board desires to appropriate $546,862 in County ARPA funds to provide $1,000 bonuses to General Government full-time staff and $84,505 in County ARPA funds to provide $500 bonuses to General Government permanent part-time staff, with conditions as described below; and

WHEREAS, the Board desires to provide a $1,000 bonus to Utility Fund employees, with conditions as described below; and

WHEREAS, the Board is required to provide bonuses to the Compensation Board funded sworn officers by November 30, 2021, and desires to make all bonuses available to staff by that same date; and

WHEREAS, pursuant to Virginia Code § 15.2-1508 the Board held a public hearing and considered testimony, if any, provided during the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that one-time bonuses for all sworn officers, Emergency Communications Center employees, and Fire and Rescue uniformed personnel (collectively, Public Safety) in the amount of Three Thousand Dollars ($3,000) be and they hereby are authorized; and

BE IT FURTHER ORDAINED, that one-time bonuses for all General Government full-time employees (not otherwise captured as Public Safety) in the amount of One Thousand Dollars ($1,000) and for all General Government part-time employees (not otherwise captured as Public Safety) in the amount of Five Hundred Dollars ($500) are authorized, conditioned upon the employee remaining employed with County government for at least six months from the date of this Ordinance—April 19, 2022—and the employee agreeing to an automatic deduction and return of the bonus funds if the condition is not met; and

BE IT FURTHER ORDAINED, that one-time bonuses for Utilities full-time employees are authorized in the amount of One Thousand Dollars ($1,000) that will be funded from current vacancy savings in the total amount of $174,393, conditioned upon the employee remaining employed with County government for at least six months from the date of this Ordinance—April 19, 2022—and the employee agreeing to an automatic deduction and return of the bonus funds if the condition is not met; and

BE IT FURTHER ORDAINED, that funds received from the Compensation Board for sworn officers' bonuses are budgeted and appropriated as follows:

Fund	**Department**	**Bonus Amount**	**Amount**
General Fund	Sherriff Sworn Officers	$3,000	$300,344

; and

BE IT FURTHER ORDAINED, that American Recovery Plan Act (ARPA) Revenue Replacement funds are appropriated as follows to provide bonuses to non-Compensation Board funded sworn officers, Fire and Rescue uniformed personnel, and General Government full-time and permanent part-time employees:

Fund	**Department**	**Bonus Amount**	**Total Appropriation Amount**
ARPA Grant Fund	Sheriff, Sworn Officers	$3,000	$368,163
ARPA Grant Fund	Emergency Communications Center	$3,000	$100,115
ARPA Grant Fund	Fire and Rescue, Uniformed Personnel	$3,000	$532,868
ARPA Grant Fund	General Fund Full-Time	$1,000	$546,862
ARPA Grant Fund	General Fund Permanent Part-Time	$500	$84,505
	Total ARPA Grant Fund Appropriation		**$1,632,513**

; and

BE IT STILL FURTHER ORDAINED, that the County Administrator is authorized to use ARPA Revenue Replacement and may at a future date consider the use of ARPA Funds if final guidance allows a for these expenses to be assigned directly to ARPA Funds.

JOINT PLANNING COMMISSION/BOARD OF SUPERVISORS PUBLIC HEARINGS

At 7:33 p.m., Ms. Vanuch called the joint meeting to order and turned it over to Planning Commission Chair Steven Apicella, with Commission members appearing via Zoom.

Mr. Steven Apicella called the Planning Commission meeting to order. Also in attendance were commissioners Albert Bain, Kristen Barnes, Dexter Cummings, Darrell English, Luther McPherson, and Barton Randall.

Ms. Vanuch read the protocol for the joint meeting.

Item 25. Planning and Zoning; Consider a Proposed Zoning Reclassification from the A-1, Agricultural, R-2, Urban Residential - Medium Density, and B-2, Urban Commercial Zoning Districts to the M-1, Light Industrial Zoning District to Allow for a Storage Warehouse and Other Light Industrial Uses on Tax Map Parcel No. 37-80 (Known as Project Ivy). – Principal Planner Brian Geouge stated that he would be presenting Project Ivy, and also joining him would be Director of Economic Development John Holden to cover some of the economic benefits of the proposal. Mr. Geouge said that this is a request for reclassification from A-1 Agricultural and R-2 Urban Residential Medium Density and B-2 Urban Commercial to the M-1 Light Industrial Zoning District on Parcel 37-80, consisting of approximately 231 acres. He said the applicant and owner is John Groupe with IVI Strategies, the agent is Charlie Payne with Hirschler Fleischer, and this is in the Hartwood District.

Mr. Geouge said the site was outlined in red on the map presented and was bounded generally by Centreport Parkway to the north and south, Mountain View Road to the west, an I-95 to the east. He said the subject parcel is currently split zoned with three different zoning districts, with 88 acres of R-2 Medium Density Residential and 10 acres of B-2 Urban Commercial at the northern end, with the remaining 133 acres under A-1 Agricultural at the southern end. He stated that surrounding properties include M-1 Light Industrial to the east, where the 200,000-square-foot Amazon facility is located. He noted that M-1 zoning is directly north abutting the property, and there are no current development plans within that portion. He stated that there is also additional M-1 property across Centreport Parkway to the north—another project known as Project Clover, where a 630,000-square-foot warehouse is currently in the process of development approval.

Mr. Geouge stated that there is R-2 Medium Density Residential zoning to the west, where current development plans propose 500 townhouse units for a project known as Centreport Village; and B-2 zoning to the south includes a large parcel under conservation easement, as well as other B-2 zoned land planned for commercial development.

Mr. Geouge said that this site was subject to a rezoning for a project known as Sycamore Grove in 2017, which established the current R-2 and B-2 zoning and included proffers; a Generalized Development Plan for the project is shown on the map provided. He stated that the development proposed 170 dwelling units and up to 150,000 square feet of commercial development; proffers generally restricted development to what is shown and included protection and stabilization of the Oakenwold House, a historic resource onsite. He said the proffers also included monetary contributions to offset impacts on public facilities, including a $200K contribution towards the signalization of Mountain View Road and Centreport Parkway. He stated that the proffers require the southern portion of the property under A-1 zoning to be preserved as open space.

Mr. Geouge presented an aerial photograph showing existing conditions at the site, which contains a mix of forested land cover and open agricultural fields and pastureland. He said the site is bisected by Potomac Creek, and portions of the site—particularly the southern portion—are encumbered with wetlands, 100-year floodplain, critical resource protection areas, and are within three dam-break inundation zones. He noted that the topography includes rolling terrain and areas of steep slopes to the north and west of Potomac Creek and generally level topography to the south and east. He stated that there is a historic resource known as the Oakenwold Complex located in the northern portion of the property, which he circled on a map. He said this includes a circa 1855 house with secondary dwelling, kitchen, corn crib, school, icehouse, and possible remains of a cemetery.

Mr. Geouge stated that the applicant is proposing a proffer that will require general conformance, specifically with Sheet 3 of the Generalized Development Plan, depicting access locations; there is one proposed full entrance to the west on Centreport Parkway, and one proposed future entrance on that road; there is one proposed full entrance on Mountain View Road, and another future access proposed on that road. He said that the area referred to as Land Bay A to the north of Potomac Creek is shown on the map and consists of 81 acres, and it may include any uses permitted in the M-1 Zoning District. He stated that another area referred to as Land Bay B is located south of Potomac Creek and consists of 57 acres; this land bay may include fleet parking, parking and storage of tractor-trailers, and office uses. He said that potential trip distribution to each access point is also shown, with 1,354 vehicles per day shown at the main Centreport access point and 339 vehicles per day accessing the property through Mountain View Road.

Mr. Geouge said that as proffered, areas outside of the land bays shown would not be developed with buildings or parking areas and would generally remain as open space, and that the area constitutes roughly 40% of the total land area. He stated that potential stormwater facilities are also shown, as well as a 50-foot transitional buffer where the property abuts Parcel 37-30B, which is the conservation parcel to the south. He said that an illustrative plan is also provided in the GDP as Sheet 4, depicting the conceptual layout for improvements; a one-story warehouse building of

933,000 square feet is proposed, with associated loading and parking areas located on the northern portion of the property within Land Bay A.

Mr. Geouge stated that loading and tractor-trailer parking areas are depicted on the east and west sides of the building, with passenger vehicle parking at the north and south ends. He said this facility is expected to use one access point on Centreport Parkway, as well as one secondary access point on Mountain View Road. He stated that a future large tractor-trailer parking lot is shown on the southern end of the property within Land Bay B; this use is expected to utilize a single access point on Mountain View Road. He said that it's expected that the future truck parking lot in Land Bay B would generate 660 vehicles per day; however, it's expected that the majority of these trucks would access the parking lot through the warehouse site out to Centreport Parkway rather than continuing on Mountain View Road to the intersection with Centreport. He said the applicant has not proffered conformance with this sheet, but a site plan has been submitted for review and the proposed layout of the warehouse is consistent with the layout shown on the illustrative plan. He noted that this is a spec building, and a tenant has not yet been identified. He added that there is currently no site plan under review for Land Bay B.

Mr. Geouge stated that the comprehensive plan identifies the site as being within the Central Stafford Business Planning Area, which includes a conceptual Land Use Plan that recommends the site for business and industrial uses; the proposed use is consistent with this recommendation. He said the property also lies within the Airport Use Compatibility Zones, specifically H-1, which is the horizontal inside-flight zone where planes fly parallel to the runway when circling the airport. He stated that the comp plan designates sectors around the airport that correspond with various land use activities; this particular site is within Area 3, and light industrial uses are not noted as a concern within this area. He said that a memorandum from Chairman of the Stafford Regional Airport Authority Samer Shalaby notes that the authority fully supports the rezoning request.

Mr. Geouge reported that with public facility impacts, the site is within the first response area of Mountain View Fire & Rescue Station, located at the intersection of Mountain View and Kellogg Mill Road, and Fire & Rescue has expressed no concerns with this proposal. He said that a Transportation Impact Analysis was provided with the Sycamore Grove application, which estimated 9,796 vehicles per day from that proposed development. He stated that the current conceptual development is expected to generate only 2,353 vehicles per day, and the applicant is also proposing a proffer that would restrict cumulative vehicle trips on the property to no more than 7,700 vehicles per day. He said that since the proposed trip generation and proffered cap are less than that of the Sycamore Grove project, a TIA was not required with this application. He said the applicant has provided a trip generation comparison, as shown, which shows a difference in total and peak-hour traffic generation between the proposed development and Sycamore Grove that demonstrates a significant reduction with the warehouse and storage lot combined.

Mr. Geouge said the TIA for Sycamore Grove evaluated select intersections along the entire length of Centreport Parkway—from Ramoth Church Road to Route 1—and results show that the site development would generate a negative impact on several intersections at buildout in 2023 without mitigation; the greatest impacts would be at the intersections of Mountain View Road and Centreport Parkway, as well as the I-95 ramps. He said that proposed mitigation for Sycamore Grove included an additional northbound left-turn lane on Centreport Parkway for traffic turning onto Mountain View Road and a dedicated eastbound right-turn lane on Mountain View for traffic turning onto Centreport Parkway; a cash contribution of $200K towards signalization of that intersection; a dedicated eastbound right-turn lane on Centreport Parkway for traffic turning onto I-95 South; an additional through-lane for eastbound traffic on Centreport Parkway at that same intersection. He stated that it was anticipated that some of these improvements would only require restriping, as in several cases there is adequate pavement width existing.

Mr. Geouge reported that with the current application, the applicant is proposing a monetary contribution of $500K, which may be applied to the signalization of Mountain View and Centreport or other transportation improvements in the area that the County deems appropriate. He noted that other transportation improvements from the Sycamore Grove proffers are not being carried over to this application. He said that staff notes that although the proposed monetary contribution is greater than what was previously proffered, it's not certain whether that increased contribution would be sufficient to offset the road improvements no longer being proffered. He said the applicant has submitted information that the value of those improvements is less than $500K; however, the County and VDOT have not concurred with this finding. He said that VDOT's review has asked for an analysis of how the Centreport Parkway and Mountain View Road intersection would be impacted by the proposed truck traffic; no analysis has been provided to date. He said that concerns were also raised about needed improvements at the I-95 northbound and southbound exit ramps at Centreport Parkway, as well as potential sight distance issues at the main entrance. He stated that staff notes that any required entrance improvements would need to be analyzed and constructed as part of site plans for the proposed facility.

