BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR BOARD MEETING
NOVEMBER 16, 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, November 16, 2021, in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL – The following members were present: Crystal Vanuch, Chairman; Cindy C. Lamb, Vice Chairman; Tinesha O. Allen; Meg Bohmke; Thomas C. Coen; Gary F. Snellings; Absent: L. Mark Dudenhefer.

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

Ms. Vanuch stated that this was the only Board meeting in November, and she wished everyone a wonderful Thanksgiving holiday and encouraged the public to patronize small businesses in Stafford on Black Friday and Small Business Saturday. She said that small businesses needed their support now more than ever, especially after the last several years.

Ms. Vanuch reported that the Stafford Utilities Education campaign is part of the Fats, Oils, and Grease (FOG) program and would focus on reminding residents what not to put down the drain during holiday cooking during the upcoming holiday season. She said that these substances cool and stick together, causing a buildup in wastewater pipes and potentially causing costly damage to pipes and the County's systems. She noted that Stafford spends more than $1.6 million annually to remove this buildup from the pipes, and they have also created a program for commercial kitchens to help introduce better practices for reducing clogs in the system. She said that people would see the information in their utility bills and stories on social media posts.

Ms. Vanuch invited everyone to a special Christmas tree lighting on the steps of the Courthouse on December 3rd at 5 p.m. She said that Santa Claus would arrive by firetruck, and there would be hot cocoa and coffee, as well as food trucks and activities for the kids. She encouraged the public to bring their family to celebrate the Christmas season.

PRESENTATIONS

Introduction Of Dr. Thomas Taylor, New Stafford County Public School Superintendent

Ms. Vanuch said the first presentation was the new superintendent of schools, and she introduced School Board Chair Holly Hazard.

Ms. Holly Hazard thanked the Board and reported that Stafford County Public Schools have appointed and selected a new superintendent. She said that Dr. Thomas Taylor would be joining the County on December 1, but he was already in town and present at the meeting. Ms. Hazard said that he has been a teacher, principal, and superintendent, and has been in Chesterfield County running an operation that was just about twice the size of Stafford. She stated that Dr. Taylor also brings a background in finance as an MBA and was given that training through a prior school district. She said that what really impressed her was his passion, commitment, and desire to make his family part of the community. Ms. Hazard said it was a unanimous decision by the School Board, and she introduced Dr. Taylor.

Dr. Thomas Taylor addressed the Board and said it was an honor to be there as new superintendent of schools. Dr. Taylor said that Stafford County was a great a place to live, work, and learn, and the schools are excited to provide the best public school system in all of the Commonwealth. He stated that Mr. Presley has already reached out and scheduled appointments with him so they can collaborate and provide the best school system in the state.

Stafford Museum Foundation Presentation

Ms. Vanuch introduced Commissioner of Revenue Scott Mayausky, who also serves as the Historical Society's vice president; Mr. Philip Chichester, Stafford Museum member; and Carlos Bratton, Stafford Museum member.

Mr. Scott Mayausky addressed the Board and said it had been a while since he had given an update on the museum and cultural center activities. He said their last presentation was September 2019, and he introduced some members that were attending the Board meeting: Historical Society President Rick McGregor; museum committee member Gail Tyring; Jane Connor, who runs the Facebook page for the museum and center; and Philip Chichester and Carlos Bratton, who would be speaking later. He said the last time he was with them, he was president of the Stafford Museum and Cultural Center Foundation, which has now merged with the Stafford County Historical Society. Mr. Mayausky stated that they felt it was beneficial to merge the two preeminent historical organizations in the county as they make the push to build a physical museum. He introduced Mr. Chichester.

Mr. Philip Chichester said he would run through a few slides, mainly focused on the events and accomplishments of the Stafford Museum and Cultural Center, as well as some of the projects that are taking place and are ongoing. He stated that the committee was established by the Board in

2002, and the organization achieved 501(c)3 nonprofit status in 2013. Mr. Chichester said that there is a virtual museum available at staffordcountymuseum.com, which is full of historical and county-related information. He stated that in 2014, the museum and center and its members were involved in the community and helped contribute to Stafford's 350th anniversary.

Mr. Chichester reported that in 2019, they began engaging in organizational development sessions with Doug Harvey, museum services consultant. He said that in 2020, the committee provided preliminary specifications for the Stafford County Museum, a brick-and-mortar structure that would attract people from all over the community and communities outside of Stafford to come visit and explore what makes Stafford so unique. He said that the museum and cultural center formally merged in 2021, and in 2022, they plan on working with Stafford County on identifying a dedicated funding source for the museum, as well as outreach and activities within the community. He noted that at some point thereafter, they plan on having a groundbreaking event for the structure.

Mr. Chichester commented that as the county grows, the Board is interested in preserving the identity of Stafford—and smart growth is part of that, preserving what Stafford is about. He said that a huge part of that is the history of Stafford and what makes it so unique. He stated that as part of that, they would continue to meet the needs of the community and tell the county's story, encouraging people to visit Stafford and discover what is so unique about it.

Mr. Chichester said that some of the achievements they have had over the past several years include contributing to the creation of the history wall projects; the virtual museum, where you can learn about the historic homes and churches in Stafford—with information dating from the present back to prehistoric times. He said they developed the logo, and several social media platforms where people can go to learn more about the county. He stated that there would be a demand for content, and people are constantly reaching out and asking whether the museum would have a structure.

Mr. Chichester reported that they formalized a mission and vision statement for the museum and cultural center, after they merged with the historical society. He said the public outreach program and campaign have continued, and Mr. Bratton would describe some of the projects and outreach they've done in the community. He stated that one of the achievements is partnerships with community organizations, including the Rotary Club, Rappahannock Regional Library, and the Education Foundation. He said that the wheels have really started to turn over the last three years as this committee has been merged and formalized.

Mr. Chichester reported that the public outreach projects have been done in conjunction with the community and hearing feedback about what they want to see, such as the Via Colori artwork event. He said they are also involved with the LOVE statues project, and there are over 275 statues as part of Virginia's tourism outreach to draw people in to see the statues and take photographs in front of them. He said that the hashtag #loveva and Twitter handle "Visit Virginia," take people to the pictures of the statues posted on social media. He stated that the organization has implemented a lecture and concert series, and plans are in the works for the Langley Aerodrome Number 5, which is a model for an airplane tested in Stafford—with a lot of those aspects borrowed by the Wright Brothers.

Mr. Carlos Bratton stated that Via Colori is a national event that brings artists together in a two-day event where they capture anything they feel like drawing. Mr. Bratton said that this was the first time they had it in Stafford, and 6,000 people came from all over, with $25,000 in donations and outreach of over 60,000 people on Facebook and 25,000 people on Instagram. He said it was his first time going to an event like this, which could be a signature annual happening. He stated that they eventually want to move it to the museum's physical location.

Mr. Bratton reported that the organization did 11 school murals this year, with students and teachers choosing a picture that captures Stafford County history particular to that area. He said that he went to Brooke Point, and the schools are the main focal points in the county—as many people who visit, such as athletes from other area sports teams, take pictures of the murals that capture the history.

Mr. Scott Mayausky presented images of the murals produced this year, with 11 more next year. He said that steps going forward with the museum and cultural center are identifying a dedicated funding source, working to develop a museum either in downtown Stafford or somewhere else. He stated that they will continue to work on collection policies and other things needed to operate a functioning museum. He noted that they continue to build their partnerships, and he thanked the Board for their support, noting that Supervisor Coen is a member of the museum committee.

<u>Support Of Workforce Housing Fund</u>

Ms. Vanuch stated that workforce housing is vital for a strong public service system, especially for public safety, schools, and general government workers. She reported that Jarrell Properties is working with the United Way to create a fund to assist public service employees with housing in Stafford County.

Mr. Jeh Hicks said that he was before them to follow through on joint efforts to take a small step towards making housing more affordable for employees of Stafford County government and schools. Mr. Hicks thanked the Board for the confidence they showed in his local family-owned business, allowing them to be a significant part of Stafford County's future with the approval of

Fountain Park downtown. He said they share the County's ambition that the development of the courthouse area will continue to create a vibrant location for local commerce in a true "live here, work here, play here" destination.

Mr. Hicks stated that as part of the Fountain Park project, they worked with Stafford County administration, along with support of the Board, to establish a first-of-its-kind program for the area, and one of the first in the Commonwealth. He said that this begins to address the affordability of housing for those who have chosen to serve Stafford County. He stated that while affordable housing is a constant topic of discussion in the building industry, they have been working at Jarrell Properties on ideas—ways they can help make housing more accessible to more people in the area.

Mr. Hicks said that one area of focus has been workforce housing, so it was not a hard decision to support Mr. Coen's position that he would like to create circumstances that would make housing more affordable for those who work for the county, making it possible for those who take on the toughest jobs to also live in the county. He stated that the Rappahannock United Way was one of the area's best civic-minded organizations, and Jarrell firmly commits to be the example that they encourage others in the building and development community to follow. He stated that today, they devote $75,000 to this cause, establishing a grant with the United Way that will be available to Stafford County government and school employees to apply for financial assistance with security deposits and rent payments, which are related to Stafford's needs. He noted that they also commit to making a certain percentage of Fountain Park's residential units available to county employees at a discounted rate and encouraging employees to reside there provides a housing opportunity close to where they work.

Mr. Hicks presented a check for $75,000 on behalf of Jarrell Properties to the Rappahannock United Way for the benefit of Stafford County employees.

Ms. Janel Donahue from United Way accepted the check.

Mr. Hicks thanked the Board, Fred. Presley, Mike Smith, county administration staff, and John Holden of the Stafford County Economic Development Authority.

<u>ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA</u>

Mr. Presley said that there were none.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve the regular agenda as presented.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC

1. Ms. Lorraine Serbinski stated that she is a resident of Hunton Drive and is before the Board to address Leeland Station's path. She thanked VDOT and all involved who have helped their cause to save their path and trees. She said that VDOT has offered a new idea, and earlier today at the infrastructure meeting, they got to see VDOT's revised plan for Leeland Road. She stated that they were extremely pleased with the plan, which better addresses the safety issue of pedestrians walking along Leeland Road toward Deacon, where there is currently no path or sidewalk, while protecting and preserving the existing path. She said that the new plan better fits the needs of the area without the unnecessary and detrimental effects of removing mature trees and adding 10 feet of pavement, especially considering that what started the whole plan was one citizen request in 2010 and a Stafford County survey, which received 94 responses in the 22405 ZIP code. She noted that the petition to save the path garnered more than four times that amount of signatures in their ZIP code alone, and this plan is the best compromise for both sides.

   Ms. Serbinski referenced photos and said their appreciation for VDOT redesigning the project to save all of this was astronomical. She said that while she was unsure of the process moving forward, she was hopeful that there would be no more need for advocacy on this. She said the revised plan is smarter, cheaper, and a better use of taxpayers' money; it should have no issue being approved.

2. Ms. Gina McVicker of Rixey Court in the Falmouth District said that she has been before the Board asking them to support a redesign of VDOT's plan to widen the walking trails in Leeland Station. She said that after reviewing VDOT's revised design plan in the infrastructure meeting earlier that day, it appears the plan will have no adverse effect on Leeland's trails or her personal property. She noted that she is very pleased to see that the new plan addresses the safety of pedestrians traveling between Leeland Road and Walnut Drive, with a sidewalk and crosswalks across Leeland Road. Ms. McVicker thanked the Board for listening to constituents in the Falmouth District, noting that they've shared their concerns and alternatives for the project over the last several months. She said she hoped they would find some time to come and enjoy a walk on the beautiful tree-lined path this season.

3. Mr. Adam Lynch, river steward for Friends of the Rappahannock (FOR), stated that three years ago at Ms. Bohmke's invitation, he came to the Board during a work session to present the results of the Middle Rappahannock report card. He said the report card found numerous water quality impairments in Stafford's tributary streams and traced many of those issues back to runoff from unhealthy, suburban-style development patterns. He stated that at that meeting, he made several recommendations about how the county could improve—and they listened. He said that Stafford and supervisors joined FOR and other groups on projects to clean up litter and plant trees along streams. He said they used PDR and TDR to preserve open spaces in environmentally sensitive areas, supported the designation of the Rappahannock as a state scenic river, passed a healthy growth ordinance, and continued to be faithful to urban services area designation and targeted growth areas to discourage urban sprawl. He noted that all of these policies are further enshrined in the draft comprehensive plan. He thanked outgoing supervisors for their contributions and said he looked forward to building on the progress Stafford has made.

   Mr. Lynch stated that he was before them to speak about the comprehensive plan update, stating that FOR supports the passage of the document and would like to see it pass before the end of the calendar year, but he would like to address two aspects of the draft. He said that one is the treatment of three undeveloped parcels at the end of Celebrate Virginia Parkway, including the golf course property that backs up to the river. He said that in total, the three properties compose nearly 450 acres of potentially developable lands, and they are very important to FOR because of their proximity to the river. He said they understand that the parcels are included within the county's urban services area (USA) and respects that designation as being developable. He noted that they look forward to being involved—but during the planning and permitting process—and this project is an opportunity for them to balance development and conservation goals and create opportunities passive recreation on the site.

   Mr. Lynch stated that they would also like to speak to the continued inclusion of the so-called "Outer Connector" in the county's anticipated transportation plans. He said as they make their decision on whether the connector will remain in this document, he asked that they please consider whether this ambitious project is worth the long-term costs it would impose on the county. He said the law of induced demand tells them that while increasing highway capacity may relieve traffic congestion temporarily, it actually encourages more driving in the long run. He added that this ensures that more development, pavement, and congestion would soon follow—along with the ongoing financial burdens of maintaining this inefficient landscape.

4. Mr. Daniel Cortez of Hidden Springs Lane in the Aquia District said that two weeks ago, 28% of his fellow independent voters were part of the 1,660,353 citizens who voted for change in Virginia. Mr. Cortez said that as co-chair of the Latinos for Youngkin campaign, they were also proudly part of the 11-point Hispanic community vote victory for Mr. Youngkin, as well as a 28-point independent vote victory. He said that in the Aquia District, their votes were responsible for the election margin of Republican Tara Durant and independent candidate Monica Gary. He stated that at the gubernatorial and local level, Hispanic, Black, Asian, and white communities should not be represented by the unworthy when they are "disrespected and politically hoodwinked." Mr. Cortez stated that Dr. Taylor showed great leadership in ensuring that critical race theory would not be taught in Stafford County, and they must be vigilant about what the school board and administration are teaching; this is about education, not racial indoctrination. He congratulated those elected and thanked the outgoing Board members for their leadership.

5. Mr. Albert Whitley stated that based on a conversation he had with Ms. Lamb at the last meeting he attended, he had no idea who represented him. Mr. Whitley said that his ballot is in zone 5, and ever since they moved his polling place from Gayle Middle School to the England Run Library, none of the supervisors have appeared on his ballot. He said that he is without representation and is hoping they will contact voter registration to correct that so constituents can have input on who represents them.

REPORTS BY BOARD MEMBERS

Ms. Allen – wished everyone a happy Thanksgiving in advance.

Ms. Bohmke – remarked that she had attended a wonderful Eagle Scout ceremony for Andrew Spinnanger, and there have not been ceremonies for two years. She said he was the third boy in the family to receive his Eagle Scout honor.

Ms. Bohmke reported that the Infrastructure Committee had met earlier that day and was very happy with the Leeland Station plan, although they have some loose ends to tie up with that. She said the HOA board at Leeland Station would be meeting later that evening, and VDOT would be looking to install a crosswalk from Perth Drive to Walnut Farms Parkway, which will allow people on one side of the subdivision to traverse to the other—especially since the swimming pool is on the other side. She stated that the work would be done in 2022.

Ms. Bohmke stated that she just returned from the VACO conference, and in their business meeting this afternoon, they approved all VACO legislative priorities for all 94 counties in the Commonwealth. She said they have a platform and hope to meet with the Youngkin campaign in

December to make sure they understand what the priorities are—as they do not want any unfunded mandates coming from the General Assembly, as they are notorious for those.

Ms. Bohmke thanked voters in the Falmouth District, stating that she spent a lot of time and energy on this job because she is passionate about Stafford County and its residents. She said she hoped she would do even more to support constituents over the next four years and looked forward to working with them.

Mr. Coen – reported that he had toured an asphalt plant in his district, stating that the business had said they were going to make it smaller in size and more eco-friendly—and they had done that. He said it was impressive to see what they had done to make this an activity that is helpful for the environment.

Mr. Coen said he had attended the Patawomeck annual dinner and continued to try to help them with their work on the tribal center. He stated that he also attended a Cub Scout troop event, and those youth were excited to join so they could spend time with their fathers and go hunting.

Mr. Coen said he celebrated Veterans Day with the ringing of the bell at the renovated bell tower at the Union Church in Falmouth; Billy and Chris Shelton and the trustees have done an amazing job on that structure, which is part of the nice history of that area.

Mr. Coen wished everyone a wonderful and blessed Thanksgiving, and he stated that the Toys for Tots campaign is underway—running through December 12, with several locations where people can donate, including the Chatham Heights area. He said when people donate to the Marine Corps Toys For Tots, they are helping bring joy for Christmas and sending a message of hope to America's less fortunate children. He noted that there are several locations, including at 411 Chatham Heights Road, Suite 119.

Ms. Lamb – reported that she had been to Belmont, which offers one of the landfill opportunities within the region, and she met Dan McCarey, who was doing a super-good job of cleaning up and maintaining the site. She mentioned that they needed help there, as the building was falling apart.

Ms. Lamb stated that she had also attended the VACo conference and has served on three subcommittees over the last four years, and it was good to see Ms. Bohmke push forward the Health and Human Services agenda but also assume the role as executive for VACo for the entire Commonwealth of Virginia. She said this was very impressive because it was a body that convened and looked at changes they could make to improve lives across the state—not related to a particular locality. She stated that there are supervisors from all different counties, and they work together in subcommittees then meet once a year to determine priorities.

Mr. Snellings – congratulated all of the election winners but also those who didn't win. He said it takes a lot of commitment to run for public office, regardless of the level, and it is not an easy challenge; it takes commitment from yourself and family, as well as a lot of money. Mr. Snellings congratulated Ms. Bohmke for her new role as President of VACo, the second person from Stafford County to hold that position. He wished everyone a safe and happy Thanksgiving.

Ms. Vanuch – congratulated supervisors-elect Young, Gary, and English, as well as Ms. Bohmke for her reelection, stating that she looks forward to serving with all the Board. She echoed Mr. Snellings' comment about the demands of running for public office, adding that she thinks they will all work well together.

Ms. Vanuch thanked those who had come out on the Marine Corps Birthday to celebrate that event and Veterans Day, noting that there had been a great crowd and a wonderful ceremony.

Ms. Vanuch thanked Captain Worcester for Sergeant Johnson and Deputy Thomas and stated that she had reached out to see about doing community outreach in the Rock Hill District over the Halloween weekend. She said she rode along with Deputy Thomas for two evenings all throughout the district, and she like doing the ride-alongs because it provided a special perspective as an elected representative to see what goes into a night like that. Ms. Vanuch said that she observed tremendous planning and execution from the sheriff's office, and not only did they have Halloween zones for every deputy in major subdivisions, they were passing out candy to children, working with the community, responding quickly to calls that came through, and making sure that the streets were safe. She noted that the day and night shifts worked extra hours so they had enough patrol for the major subdivisions to have coverage. She thanked the sheriff's office and said their partnership was invaluable to the safety of the community.

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 the capital projects quarterly update was provided to the Board, and they could reach out directly to Bryon Counsell if they had questions. He stated that the monthly expenditure listing is also available for their information.

APPROVAL OF THE CONSENT AGENDA

Mr. Coen motioned, seconded by Ms. Bohmke to adopt the Consent Agenda.

The Voting Board tally was:

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

Item 1. Board of Supervisors: Amend 2021 Regular Meeting Schedule to Move December Meeting to December 14, 2021.

Resolution R21-423 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY BOARD OF SUPERVISORS' 2021 REGULAR MEETING SCHEDULE

WHEREAS, the Board adopted its 2021 meeting schedule on January 5, 2021, pursuant to Resolution R21-01; and

WHEREAS, the Board desires to amend its regular meeting schedule to move its regular December meeting from December 21, 2021 to December 14, 2021; and

WHEREAS, pursuant to Virginia Code § 15.2-1416, the Board must adopt a resolution to change a regular meeting day;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and herby does amend its 2021 regular meeting schedule to move its December 21, 2021 meeting to December 14, 2021; and

BE IT FURTHER RESOLVED that this Resolution be posted and notice advertised in accordance with Virginia Code § 15.2-1416.

Item 2. County Administration; Approve the October 19, 2021 Board of Supervisors Meeting Minutes.

Item 3. County Administration; Authorize an Additional Four Hours Holiday Pay on Wednesday, November 24, 2021 in Observance of the Thanksgiving Day Holiday.

Item 4. County Administration: Consider Adopting the Board of Supervisors 2022 General Assembly Legislative Program.

Resolution R21-183 reads as follows:

A RESOLUTION ADOPTING STAFFORD COUNTY'S OVERALL LEGISLATIVE PROGRAM FOR THE 2022 SESSION OF THE VIRGINIA GENERAL ASSEMBLY

WHEREAS, the Board is seeking enabling legislation and amendments to the Virginia Code to accomplish Stafford County's legislative initiatives for the 2022 General Assembly session; and

WHEREAS, the Board recognizes that Virginia and its local governments are partners in providing many services to our citizens; and

WHEREAS, the Board opposes efforts to reduce the authority or flexibility of the County to govern its citizens or shift responsibility for shared services to localities alone; and

WHEREAS, the Board opposes the implementation of any new unfunded state mandates or the expansion of any existing unfunded state mandates upon the County and County schools; and

WHEREAS, the Board desires that the Virginia Association of Counties offer its support for the initiatives contained herein;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does adopt the document entitled, "Stafford Virginia 2022 General Assembly Legislative Program" (2022 Legislative Program); and

BE IT FURTHER RESOLVED that staff and the County's legislative consultants will keep the Board appraised of legislative changes and other matters that may impact Stafford County, and its residents and businesses; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee will provide a copy of this Resolution and the 2022 Legislation Program to each member of the General Assembly delegation representing any portions Stafford County.