Mr. Geouge presented a photo showing existing conditions on Mountain View Road in the vicinity of the proposed development, and this portion of the road has been surveyed by the applicant's engineer and is a minimum of 22 feet in total pavement width, with a combined paved, gravel, and grass shoulders. He said the width should be adequate to accommodate large trucks, and this is a dead-end portion of Mountain View that currently serves only two residences, so traffic is minimal. He stated that the applicant anticipates that most traffic will access the site directly to Centreport Parkway, so no significant impacts to Mountain View Road are anticipated.

Mr. Geouge said that in September, the Infrastructure Committee discussed the possibility of establishing an economic infrastructure fund for the Centreport area to save a portion of new and future tax revenue for the purpose of leveraging federal and state funds for infrastructure improvements. He said if the Board approves establishment of this fund, a portion of the increased tax revenues generated from this facility and other developments in the Centreport area could contribute to the ultimate needed improvements in this corridor—including the eventual four-lane widening of Centreport Parkway as identified in the comp plan.

Mr. Geouge stated that a phase one cultural resource survey was prepared in 2013 as part of the prior Oakenwold rezoning application, which identified the presence of one architectural resource and four archeological sites. He said the architectural resource is the c. 1855 Oakenwold farmhouse and complex, with one house and one school, a corn crib, a shed, and one kitchen. He stated that the original house is an architecturally significant example of a gothic revival cottage, and the Oakenwold complex is eligible for the National Register of Historic Places. He said the Sycamore Grove application included an addendum to the phase one survey, noting further deterioration of the architectural resource; proffers established with that development required the stabilization of the Oakenwold house to prevent further deterioration prior to commencement of the project.

Mr. Geouge said with the current M-1 rezoning application, the applicant proposes to demolish these features to allow for development of the warehouse within Land Bay A; the resources are located central to that land bay, so avoidance would not be possible with the current proposal and building footprint. He stated that the applicant has provided an architectural evaluation with the application, which concludes that demolition of the resources appears to be warranted given the amount of stabilization and hazardous materials that would be required to make the house viable. He said the report also recommends archeological data recovery on the icehouse and monitoring of construction activities within the cemetery to verify that all remains have been previously removed and relocated. He stated that the application has proposed a proffer that would require these mitigation measures to be implemented and submission of a report to the County that provides details on any salvage materials recovered, prior to demolition. He said that Historical Commission Chair Anita Dodd has provided comments opposing demolition of the structures, with her letter stating, "If the current plan is to be accepted, the Historical Commission recommends that a complete historic structures report be completed, which will include details on the interior of the house, details on any additions that have happened throughout the years, as well as measured drawings." He said the letter also notes that the mitigation plan and reports lack specificity on who would be responsible for storing any salvage materials.

Mr. Geouge stated that the overlay exhibit highlights the location of environmental features in relation to the conceptual development layout, and the property is bisected by Potomac Creek, with critical resource protection areas located onsite. He said that floodplain areas are also shown, and preliminary mapping shows expanded floodplains in the area, which affect mainly the southern portion of the property where Land Bay B development would occur. He stated that there are also three dam-break inundation zones, associated with the Potomac Creek 1 dam, Potomac Creek 2 dam, and the Curtis Lake Dam. He stated that DCR has provided comments on the proposal and notes that the development has potential impacts on the spillway design flood standards for Potomac Creek 1 dam; however, it is his understanding that there are proposed improvements to the spillway in the CIP. He said that comp plan Policy 4.4.2 discourages development of new buildings and structures within dam inundation zones, and the current development scenario is inconsistent with this policy, as it depicts a large portion of the warehouse within the flood zone for Potomac Creek 1 dam. He noted that these three dams are also designated as high-hazard dams by DCR, and as such, any downstream development within the inundation zones cannot be prohibited but may require notification and potential evacuation with severe storm events. He stated that any construction within the CRPA wetlands or floodplain would require approval prior to site plan approval.

Mr. John Holden stated that he would summarize the economic impacts and benefits of this proposed rezoning, noting that this area has been identified as a targeted sector for Warehouse & Distribution (W\D), and a recent study noted that there is over 330 million square feet of new distribution space needed in the US, and there is a great opportunity to serve that market in Stafford. He said the Board of Supervisors established a separate tax classification in 2019 to meet this demand, and since then there has been a lot of activity in that area.

Mr. Holden said that the investment for this center is approximately $70 million, and it is expected to generate about $1 million in tax revenue through real estate and personal property. He stated that Flint Development from Kansas City would be the developer of the facility, and they specialize in this kind of development—with over 50 years' combined experience and facilities currently in nine states, with 10 similar projects ranging from 500K to more than a million square feet. He noted that they have been very successful in developing these projects in a quick, efficient, economic, and environmentally sensitive way. He said they have a project completed in 2020 in Liberty, Missouri, which is 710K square feet now fully leased; they are here to invest in Stafford and will fulfill their demand as needed.

Mr. Holden stated that there would be at least 450-475 full-time employees in this facility, with estimated total wages of over $27 million; that does not include temporary construction jobs. He said that this project would continue to diversify the job and tax base and continue to fill the vision the Board set for Centreport some time ago.

Mr. Geouge reported that the applicant has provided a conceptual building elevation for the warehouse facility, as shown, and a proffer is proposed that would require the design of the warehouse to be in general accordance with this rendering that would apply to the type, character, and quality of materials shown, as well as the architectural elements shown. He said the rendering is illustrative only and does not depict the final elevations. He stated that the design appears to be in conformance with some of the recommendations of the neighborhood design standards plan of the comp plan; compatible elements include the use of neutral colors, some variation in roofline, and awnings and other projections along the façade to provide some visual interest.

Mr. Geouge stated that there are several proffers proposed with this application that would require the development to be in general accordance with Sheet 3 of the GDP, the conceptual land bay exhibit, and it doesn't get into specific location of improvements. He said the proffers would restrict improvements on the property for land bays A and B for what is shown on Sheet 3, including any uses permitted in the M-1 Zoning District that would be a potential for Land Bay A; Land Bay B would be limited to fleet parking, parking, and storage of tractor-trailers and other truck carriers and office uses. He said it would limit the cumulative traffic generation of uses on the property to no more than 7,700 vehicles per day; would require monetary contribution of $500K for transportation improvements, including signalization of Mountain View and Centreport; would limit site entrances to the property to no more than four full entrances; and would require that if Land Bay A is developed with the storage warehouse use, the architectural design would be consistent with the image presented.

Mr. Geouge said that proffers would also require that the mitigation recommendations outlined in the architectural evaluation be implemented to the extent reasonably possible, and require that bald eagle nest locations and corresponding protection zones, as applicable, be identified on the site plans. He noted that this was a carryover proffer from the Sycamore Grove project, and there were no known bald eagle nests currently on the site.

Mr. Geouge reported that staff finds several positives with this application: the proposed industrial uses meet the land use recommendations of the comp plan; the proposed development is consistent with the airport land use compatibility recommendations; the proposed development is compatible with other industrial uses in this area along the Centreport corridor; proffered architectural design will help ensure compatibility with the NDS plan; the project will preserve a significant amount of open space where sensitive natural resources are located; the rezoning would result in decreased impacts to public facilities; and the project would support economic development initiatives and have an overall positive fiscal impact.

Mr. Geouge said that staff also notes several negative factors: significant cultural resources would be demolished with this project; the proposal is inconsistent with comp plan policies that discourage development of new structures within dam-break inundation zones; and the full extent of impacts on the transportation network and adequacy of the proposed monetary contributions to offset those impacts is not certain.

Mr. Geouge said that in conclusion, staff is recommending approval of proposed ordinance O21-41 and believes that the industrial zoning and warehouse distribution center use is appropriate in this area. He stated that they do acknowledge the recommendations of the Historical Commission and recommend that the applicant continue to coordinate with the County when carrying out any mitigation measures for impacted historic resources. He said that staff believes the increased monetary contribution for transportation, in combination with the reduced trip generation, will help address impacts on public roads. He noted that if the Board in the future establishes the economic infrastructure fund that was mentioned, this would assist with needed improvements in this area. He said that the Historical Commission has provided a statement opposing the development, due to impacts on the historic resources.

Ms. Vanuch stated that she would have the Planning Commission ask questions first.

Mr. Bain expressed two areas of concern, asking Mr. Geouge if the inundation area for dam breaks was established using a detailed survey and computer model of the dam break, or whether it was an approximation method to determine the dam break boundary.

Mr. Geouge responded that he was not certain how that was established, but he assumed they used topography gathered from LIDAR as they do with the floodplain surveys; that was something DCR was involved in, so he didn't have an answer to exactly how that was established.

Mr. Bain said that because of that, he assumed staff didn't know the elevation for the inundation area in regard to the floor elevation of the warehouse. He asked if it was a one-foot or 10-foot inundation, or whether staff had any idea.

Mr. Geouge responded that he did not have that information at this time.

Mr. Bain emphasized that he was trying to establish whether it was minor enough that the applicant could bring in fill to raise the floor elevation of the warehouse above the inundation elevation. He said since it's not in the floodplain, this would be allowable and would protect the building during a potential dam break.

Mr. Geouge stated that the applicant's engineer is present at this meeting, and they do have a site plan in for the development and could likely answer that.

Mr. Bain said that his other question pertains to the storage parking lot in the Land Bay B, and he asked why there wasn't a proposed direct connection from that lot to the warehouse. He said he understands there is a resource protection area there, and it seems to him there would be a relatively minor impact that would provide a major benefit with regard to traffic on Mountain View Road.

He said that he is very concerned about tractor-trailers being ferried in and out from the warehouse site to that lot; even though it's a short distance, it would tear up that road terribly. He noted that he had driven that road and noticed a lot of alligator cracking and other damage already, and adding tractor-trailers could make that significant. He asked why they couldn't have a driveway from that parking area directly to the warehouse area.

Mr. Geouge responded that this was not something previously discussed with the applicant or engineer, but they may have some input on that. He said that he did expect that the goal was to try to minimize impacts to those natural resources—the RPA, stream, and wetlands areas.

Mr. Bain noted that at some point in time, he had seen an aerial view that showed a connection for agricultural purposes, so there was already some clearing of trees, and it wouldn't take much to put a culvert for the stream to cross through so the tractor-trailers could get through. He said that he thinks the damage to the RPA would be minimal, and he would support that versus having them ferry trailers back and forth on Mountain View Road.

Mr. Randall stated that he had several questions. He asked Mr. Geouge if they have demolished a c. 1855 house with previous applications in Stafford County.

Mr. Geouge responded that he was not certain.

Mr. Randall asked if this were the first time they would be doing this.

Mr. Geouge responded that it is the first one he is aware of.

Mr. Randall asked for confirmation that he was okay with that.

Mr. Geouge responded that overall, staff is recommending approval based on the information the applicant has provided regarding the current condition of the resource.

Mr. Randall asked if they have determined how much it would cost to stabilize that.

Mr. Geouge responded that they have not determined that amount.

Mr. Randall said that they also do not have a determination for the cost of the VDOT recommendations provided.

Mr. Geouge responded that the applicant provided an estimate that indicated the improvements would be less than $500K, but the County and VDOT have not fully reviewed that and come up with their own estimate to compare against that.

Mr. Randall clarified that they have not conducted a third-party independent study to determine if $500K is enough, and it could be $1 million.

Mr. Geouge responded that it is a possibility.

Mr. Randall asked for confirmation that if after several years of running trucks from Land Bay A to Land Bay B and the road needed to be fixed, the County would be on the hook to fix that or VDOT would be on the hook to fix it.

Mr. Geouge responded that for maintenance issues, it would be VDOT.

Mr. Randall commented that it would just be added to the road maintenance list.

Mr. Geouge confirmed this.

Mr. Randall asked him to pull up the vehicle trips per day that he had presented. He asked if the AM peak hours and PM peak hours shown would be during the day, and not like many that are running at 3 or 4 in the morning, such as DHL couriers, to minimize impact to regular traffic getting to and from I-95.

Mr. Geouge responded that he wasn't exactly sure what the window is, but he thinks it's a two-hour window for each in mornings and afternoons. He said that he wasn't sure, but the applicant's engineer may know that answer.

Mr. Randall calculated that during the rest of the day, outside of the peak-hour trips, there would be 1,303 vehicle trips per day. He also asked if they were expected to be trucks or cars.

Mr. Geouge confirmed the number and said that he expected it to be a combination of employee passenger vehicles, trucks, and vans for the uses depending on the type of delivery involved.

Mr. Randall asked if they expected those numbers to include the Land Bay A to Land Bay B trip generation or if those would be Mountain View Road out of the complex on a trip, for example.
Mr. Geouge responded that Land Bay B is broken out separately; the storage lot trips are 660 vehicles per day.

Mr. Randall said that one of the proffers had stated that the applicant could do anything they wanted that was by-right for M-1.

Mr. Geouge confirmed this and said they have not restricted the types of uses through the proffers for Land Bay A.

Mr. Randall said that with the 7,700 vehicle trips her day, it doesn't eliminate anything on the extensive list of things they could do on the property.

Mr. Geouge confirmed that anything under by-right uses for M-1 would be possible, as long as the maximum trips as proffered are not exceeded.

Mr. Apicella asked if the property was in the airport impact zone.

Mr. Geouge confirmed that it is.

Mr. Apicella asked if they wanted to seek a height limitation, as one of the uses is a hotel, and that might be a concern. He said that he was not concerned with the other uses but would be concerned with those that might conflict with the airport operation.

Mr. Geouge responded that staff did not speak with the airport about other potential uses and height concerns, and he wasn't certain that the maximum height of 65 feet would be a concern for the airport, but they would have to discuss that potential issue with the airport.

Mr. Apicella stated that the County had received a last-minute letter from the NVCT, and they've asked for some modifications. He asked Mr. Geouge if he had looked at the letter and whether he had any reaction to it, as well as whether he had discussed it with the applicant.

Mr. Geouge responded that he has looked at it, and the applicant has received a copy, but he has not had an opportunity to discuss it with the applicant. He noted that a 50-foot buffer is proposed, as shown in their concept plan, but that may not be adequate to address all of their concerns. He said that regarding the location of the entrance, he may again need to defer to the applicant's engineer, as there was a comment about shifting that further west on Mountain View Road. He noted that he wasn't sure if there was an engineering reason for its proposed location.

Ms. Barnes stated that as the only anthropologist in the room, she had great consternation about the site and what's going to happen to it. She said that it states under the proffers, "The applicant, to the extent reasonably possible for the purposes of the project, will perform mitigation recommendations provided in that certain architectural report," but she was still unclear about some of those mitigation procedures. She asked if there would be documents and pictures and procedures that will save that into perpetuity for Stafford County.

Mr. Geouge responded that it is a component of the mitigation plan and should be carried forward to ensure compliance with the proposed proffer.

Ms. Barnes asked if the remains would be stored somewhere in a way that the County or historical society could get to them and inspect them if necessary; and if they are going to be held onto, she wondered who would hold onto that—the County, the applicant, the landowner—and how it would be stored.

Mr. Geouge responded that the issue hasn't been resolved at this time, and he was notified by Ms. Dodd that there was a lack of specificity in the proffers as to who would be responsible for keeping that. He said it may ultimately be the County, but he wasn't sure they had adequate space to store artifacts like that at this point.

Ms. Barnes asked if would be possible to store the artifacts on the property and protected in a specific area for a certain amount of time so the County or Historical Commission would have time to go through that.

Mr. Geouge responded that he would need to defer to the applicant on that potential.

Ms. Barnes asked if there was a proffer or any guarantee that all historic artifacts found would be turned over to the County for possible use, perhaps in the Stafford Museum.

Mr. Geouge responded that the proffer did not get into specifics on what rights the County has when it relates to the recovered items, and he would intuitively think that wouldn't be an issue, but the proffers don't get into that level of specificity and who would take possession of the recovered items.

Ms. Barnes agreed that intuitively they would think that, but if it's not in writing, sometimes intuition goes out the window. She said she would be interested in seeing more clarity about how the artifacts are going to be preserved for the County. She stated that she understands that this project is very important, and the old structure will have to be taken down—but when and if that happens, they need a lot more clarity in what they're going to do with those artifacts, how it's going to be maintained, and who is going to do that.

Mr. Apicella stated that the Planning Commission is done with questions.

Mr. Snellings asked staff about the condition of the house and whether there was a report on that.

Mr. Geouge responded that they do have a report, and there was an architectural report done back in 2013 that noted some significant deterioration but found that the bones of the house were still good and it was salvageable—but that was several years ago, and he's not sure what level of deterioration has happened since that time.

Mr. Snellings asked if he knew how long the house had been abandoned.

Mr. Geouge responded that he was not certain.

Ms. Allen asked if they know the grading of Mountain View and Centreport roads at the proposed entryways on both sides.

Mr. Geouge responded that it's fairly level at both entrances, but he wasn't sure about the curve radius and what information she might be looking for there.

Ms. Allen said that she had some of the same concerns as Mr. Bain regarding the tractor-trailer impacts and heavy traffic flow, especially in the absence of a TIA. She said she would like to see if there are other clues for determining the impacts of this development, such as road grade.

Mr. Geouge stated that as part of the site plan process, the applicant evaluates entrances and has to get an entrance permit from VDOT, which includes looking at turn radius to ensure it's adequate for turning movements for large trucks, as well as sight distance—which may differ depending on the curvature of the road, speed limits, and other factors. He said this is evaluated as part of the site plan, and the applicant must demonstrate that they are providing adequate site distance through easements. He noted that in this case, there is some offsite property involved and the applicant would have to secure easements on those properties before the site plan can be approved for development.

Ms. Allen asked if no site plan has been submitted yet, how they would rezone it without knowing for sure what it would be and the applicant changing their mind.

Mr. Geouge responded that the land bay is somewhat restricted as to what kinds of uses are permitted there, and they also have some restriction on the development area with the designation of that land bay as compared to the total area of the property south of Potomac Creek.

Ms. Allen said she also has concerns about the creek and flooding within the environmental aspects, but she would hold those questions in lieu of her colleagues' comments.

Ms. Vanuch asked Mr. Geouge what could be done by-right on the property currently and how many houses could be built, if that were a permissible use.

Mr. Geouge responded that in the R-2 portion, you can build houses, and it is limited by the current proffers established, which would be up to 170 homes.

Ms. Vanuch asked how many houses this eliminated if it were built as proposed.

Mr. Geouge responded that it would be 170.

Ms. Vanuch asked to hear from the applicant.

Mr. Charlie Payne, the Applicant's agent stated that the project was approved in 2017 to allow the development of 170 single-family homes and 150,000 square feet of commercial. He said the property is currently zoned A-1, R-2, and B-2, and this proposal is to rezone the property to M-1 to develop a 993,000-square-foot warehouse distribution center. He stated that it is located within the County's Urban Services Area, Area 3, and in the future Land Use Plan as the Stafford Central Business Area; it is consistent with the comp plan. He said that in the prior rezoning, the airport authority opposed the project; they are recommending the current proposal for approval.

Mr. Payne presented the Generalized Development Plan and noted that the main entrance will be off of Centreport Parkway, with Land Bay A including the 993,000-square-foot facility. He said that Land Bay B would be reserved for parking, trailer parking, and for storage and office uses. He stated that they are proffering to have no more than four entrances, and the two main ones at Mountain View and Centreport are shown on his slide. He presented a color rendering of the development and the proposed site.

Mr. Payne said that there was a question about setbacks and buffering, and given the many environmental constraints of the site, there would be significant amount of buffering from the neighbors. He also noted that the entrance to the Land Bay B site is about 600 feet from the adjoining property, so a significant distance from the property to the south. He said that there is quite a bit of open space, and they had heard comments from Planning Commission members about connecting the driveway areas between the two land bays, which would require encroaching into wetlands and crossing creeks—which has not been a policy of the County and something he would like to avoid. He stated that there is also an entrance today in the location off of Mountain View for Land Bay B, which works well for what they are proposing. He presented the elevation for the warehouse storage and distribution center, which has been proffered.

Mr. Payne stated that Centreport has been part of the comp plan for economic development for a very long time, encouraging this type of industrial use—which has gotten the airport excited. He said there are already spec buildings going up in the area and a 200,000-square-foot Amazon facility, which the property owner of this project helped facilitate and attract to Stafford County. He stated that they're seeing economic development opportunities offered to businesses and investors here. He explained that this would be a spec building that the developer would own and lease to an end-user, which is a $95-million capital investment. He said that on day one, before they even have a user in the site, it will generate $680,000 in tax dollars for the County. He said that with business personal property tax of the eventual user, that number will be $1 million. He stated that the new facility is projected to generate about 467 new full-time jobs and about $27.5 million annually in wages. He said there would also be 294 temporary jobs during construction, which generates about $10.3 million in tax revenue. He said there would be no adverse financial impacts on schools and parks.

Mr. Payne reported that the project that was previously approved was generating about 9,800 vehicle trips per day at full buildout, with other impacts of those single-family units on the schools. He stated that this location is very attractive to residential builders, and in lieu of that, they are getting a great opportunity—with significantly less traffic at 2,300 vehicle trips per day. He said that understanding how distribution centers work, that traffic is not happening during peak hours because they don't travel during rush hour, as it is expensive and inefficient. He stated that the traffic and employees would be spread out over a 24-hour period. He said that their proffer is unique for a large commercial development and commits to $500K in transportation costs be paid when the first certificate of occupancy is issued. He noted that they've limited the number of entrances along with the ability to put in right-in and right-out turns. He said that he would address Planning Commission questions.

Mr. Payne said that Mr. Bain had asked about the dam-break inundation zone (DBIZ) and whether they were looking to elevate the site for this development and to avoid any floodway issues. He explained that development is allowed to occur in a DBIZ, and just because it has that designation doesn't mean development is prohibited on a site. He noted that DCR would have to approve any site plan in addition to the County's requirements, and DCR had already explored the DBIZ issue with residential and found that it was not an issue. He stated that IVI would be elevating Land Bay A and B for purposes of the DBIZ and would be out of the floodway, and the site plan is consistent with the elevation matter.

Mr. Payne stated that Mr. Bain had also asked about the connection with Mountain View and creating a driveway between the two land bays, but that would require significant encroachment into wetlands and streams and was something they wanted to avoid. He noted that there is already an entrance off of Mountain View that would be accessible for this purpose.

Mr. Payne said that Mr. Randall had asked several questions, including one about the house and whether there was any way to salvage it. He stated that the analysis done in 2013 was different than what's happening in 2021, and the later cultural resources analysis says the house is not safe or stable, and they recommend razing it. He said that they've also recommended that the developer do salvage for the historical architectural components of it. He said that it is not a historically significant site—it is an architecturally significant site, and those are two different things. He stated that the question is whether IVI will be working with the Historic Commission and the County to salvage the architecturally significant components, and the answer is yes. He noted that Ms. Dodd has been on the site several times and he would let her speak to that. He said that if the County wished to keep and store relevant materials, IVI is happy to work with them and the Stafford Museum for that purpose. He noted that IVI would be open to having those components stored onsite until the County or others would like to retrieve them.

Mr. Payne stated that the important thing to remember with the VDOT estimate question is that this proposal has 7,000 less vehicle trips per day, which means less impact overall on the roads, and they are proffering the same value proffered before. He added that this would also be a much greater net tax-revenue generator than the prior project.

Mr. Payne said that regarding the M-1 uses, they have limited the uses on Land Bay B; Land Bay A is providing a 7,700-trip cap; if they exceed that, they would have to do another traffic study that would determine those impacts. He stated that they feel confident that this will be a warehouse and distribution center, but they don't have a user yet. He said there are a developer and a contractor who see this as a potential opportunity, and there would not be a $95 million investment put forth if they weren't confident of the use. He stated that the zoning ordinance caps building height at 65 feet, but the location is very low and you would have to build a building almost 100 feet to impact the airport overlay district. He said that the site plan submitted shows the building height at around 55 feet. He noted that Land Bay B is about 600 feet from the main entrance to the proposed facility, and they are using the existing apron there.

Mr. Payne reiterated their willingness to salvage architecturally relevant features of the site and work with the Historic Commission, noting that it's a "pretty dangerous site" according to his client, and they would want to make sure it was safe and stable before anyone went onsite. He stated that the current cultural resources report says it should be razed and is deteriorated beyond repair.

Mr. Payne stated that regarding Ms. Allen's question about Mountain View, the current access and entrance for that location makes it very feasible for what they're proposing and avoids crossing creeks and wetlands.

Mr. English asked if this would be a 24-hour operation or 9-5.

Mr. Payne responded that the anticipation is that this will be a distribution facility, which would be a 24-hour operation, typically with three shifts.

Mr. English asked if that meant tractor-trailers would be accessing the site around the clock.

Mr. Payne responded that they typically do not travel during rush hour because they can't go anywhere and are wasting gas.