Item 5. Budget and Management; Request the School Board Declare Tax Map Parcel 46-62, Known as Clift Farm, Surplus and to Convey that Parcel to the County for Sale to Support Schools Capital Projects.

Resolution R21-415 reads as follows:

A RESOLUTION REQUESTING THE SCHOOL BOARD DECLARE TAX MAP PARCEL NO. 46-62, CLIFT FARM PROPERTY, AS SURPLUS AND ACCEPTING OF CONVEYANCE OF THE SAME

WHEREAS, in 2006, the Stafford County School Board purchased Tax Map Parcel No. 46-64 (Property), known as Clift Farm, for a future high school site; and

WHEREAS, it has now been determined that the Property is not appropriate for a school site, as it has inadequate infrastructure and is located in the flight path for Stafford Airport; and

WHEREAS, the Board desires to request the School Board to declare the Property as surplus pursuant to Virginia Code § 22.1-129 and convey the Property to the County; and

WHEREAS, the Board desires to accept the Property from the School Board, market the Property, and use the proceeds for future Schools capital projects;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does request the Stafford County School Board to adopt a resolution declaring Tax Map Parcel No. 46-62 (Property), known as the Cliff Farm property, as surplus pursuant to Virginia Code § 22.1-129, and provide a copy of the resolution to the County Administrator; and

BE IT FURTHER RESOLVED that the School Board is requested to convey the Property to the County and authorize the appropriate official to execute any deed or other documents deemed necessary and appropriate to effectuate the transfer of the Property to the County; and

BE IT STILL FURTHER RESOLVED that the Board accepts the conveyance of the Property, and authorizes the County Administrator and County Attorney, or their designees, to execute a deed of conveyance and any other documents they deem necessary and appropriate to effectuate the Board's desires and this Resolution.

Item 6. Capital Projects; Authorize the County Administrator to Execute a Contract Amendment for Design Engineering and Support Services for the 342-06 Transmission Upgrade Project; and Appropriate Funds.

Resolution R21-418 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT WITH WHITMAN, REQUARDT & ASSOCIATES, LLP FOR ADDITIONAL DESIGN ENGINEERING AND SUPPORT SERVICES FOR THE 342-06 TRANSMISSION UPGRADE PROJECT; AND APPROPRIATING FUNDS

WHEREAS, the County contracted with one of its on-call engineering firms, Whitman, Requardt & Associates, LLP (WRA), pursuant to Contract No. 16-4111-P401-WHIT, for design engineering services for the 342-06 Transmission Upgrade project (Project), in an amount not to exceed $432,914, approved by Resolution R19-256; and

WHEREAS, the task order was first amended on October 26, 2020, to provide additional property acquisition and environmental services in an amount not to exceed $49,608; and

WHEREAS, additional easement acquisition services were needed, and a second amendment was executed on February 17, 2021, in an amount not to exceed $58,450; and

WHEREAS, an additional amendment is needed for reservation plats, revisions to the design plans and permit applications, and bidding services for the Project; and

WHEREAS, WRA provided a proposal of $45,213 to provide these additional engineering and support services; staff reviewed this proposal and considers the costs to be reasonable for the scope of services requested; 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 16th day of November, 2021, that the County Administrator be and he is hereby authorized to execute a contract amendment with Whitman, Requardt
& Associates, LLP for additional design engineering and support services for the 342-06 Transmission Upgrade project (Project), in an amount not to exceed Forty-Five Thousand Two Hundred Thirteen Dollars ($45,213), for a total task order amount of $586,185, unless modified by a duly-authorized amendment; and

BE IT FURTHER RESOLVED that funds in the Utilities fund are appropriated for the additional design engineering and support services for the Project, as follows:

Fund	**Department**	**Amount**
Utilities Fund	Capital Improvement Program	$45,213

Item 7. Capital Projects Public Construction; Authorize the County Administrator to Execute a Contract with Dewberry Architects Inc. for a Space Needs Study.

Resolution R21-393 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DEWBERRY ARCHITECTS INC. FOR A SPACE NEEDS STUDY

WHEREAS, the George L. Gordon, Jr. Government Center, Rowser Building, Stafford Parks and Recreation Building, the Utilities Field Operations office, and leased spaces at 2126 and 2128 Jefferson Davis Highway are experiencing space constraints due to growing staffs; and

WHEREAS, the Board identified a space needs study (Study) as a strategic priority to assist in addressing efficient use of its space and to make recommendations to meet current and 10-year projected space needs; and

WHEREAS, the County solicited a Request for Proposals (RFP) #22-003-9401SP for a space needs study and concept design analysis, and Dewberry Architects Inc. was identified by staff to be the most qualified and responsive; and

WHEREAS, staff negotiated with Dewberry Architects Inc., resulting in a proposed contract amount of $210,101.98; and

WHEREAS, funds were previously budgeted in the General Fund for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to execute a contract with Dewberry Architects Inc. for a space needs study, in an amount not to exceed Two Hundred One Thousand One Hundred Two Dollars ($201,102), unless modified by a duly-authorized contract amendment.

Item 8. Capital Projects Transportation; Authorize the County Administrator to Send a Letter to the Virginia Department of Transportation (VDOT) Supporting the Deallocation of Funds from Phase 6 of the Belmont Ferry Farm Project and to Repay Reimbursement Funds Received to Date.

Resolution R21-376 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SEND A LETTER TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SUPPORTING THE DE-ALLOCATION OF FUNDS FROM PHASE 6 OF THE BELMONT FERRY FARM PROJECT

WHEREAS, the Board previously identified and approved a path for the Belmont-Ferry Farm Trail, Phase 6 (Project) with a developer constructing a portion of the trail as a part of a proffer; and

WHEREAS, the County has previously submitted a successful grant application for funding from state and federal sources for the Project dating back several years including Transportation Enhancement Grants and Transportation Alternatives Program (TAP), allowing for reimbursement of 80% of the Project costs; and

WHEREAS, the Virginia Department of Transportation (VDOT) has informed the County that due to the TAP funding requirements, the Project must move forward at this time and cannot wait for the developer's timeline or the funding will be de-allocated; and

WHEREAS, the Board considered an alternative alignment and decided the approved alignment best met the needs of the County; and

WHEREAS, due to time restrictions imposed by VDOT and the TAP program, the County is prepared to send a letter to VDOT to de-allocate the TAP funds and reimburse the County for payments received; and

WHEREAS, if approved, the funds, in the amount of $138,042.04, will remain in the Transportation Fund Balance for later appropriation and repayment to VDOT; and

WHEREAS, the County may apply for additional funding from state or federal sources, or use local funds to proceed with the Project once the developer is ready to meet the proffer requirements to build the section of trail;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to send a letter to the Virginia Department of Transportation's Local Assistance Division requesting cancellation of the Belmont-Ferry Farm Trail, Phase 6 Project at this time and to repay reimbursements received to date, totaling $138,942.04, for the Belmont-Ferry Farm Trail, Phase 6 Project.

Item 9. Capital Projects; Authorize the County Administrator to Execute a Contract Amendment with Rummel, Klepper & Kahl, LLP for Design Engineering to Include Permit Changes and Alignment Revisions on the Falls Run Interceptor Phase 2 Project.

Resolution R21-420 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT WITH RUMMEL, KLEPPER & KAHL, LLP FOR DESIGN ENGINEERING TO INCLUDE PERMIT CHANGES AND ALIGNMENT REVISIONS ON THE FALLS RUN INTERCEPTOR PHASE 2 PROJECT

WHEREAS, the County contracted with Rummel, Klepper & Kahl, LLP (RK&K) to provide professional engineering services on the Falls Run Interceptor Phase 2 Project (Project), pursuant to RFP 526163 and Contract No. 16-4111-P101-RKK, in the amount of $436,772, approved by Resolution R19-32; and

WHEREAS, the contract was amended on August 25, 2020 to add the I-95 crossing to the scope of engineering services, in an amount not to exceed $83,468; and

WHEREAS, an additional amendment is needed for design engineering, permit changes, and alignment revisions for the Project; and

WHEREAS, RK&K submitted a proposal for $80,382 for the additional services, which staff have determined is reasonable for the scope of services desired; and

WHEREAS, funds are available in the Utilities Capital Improvement Program Fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 16th day of November, 2021, that the County Administrator be and he hereby is authorized to execute a contract amendment with Rummel, Klepper & Kahl, LLP, for additional engineering services for the Falls Run Interceptor Phase 2 project, in an amount not to exceed Eighty Thousand Three Hundred Eighty-Two Dollars ($80,382), for a total contract amount of $600,622, unless modified by a duly-authorized contract amendment.

Item 10. Capital Projects; A Resolution Authorizing the County Administrator to Execute a Contract Amendment with O'Brien & Gere Engineers, Inc. for Additional Design Engineering to Include Support Services for the Clean Water Revolving Loan Fund (CWRLF) Application, and Appropriating Funds.

Resolution R21-422 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER AMENDMENT WITH O'BRIEN & GERE ENGINEERS, INC., A RAMBOLL COMPANY, FOR ADDITIONAL ENGINEERING SERVICES, AND APPROPRIATING FUNDS

WHEREAS, the County contracted with one of its on-call engineering firms, O'Brien & Gere Engineers, Inc., a Ramboll Company, (Engineer) to provide engineering design services for the Little Falls Run Wastewater Treatment Plant upgrades, pursuant to Contract No. 16-4111-P401-OBG, Task Order 6; and

WHEREAS, Amendment 1 to Task Order 6 was executed for $531,939 for final design changes, approved by Resolution R21-116; and

WHEREAS, upon completion of the 60% design submittal, staff was made aware of the opportunity to apply for the Virginia Clean Water Revolving Loan Fund program; and

WHEREAS, the Engineer provided a proposal in the amount of $10,799 to provide additional engineering services for the application; staff reviewed the proposal and find the costs to be reasonable for the scope of services requested; and

WHEREAS, funds are available in the Utilities Fund, Capital Improvement Program and can be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to execute a task order amendment with O'Brien & Gere Engineers Inc., a Ramboll Company, for additional engineering services for the Little Falls Run Wastewater Treatment Plant upgrades project (Project), in an amount not to exceed Ten Thousand Seven Hundred and Ninety-Nine Dollars ($10,799), for a total task order amount of $2,027,513, unless modified by a duly-authorized amendment; and

BE IT FURTHER RESOLVED that funds in the Utilities fund are appropriated for the additional engineering services for the Project, as follows:

Fund	Department	Amount
Utilities Fund	Capital Improvement Program	$10,799

Item 11. Community Engagement; A Proclamation Recognizing November 2021 as National Native American Heritage Month.

Proclamation P21-15 reads as follows:

A PROCLAMATION RECOGNIZING NOVEMBER 2021 AS NATIVE AMERICAN HERITAGE MONTH

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

WHEREAS, each year, Americans observe Native American Heritage Month by celebrating the histories, cultures and contributions of native peoples whose history in this land began before America was a country; and

WHEREAS, Stafford is historically home to two Native American tribes, the Patawomecks, the northernmost tribe of the Powhatan Nation, and the Manahoacs. As well, the County is home to Alaskan, Hawaiian and other indigenous peoples; and

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

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

WHEREAS, in particular, members of the Patawomeck Tribe have done an outstanding job of interpreting and reenacting the history of their tribe and sharing it with the community, especially in the tribe's establishment of a museum and cultural center in southern Stafford County; and

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

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby recognizes the month of November 2021 as Native American Heritage Month, in honor of the contributions of all indigenous peoples to Stafford County.

Item 12. Community Engagement; A Proclamation Recognizing and Commending L. Mark Dudenhefer for Outstanding Service on the Stafford Board of Supervisors and to the Citizens of Stafford County.

Proclamation P21-28 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING L. MARK DUDENHEFER FOR OUTSTANDING SERVICE ON THE STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, L. Mark Dudenhefer represented the citizens of the Garrisonville District from 2006 through 2011, and again from 2018 through 2021. Mr. Dudenhefer was elected Chairman by his fellow Board members in 2010 and 2011, and acted as Vice Chairman in 2007 and 2019. During his time, he served on multiple Board of Supervisors standing committees and represented Stafford on several regional groups; and

WHEREAS, Mr. Dudenhefer served Stafford County and the area in the House of Delegates in the Virginia Assembly from 2012 to 2014 and again from 2016 to 2018; and

WHEREAS, Mr. Dudenhefer earned his Bachelor of Science in economics from Louisiana State University in 1974. He later received a Master of Business Administration from Tulane University in 1987 and a Master in Computer Information Systems from the University of Phoenix in 2000. Mr. Dudenhefer served in the United States Marine Corps, retiring after 30 years of service as a Colonel; and

WHEREAS, another one of Mr. Dudenhefer's great achievements occurred when he served as a state Delegate and when he was a Supervisor. Mr. Dudenhefer served on the Armed Services Memorial Commission from 2012 until its completion in 2017. In that capacity, he helped with the design and the fundraising to build the memorial; and

WHEREAS, Mr. Dudenhefer worked with the Board to formulate and adopt a healthy growth strategy for Stafford County, to target development for areas with developed infrastructure; and

WHEREAS, Mr. Dudenhefer was a champion for the development of Downtown Stafford and the establishment of the smart city initiative in the Stafford Courthouse area; and

WHEREAS, Mr. Dudenhefer worked closely to develop a transportation study resulting in the adoption of the 2019 Transportation Bond Referendum, targeting eight major road projects and 28 road widening and improvement projects; and

WHEREAS, along with the Board, Mr. Dudenhefer supported policies that contributed to Stafford's fiscal responsibility and allowed the County to maintain a triple AAA bond rating; and

WHEREAS, Mr. Dudenhefer has been a staunch advocate for the Garrison District and for bringing new business to the area as well as the county, particularly the Garrison development, for which ground was just broken. He always made communication with his constituents a priority, was always very aware of any issues in his district and was proactive in solving them; and

WHEREAS, Mr. Dudenhefer and his wife, Kay, lived and raised their three children in Stafford County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does honor and recognize L. Mark Dudenhefer for his outstanding service to Stafford County and its residents.

<u>Item 13. Community Engagement; A Proclamation Recognizing and Commending Cindy C. Lamb for Outstanding Service on the Stafford Board of Supervisors and to the Citizens of Stafford.</u>

<u>Proclamation P21-29 reads as follows:</u>

A PROCLAMATION RECOGNIZING AND COMMENDING CINDY C. LAMB FOR OUTSTANDING SERVICE ON THE STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, Cindy C. Lamb served the citizens of the Aquia District on the Stafford County Board of Supervisors from 2018 to 2021. Her fellow Board members elected her as Vice Chairman in 2021, and she was the Chairman of the Fredericksburg Area Metropolitan Planning organization in 2020. During her tenure, she served on multiple Board of Supervisors standing committees and represented Stafford on multiple regional groups; and

WHEREAS, Ms. Lamb is of the people, holding monthly roundtables during her term and was hands-on in resolving citizen issues. and

WHEREAS, one of Ms. Lamb's most significant achievements during her time on the Board was her tireless advocacy for broadband for the unserved and underserved citizens in Stafford County, particularly her district. She was instrumental in supporting and facilitating Stafford's Virginia Telecommunication Initiative (VATI) grant, which brought the internet to unserved areas of Stafford; and

WHEREAS, Ms. Lamb was a great force in the repair, replacement, and rehabilitation of infrastructure specifically targeting the Smith Lake Water Treatment Facility; and

WHEREAS, Ms. Lamb was a driving force in finding solutions for the flooding on Brooke Road, culminating in several VDOT repair projects, increased maintenance, the installation of flood sensors, signage and a traffic camera; while the road replacement project is in design, and

WHEREAS, Ms. Lamb was also a proponent to correct compensation issues for Schools, first responders and all of Stafford employees, decreasing attrition and loss of institutional knowledge. She also protected residents' ability to keep bees, initiated studies and planning for bike and pedestrian paths, championed road improvements in Aquia and expanded stormwater grants to assist more residents with flooding; and

WHEREAS, Ms. Lamb and her husband, Ken, live in Stafford County. Ms. Lamb has four grown children and five grandchildren;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on the 16th day of November, 2021, that it be and hereby does honor and recognize Cindy C. Lamb for her outstanding service to Stafford County and its residents.

Item 14. Community Engagement; A Proclamation Recognizing and Commending Gary F. Snellings for Outstanding Service on the Stafford Board of Supervisors and to the Citizens of Stafford County.

Proclamation P21-30 reads as follows:

A PROCLAMATION RECOGNIZING AND COMMENDING GARY F. SNELLINGS FOR OUTSTANDING SERVICE ON THE STAFFORD BOARD OF SUPERVISORS AND TO THE CITIZENS OF STAFFORD COUNTY

WHEREAS, Gary F. Snellings served the citizens of the Hartwood District on the Stafford County Board of Supervisors from 2002 to 2005 and again from 2010 through 2021. His fellow Board members elected him as Chairman in 2015 and 2019 and as Vice Chairman in 2014 and 2018. During his tenure, he served on multiple Board of Supervisors standing committees and represented Stafford on several regional groups; and

WHEREAS, Mr. Snellings is a true son of Stafford, spending his life in the county and witnessing many pivotal moments in its history, including both the 300th Anniversary and the 350th Anniversary, on which Blue Ribbon Committee he served. He is a proud graduate of Stafford High School and a veteran of the United States Air Force; and

WHEREAS, one of Mr. Snellings' greatest achievements during his time on the Board was advocacy for a monument to honor the many men and women who have served in the military, particularly from Stafford County. He was one of the driving forces behind the creation of the Stafford Armed Services Memorial. Mr. Snellings championed that project through changing members of the Board and successfully saw it through to completion; and

WHEREAS, during Mr. Snellings time on the Board, he and the Board of Supervisors facilitated the transition of Stafford's all-volunteer Fire and Rescue Department to a hybrid career/volunteer department, significantly modernizing and increasing Stafford's public safety capability; and

WHEREAS, the Board of Supervisors, including Mr. Snellings, worked during and after a major economic downturn to earn and retain three AAA-bond ratings, a distinction which has resulted in significant cost savings for the citizens of Stafford County; and

WHEREAS, Gary Snellings was a champion for Stafford County Government staff, advocating for them and attending staff functions and ceremonies to show his appreciation; and

WHEREAS, Gary Snellings conducted himself as a consummate gentleman and had a talent for reducing complex issues to a language understood by all, especially his beloved Stafford County residents; and

WHEREAS, Mr. Snellings and his wife, Sharon, live in Stafford County and raised their two children in the County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does honor and recognize Gary F. Snellings for his outstanding service to Stafford County and its residents.

Item 15. Community Engagement; A Proclamation Recognizing Linda Gillispie for 47 Years of Service to Stafford County.

Proclamation P21-31 reads as follows:

A PROCLAMATION RECOGNIZING LINDA GILLISPIE FOR 47 YEARS OF SERVICE TO STAFFORD COUNTY

WHEREAS, on July 1, 1974, Linda Gillispie began her career in the Stafford County Commissioner of the Revenue's Office and has served the citizens of Stafford County with integrity, commitment and compassion for 47 years; and

WHEREAS, she started her career working for Commissioner George L. Gordon, Jr., in the Stafford County Commissioner of the Revenue's Office. In 1984, she was promoted to Deputy Commissioner of the Revenue, a position she held for the next 37 years; and

WHEREAS, in 1974, Linda Gillispie began her career posting reassessment values on real estate land cards and ultimately found her passion in administering the Tax Relief for the Elderly and Disabled program. Her dedication and commitment to the elderly and disabled community helped thousands of Stafford County's most vulnerable citizens remain in their homes and ensured they could live with dignity; and

WHEREAS, Linda Gillispie would spend nights, evenings and holidays visiting and caring for her customers and answering questions; and

WHEREAS, the Commissioner of the Revenue's Office was a small office in the 1970s. Linda Gillispie assisted in the administration of Personal Property, Real Estate, Income Tax, Land Use, deeds and transfers and cartography; and

WHEREAS, on November 18, 1999, Linda Gillispie was presented the Customer Service Provider of the Year Award by County Administrator C.M. Williams, Jr. This award was bestowed upon her by her peers who served on the Customer Service Committee; and

WHEREAS, the institutional knowledge and love of Stafford County proved invaluable to the two Commissioners of the Revenue she has served with, George L. Gordon, Jr., and Scott Mayausky, and the countless employees of the Treasurer's Office to whom she was the main point of contact; and

WHEREAS, this resolution for presentation to Deputy Commissioner of the Revenue Linda Gillispie is an expression of the respect and admiration for her dedication and service to Stafford County;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does honor and recognize Deputy Commissioner of the Revenue Linda Gillispie for her 47 years of service and dedication to the residents of Stafford County.

Item 16. Human Resources; Adopt the Stafford County Human Resources Department Military Leave Policy.

Resolution R21-405 reads as follows:

A RESOLUTION TO ADOPT THE STAFFORD COUNTY DEPARTMENT OF HUMAN RESOURCES MILITARY LEAVE POLICY

WHEREAS, the federal Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and Virginia Code § 44-93 *et seq.* require the County to provide certain benefits to employees who serve in the Armed Forces; and

WHEREAS, the County has incorporated these requirements and other benefits within the Stafford County Department of Human Resources Military Leave Policy (Policy); and

WHEREAS, in the Policy, the County desires to support employees serving in the Armed Forces by expanding the number of paid days from 15 to 20 days in a federal fiscal year; and

WHEREAS, in the Policy, the County desires to reduce potential disruption to family members covered under the County's health insurance plans by allowing the employee to extend the length of time that health insurance benefits can be continued at the active employee rate from 30 to 120 days; and

WHEREAS, individuals who are on active military duty will be able to use accrued leave to supplement their military pay after existing paid days allowed under the Policy; and

WHEREAS, to implement the Policy, the County is introducing the addition of two forms to facilitate communication between the employee and the County prior to, and upon return from, a military leave of absence;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 16th day of November, 2021, that the Stafford County Department of Human Resources Military Leave Policy, dated and last revised November 16, 2021, be and it hereby is adopted.