Mr. Apicella said there was some concern about the impact of tractor-trailer traffic on the state of the roads, as well as the frequency and impact on local roads. He asked if it was anticipated that most of the traffic would be coming to and from I-95 versus local roads or vice versa.

Mr. Payne responded that to and from I-95 is a perfect location for a distribution center and has been very attractive to other users, and they would like to avoid the main travel ways of local citizens.

Mr. Bain asked if employee parking would all be at the warehouse site or if there would be employees parking in the trailer storage and office area.

Mr. Payne responded that most of the parking would be at the warehouse location, but there would be parking at Land Bay B because there is anticipation of having some office spaces there, as well as being a storage facility.

Mr. Bain said that under the M-1 zoning, there would be no restriction on the office space and it could be anything allowed under M-1—which could generate significant employee movement.

Mr. Payne stated that they have proffered their GDP Sheet 3, which limits the FAR to 0.5, so he did not see it being a significant building on that site. He said that the intent of Land Bay B is to attract the user for Land Bay A, which could be a very good component of that effort.

Ms. Barnes said that she understands that the house would be taken down, but she would like to see something that specifically says any relevant historical artifacts found would be turned over to the County, with an agreed-upon site for those to be stored for a certain amount of time to ensure the Historical Commission and others could look at it.

Mr. Payne responded that they could do that if the County wants it, noting that it never came up in any discussions with staff.

Ms. Barnes stated that when the Historical Commission makes comments, they may have an even better recommendation.

Ms. Allen asked if there would be any long-term impacts of a distribution center being on Potomac Creek.

Mr. Payne responded that he did not believe so—and certainly no more impacts than 170 residential units or 150,000 square feet of commercial would have—but they would have to follow stormwater requirements and state DEQ requirements for no impacts on wetland creeks. He noted that they would have to follow all of those requirements, as any other developer would.

Ms. Allen said that the trucks were estimated to produce 2,000 less than the original proposal.

Mr. Payne responded that it was about 7,000.

Ms. Allen said that if you did the math based on how much one trailer weighs, it even outs to the original impact—so in her opinion, there is no tradeoff there, and you're not really mitigating the weight on the road itself. She stated that her concern is the degradation of the roads because of the weight, not necessarily the trips involved.

Mr. Payne responded that he was not an expert on whether the weight of the trucks have additional impact, and they follow the ITE requirements that VDOT stipulates they use.

Ms. Vanuch opened the joint public hearing.

1. Mr. Jeff Adams stated that this proposal puts about 21 acres under roof, and one inch of rain on that surface is 570,234 gallons of water. He explained that it would take a container 42 feet wide, 42 feet long, and 42 feet tall to hold all that water—which is a lot of water going into Potomac Creek. He said that in his area of the County, they keep digging well after well, and as a farmer, he would like to capture that 570K gallons of water and build a tank somewhere on Mt. Olive or Kellogg Mill Road and ship it to people like him so it can be used. Mr. Adams said that since the Louisa earthquake, he has been hauling water out of a pond because his well cannot produce enough water to water his livestock, and that's seven days a week. He stated that even if they just held it in a tank for people to come get would be helpful. He also expressed concern about traffic getting on and off of I-95 at the Stafford exit.

2. Ms. Anita Dodd of Tacketts Mill Road stated that her comments were coming from her as an individual and not from the Historical Commission, because she has not had the

opportunity to talk to them about her recent findings at this property. Ms. Dodd said that this project has come to them in a "rather hurried, rushed fashion," so the original letter written by the Historical Commission was before anyone had a chance to look at the property since the 2013 report. She stated that she has been to the property twice in the past week, and the house is in very bad condition—so she is looking more towards salvaging pieces out of the house and has started talking with the Historical Society about doing that and storing them for a future museum.

3. Ms. Alane Callander of Lancaster Street in the Falmouth District stated that she didn't think this should have been rushed in the way it is, and there should have been a separate Planning Commission public hearing opportunity for issues to be raised and for the Commission to study things and carefully consider their recommendation. Ms. Callander said this means a great deal to her, and since she's moved to the County in 1980, she has taken a great deal of interest in its history and has worked to promote tourism and protect historic properties. She noted that she had attended an event at Oakenwold some years ago, and there was interest in preserving the property. She said there was a time there was paid staff devoted to historic preservation, but the County did not keep that staff position. She stated that this is what happens when you don't have someone in such a historically significant area as Stafford on staff to look out for these things, protect properties, and get grants to preserve properties like Oakenwold. She asked what kind of community they want—one with a bunch of warehouses and trucks up and down the highway—and the people who come in for these jobs won't even be able to afford housing, due to the shortage of affordable housing. Ms. Callander stated that they went to the trouble of rebuilding Ferry Farm, and they didn't have as much as they have for Oakenwold, but it was a significant place and a lot was put into archeological digs. She said that she didn't think they should rush something like this, as there are many aspects that need to be considered.

4. Mr. Joe Brito of Rocky Run Road stated that there are a lot of pros with this project but also a lot of cons, and he is glad he isn't the one having to make the decision. He said that this project had a lot of impacts, and he was very concerned that they had not been addressed. He said that the Commission and Board members had concerns about the project, but all he heard was "a lawyer talking about it" and not producing anything in writing. He stated that the only thing that matters are the proffers, as they become law. He said that he was very concerned about the historic sites, and anytime a historic building is torn down, it makes his heart sink. He stated that he would like to see the County have the rights to the demolition of the property, and if there are any historic relics found onsite, he would like to see the County have them. Mr. Brito commented that it seems they could build a roof and store the demolition part under that and fence it in, perhaps giving the County a few years before it is hauled off.

Mr. Brito stated that they need to mitigate these projects and can't just put them on the taxpayers' back to try to figure out how to pay for the transportation impacts. He noted that something would need to be done with the loop on Route 1, and traffic lights would be more than $500K. He said that he thought they might have to put a ramp from Mountain View Road down to Route 1 southbound to help mitigate the impacts, and there would be impacts on Ramoth Church Road, as well as having to put two lanes next to the Centreport Parkway that's there. He thanked the Board and Commission and said he hoped they could figure out how to mitigate some of these impacts.

There being no further public comment, the Chair closed the joint public comment part of the public hearing and invited the applicant to speak again.

Mr. Payne stated that they always appreciate comments from the public, and what they are proposing is a more viable project than what's currently approved, it fits within the comp plan, generates a significant amount of tax revenue for the County, and is a use that's away from town centers and residential centers. He said they are also sensitive to the environmental features on the site, and he offered to answer additional questions.

Mr. English stated that Ms. Barnes has an add-on to the historical recommendation, if Mr. Payne is agreement with that.

Mr. Apicella said that the question is if the applicant is going to work with staff to add a proffer pertaining to storage and providing the architectural historically significant items to the County or Historical Commission, and they may need to take a brief recess to work that through.

Mr. Payne responded that the report contemplates working with the Historic Commission and the County, and staff had only asked the applicant to categorize and report what they were collecting. He said they were happy to take the additional step and give it to the County if they have what they believe to be significantly salvageable architectural features, and the Historic Commission may want those. He said that the applicant has no issues with that.

Ms. Vanuch asked Mr. Apicella if he would need to talk with Mr. Payne about the revised language, and if they needed a brief recess.

Mr. Randall said the comment was made earlier about the proffers meaning they get what they ask for, and he felt these were proffers you could drive a truck through; they really have no boundaries too them, and they can do whatever they want as long as it's by-right in M-1. He said it may be a distribution center or may not be one, and it's 7,500 less than they could have, but they're only going to have 2,500 from the distribution center—so let's proffer 2,500, not 7,500. He said that they should proffer the three things they think would happen: a distribution center, and two other possibilities. He said they should bound what they're getting, and he wanted to know if they were willing to proffer adequate funding to implement VDOT-recommended improvements, up to perhaps $2 million. He asked Mr. Payne if that were something they would be willing to do, so the projects didn't sit unfunded for the next 20 years.

Mr. Payne responded that the applicant feels what they've proffered is adequate, and they have not seen VDOT's recommendations, which address regional issues. He emphasized that they are contributing their part with a $500K proffer, which was good enough for 9,700 vehicle trips per day and should be enough for 2,300 trips per day.

Mr. Randall asked if they would be willing to proffer 2,300 trips per day.

Mr. Payne responded that it would be in the best interest of the applicant and what they're trying to do with the County that they proffer what they propose.

Mr. Randall commented that they're proffering everything that's to the benefit of the applicant and nothing that's to the benefit of the County. He said that he thought the VDOT recommendations were for this particular project—not regional improvements for the whole area—and he would like to hear from Mr. Geouge again to clarify that.

Mr. Geouge responded that it was his interpretation of VDOT comments that these are needs generated by this development and others in the vicinity. He said that this proposal would certainly add to those needs, but their point was that those are solely driven by this proposed development.

Mr. Randall said the $500K would be added to the money they currently have to make those improvements.

Mr. Geouge said that was correct, noting that Project Clover recently had a rezoning and proffer amendment, and that project is expected to contribute $200K towards the signalization of Mountain View Road and Centreport Parkway—so other contributions could come into play here. He said that the applicant for the Amazon facility had done a voluntary TIA for that development and was also interested in contributing towards the improvement at that intersection.

Mr. Randall stated that the County doesn't know the improvement costs and whether that's been mitigated by the developers in that area.

Mr. Geouge responded that this was correct, stating that VDOT has provided comments on costs, which they estimate at $450K for the signalization of that intersection.

Mr. Randall asked Mr. Payne when they expected to do work on this site and whether three months would be detrimental to the applicant to start building this.

Mr. Payne responded that they'd like to start tomorrow if they could, and it would be detrimental to the opportunity—so time is of the essence.

Ms. Vanuch asked if the Commission needed a recess to work on the proffer language.

Mr. Cummings said that the water mitigation issue from Mr. Adams got his attention, which was something he had concerns about because of the dam inundation area. He stated that he understood there would be runoff treatment and a plan, but he wondered if the applicant would consider other options for storage and handling of the water.

Mr. Payne responded that with the DBIZ, if there was a dam break above this property, it is within where the spill would flow. He said it's not water that's there now but could potentially be there, and the question is whether a development would adversely impact a spillway. He said that their belief is that it won't, and within that spillway there is the Amazon facility, a spec building of 500,000 square feet already completed, and a 400,000-square-foot building soon to be constructed. He stated that you can build in those areas, which they intend to do, and they intend to elevate the land base to avoid any potential worst-case scenarios.

Mr. Cummings asked if there was an engineer present who could address what types of mitigation strategies they would be using for the facility, with so much concrete onsite, and his question is what would be done with the volume of water.

Mr. Payne asked if he meant the runoff from the development.

Mr. Cummings responded that there was the concrete structure when it rains, with all that water as Mr. Adams mentioned.

Mr. Payne responded that the GDP shows the proposed stormwater management area, and by law, Chesapeake Bay, County, and state requirements stipulate that they must capture the water and discharge it in accordance with those. He said they are capturing the water and have stormwater management facilities planned onsite, with that water released pursuant to state code and County requirements.

Ms. Vanuch suggested that they take care of whatever needs to be addressed now, so the Commission feels comfortable sending it onto the Board, as they can't discuss it until the Commission acts on it.

Mr. Apicella responded that they needed about 10 minutes, and Ms. Barnes has drafted something regarding the architectural features and wants to work with Mr. Payne and Mr. Geouge and wrap it up quickly to come up with additional language.

RECESS

Ms. Vanuch stated that they would not be meeting outside of public sight with more than two Planning Commissioners, and they would take a brief recess and reconvene at 9:20 p.m.

The Board of Supervisors and Planning Commission recessed their meetings from 9:10 p.m. and reconvened at 9:23 p.m.

Mr. Payne read the amended proffer: "The applicant will allow the Stafford County Historical Society, if it desires, access to the site for purposes of extracting cultural architectural features, in coordination with the applicant, and shall complete such extraction within two weeks after the parties' agreement to proceed." He said that this was done in coordination with Ms. Dodd and the Planning Commission.

Mr. English motioned, seconded by Mr. Bain, to approve the amended proffer.

The Voting Planning Commission tally was:

Yea:	(7)	Apicella, Bain, Barnes, Cummings, English, McPherson, Randall
Nay:	(0)	
Absent:	(0)	

Mr. English motioned, seconded by Mr. McPherson, to approve proposed Ordinance O21-41.