Item 17. Information Technology; Adopt the Stafford County Department of Information and Technology Electronic Signature Policy.

Resolution R21-424 reads as follows:

A RESOLUTION TO ADOPT THE STAFFORD COUNTY DEPARTMENT OF INFORMATION AND TECHNOLOGY ELECTRONIC SIGNATURES POLICY

WHEREAS, electronic signatures are used in local government and the private sector as a way to improve speed and efficiency of document approval; and

WHEREAS, electronic signatures have the same legal effect as handwritten signatures for certain transactions, in accordance with the Uniform Electronic Transactions Act (UETA), Virginia Code § 59.1-479 *et seq.*, and the Electronic Signatures in Global and National Commerce Act (ESIGN), 15 U.S.C. § 7001 *et seq.*; and

WHEREAS, pursuant to Virginia Code § 59.1-496, public bodies may accept and prescribe methods of executing, recording, reproducing, and certifying electronically filled information; and

WHEREAS, the Board desires to adopt an Electronic Signatures Policy to govern the manner, type, and use of electronic signatures by the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the Stafford County Department of Information and Technology Electronic Signatures Policy, dated November 16, 2021, be and hereby is adopted.

Item 18. Parks, Recreation, and Community Facilities; Authorize the County Administrator to Execute a Work Order for Replacing the Fire Suppression Sprinkler System at the Government Center.

Resolution R21-407 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A WORK ORDER FOR THE REPLACEMENT OF THE FIRE SUPPRESSION SPRINKLER SYSTEM AT THE GEORGE L. GORDON GOVERNMENT CENTER

WHEREAS, the fire suppression sprinkler system at the Government Center has exceeded its end of life expectancy; and

WHEREAS, the original piping has deteriorated due to corrosion causing numerous leaks, and has the potential to cause additional leaks and major damage to the building; and

WHEREAS, staff recommends replacing the fire suppression sprinkler system to ensure safety and building integrity; and

WHEREAS, the work can be procured through the County's Job Order Contract with Centennial Contractors Enterprises, Inc., Contract #20-1210-SP134.1CEN; and

WHEREAS, funds are available prior yearend fund balance for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to execute a work order with Centennial Contractors Enterprises, Inc., to replace the fire suppression sprinkler system at the George L. Gordon Government Center in an amount not to exceed Two Hundred Ninety-One Thousand Nine Hundred Twenty-Three Dollars ($291,923), unless amended by a duly-authorized change order.

Item 19. Parks, Recreation and Community Facilities; Authorize the County Administrator to Execute an Agreement with Stafford Baseball League, Inc., to Operate the County's Youth Recreational Baseball and Softball Programs.

Resolution R21-409 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH STAFFORD BASEBALL LEAGUE, INC., TO OPERATE THE COUNTY'S YOUTH RECREATIONAL BASEBALL AND SOFTBALL PROGRAMS

WHEREAS, Stafford Baseball League, Inc. (the League) is currently operating the youth recreational baseball and softball programs in the County; and

WHEREAS, the League has operated the youth recreational baseball program successfully since 1992, and the youth recreational softball program since 2010; and

WHEREAS, the County's contract with the League to operate the recreational youth baseball and softball programs will expire January 2022; and

WHEREAS, the Board finds that it is in the best interest of the County and its citizens to permit the League to continue to operate the County's recreational youth baseball and softball programs in the County; and

WHEREAS, the Board desires to enter into an agreement with the League for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to execute an agreement with Stafford Baseball League, Inc., to operate the County's youth recreational baseball and softball programs for a period of five years.

Item 20. Utilities; Authorize the County Administrator to Approve Expenditures with E-Merge Systems, Inc. for the Scada System Upgrade.

Resolution R21-411 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH E-MERGE SYSTEMS, INC. FOR THE SCADA SYSTEM UPGRADE

WHEREAS, the Department of Utilities requires professional services for the installation and implementation of a new Supervisory Control and Data Acquisition (SCADA) system; and

WHEREAS, the SCADA system gathers and analyzes real-time data to monitor and control equipment that deals with critical and time-sensitive controls to maintain water and sewer treatment operations; and

WHEREAS, the SCADA system upgrade requires the migration of the existing SCADA application to the new hardware and operating system platform; and

WHEREAS, the County currently has a contract for these services with E-Merge Systems, Inc. through Rider Agreement No. 20-5080-CI053, riding a Spotsylvania Contract No. 17-07-TV-01 for SCADA services; and

WHEREAS, funds for these services are available in the Utilities Capital Improvement Program fund for $1,000,000, and funds of $250,000 is available in the Utilities Enterprise Fund, Operating Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to expenditures funds with E-Merge Systems Inc. to provide services for the Supervisory Control and Data Acquisition (SCADA) system systems upgrade in the amount of One Million Two Hundred Fifty Thousand Dollars ($1,250,000), unless modified by a duly-executed contract amendment.

Item 21. Utilities; Authorize the County Administrator to Approve Expenditures with Wood Equipment Service Co. for the Purchase of Pumps.

Resolution: R21-419 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH WOOD EQUIPMENT SERVICES CO. FOR THE PURCHASE OF PUMPS

WHEREAS, a pump is an integral component of the operation of each sewer pump station, water booster pump station, water tank, and each of the County's water treatment facilities; and

WHEREAS, the County has an existing contract with Wood Equipment Service Co., Rider Agreement No. 22-022-5030-CI, which rides the Standard Goods and Services Agreement No. 21-014-1 between Alexandria Sanitation Authority, doing business as Alexandra Renew Enterprises, to furnish and deliver wastewater plant equipment, parts, consumables and related services; and

WHEREAS, funding for the purchase of the pumps is available in the Utilities Enterprise Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to expend funds with Wood Equipment Service Co. for the purchase of wastewater plant pumps in an amount not to exceed Eight Hundred Thousand Dollars ($800,000), unless modified by a duly-executed contract amendment.

UNFINISHED BUSINESS

22. Budget And Management; Appropriate American Rescue Plan Act (ARPA) Grant Funds and Increase the County's Full-Time Employee Authorized Strength.

Director of Budget and Management Andrea Light reported that the Board was being asked to consider proposed Resolution R21-390 for the Sheriff's department appropriations, grant support, and economic development set-asides. She said the slide presented was provided to look at prior Board actions for the ARPA allocations. She stated that the Board had approved R21-353, which was an ARPA funding strategy to provide staff guidance to move projects forward and bring them back for appropriation. She said this included strategic investments in citizen support set-asides, economic development set-asides, dedicated and responsive public safety, vibrant and exciting business community, organizational excellence, heartbeat of recreation, and anticipated funding to be used for furloughed staff.

Ms. Light reported that the Sheriff's department is requesting that two of their projects be moved forward. She said the first was two message boards, with a cost of $33,600, which will assist in informing the public of necessary information concerning vaccinations and public health advisories. She stated that these could be used in areas of the county where it is harder to reach citizens with traditional media. She said the second item was camera trailers, and during the vaccination clinics, the sheriff's department had a number of deputies onsite. She said these could have been monitored remotely and would have allowed for better deployment of deputies for more serious calls.

Ms. Light stated that the President recently signed the Investment, Infrastructure, and Jobs Act (IIJA), which is a $93 billion bill that offers several direct county application opportunities. She said that there are also a variety of programs for community and economic development across various federal agencies. She stated that for grant support, they are asking the Board to consider two positions, as annual grant activity has increased 10 times above previous levels because of ARPA and CARES Act. She said that with the increase of the IIJA funding and those opportunities, they want to be able to take advantage of those. She said the proposed Resolution R21-390 requests a grant accountant and grant coordinator position to support the increased activity. She stated that the annual salaries and benefits and ongoing operating costs are anticipated to be just over $118,000, and they recommend the use of ARPA funds, other grants, and revenue replacement.

Ms. Light stated that they are also bringing back economic development initiatives, and they are looking for consulting services to support economic development and tourism staff, research, design, implement, and administer innovative and allowable programs. She said many other counties have already started to provide these types of grant services to businesses. She stated that they are also looking at marketing data, to develop marketing research and algorithms across various data platforms—including new kiosks in various locations throughout the county in support of the hospitality business community. She said this would gather the data and be able to provide additional information to market to that staff.

Ms. Light said that for next steps, staff will continue to bring forward requests for appropriations based on ARPA funding strategies. She offered to answer questions.

Ms. Allen asked if there was an amount the county was limited to for applying, or whether the grant just told them how much they would get.

Ms. Light responded that those details were just starting to come out, and staff does not have much information yet, but supposedly the federal government was putting a grant guide out that would have more details. She said that staff has identified almost $5.6 billion that's available, and Stafford could apply for some of that funding.

Ms. Allen asked if there was a timeline as to when the information would be released.

Ms. Light replied that they are looking at the next few weeks to release that information.

Ms. Allen asked how soon general staff would be looking to hire the new grant positions.

Ms. Light responded that it would be December or January, as soon as possible, to get the ball rolling in seeking the additional grants. She said the grants accountant is important for both IIJA funding and the current ARPA funding and the restrictions with those reporting requirements.

Ms. Allen asked if they would eventually need to be hiring additional project managers if these go through, as that was an issue previously.

Ms. Light responded that it would depend on the breadth and number of projects requested, and within the ARPA funding strategy and projects identified now, current project management staff is able to handle it, as it is within their availability of time. She said that depending on what they got from IIJA, looking at something like broadband and how it might be deployed, IT may need additional support to have that project go forward—whether that is a full-time manager or management services contracted for that specific event.

Ms. Bohmke recalled that Ms. Light was going to provide a breakdown of what is within the $199,500 figure.

Ms. Light explained that she understands from economic development that it is funding for them to design some of their programs that they would like to provide, such as information on marketing for impacted businesses, grants and loans for impacted businesses, and Smart Startup assistance grants. She said that economic development would help develop the parameters for those grants and have people apply for those grants, then vet those applications.

Economic Development Director John Holden approached the dais, but the Board had no questions for him.

Ms. Vanuch noted that the Board does not necessarily have to act on this today. She said that the infrastructure information was emerging, and it seemed a lot of that money would be delegated through the state—so they could work through their delegate's office to explore that. She stated that they had a presentation at FAMPO the previous night, and a lot of this funding would not be grant-based but would be relegated to the state, with localities working with local officials to fund projects. She said that she was a little reticent to move forward with funding two positions before they know for sure how the money was coming down, and she has already shared her concerns about things like tourism kiosks and where some of the money is going.

Ms. Bohmke asked if they received additional information from the federal and state governments, whether they could defer that part and go ahead and vote on the other items.

Ms. Bohmke motioned to approve just the sheriff's office component.

Ms. Vanuch asked Ms. McClendon if anything needed to be specifically spelled out in the motion, to change the resolution.

Ms. McClendon stated that she would recommend referencing the exact language in the resolution so it's clear what they are authorizing.

Mr. Snellings asked what the sheriff's office timeline was.

Ms. Lamb stated that it's just a message board and camera trailer, and she asked why that was so critical at this moment.

Ms. Vanuch explained that there are steel shortages, and things are taking six to nine months to get ordered, so orders placed right now are taking a long time to get through. She noted that they are also trying to order another truck and are dealing with the same challenges.

Ms. Allen said that she would also like to know the timeline, and if the sheriff isn't in a rush to get this, the Board could bring it back in a month and vote for everything at once.

Ms. Bohmke withdrew her original motion. She motioned to defer R21-390 until their December meeting. Ms. Allen seconded the motion.

The Voting Board tally was:

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

23. Development Services; Consider Authorizing The County Administrator to Advertise a Public Hearing to Consider Creating a Stormwater Management Fund for the Proposed Neighborhood Stormwater Infrastructure Grant Program.

Ms. Vanuch noted that they had a comprehensive presentation on this at their last meeting.

Director of Development Services Paul Santay stated that this is a continuation of what was presented in September regarding the Neighborhood Stormwater Grant Program, and the information in their packet is the same from what was presented then, with the addition of a Q&A as an attachment from some of the questions received from Board members. Mr. Santay said that Mr. Coen had asked for additional examples of some of the projects that would benefit from the grant program, and staff is requesting that the Board authorize the public hearing for the grant program to take place in December.

Ms. Bohmke motioned, seconded by Ms. Lamb to approve proposed Resolution R21-349.

Ms. Bohmke thanked staff for everything they had done on this, stating that it had been a very heavy lift, and she thanked Ms. Lamb for hanging in with her on the stormwater committee.

Ms. Allen commented that she would prefer to see the program have additional funding initially, perhaps an extra $100K, because she is concerned about the equity aspect of homeowners who desperately need the service. She said the funding may dry up because of how small the pool is, and while it is just a pilot program, it wouldn't hurt to expand it.

The Voting Board tally was:

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

Resolution R21-349 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CREATING A STORMWATER MANAGEMENT FUND FOR THE PROPOSED NEIGHBORHOOD STORMWATER INFRASTRUCTURE GRANT PROGRAM

WHEREAS, the Board formed the Stormwater Infrastructure Funding and Implementation (SIFI) Committee to consider implementing a Neighborhood Stormwater Infrastructure Grant Program (Program); and

WHEREAS, the SIFI Committee, in conjunction with staff, worked to develop the proposed Program by considering both legacy and emerging stormwater infrastructure needs within the County's residential communities; and

WHEREAS, the goal of the Program is to promote inspection, repair, and maintenance of existing neighborhood drainage systems and stormwater management facilities in a manner that best supports the safety and general welfare of the County; and

WHEREAS, pursuant to Virginia Code § 15.2-2114.01, the Board desires and is required to hold a public hearing to consider adoption of an ordinance to create a Stormwater Management Fund to fund grants for the Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider creation of a Stormwater Management Fund to provide grants for the proposed Neighborhood Stormwater Infrastructure Grant Program.

24. Budget And Management; Consider Adopting an Ordinance to Amend and Reordain Stafford County Code 23, Article X to Establish, Levy, Administer And Enforce a Local Tax Upon the Sale

<u>of Cigarettes within Stafford County and to Authorize the County to Join the Northern Virginia Cigarette Tax Board.</u>

Ms. Light reported that during adoption of the budget, the Board had deferred approval of the tax rate and proposed ordinance O21-29 until Stafford became part of the Northern Virginia Cigarette Tax Board (NVCTB). She said the county was accepted with them in September, and they would collect and remit the sales tax revenue by jurisdictions per month; the operating costs for NVCTB will be charged to each of the 24 jurisdictions, and they anticipated Stafford's portion to be about 5.7% of overall operating costs of about $1.3 million annually. She noted that they are looking at about $74,000 for Stafford's annual expense, and in the adoption of the budget, they assumed $1 million in revenue based on a full year of collection. She said that because of the delay in collection, the county would have a revenue shortfall of about $500K that staff believes will be covered by other areas of revenue, and staff recommends approval.

Ms. Bohmke noted that Stafford was in a conglomeration with 24 other jurisdictions, and she asked if the fee was a rate or an amount per each.

Ms. Light responded that this was an estimate, and it was based on the revenue collection for the month. She said that considering that Fairfax, Loudoun, and Prince William were in NVCTB, they would probably be the bigger portions of collected revenue. She said that if Stafford is 5% of revenue per month, for example, then 5% of expenses are charged to the county.

Ms. Bohmke asked if they were also subject to a stamping fee.

Ms. Light responded that this also takes care of the stamping agents.

Ms. Bohmke asked if they are in a fair pool with the other localities.

Ms. Light said they absolutely were, as it was based on revenue collections.

Ms. Bohmke asked if King George was in the same one or was doing their own.

Ms. Light responded that King George went out on their own, and her understanding is that they are doing very well.

Ms. Bohmke asked if there were any downsides to participating with the other jurisdictions.

Ms. Light responded that there were not as far as she could see, and it was important to note that the sheriff's department had pointed out that Stafford County did not want to be the first stop on

I-95 to have a lower cigarette tax rate—as they may become a target for people who are illegally buying cigarettes. She said there is a small fee that is fairly distributed through all of the jurisdictions, and they have been established for a number of years with Fairfax, Manassas, and several other towns; there would be 24 other jurisdictions now as part of this board.

Ms. Lamb motioned, seconded by Ms. Allen to approve proposed Ordinance O21-19.
The Voting Board tally was:

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

Ordinance O21-19 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE CHAPTER 23, ARTICLE X TO ESTABLISH, LEVY, ADMINISTER AND ENFORCE A LOCAL TAX UPON THE SALE OF CIGARETTES WITHIN STAFFORD COUNTY

WHEREAS, Virginia Code § 58.1-3830 provides that effective on July 1, 2021, "[a]ny county, city, or town is authorized to levy taxes upon the sale or use of cigarettes;" and

WHEREAS, the County did not have any tax upon cigarettes as of January 1, 2020, and therefore Virginia Code § 58.1-3830(c)(1) sets the maximum rate at "two-cents ($0.02) per cigarette sold;" and

WHEREAS, Virginia Code § 58.1-3832 provides that "[a]ny county, city, or town having a tax upon the sale or use of cigarettes may by ordinance, provide for the administration and enforcement of any such cigarette tax;" and

WHEREAS, the Board carefully considered the recommendations of the Commissioner of the Revenue, staff, Northern Virginia Cigarette Tax Board and the public testimony, if any, at the public hearing; and

WHEREAS, the Board desires to adopt this Ordinance O21-19 into the County Code and further finds that it will secure and promote the public health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that Stafford County Code Chapter 23, Article X, be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

ARTICLE X. – ~~RESERVED~~ CIGARETTE TAX

~~**Secs. 23-200 – 23-224. - Reserved.**~~

Sec. 23-200. Short title.

This article shall be known and may be cited as the Stafford County Cigarette Tax Ordinance.

Sec. 23-201. Definitions.

For the purposes of this article, the following words and phrases have the meanings respectively ascribed to them by this section, except in those instances where the context clearly indicates a different meaning:

NVCTB means the Northern Virginia Cigarette Tax Board.

Carton means any container, regardless of material used in its construction, in which packages of cigarettes are placed.

Cigarette means and includes any roll of any size or shape for smoking, whether filtered or unfiltered, with or without a mouthpiece, made wholly or partly of cut, shredded or crimped tobacco or other plant or substitute for tobacco, whether the same is flavored, adulterated or mixed with another ingredient, if the wrapper or cover is made of any material other than leaf tobacco or homogenized leaf tobacco, regardless of whether the roll is labeled or sold as a cigarette or by any other name.

Cigarette Machine Operator means any individual, partnership or corporation engaged in the sale of packages of cigarettes from vending machines.

County means Stafford County, Virginia.

Dealer means and includes every manufacturer's representative, wholesaler, retailer, cigarette machine operator, public warehouseman or other person who shall sell, receive, store, possess, distribute or transport cigarettes within or into the County.

Package means and includes any container, regardless of the material used in its construction, in which separate cigarettes are placed without such cigarettes being placed into any container within the package. Packages are those containers of cigarettes from which they are consumed by their ultimate user. Ordinarily a package contains twenty cigarettes; however, "package" includes those containers in which fewer or more than twenty cigarettes are placed.

Person means and includes any individual, firm, unincorporated association, company, corporation, joint stock company, group, agency, syndicate, trust or trustee, receiver, fiduciary, partnership and conservator. The word "person" as applied to a partnership, unincorporated association or other joint venture means the partners or members thereof, and as applied to a corporation, includes all the officers and directors thereof.

Place of business means and includes any place where cigarettes are sold, placed, stored, offered for sale or displayed for sale or where cigarettes are brought or kept for the purpose of sale, consumption or distribution, including vending machines, by a dealer within the County.

Registered agent means and includes every dealer and other person who shall be required to report and collect the tax on cigarettes under the provisions of this article.

Retail dealer means and includes every person who, in the usual course of business, purchases or receives cigarettes from any source whatsoever for the purpose of sale within the County to the ultimate consumer; or any person who, in the usual course of business, owns, leases or otherwise operates within his own place of business, one or more cigarette vending machines for the purpose of sale within the County of cigarettes to the ultimate consumer; or any person who, in any manner, buys, sells, stores, transfers or deals in cigarettes for the purpose of sale within the County to the ultimate consumer, who is not licensed as a wholesaler or vending machine operator.

Sale or sell means and includes every act or transaction, regardless of the method or means employed, including barter, exchange or the use of vending machines or other mechanical devices or a criminal or tortious act whereby either ownership or possession, or both, of any cigarettes shall be transferred within the County from a dealer as herein defined to any other person for a consideration.

Stamp means a small gummed piece of paper or decal used to evidence provision for payment of the tax as authorized by the NVCTB, required to be affixed to every package of cigarettes sold, distributed, or used within the County.

Store or storage means and includes the keeping or retention of cigarettes in this County for any purpose except sale in the regular course of business.

Use means and includes the exercise of any right or power over any cigarettes or packages of cigarettes incident to the ownership or possession of those cigarettes or packages of cigarettes including any transaction where possession is given or received or otherwise transferred, other than a sale.

User means any person who exercises any right or power over any cigarettes or packages of cigarettes subject to the provisions of this Article incident to the ownership or possession of those cigarettes or packages of cigarettes or any transaction where possession is given or received or otherwise transferred, other than a sale.

Wholesale Dealers means any individual, partnership or corporation engaged in the sale of packages of cigarettes for resale into or within the County.

Sec. 23-202. Levy and rate.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby levied and imposed by the County upon every person who sells or uses cigarettes within the County an excise tax at a rate of thirty cents ($0.30) for each package containing twenty cigarettes and two cents ($0.02) for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the County after July 1, 2021. The tax shall be paid and collected in the manner and at the time hereinafter prescribed; provided, that the tax payable for each cigarette or cigarette package sold or used within the County shall be paid but once.

Sec. 23-203. Methods of collection.