Mr. Randall commented that the proffers are not keeping with what's in the best interest of Stafford County, and if they are consistent and confident that they will have a distribution center, the proffers should be written to a distribution center; the same holds true for trips per day. He stated that the applicants need to give the County permission to do what they want in the event this doesn't happen, and he thinks it's a bad way of doing business.

The Voting Planning Commission tally was:

Yea:	(5)	Apicella, Bain, Barnes, English, McPherson
Nay:	(2)	Cummings, Randall
Absent:	(0)	

Mr. Snellings stated that they seem to have overlooked the fact that they are eliminating a 170-unit single-family residential project, which is the first time in his 16 years on the Board they have actually eliminated a subdivision. He said that the pros outweigh the cons, and with the help of Mr. Dodd, Mr. Payne, and the Planning Commission, the Oakenwold house issue has been resolved.

Mr. Snellings motioned, seconded by Ms. Lamb, to approve proposed Ordinance O21-41.

Ms. Bohmke commented that she agreed with Mr. Snellings about taking 170 single-family homes out of the area, a project that she had voted against originally, and she was glad to see it go away.

Mr. Coen stated that he also voted against this when it was at the Planning Commission level originally, and this proposal goes even farther to protect the eagles' nests and sensitive areas, and it looks as though what they're putting in tract two is on land that's already cleared, so they would be leaving the natural trees alone.

Ms. Vanuch asked Mr. Snellings if his motion was accepting the Planning Commission's changes to the proffers.

Mr. Snellings confirmed that it was.

Ms. Vanuch asked the County Attorney if that was in the resolution or if it needed to be updated.

Ms. McClendon said that the proffers before the Board are what the Planning Commission proffered and voted on, so it's incorporated into the ordinance as motioned.

The Voting Board tally was:

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

Ordinance O21-41 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING THE ZONING DISTRICT MAP TO RECLASSIFY FROM THE A-1, AGRICULTURAL, R-2, URBAN

RESIDENTIAL – MEDIUM DENSITY, AND B-2 URBAN COMMERCIAL ZONING DISTRICTS TO THE M-1, LIGHT INDUSTRIAL ZONING DISTRICT TAX MAP PARCEL NO. 37-80, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, IVI Strategies, LLC, submitted application RC21154083, requesting a zoning reclassification from the A-1, Agricultural, R-2, Urban Residential – Medium Density, and B-2, Urban Commercial Zoning Districts to the M-1, Light Industrial Zoning District on Tax Map Parcel No. 37-80, located within the Hartwood Election District; and

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained by amending the Zoning District Map to reclassify from the A-1, Agricultural, R-2, Urban Residential – Medium Density, and B-2, Urban Commercial Zoning Districts to the M-1, Light Industrial Zoning District Tax Map Parcel No. 37-80 in the location shown on the plat entitled "Zoning Plat on the Property of IVI Strategies, LLC Instrument 200022102 Rock Hill Magisterial District Falmouth-Hartwood Magisterial District Stafford County, Virginia" prepared by The Engineering Groupe, Inc., dated and sealed August 31, 2021, with proffers entitled "Proffer Statement," dated September 20, 2021 and signed September 24, 2021.

<u>Item 26. Planning and Zoning; Consider Amending the 2016-2036 Comprehensive Plan, Including a New Future Land Use Map, in Accordance with Virginia Code Sections 15.2-2229 and 15.2-2230.</u>

Mr. Mike Zuraf stated that he would present the staff report on the five-year update to the comprehensive plan, and the Board and Commission are considering an update to the existing Stafford County Comprehensive Plan 2016-2036. He said that the intent of the comp plan is to guide the physical development of the County, and the code of Virginia requires that the Commission review the plan and determine whether it's advisable for amendment once every five years.

Mr. Zuraf said that in January, the Board asked that the Commission review the comp plan and prepare any amendments that they saw necessary. He stated that soon after that, the Commission formed a subcommittee to review the plan, consisting of commissioners Randall, Bain, and Barnes. He said they held 22 subcommittee meetings from February through September, every other week. He said that on September 15 through 22, the full Commission reviewed it and voted to initiate public hearings for the changes developed by the subcommittee. He said that input was sought from other County departments and School Board staff, who provided updated statistical data, suggested policies, and best practices to incorporate into the amendment. He stated that the format of the comp plan document remains unchanged from the version adopted in 2016, and he would not classify this as a major update, but there are a lot of little details amended.

Mr. Zuraf reported that there are two versions of the draft document that they've developed—a redline version that highlights all of the changes, and a clean version that assumes the changes were approved so it's easier to read and understand.

Mr. Zuraf said that for Chapter 1-Introduction, there were not a lot of major changes, and they just updated the section that describes what Virginia code requires and recommends would be part of a locality's comp plan, with a few adjustments. He said they also updated the section that talks about the process itself and history.

Mr. Zuraf said that Chapter 2-Goals, Objectives, and Policies had several changes, specifically replacement of the language "Targeted Growth Area" with "Targeted Development Area," and that's done throughout the document. He said they also define the term "smart growth," which encapsulates a widely recognized growth-management principle, so they provided more details on that. He stated that they amended policies regarding expansion of the urban service area boundary and when extension of water and sewer utilities outside the Urban Services Ares (USA) is deemed appropriate. He said the policy still discourages expansion of the USA but clarifies criteria on where it might be appropriate.

Mr. Zuraf said they added policies related to utility-scale solar facilities, and staff is getting a lot of inquiries for solar-generation facilities, so they added land use regulations as to how they are developed in the County. He said they also had public safety resources and affordable and quality housing policies. He stated that they also updated goals related to schools and education, including a policy relating to school capacity, and there is a new policy 8.1.2 that states, "Construction of future schools should be completed to ensure no school operates at more than 100% program capacity for elementary schools and 100% design capacity for middle and high schools." He said that staff notes that this policy differs from the Board's current CIP policy that considers elementary school capacity based on design capacity, not program capacity—which is being recommended in this change.

Mr. Zuraf reported that Chapter 3-Land Use Plan includes many changes, with the amendments simplifying the land use recommendations and removing overlapping recommendations viewed as creating some confusion over the last five years. He stated that with this chapter, they are replacing the term "Targeted Growth Area" with "Targeted Development Area," as he mentioned earlier, and in review, the committee wanted to change the nomenclature for the land use district that supports the most intense amount of development. He said that the Targeted Growth Area was originally urban development areas, approved in 2010, and that was a state-mandated element of the comp plan. He said the main development of the 2016 update changed "urban development areas" to "Targeted Growth Areas," with the focus being on where a lot of the residential growth was recommended. He explained that while the reality is there is still a lot of recommended growth in these areas, there's also a large amount of commercial development—so the desire was to make the name change to be all-encompassing.

Mr. Zuraf also reported that the recommended changes also include modifying the land use map to identify five Targeted Development Areas as future land use districts, so there are changes to the prior Targeted Growth Areas that would include removal of the previously designated Leeland Station and Brooke Station Targeted Growth Areas; the Warrenton Road Targeted Growth Area would be divided into two Targeted Development Areas: the Berea or Warrenton Road West TDA and Falmouth Gateway or Warrenton Road East TDA, with the dividing line being I-95. He said they also added Boswell's Corner as a TDA, with a specific commercial development focus and no new residential recommended for that area other than what already might be allowed by-right or by prior development approvals, maintaining the current Courthouse TDA and Central Stafford Business Area boundaries. He noted that this also establishes and modifies the description and development criteria for each of the proposed TDAs, including a new residential-commercial land use mix recommendation, which would require proposed residential developments in TDAs to include a mix of commercial development with the residential that's coming along.

Mr. Zuraf stated that there are a few additional modifications in the future land use map: adjusting the USA boundary to add the area surrounding Stafford Middle School and Brooke Point High School into the USA and change the land use designation from ag/rural to suburban; adjusting the USA boundary to remove properties from the uses located to the west of Cliff Farm Road and changing the land use designation in that area from suburban to ag/rural, with this area also defined and mapped as a "limited water/sewer utility area" where public water and sewer utilities may be extended to the area. He stated that this is not intended to allow an increase in development densities and noted that the plan does include limited water service areas and limited sewer service areas in two other areas of the County. He stated that the last recommendation changes the land use designation in the area of the former Cannon Ridge Golf Course from suburban to park.

Mr. Zuraf presented images of the future land use map, noting the location of Stafford Middle School and Brooke Point High School, which are outside of the USA, with water and sewer utilities to the schools and surrounding properties. He pointed out the expansion to include those schools and immediate adjacent properties to that area within the USA. He presented the Cliff Farm Road area and pointed out the existing future land use map and the proposed change, noting the location where the USA is removed and the land use changes from suburban to ag/rural. He said to the north of those properties is land owned by the schools; to the south is a development proposal under consideration. He pointed out the limited water and sewer properties on either side of Cliff Farm Road, which are designated ag/rural, allowing those utilities to pass through the area if needed. He pointed out the existing map for Cannon Ridge, which is suburban, and he noted the amount of land that would change to park.

Mr. Zuraf stated that there are other changes to Chapter 3 that update the projected population and residential and commercial development growth anticipated as necessary to accommodate future projected population. He said that they've adjusted this based on census data for the latest population and also updated the projected population by using the Weldon Cooper Center projections, with that detail to be shared later in his presentation. He stated that the changes also remove references to "redevelopment areas" and "planning areas" as terms, as those are outdated economic development efforts from 2010 and designations that overlapped with Targeted Growth Areas, respectively. He stated that they are simplifying things to just have "Targeted Development Areas" and whatever land use is recommended under those within that area.

Mr. Zuraf stated that the changes reflect consolidating and relocating text in the map pertaining to economic development primary focus areas, which is out of the economic development strategic plan; and consolidating and updating various maps and charts related to military influence area zones in and around Quantico. He noted that there are land use compatibility standards related to uses around ammunition ranges associated with Quantico that go into the County. He said that the Airport Use Compatibility Zones contained overlapping and repetitive maps in each area, so they simplified recommendations into one spot in Chapter 3. He stated that the changes include future location of utility-scale solar facilities within business and industry areas and ag/rural areas, and the solar facilities would not be recommended within suburban areas or TDAs, for example. He said this would also provide guidelines for development in proximity to high-voltage electric transmission lines.

Mr. Zuraf reported that Chapter 4-Transportation has changes including identification of I-95/Route 1 and Route 17 as corridors of statewide significance, per Virginia's statewide transportation plan requirement to include and recognize those in localities' comp plans. He stated that it also describes efforts to develop a Transportation Master Plan and travel demand model, with the plan being a future effort that provides more detailed transportation strategies; part of the effort is to utilize transportation modeling software to identify countywide needs based on existing development and what is planned. He said that a similar model was last utilized by the County over 10 years ago, and the public works division has started work on updating the transportation model, which is recognized in this plan. He stated that the plan also updates information related to multimodal transportation facilities, transportation demand management, and access management. He said this included updating funding sources and cost estimates for road improvement projects; in the chart example provided, they added the 2019 Transportation Bond Road projects that were approved by the voters of the County. He said this also included updating information related to right-of-way areas due to subdivision and zoning ordinance amendments.

Mr. Zuraf reported that there are references in this chapter to the 2018 countywide comprehensive road evaluation, which provided a lot of good background data on recognizing what roads needed the most work and setting a good list of where improvements are needed the most, as well as adding information and a new figure relating to proposed north/south corridors in the County. He said that this is a new section 4.16 that highlights the need for a north/south road corridor through the County as related to I-95. He said the plan has always envisioned the outer connector extending south into Spotsylvania, and it now introduces an option of an inner north/south corridor that might utilize existing roads and may cross the Rappahannock River into the City of Fredericksburg; there was no detailed analysis of these options conducted as part of this effort, but it is recognized as an option. He said that the changes also include recommendations to amend the bicycle/pedestrian facilities plan to include a Cannon Ridge Trail that would connect exiting pedestrian trails in the Celebrate Virginia North development to trails along the river and leading down to the Belmont area. He referenced a map associated with Section 4.16 that is proposed to be included in the plan that highlights potential option to the outer connector.

Mr. Dudenhefer asked about the "squiggly line" on the map presented.

Mr. Zuraf responded that a citizen had suggested it, and it went through the subcommittee, which included it in the plan.

Mr. Dudenhefer commented that it is the most unlikely, irresponsible application of transportation planning and ridiculous type of plan he has seen proposed in his 15 years of serving on the Fredericksburg Metropolitan Planning Commission. He asked since when has a citizen been able to just come forward with a half-baked plan that ends up in a proposed comp plan. He added that he was amazed by this.