(a) The tax imposed by this section shall be evidenced by the use of a tax stamp and shall be paid by each dealer or other person liable for the tax under a reporting method deemed by the

NVCTB to carry out the provisions of this article. The stamps shall be affixed in such a manner that their removal will require continued application of water or steam. Each dealer or other person liable for the tax is hereby required, and it shall be his duty, to collect, pay the tax and report all packages of cigarettes on forms prescribed for this purpose by the NVCTB:

(1) The quantity of NVCTB-stamped cigarettes sold or delivered to:

(A) Each registered agent appointed by the NVCTB for which no tax was collected;

(B) Each manufacturer's representative; and

(C) Each separate person and place of business during the preceding calendar or fiscal month; and

(2) The quantity of NVCTB stamps on hand, both affixed and unaffixed on the first and the last day of the preceding calendar or fiscal month and the quantity of NVCTB stamps or NVCTB stamped cigarettes received during the preceding calendar or fiscal month; and

(3) The quantity of cigarettes on hand to which the NVCTB stamp had not been affixed on the first and last day of the preceding calendar or fiscal month and the quantity of cigarettes received during the preceding calendar or fiscal month to which the NVCTB stamp had not been affixed; and

(4) Such further information as the administrator for the NVCT may require for the proper administration and enforcement of this article for the determination of the exact number of cigarettes in the possession of each dealer or user.

(b) Each dealer or other person liable for the tax shall file such reports with the NVCTB and pay the tax due to the NVCTB prior to the due date, and shall furnish copies of all cigarette tax reports submitted to the Virginia Department of Taxation.

(c) When, upon examination and audit of any invoices, records, books, cancelled checks or other memoranda touching on the purchase, sale, receipt, storage or possession of tobacco products taxed herein, any dealer or other person liable for the tax is unable to furnish evidence to the NVCTB of sufficient tax payments and stamp purchases to cover cigarettes which were sold, used, stored, received, purchased or possessed by him, the prima facie presumption shall arise that such cigarettes were received, sold, used, stored, purchased or possessed by him without the proper tax having been paid. The NVCTB shall, from the results of such examination and audit based upon such direct or indirect information available, assess the tax due, impose a penalty of ten percent and may impose interest of three-quarters per cent per month of the gross tax due.

(d) When any dealer or other person liable for the tax files a false or fraudulent report or fails to file a report or fails to perform any act or performs any act to evade payment of the tax, the NVCTB shall administratively assess the tax due and impose a penalty not to exceed fifty (50) percent of the tax due and interest of three-quarters (3/4) percent per month of the gross tax due.

(e) The dealer or other person liable for the tax shall be notified by certified mail of such deficiency and such tax, penalty and interest assessed shall be due and payable within ten days after notice of such deficiency has been issued. Every dealer or other person liable for the tax shall examine each package of cigarettes to insure that the NVCTB stamp has been affixed thereto prior to offering them for sale.

(f) Any dealer or other person liable for the tax who shall receive cigarettes not bearing the NVCTB stamp shall, within one hour of receipt of such cigarettes, commence and with all reasonable diligence continue to affix the NVCTB stamp to each and every package of cigarettes until all unstamped packages of cigarettes have been stamped and before offering such cigarettes for sale. Any dealer or other person liable for the tax who has notified the NVCTB that he is engaged in interstate or intrastate business shall be permitted to set aside such part of his stock as may be legally kept for the conduct of such interstate or intrastate business (that is, cigarettes held for sale outside the jurisdiction of the NVCTB) without affixing the stamps required by this article. Any such interstate or intrastate stock shall be kept entirely separate and apart from the NVCTB-stamped stock, in such a manner as to prevent the commingling of the interstate or intrastate stock with the NVCTB stock. Any dealer or other person liable for the tax found to have had untaxed cigarettes which have been lost, whether by negligence, theft or any other unaccountable loss, shall be liable for and shall pay the tax due thereon.

(g) It shall also be the duty of each dealer or other person liable for the tax to maintain and keep for a period of three years, not including the current calendar year, records of all cigarettes received, sold, stored, possessed, transferred or handled by him in any manner whatsoever, whether the same were stamped or unstamped, to make all such records available for audit, inspection and examination at all reasonable times, as well as the means, facilities and opportunity for making such audit, inspection or examination upon demand of the NVCTB.

Sec. 23-204. Registered agents.

(a) Any dealer or other person liable for the tax who shall sell, use, store, possess, distribute or transport cigarettes within or into the County shall first make application to the NVCTB to qualify as a registered agent. Such application blank, which shall be supplied upon request, shall require such information relative to the nature of the business engaged in by said applicant, as the NVCTB deems necessary for the administration and enforcement of this article. There is a yearly Registration Fee for all Wholesale Dealers and all Cigarette Machine Operators. Applicant shall provide a surety bond to the NVCTB of 150 percent of his average monthly tax liability with a surety company authorized to do business in the Commonwealth of Virginia. Such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year. Any applicant whose place of business is outside the County shall automatically, by filing his application, submit himself to the NVCTB's legal jurisdiction and appoint the administrator for the NVCTB as his agent for any service of lawful process.

(b) Upon receipt of the properly completed required application forms, and the required surety bond executed, the NVCTB shall determine whether the said applicant qualifies to be a registered agent. The NVCTB will issue to said qualified applicant a yearly registered agent permit to qualify him to purchase, sell, use, store, possess, distribute or transport within or into the County, NVCTB-stamped cigarettes.

(c) Registered agents shall agree to the reporting and payment requirements placed upon him by this article and the rules and regulations as from time to time may be promulgated by the NVCTB. When any registered agent's monthly report and payment of the tax is not received within the dates prescribed, the NVCTB shall impose a late reporting penalty of ten percent of the gross tax due or ten dollars whichever is greater, but in no event more than $1,000. The NVCTB also may require such registered agent to provide proof that he has complied with all applicable laws of the Commonwealth of Virginia to legally conduct such business and to file financial statements showing all assets and liabilities. The NVCTB may revoke or suspend any registered agent's permit due to failure to file tax reports in a timely manner, non-payment of taxes due, or if the cigarette tax surety bond should become impaired for any reason.

(d) All money collected as cigarette taxes under this ordinance shall be deemed to be held in trust by the dealer collecting the same until remitted to the NVCTB.

(e) Registered agents must account for all NVCTB authorized tax stamps purchased. Periodic audits may be conducted to determine any unaccounted variance between the number of stamps purchased and the number of stamps reported and an assessment will be made for all unaccounted for stamps. Any assessment of registered agents located outside the jurisdictions of the NVCTB will be based upon the average sales of packages of cigarettes by jurisdiction during the audit period. For registered agents located within the jurisdictions of the NVCTB, any assessment will be based upon the tax rate of the jurisdiction in which they are located. In addition, there will be a penalty for non-reporting of ten per cent of the gross tax due.

Sec. 23-205. Requirements for retail dealers.

(a) Retail dealers who shall sell, offer for sale, store, possess, distribute, purchase, receive or transport cigarettes for the purpose of sale within the County shall purchase cigarettes only from registered agents giving or supplying the business trade name and business address of the location where the cigarettes will be placed for sale to the public. Cigarettes purchased for personal use cannot be brought into a business for resale. Only properly registered and licensed retail stores may sell cigarettes to the public. To be properly registered and licensed, a retail store must first have a valid Virginia state sales and use tax certificate and valid retail business license. Cigarettes must be purchased and stored separately for each business location. All copies of cigarette purchase invoices/receipts must be retained by the retailer for a period of three years and shall be made available to Agents of the NVCTB upon request for use in conducting audits and investigations. All copies of cigarette purchase invoices/receipts must be stored at the business retail location for a period of one year from date of purchase. Failure to provide cigarette invoices/receipts may result in confiscation of cigarettes until receipts can be reviewed by the NVCTB to verify the proper tax has been paid. It is the responsibility of each retail location to insure that all cigarettes placed for sale or stored at that location be properly taxed and stamped. Cigarettes found without the NVCTB stamp or the proper jurisdictional tax paid will be seized by the Agents of the NVCTB.

(b) Retail dealers must make their place of business available for inspection by Tobacco Revenue Agents to insure that all cigarettes are properly tax-stamped and all cigarette taxes are properly paid.

Sec. 23-206. Presumption of illegality; seizure of contraband goods, sealing/seizing of machines.

(a) If any cigarette machine operator or other person liable for the tax imposed by this article is found to possess any cigarettes without the jurisdictional tax paid or the proper tax stamp affixed, there shall be a rebuttable presumption that any such operator of other person shall be in possession of untaxed cigarettes in violation of this section.

(b) If any cigarettes are placed in any vending machines within the County, then there shall be a rebuttable presumption that such cigarettes were placed in that machine for sale within the County. If [a]ny vending machine located within the County contains cigarettes upon which the NVCTB tax stamp has not been affixed or on which the jurisdictional tax has not been paid or containing cigarettes placed so as to not allow visual inspection of the NVCTB tax stamp through viewing area as provided for by the vending machine manufacturer, then there shall be a rebuttable presumption that the machine contains untaxed cigarettes in violation of this article.

(c) Any cigarettes, vending machines, cigarette tax stamps or other property found in violation of this Article shall be declared contraband goods and may be seized by the NVCTB. In addition to any tax due, the dealer or other person liable for the tax possessing such untaxed cigarettes or tax stamps shall be subject to civil and criminal penalties herein provided.

(d) In lieu of seizure, the NVCTB may seal such vending machines to prevent continued illegal sale or removal of such cigarettes. The removal of such seal from a vending machine by any unauthorized person shall be a violation of this Article. Nothing in this Article shall prevent the seizure of any vending machine at any time after it is sealed.

(e) All cigarette vending machines shall be plainly marked with the name, address and telephone number of the owner of said machine.

Sec. 23-207. Illegal acts.

(a) It shall be unlawful and a violation of the Article for any dealer or other person liable for the tax:

(1) To perform any act or fail to perform any act for the purpose of evading the payment of any tax imposed by this article or of any part thereof, or to fail or refuse to perform any of the duties imposed upon him under the provisions of this Article or to fail or refuse to obey any lawful order which may be issued under this Article; or

(2) To falsely or fraudulently make, or cause to be made, any invoices or reports, or to falsely or fraudulently forge, alter or counterfeit any stamp, or to procure or cause to be made, forged, altered or counterfeited any such stamp, or knowingly and willfully to alter, publish, pass or tender as true any false, altered, forged or counterfeited stamp or stamps; or

(3) To sell, offer for sale, or distribute any cigarettes upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid; or

(4) To possess, store, use, authorize or approve the possession, storage or use of any cigarette packages upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid; or

(5) To transport, authorize or approve the transportation of any cigarette packages in quantities of more than sixty packages into or within the county upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid, if they are:

(A) Not accompanied by a receipt/bill of lading or other document indicating the true name and address of the consignor or seller and the consignee or purchaser and the brands and quantity of cigarettes transported; or

(B) Accompanied by a receipt/bill of lading or other document which is false or fraudulent in whole or part; or

(C) Accompanied by a receipt/bill of lading or other document indicating:

(i) A consignee or purchaser in another state or the District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such tobacco products on which the taxes imposed by such other jurisdiction have not been paid unless the tax on the jurisdiction of destination has been paid and said cigarettes bear the tax stamps of that jurisdiction; or

(ii) A consignee or purchaser in the Commonwealth of Virginia but outside the taxing jurisdiction who does not possess a Virginia Sales and Use Tax Certificate and, where applicable, any licenses issued by the Commonwealth or local jurisdiction of destination; or

(6) To reuse or refill with cigarettes any package from which cigarettes have been removed, for which the tax imposed has been theretofore paid; or

(7) To remove from any package any stamp with intent to use or cause the same to be used after same has already been used or to buy, sell, or offer for sale or give away any used,

removed, altered or restored stamps to any person, or to reuse any stamp which had theretofore been used for evidence of the payment of any tax prescribed by this Article or to sell, or offer to sell, any stamp provided for herein; or

(8) To sell, offer for sale or distribute any loose or single cigarettes; or

(9) To perform any act that violates the resolutions promulgated by the NVCTB.