Mr. Zuraf reported that Chapter 5-The Public Cost of Growth specifies level of service standards that can be considered with respect to zoning classification requests; updates average daily memberships of schools; discusses the effects of COVID-19 on school attendance; updates goals and policies related to County public facilities and levels of service; updates information related to water and sewer network conditions; and updates the capital costs of public facilities on a per-dwelling unit basis by type.

Mr. Zuraf reported that Chapter 6-Existing Conditions updates existing demographic data, including population, housing, and employment characteristics. He stated that in the 2016 version of the comp plan, they had estimates prepared by staff that 2020 population would be 152,000; the revised 2020 census came in at 156,000+. He said that the plan includes projections out to 2036; in 2016, there were staff projections up to 200,000 people, which was all done on the staff level at the time because the VEC projections were seen as a bit too excessive. He said that since then, the UVA Weldon Cooper Center projections are less than what staff projected in 2016 for the same timeframe, so the Planning Commission is incorporating the Weldon Cooper Center projections in determining the level of projected growth in the County. He said that much of Chapter 6 is updating inventories related to public facilities, infrastructure, parks and rec facilities, and different transportation elements.

Mr. Zuraf reported that Chapter 7-Implementation Plan removed items from the action list that have been accomplished and updated, with the list to include implementation of any new Chapter 2 policies, as well as updating references of responsible entities to implement the action tasks and estimated completion dates for the tasks.

Mr. Zuraf reported that the Appendix updates future public facility needs, with a series of tables that estimate and determine those needs, updated based on the latest population demographics and conditions, as well as per-unit capital cost information that shows up in Chapter 5. He said they relocated the transportation plan background details into Chapter 4, added an analysis of the 80/20 growth policy from Chapter 2, which recommends the County have at least 80 percent of its growth within USAs, and included updated information related to affordable housing.

Mr. Zuraf said that staff supports adopting the amendments to update the comp plan pursuant to R21-367, but does not support the changes to the land use map and transportation plan chapter: the Cliff Farm Road area change to urban services area, or future land use change or limited water/sewer map in that location; the Celebrate Virginia North and Cannon Ridge Golf Course change in future land use designation; and the transportation recommendations related to Section 4.16 and Figure 4.5 related to the north/south corridor. He added that the staff report package does include comments from VDOT, the Historical Commission, and Cannon Ridge property owners related to the above note as well. He concluded his presentation.

Ms. Vanuch asked if the Planning Commission had any questions for Mr. Zuraf.

Mr. Apicella stated that the Commission needed to take a vote to go past the 10:00 p.m., per a provision in their by-laws. They took a voice vote, which passed unanimously.

Mr. Apicella said that the Planning Commission spent more than 60 hours working on this document, and they did not have further questions at this time.

Ms. Vanuch opened the floor for questions from the Board.

Ms. Bohmke referenced a point in the document that said, "Staff does not support the following proposed changes to the land use map and transportation plan chapter," specifically the land use map for the Cliff Farm area and the USA boundary Future Land Use and Limited Water and Sewer. She said the Planning Commission had recommended taking out the seven residential homes out of the USA, and she asked what staff was not in support of.

Mr. Zuraf responded that it was that change, and staff recommends that those properties remain in the USA.

Ms. Bohmke asked what that was.

Mr. Zuraf responded that there are two development areas—basically one on each side—that are recommended for more intense development, and sandwiched between were these rural properties. He explained that the overall request for this change was to try to retain some rural character, but that's not what they're going to get, and the intended consequence of the change would not materialize because there would be more intensive development all around a few properties that are left out and stuck in the middle.

Ms. Bohmke asked why everything put in the USA property was taken out when the School Board bought it years ago.

Mr. Zuraf responded that it was considered and discussed by the Planning Commission, but in discussion with the School Board staff, they desired to keep it in, and there was also discussion of some potential economic development use as well.

Ms. Bohmke asked if it were outside of the USA property, whether someone could always come to the County with a comp plan amendment if they wanted to do something on that property.

Mr. Zuraf confirmed that they could.

Mr. Snellings asked where the north/south corridor proposed would cross the Rappahannock.

Mr. Zuraf responded that it would cross in and around the former Cannon Ridge Golf Course and in the City of Fredericksburg near the Celebrate Virginia area, and he confirmed that it would run down the Celebrate Virginia Parkway.

Mr. Snellings asked how many thousands of vehicles per day would run through that neighborhood.

Mr. Zuraf replied that they did not do any detailed analysis as to whether this option would even work.

Mr. Snellings asked if this had been approved by FAMPO, the City of Fredericksburg, VDOT, or the Army Corps of Engineers.

Mr. Zuraf replied that it had not been.

Mr. Snellings asked if any of them had expressed concerns over it and if there was any estimate of what the costs would be.

Mr. Zuraf responded that he didn't believe concerns had been expressed, and there was no cost estimate for it.

Mr. Dudenhefer stated that FAMPO has expressed concerns about it and has not included it in any way in any of their future plans.

Ms. Lamb said that in Section 2, the comp plan talks about one reason for changing the TGAs and TDAs and got rid of Brooke and Leeland roads was limited to development interest, but that is not true of Brooke. She stated that there was lots of development interest for Brooke, but no one could do anything because there is no water or sewer there. She said that with the changes in the last four years, limiting the ability to provide different types of sewage alternatives, that TGA or TDA has been left without any ability to provide water and sewer. She stated that she would not support the comp plan because the last train station in Virginia that is undeveloped is in Brooke—so it's a greenfield that provided a great opportunity to develop a small town center, but there was no water and sewer; and because it's not in the plan, no developer could bring water and sewer there. She stated that she likes a lot of the changes in the comp plan, but not the transportation part, and she would not support the plan because they took out the really good opportunity to develop a train station the way they wanted. Ms. Lamb said that heading north, communities have wiped out residential neighborhoods and older buildings and put in smaller, denser places in these train stations.

The Chair opened the joint public hearing and invited public comment.

1. Mr. Robert Rowlette stated that he is a resident of Cliff Farm Road in the Falmouth District, and he also introduced his neighbor, Kevin Walls. Mr. Rolette stated that Cliff Farm Road is a bootleg-shaped road located in the middle of the open area to the right or east of Hickory Ridge; Cliff Farm is located between Morton and Potomac Run roads, with a single entrance off of Leeland Road. He said the area is zoned A-1 Agricultural, as is the land to the east, south, and north—which are also outside of the urban services area. He stated that the School Board property on Cliff Farm Road was added to the USA in 2008 and further expanded to include the entire area of the road in 2010, all to support a planned high school that was never built. He said the comp plan update proposes to remove eight existing properties from the USA, represented by the highlighted Area B portion of Cliff Farm Road. He stated that a new limited water and sewer utility area would also be created for this area, to allow those services to be extended through Area B to support future development in areas A and C, which is a school property, but limit further density development in Area B. She said that Area D contains another eight homes on Cliff Farm Road that remain outside of the USA.

   Mr. Rowlette said that it's important to note appreciation for the Planning Commission's efforts to address property right concerns regarding Cliff Farm Road's inclusion in the USA. He said that some of these concerns they worked to address were recently resolved with adoption of Ordinance O21-24, but adopting this approach creates the very situation that they fear that existing A-1 zoned properties will be virtually encircled and isolated, and nearby A-1 zoned property adversely impacted, a decision primarily driven by the School Board property for which no clear use has been planned or articulated.

   Mr. Rowlette said that he requests that the School Board property also be removed from the USA until a tangible need is identified, and that County organizations be more forthcoming with property owners on any discussions for its use. He stated that if it is not to be removed, they request that a change to the current land use be removed, including the limited water and sewer utility area, until property owners address concerns with the Planning Commission and a more cohesive land use approach is developed for the Cliff Farm Area.

2. Ms. Alane Callander stated that she would like to focus on communications directed to the public regarding their opportunity to influence the direction of this plan, as well as her concern that the County does everything to protect its natural and cultural resources and build neighborhood schools. Ms. Callander said it was unexpected for her to find out that this would be a joint public hearing for the Commission and Board, and it seems that joint

hearings happen when there is a perceived need to expedite action. She stated that she gathered they intended to pass the plan tonight—not allowing time to make changes that might be suggested.

Ms. Callander asked why to even have a public hearing, but it is of course required by law, as is public notice of the meeting. She stated that they met the legal requirements of the public notice, but that's not to say they adequately notified the public, and she couldn't find mention of this joint meeting in lengthy Planning Commission and Board of Supervisors minutes. She said she also reviewed the Stafford County Government Facebook page since the July 20 posting, and there was no mention of this joint meeting, so she went on the County website, clicked on "public hearings", and found the notice. She said she wondered how many press notices went out informing the public and what other outreach might have been done, and there is less media coverage than there used to be. She wondered how many citizens sat in on discussions who were not developers, and because of the pandemic, citizens were staying clear of meetings—but she wondered if there were opportunities for online meetings where they could comment. She said that she is a citizen who tries to stay engaged, and while she receives alerts for Board meetings, she does not receive them for the Commission. She reiterated that this has been off the radar.

Ms. Callander stated that regarding the plan itself, she supports the targeted areas and wants every effort to be made to protect waterways and open space, including forests, and that they require wide natural buffers around new development. She said there should be neighborhood schools that are walking distance. She thanked staff for all their hard work.

3. Mr. Jeff Adams said that the Cliff Farm Road issue amazes him, and he can see land not wanting to be developed—which is why his land is in a conservation easement—but to start carving it up randomly doesn't make much sense to him. He suggested leaving it in USA and putting those eight properties in conservation easement, as the same thing would be accomplished.

4. Mr. Joe Brito thanked the Silver Companies for allowing the use of the abandoned golf course for the Stafford County Agricultural Fair, which was a success despite no carnival rides because the workers had COVID. He said hopefully the County will negotiate a fair price for the land in the future so they can have a permanent fairground that will include a 1,500-acre regional park. He said the abandoned golf course has seven miles of trails, and the 283-acre golf course combined with 1,000 acres of city conservation land on the Stafford side of the river and 200 acres of Lake Mooney land next to the river combines for a contiguous 1,500 acres for a regional park. He said the golf course trails have become beautiful natural trails, and the contiguous land has a clubhouse, community center,

parking, seven miles of paved trails, and would be an instant park. He said there are also dozens of historic sites on the property, including Indian campgrounds, colonial iron forge, mills, canal locks, gold mines, Civil War earthworks, and over 10 miles of 18th century roads that could easily be made into trails.

Mr. Brito presented an image of a natural waterfall that is only 0.7 miles from the golf course trails, and he said it has generated a lot of interest as a feature that would be on the Cannon Ridge Golf Course Belmont waterfall trail. He said a potential bridge with a trail over the river is proposed that would give Fredericksburg citizens better access to the park and would relieve traffic on existing roads, providing alternative routes to avoid the busiest sections of Route 3, Route 17, Route 630, and Route 1. He emphasized that they have to plan for the future, and the park, road, and trail proposal combines the recreational needs of the community with relieving traffic congestion on the busiest roads.

5. Mr. John Foote with Walsh Colucci said he is representing the Silver Companies and is here to express concern on their behalf for the proposal to redesignate the land as parkland. He said it has been suburban for years and is proposed to be turned to park, and while those speaking in favor of the change are well-meaning, not one of them owns an interest in this property. He stated that this is a plan to take a "green pen to put a black mark" over property that is owned by someone else, who has contributed millions of dollars in investment and infrastructure to this community to create the community that has been built in the Celebrate world. He said that they do not know what end this has been presented to them except to either impede the property's development or make it into a park, but the question is how that would occur. He pointed out that it would have to be purchased, and he didn't know the resources were there to do it. He also mentioned that there are already 60 acres restricted from development as a consequence of the earlier rezoning, and Mr. Silver has already granted a public easement around the entire perimeter of the property, which would be available for park purposes—but that doesn't require surrender of the rights to develop the rest of the property, which has already been zoned RBC.

   Mr. Foote said that the land planning he is seeing here is unique in his 40 years of work in this field, and it is an extraordinary exercise by a group of people to suggest this kind of land planning. He suggested that the Board and Commission not chase an effective false promise, as it suggests it would be turned into a park simply by painting something on a plan. He said that this is land that is zoned for the continued development of the Celebrate community, and they request that it be left as it is.

6. Mr. Larry Silver of Amelia Street, Fredericksburg stated that he came tonight astonished at what happened a few weeks ago. Mr. Silver stated that 23 years ago, Board members

and the County manager solicited him and encouraged him to do a major project in Stafford. He said he had already bought the McWhirt Farm on Route 17 and decided to assemble the property down to the river and put it in the zone it is currently in, with him paying for all the infrastructure that the County requested, at a cost of about $25 million. Mr. Silver said when you have a 1,500-acre assemblage, it takes decades to develop and recessions to live through. He expressed his shock to wake up after all the work they have done and the millions invested in the County to find out, after giving several hundred acres along the river for conservation and another 60 acres that has always been planned to be a park or recreation acre, that someone drew a line and said they were going to make it a park—without ever talking to the landowner. He stated that his company develops projects over America, and this is really strange and unusual, with all of it happening without ever talking to the landowner.

There being no further speakers, the Chair closed the public hearing and placed the matter before the Board and Commission.

Mr. Apicella stated that they had a comp plan that was proposed and advertised twice in the paper, and there is a lot in the plan, with staff recommending removal of some items, and he opened the floor to his colleagues.

Mr. Randall said he was chair of the subcommittee for the comp plan update, and he thanked staff and Commissioners for their many hours of work on this. He stated that they counted 23 meetings, with several being 2.5 hours or longer. He said they cleaned it up a fair amount, with some items being controversial, but that's why they do the updates—and they want it to be as comprehensive and clear as possible, as well as being consistent with what they have been doing and are trying to do. He said that with things that have been in the plan for a long time, they found there was no basis in continuing them without a prospect of completion.

Mr. Randall said that in the comp plan, there are 19 standalone elements that are discussed throughout the plan as things that will help them better lead, manage, understand, and plan for the operation of a county—including a transportation master plan, a bicycle and pedestrian plan, a parks and recreation master plan. He stated that of those 19 elements, eight of them had never been developed or were over 20 years old in updates, so it was hard to come up with what they needed because they were working with such outdated information. He said that one of the things he hopes they gather from this update is to identify those things that have never been developed or need to be updated and make those a higher priority for them as they manage and lead the County moving forward. He said the telecommunications plan is 10 years old and the cultural resources plan is 19 years old, and he is hoping this exercise will allow them to better identify a comp plan that will help them in the future. He added that he is interested in hearing from staff about the open space for the RBC development, and his understanding was that the golf course was part of the open space requirement; if the attempt is to take that and develop it, that's another discussion they should have.

Mr. Apicella said that one approach before they make a recommendation on the overall document is perhaps addressing the three items that staff had concerns about and see if there are any motions to approve what they've recommended as changes to the advertised version.

Mr. Apicella asked if, for the Cliff Farm area, there was a motion to modify Chapter 3-Land Use Map to adjust the USA boundary to keep the properties located at the east and west sides of Cliff Farm Road within the USA and retain the land use designation as suburban, and modify the proposed text and map amendments to remove the designation of this area as a limited water and sewer utility area.

Mr. Bain motioned, Ms. Barnes seconded to modify as stated by Mr. Apicella.

Mr. Bain stated that the whole impetus of that initial recommendation came from comments from the landowners that were going to be effective, who stated that they were going to be affected by the current USA boundary. He said that the Commission listened to their comments and felt some connection to them, and they wanted to try to achieve a compromise that would still allow the School Board to build a school if they had that inclination, but that would not put a burden on property owners. He said that just in the last day or two, those property owners have come back and said they made a mistake and were happy with it. He commented that it's unfortunate that it happened this way, and he did not like changing the USA boundary in the first place but was trying to be responsive to citizens.

Ms. Barnes said that she agreed with most of that and wanted to be responsive to citizens, who came forward and asked them to modify it and be more amenable to their needs.

The Voting Planning Commission tally was:

Yea:	(7)	Apicella, Bain, Barnes, Cummings, English, McPherson, Randall
Nay:	(0)	
Absent:	(0)	

Mr. Apicella said the next item is the Cannon Ridge Golf Course, proposed to be designated as park, and asked if there was a motion to modify Chapter 3-Land Use Map to retain the current land use designation as suburban in the area of the former Cannon Ridge Golf Course.

Mr. English motioned to modify the proposed designation as stated.

There being no second, Mr. Apicella stated that the majority would like to retain what was advertised, to designate the area of Cannon Ridge Golf Course as a park.

Mr. Apicella asked if there was a motion to modify Chapter 4-Transportation to remove Section 4.16 and Figure 4.5, entitled "Proposed North/South Corridors."

There was no motion, and Mr. Apicella indicated that the Commission was retaining what was advertised.

Mr. Randall motioned to recommend approval of resolution R21-367 with the amendment as approved. Ms. Barnes seconded the motion.

Ms. Barnes stated that this was a long process, and to try to summarize in a few minutes why they did these things is hard, but there was a lot of thought behind this and she thinks this is a very good plan.

Mr. Cummings commented that a lot of the consternation related to people not feeling heard and that there wasn't the type of community engagement that this type of effort normally entails. He said that going forward, the County needs to look at that community engagement piece and leverage tools that allow them to do it in a smart way and in a way that makes the community feel that they've had an opportunity to participate. He said that technology can help them do that, along with changes in process. He said that he would be working towards that, and he hoped the Commission would consider this deeply—as things are getting more complicated.

Mr. Randall stated that they have an outer connector that has been part of the comp plan for a long time—perhaps as much as 25 years—and to date, nothing has been done. He said they could easily take that out because there has been no progress with it, but they decided to leave it in. He stated that they have found the basis for an inner connector, and even if they don't take it across the river, the idea that they have transportation that gets them from north to south of the County without having to cross I-95 or get on I-95 was appealing. He said that it's a big deal not to get on 95 or US 1, and whether FAMPO talked about it or not isn't the issue; this is something they can do on the west side of 95 that allows them to go north or south without having to get on I-95 or US 1—and he feels they should move forward and leave it there.

Mr. Apicella stated that it's not a perfect plan but it's a good plan, and he thanked Mr. Randall, Mr. Bain, and Ms. Barnes for serving on the subcommittee; Mr. Zuraf, who did a phenomenal job; Mr. Harvey and other County staff and departments who provided significant input to this process; and all stakeholders who participated.

The Voting Planning Commission tally was:

Yea:	(7)	Apicella, Bain, Barnes, Cummings, English, McPherson, Randall
Nay:	(0)	
Absent:	(0)	

At 10:38 p.m., Mr. Apicella adjourned the Planning Commission portion of the joint meeting.

Ms. Vanuch brought the resolution back before the Board.

Mr. Snellings commented that the property owner was not notified of the proposed change, and he himself found out about it on Facebook. He stated that this is unprecedented and unbelievable, as this is private property. He said that if they allowed this to happen, he wondered what would happen next year and whether the County would take his property. He stated that to run a highway through an 1,100-home subdivision is ludicrous, and he wondered what the people in Del Webb, a retirement community, would think when the traffic off of Route 17—which is 73,000 vehicles per day—crosses through their neighborhood.

Mr. Snellings motioned to remove the designation of Cannon Ridge as a park and to remove the Transportation North/South Corridor. Mr. Dudenhefer seconded the motion.

Ms. McClendon asked for clarification that they were retaining the suburban designation for the Cannon Ridge Golf Course.

Mr. Snellings and Mr. Dudenhefer confirmed this.

The Voting Board tally was:

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

Mr. Coen motioned to defer action on R21-367, stating that while there has been a lot of work done on this, there are many elements that he has questions on and information received just within the last week. He said that he felt it was disrespectful to try to rush this through at quarter to 11 at night when they just got it. Ms. Bohmke seconded the motion.

Ms. Vanuch asked Ms. McClendon when this would come back onto the agenda.

Ms. McClendon responded that the Board can't take up comp plan amendments without suspending their bylaws, so they would need to do that now for agenda placement in either of those months. She said that if they defer until next year, they would have to hold another public hearing.

Ms. Bohmke asked if they could give authority to the chairman on suspending their bylaws to either the November or December meeting.

Ms. McClendon responded that they could.

Mr. Coen agreed to that amendment.

Ms. Vanuch clarified that the amended motion was to defer this item and give the Chair the discretion to bring this back in November or December, if requested by the Board, with date certain otherwise of coming back to the Board in January.

Ms. McClendon recommended that the Board make a motion to suspend their bylaws to allow the placement of the item on November or December; if the agenda does not allow, it will come back in January of 2022.

Mr. Coen confirmed that what Ms. McClendon stated was his motion. Ms. Bohmke seconded the motion.

The Voting Board tally was:

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

At 10:43 p.m., Mr. Coen stated that he needed to leave the meeting due to home caregiver obligations.

Item 28. Planning and Zoning; Consider a Request for (1) a Proposed Zoning Reclassification, With Proffers, from the B-1, Convenience Commercial Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 44GG-3 to Allow for the Development of an Automobile Service Facility, and (2) a Conditional Use Permit to Allow an Automobile Service Facility in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning Districts on Tax Map Parcel No. 44GG- 3 (Project Known as Berea Market, Take 5).

Mr. Zuraf stated that this is a request to rezone .75 acre from B-1 to B-2 Urban Commercial and approve a conditional use permit for an automobile service facility in B-2 and Highway Corridor

Overlay District. He said the property is on TMP 44GG-3 and is in the Hartwood District; Berea Market LLC is the applicant and property owner of this property. He noted the location of the property on the zoning map, stating that it is on the east side of Warrenton Road across from Stafford Lakes Parkway; there is frontage on Fleet Road to the east. He said there are no proffers that exist on the property currently, and surrounding zoning districts include B-2 to the west, B-1 to the north and south, and A-1 Agricultural to the east.

Mr. Zuraf stated that the property is undeveloped and previously cleared and graded with the development of the properties to the north and south. He said there is a private connector road that provides connection between Warrenton Road and Fleet Road, and a private travel way constructed to serve the adjacent bank. He said there is sidewalk around the south and west sides of the site, and a convenience center located to the south of property across from the connector road. He noted that there are no environmentally sensitive features or resources present at the site. He presented a street view of the property looking at the site from Route 17, and several other views of the property.

Mr. Zuraf presented the general development plan and the proposed Take 5 oil change facility; the building will be 1,400 square feet in size and have three service bays. He said the building will be oriented so the entrance to the service bays will be from the south and exit to the north. He noted that customer and employee parking is located along Warrenton Road, and access will be from Warrenton Road and Fleet Road via the collector road. He noted the circulation patterns on the GDP provided, stating that it would avoid any stacking impacts onto Route 17. He said that because this building is located in the Highway Corridor Overlay District, it had to conform to architectural standards in the Neighborhood Development Standards plan; staff notes that the proposed building design will conform with some of the guidelines of the NDS plan. He said they have the use of brick and concrete architectural concrete masonry as primary materials, with primary colors that are low-reflective, subtle, and neutral; flat roofs are utilized parapet walls to screen rooftop equipment.

Mr. Zuraf stated that there are proposed proffers with this zoning change that would require the property to be developed in conformance with the GDP; prohibit any new driveway entrances onto Warrenton Road; require that the building be constructed in conformance with the renderings as shown; permit other uses allowed in the B-2 zoning district, but the uses would not be allowed to exceed 1,000 vehicle trips per day, which is the count that would typically require a traffic study and additional improvements; and prohibit other uses on the property that would otherwise be allowed by-right.

Mr. Zuraf said that regarding the conditional use permit part of the request, there are several conditions; it would also be required to be in conformance with the GDP; the vehicle access into service bays shall be limited to the south side of the building; there will be no more than three service bays, and all service of vehicles shall be conducted within the service bays and not outside; no new driveway entrances onto Warrenton Road; limited hours of operation; and any vehicles leaking fluids shall be immediately taken within the service bays for service; and no inoperable vehicles may be parked on the property.

He stated that there will be no outdoor display or storage of automobile parts; petroleum products, antifreeze, and hazardous materials shall be disposed of in accordance with the fire prevention code and other federal and state laws and regulations; the dumpster and pad will be screened from view with similar materials to the primary building; the building shall be constructed in general conformance with the styles depicted in the renderings; and signage shall be of complimentary color and design; the mechanical and electrical equipment located on the west elevation of the building shall be screened from view from Warrenton Road; there will be no carnival-style flags, banners, or lighting that might distract drivers on Route 17.

Mr. Zuraf reported that the comp plan identifies the property as in the commercial corridor within the suburban future land use designation; commercial corridor is intended to encourage commercial activities where there are adequate transportation facilities to accommodate proposed uses; and infill development and reuse of underdeveloped commercial sites is encouraged. He said that staff notes that the proposed commercial zoning is compatible with this designation.

Mr. Zuraf said that positive factors are that this is consistent with the land use recommendations in the comp plan; the use does not change the character of the established pattern of development along Route 17; proffers limit the use to no more than 1,000 trips per day; and the proffers and conditions will help to ensure that negative impacts are mitigated. He said that staff does not find any negative aspects and would recommend approval of the reclassification; staff also recommends approval of the conditional use permit application, subject to approval of the zoning request; the Planning Commission voted unanimously to recommend approval of the same.

Mr. Snellings asked if the cars would stack on Fleet Road and come through that way.

Mr. Zuraf responded that this access is through the separate service road and does not come directly off of Fleet Road. He said that people could technically drive in that way and access the site.

Mr. Snellings said that he comes down Fleet Road in this area to get to his bank.

Mr. Snellings asked how many car service centers they have on Route 17.

Mr. Zuraf responded that this was raised at the Planning Commission, and it was mentioned that there are 10-15.

Mr. Snellings said that the background report says this would be number seven, and there are three more in the queue—and that's just on the north side of I-95.

Ms. Vanuch asked the applicant to present.

Mr. Steve Jones of Silver Heiniger Development stated that staff has done a tremendous job with the layout and explanation, and this is the perfect use for this lot—which sat vacant for years because it is so small. He said they haven't been able to fit a fast food or anything else on it. He said this building fits very well, and this operation has just under 500 locations in 18 states; they are a national company that will be here to stay, and they like the proximity to the employees at Geico and Del Webb. He said that he would appreciate their approval and would answer any questions.

There being no public speakers, Ms. Vanuch closed the public hearing and said it was in Mr. Snellings' district.

Mr. Snellings stated that he has some concerns with this application, and his constituents ask him all the time when restaurants, etc. will be coming—but they never ask where they can go to get their car service, as there are so many on Route 17 now. He said that he has stopped at a few of them and talked to the owners and asked how they justify all of them, and they told him that most of their business is in the summertime when people are traveling and break down, get a flat tire, need an oil change, etc. He said that Route 17 and its 73,000 vehicles per day is pushing these service centers.

Mr. Snellings said that his other concern was with Fleet Road, which is very narrow at about 12 feet wide; there's a grocery store, a 7-Eleven, a bank, and a church. He said that it's not good for two-way traffic, and he cannot see approving it.

Mr. Snellings motioned to deny proposed Ordinance O21-45. Mr. Dudenhefer seconded the motion.

Ms. McClendon clarified that the proposed Resolution to deny the ordinance is R21-345.

Mr. Snellings clarified his motion to approve R21-345.

The Voting Board tally was:

Yea:	(6)	Allen, Bohmke, Dudenhefer, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(1)	Coen

Ms. McClendon stated that they still needed to act on R21-347 as denial of the CUP request.

Mr. Snellings motioned to approve R21-347. Ms. Bohmke seconded the motion.

The Voting Board tally was:

Yea:	(6)	Allen, Bohmke, Dudenhefer, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(1)	Coen

Item 29. Planning and Zoning; Consider a Request for (1) a Proposed Zoning Reclassification, With Proffers, from the A-1, Agricultural Zoning District to the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, And 44-98C, and (2) a Request for a Conditional Use Permit to Allow a Warehouse, Mini-Storage Facility in the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, And 44-98C (Project Known as Banks Ford Self Storage).

Mr. Harvey reported that this application is for a rezoning and conditional use permit to accommodate a self-storage facility. He said the site is 3.11 acres in size and is currently zoned A-1 Agricultural with a request to rezone B-2 Urban Commercial. He said the CUP would be for a mini-storage warehouse facility on four tax map parcels within the Hartwood District. He said the applicant is Don Hart and Perry Sisson of Banks Ford Storage, LLC, represented by Justin Franklin of Fairbanks & Franklin engineers.

Mr. Harvey said the property is currently zoned A-1 Agricultural and M-1 Light Industrial, and the surrounding area is primarily commercial and industrial zoning. He presented an aerial view and stated that there are two existing residences on the property, which abuts industrial uses as well as having a church on the north side of McWhirt Loop. He referenced the GDP for the project, which shows 146,440 square feet of mini-storage warehouse facility, which includes a three-story building in front of the site, with a 1,000-square-foot rental office and multiple buildings in back of the site.

Mr. Harvey stated that in discussions with the Planning Commission, there were questions about vehicle access within the site and how passenger vehicles as well as trucks could maneuver around the buildings; the graphics shown demonstrate how vehicles can meet the turning radius. He said at a minimum, the travel lanes onsite will be at least 30 feet wide or wider in multiple locations, and the Commission discussion also yielded questions about site access, the flow of which he noted on the graphic presented. He said there would also be a number of gates to control access in and out of the property, and there would be a limit of one entrance on the site, which is in the location of the existing access point of the property on the far eastern site frontage along McWhirt Loop. He pointed out building elevations that were submitted with the application and said the proffers require development in accordance with the GDP and limit the vehicle trips per day to no more than 400—which is a very low traffic count.

Mr. Harvey stated that the proposed conditions for the CUP require development in accordance with the Generalized Development Plan and discuss features about limiting access to one entrance and the directional flow of traffic; limiting the height of buildings; limiting the hours of operation; and prohibiting the storage of vehicles and boats.

Mr. Harvey said the Land Use Plan recommends that this area is in a Targeted Growth Area and suggests business and industry uses for that designation. He said that staff believes this proposal is consistent with the business and industry designation and finds a number of positives. He stated that it is generally consistent with the land use recommendations in the comp plan and is consistent with the commercial and industrial development pattern and zoning pattern of the area, and staff believes that proffers and conditions can mitigate negative impacts. He said they don't see any direct negative aspects with this project and is recommending approval of the rezoning classification pursuant to ordinance O21-39 and approval of the conditional use permit application pursuant to R21-303 with the conditions therein.

Mr. Harvey stated that the Planning Commission recommended 4-3 to approve both applications, and their commentary included concerns about the width of McWhirt Loop, especially east of this site, which is located at the western end of the loop where it widens out near the intersection with Banks Ford Parkway; to the east where there is more industrial development, and where that segment of the road is fairly narrow.

Mr. Snellings said that portion of Banks Ford is not in the VDOT system.

Mr. Harvey responded that he would have to research that.

Mr. Snellings said that he was fairly sure it wasn't, as he had talked to VDOT—and if that's the case, it's controlled by the Del Webb Homeowners Association, and he wonders if they were consulted. He said that is a real concern for him, and he agreed that the other part is very narrow, with a sharp curve at Starbucks and a lot of traffic going in and out of the industrial park on the left going in.

Ms. Allen asked how many other storage facilities are within a mile of this site.

Mr. Harvey responded that he would have to research that, but there are a number of self-storage facilities on the Route 17 corridor, but he wasn't sure about the one-mile radius. He noted that there was another application for a storage facility in this same general area, and that is currently under review but has not yet come to public hearing.

Ms. Vanuch invited the applicant to present.

Mr. Justin Franklin with Fairbanks & Franklin stated that regarding the area Mr. Snellings was speaking of, this doesn't connect to Banks Ford and is nowhere near Del Webb; it was near the intersection of Banks Ford and McWhirt Loop, and the entire road is in the VDOT system through that stretch. Mr. Franklin also mentioned that the whole McWhirt Loop area is industrial and supports existing trucks now; this would be no different and would likely be less traffic from a truck standpoint. He said that regarding the self-storage proliferation, his firm did some research and established that there are six facilities including this, with about half of them being modern and of this same caliber—and that's going from east of I-95 out to GEICO.

Ms. Bohmke asked what he meant by "same caliber" and whether that meant air-conditioned, etc.

Mr. Franklin responded that he meant air-conditioning, drive-aisle widths that are sufficient to navigate, with asphalt, well-maintained and lit, gated, and accessible.

Ms. Bohmke asked what the width of McWhirt was.

Mr. Franklin responded that it's 22 feet as a minimum, and the VDOT standard for lane width in an urban area is 11 feet, so it meets that standard. He reiterated that the area supports multiple industrial sites off of McWhirt Loop, and there has been no issue with truck traffic.

Ms. Bohmke commented that there is a lot of pedestrian traffic going over to the CVS and Starbucks.

Mr. Franklin said that was true, but that was on the other end; the fact that the facility is off of Route 17 near an intersection is prime access so 17 isn't clogged and travel is limited on McWhirt, so those accessing CVS would do so from the other end.

The Chair invited public comment. There being none, she closed the public hearing and brought the matter back before the Board.

Mr. Snellings said that he was a bit confused as to the part of the road going into Del Webb, as he distinctly recalled VDOT telling him it was not in the system. He stated that he would like to defer this until he got that clarification.

Mr. Snellings motioned, seconded by Mr. Dudenhefer, to defer the item.

Ms. Vanuch asked if they would have to waive their bylaws.

Ms. McClendon clarified that the same process as before would apply, and they would need to waive their bylaws so that staff has the ability to place the item on the November or December agenda.

Mr. Snellings motioned to waive the Board's bylaws so that staff may place the item on the aforementioned agendas. Mr. Dudenhefer seconded the motion.

Mr. Snellings asked Mr. Harvey to verify with VDOT whether that road is in the state system.

Mr. Harvey responded that staff would check with VDOT, and there are two different segments of Banks Ford Parkway, so they would clarify whether the segment between Celebrate Virginia Parkway and McWhirt Loop is the segment they are getting clarification on.

<u>Item 31. Planning and Zoning; Consider an Ordinance to Amend the Index of Official Road Names, which is a Part of the Stafford County Zoning Ordinance, to Rename a Road (Project Known as Kensington Drive).</u>

Mr. Geouge stated that this is a proposed road renaming or an amendment to the Index of Official Road Names to rename a private road known as Kensington Drive east of Bonair Street to Coventry Court. He said this is in the George Washington District, and the road segment is South White Oak Road, west of Town & Country Drive, directly off of Bonair Street. He said there are 27 townhomes in the subdivision that are addressed off of Coventry Court, which is more of a parking area than a street. He noted the segment of Kensington Drive that is the subject of the request, and there are currently no addresses off of Kensington Drive, so no home addresses would be affected by this change, but it would help with navigation to the homes off of Coventry Court and reduce some confusion.

He showed the plat for Town & Country subdivision from 1970, at which time Kensington Drive was proposed to come down to a T-intersection for Coventry Court, with a future extension to the west; that extension is no longer possible due to the adjacent development, so as it is currently, Coventry Court and Kensington Drive are all part of the same road segment. He stated that existing roads may be renamed by the Board pursuant to Section 28-147C of the zoning ordinance, and this change was at the request of the community.

Mr. Geouge said that staff recommends approval of ordinance O21-36, and the Planning Commission also voted unanimously for approval.

Public comment was invited. There being none, the Chair placed the item before the Board.

Ms. Lamb motioned, seconded by Ms. Allen, to approve proposed Ordinance O21-36.

The Voting Board tally was:

Yea:	(6)	Allen, Bohmke, Dudenhefer, Lamb, Snellings, Vanuch
Nay:	(0)	
Absent:	(1)	Coen

Ordinance O21-36 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ADDRESSING ORDINANCE BY AMENDING THE INDEX OF OFFICIAL ROAD NAMES TO RENAME AN EXISTING ROAD IN THE FREDERICKSBURG POSTAL AREA, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

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

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

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

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

WHEREAS, the subdivision plat dated January 2, 1970 known as Town and County was recorded among the Land Records of Stafford County at Plat Book Number 5, Pages 53A through 54, and includes roads entitled Kensington Drive and Coventry Court (Plat); and

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

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

WHEREAS, the Board finds that public necessity, convenience, general welfare and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 19th day of October, 2021, that the Addressing Ordinance for Stafford County be and it hereby is amended and reordained by amending the Index of Official Road Names to rename one road in the Fredericksburg Postal area as follows and as shown on the exhibit plat attached **Exhibit A**:

Location	Current Road Name	New Road Name
Private Street east of the intersection of Bonair Street and Kensington Drive, terminating at the intersection with Coventry Court	Kensington Drive	Coventry Court

; and

BE IT FURTHER ORDAINED, that the County Administrator or his designee shall record a certified copy of this ordinance and exhibit plat in the Land Records of Stafford County, Virginia, in accordance with the provisions of Virginia Code § 15.2-2019.

ADJOURNMENT – At 11:12 p.m., Chairman Vanuch adjourned the October 19, 2021 Stafford County Board of Supervisors meeting.

Frederick J. Presley
County Administrator

Crystal L. Vanuch
Chairman