(b) It shall be unlawful and a violation of the Article for any person or individual to transport, possess, store, use, authorize or approve the possession, storage or use of any cigarette in quantities of more than sixty packages upon which the NVCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid.

Sec. 23-208. Powers of the Northern Virginia Cigarette Tax Board.

The NVCTB may delegate any of its powers to its Administrator or employees and may adopt regulations regarding the administration and enforcement of the provisions of this Article.

(a) The NVCTB shall be granted the following powers:

(1) To assess, collect and disburse the cigarette tax for each participating jurisdiction;

(2) To audit sales of cigarettes for each participating jurisdiction;

(3) To provide information to Commonwealth's attorneys or County attorney for each participating jurisdiction;

(4) To designate an administrator;

(5) To manage the Northern Virginia Cigarette Tax Funds;

(6) To retain a certified public accountant to audit its books;

(7) To designate a depository bank or banks;

(8) To contract with member jurisdiction for administrative services;

(9) To hold and convey real and personal property;

(10) To enter into contracts;

(11) To hire, supervise and discharge its own employees;

(12) To sue and be sued in its own name;

(13) To prescribe the design of a stamp(s) and to issue and sell said stamps to authorized dealers;

(14) To establish different classes of taxpayers;

(15) To promulgate resolutions for the assessment and collection of cigarette taxes and the enforcement of this ordinance; and

(16) To conduct inspections of any place of business in order to enforce the provisions of this ordinance and all resolutions of the NVCTB.

(b) The NVCTB may employ legal counsel, bring appropriate court action in its own name to enforce payment of the cigarette tax or penalties owed and file tax liens against property of taxpayers hereunder.

(c) The NVCTB is authorized to enter into an agreement with the Virginia Department of Taxation under which a registered agent with the NVCTB who is also qualified to purchase Virginia Revenue Stamps, may qualify to purchase Dual Virginia - NVCTB stamps from the Virginia Department of Taxation. Authority to purchase dual Virginia - NVCTB stamps is granted solely by the NVCTB and may be revoked or suspended for violations of this ordinance or resolutions adopted by the NVCTB.

(d) The NVCTB may appoint certain employees as Tobacco Revenue Agents, who shall be required to carry proper identification while performing their duties. Tobacco Revenue Agents are further authorized to conduct inspections of any place of business and shall have the power to seize or seal any vending machines, seize any cigarettes, counterfeit stamps or other property found in violation of this Article and shall have the power of arrest upon reasonable and probable cause that a violation of this Article has been committed. The NVCTB is authorized to provide its tobacco revenue agents with (1) firearms for their protection; (2) emergency equipped vehicles while on duty; and (3) other equipment deemed necessary and proper.

(e) The NVCTB may exchange information relative to the sale, use, transportation or shipment of cigarettes with an official of any other jurisdiction entrusted with the enforcement of the cigarette tax laws of said other jurisdiction.

Sec. 23-209. Jeopardy assessment.

If the administrator of the NVCTB determines that the collection of any tax or any amount of tax required to be collected and paid under this Article will be jeopardized by delay, he shall make an assessment of the tax or amount of tax required to be collected and shall mail or issue a notice of such assessment to the taxpayer together with a demand for immediate payment of the tax or of the deficiency in tax declared to be in jeopardy including penalties and interest. In the case of a current period, for which the tax is in jeopardy, the Administrator may declare the taxable period of the taxpayer immediately terminated and shall cause notice of such finding and declaration to be mailed or issued to the taxpayer together with a demand for immediate payment of the tax based on the period declared terminated and such tax shall be immediately due and payable, whether or not the terms otherwise allowed by this Article for filing a return and paying the tax has expired.

Sec. 23-210. Erroneous assessment: notices and hearings in event of sealing of vending machines or seizure of contraband property.

(a) Any person assessed by the NVCTB with a cigarettes tax, penalties and interest or any person whose cigarettes, vending machines and other property have been sealed or seized under processes of this Article, who has been aggrieved by such assessment, seizure or sealing may file a request for a hearing before the Administrator for the NVCTB for a correction of such assessment and the return of such property seized or sealed.

(b) Where holders of property interest in cigarettes, vending machines or other property are known at time of seizure or sealing, notice of seizure or sealing shall be sent to them by certified mail within twenty-four hours. Where such holders of property interests are unknown at time of seizure or sealing, it shall be sufficient notice to such unknown interest holders to post such notice to a door or wall of the room or building which contained such seized or sealed property. Any such notice of seizure or sealing shall include procedures for an administrative hearing for return of such property seized or sealed as well as affirmative defenses set forth in this section which may be asserted.

(c) Such hearing shall be requested within ten days of the notice of such assessment, seizure or sealing and shall set forth the reasons why said; tax, penalties and interest, cigarettes, vending machines or other property should be returned or released. Within five days after receipt of such hearing request the Administrator shall notify the petitioner by certified mail of a date and time for the informal presentation of evidence at a hearing to be held within fifteen days of the date notification is mailed. Any such request for hearing shall be denied if the assessed tax, penalties and interest has not been paid as required or if the request is received more than ten days from first notice to the petitioner of such seizure or sealing. Within five days after the hearing, the Administrator shall notify the petitioner, by registered mail, whether his request for a correction has been granted or refused.

(d) Appropriate relief shall be given by the Administrator if he is convinced by the preponderance of the evidence that said seized cigarettes were in the possession of a person other than the petitioner without the petitioner's consent at the time said cigarettes, vending machines or other property were seized or sealed or that petitioner was authorized to possess such untaxed cigarettes. If the Administrator is satisfied that the tax was erroneously assessed, he shall refund the amount erroneously assessed together with any interest and penalties paid thereon and shall return any cigarettes, vending machines or other property seized or sealed to the petitioner. Any petitioner who is dissatisfied with the written decision of the NVCTB may within thirty days of the date of such decision, appeal such decision to the appropriate Court in the jurisdiction where the seizure or sealing occurred.

Sec. 23-211. Disposal of seized property.

Any seized and confiscated cigarettes, vending machines or other property used in the furtherance of any illegal evasion of the tax may be disposed of by sale or other method deemed appropriate by the NVCTB after any petitioner has exhausted all administrative appeal procedures. No credit from any sale of cigarettes, vending machines, or other property seized shall be allowed toward any tax and penalties assessed.

Sec. 23-212. Extensions.

The Administrator, upon a finding of good cause may grant an extension of time to file a tax report upon written application for a period not exceeding thirty days. Except as hereinafter provided, no interest or penalty shall be charged, assessed or collected by reason of the granting of such an extension.

Sec. 23-213. Penalty for violation of article.

Any person violating any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than $2,500.00 or imprisonment for not more than twelve months or by both such fine and imprisonment. Such fine and/or imprisonment shall not relieve any such person from the payment of any tax, penalty or interest imposed by this Article.

Sec. 23-214. Each violation a separate offense.

The sale of any quantity, the use, possession, storage or transportation of more than sixty packages of cigarettes upon which the NVCTB tax stamp has not been affixed or the proper jurisdictional tax has not been paid shall be and constitute a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

Sec. 23-215. Severability.

If any section, phrase, or part of this Article should for any reason be held invalid by a Court of competent jurisdiction, such decision shall not affect the remainder of the Article; and every remaining section, clause, phrase or part thereof shall continue in full force and effect.

Secs. 23-216—23-224. - Reserved.

; and

BE IT FURTHER ORDAINED that the County Administrator is authorized to execute the Northern Virginia Cigarette Tax Agreement (Agreement) and any other documents he deems necessary and appropriate to effectuate this Ordinance; and

BE IT STILL FURTHER ORDAINED that this Ordinance shall be effective upon adoption with enforcement being allowed upon the appropriate number of participating jurisdictions executing the Agreement.

Ms. Vanuch asked for a motion to move Item 25 to after Item 31 on the agenda, as it would likely be lengthy, to allow staff the ability to leave earlier.

Mr. Snellings motioned, seconded by Ms. Allen, to move Item 25 to after Item 31 on the agenda.

The Voting Board tally was:

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

Ms. McClendon stated that the Board would need to suspend its bylaws to take up items 25 and 26, and she recommended that the Board do that together.

Mr. Coen motioned, seconded by Mr. Snellings, to suspend their bylaws to take up Item 25 and Item 26.

The Voting Board tally was:

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

26. 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).

Director of Planning and Zoning Jeff Harvey stated that this item is for the Board to consider a zoning reclassification and conditional use permit for a self-storage facility to be located on McWhirt Loop in the Hartwood District. He said the Board held a public hearing on October 19, and at that time deferred action and had questions for staff for follow up. He said that they had asked how many mini-storage facilities were within a one-mile radius, and staff did a review and found there were four existing facilities within one mile; there are six existing facilities within the Route 17 corridor, and there is a current conditional use permit application pending on a nearby property within the general vicinity within this site. He said the property is recommended for business and industry in the comprehensive plan, and staff and the Planning Commission have been supportive of the application.

Mr. Snellings said that he has looked at this in detail, and this location is a good spot for this type of business, as it's off the road, is not visible from Route 17, and abuts an industrial park. He commented that demand for these facilities is unbelievably high.

Mr. Snellings motioned, seconded by Mr. Coen to approve proposed Ordinance O21-39.
The Voting Board tally was:

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

Ordinance O21-39 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

ZONING DISTRICT TO THE B-2, URBAN COMMERCIAL ZONING DISTRICT TAX MAP PARCEL NOS. 44-100, 44-98A, 44-98B, and 44-98C, ALL LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Banks Ford Self Storage LLC submitted application RC21153768, requesting a reclassification 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, all 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 16th day of November, 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 Zoning District to the B-2, Urban Commercial Zoning District Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, and 44-98C in the locations shown on three plats entitled: (1) "Plat of a Lot in Hartwood Dist. Stafford Co. Va. belonging to Jack Curtis," prepared by V. W. Shelton, dated September 1957; (2) "Plat of Survey Located in Hartwood~Falmouth Magisterial District, Stafford County, Virginia Surveyed for Charles Stuart Tulloss," prepared by R. Wayne Farmer, CLS, dated July 7, 1975; and (3) "Plat Survey of 0.8647 Acres of Land, Located in Hartwood District, Stafford County, Virginia", prepared by Sullivan-Donahoe and Associates, dated May 6, 1974; with proffers entitled "Banks Ford Self Storage Proffer Statement," dated August 25, 2021 and completely signed August 26, 2021.

Mr. Snellings motioned, seconded by Ms. Bohmke to approve proposed Resolution R21-303.

The Voting Board tally was:

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

Proposed Resolution R21-303 reads as follows:

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW WAREHOUSE, MINI-STORAGE IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NOS. 44-100, 44-

98A, 44-98B, and 44-98C, ALL LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Banks Ford Self Storage LLC submitted Application CUP21153821, (Application) requesting a conditional use permit to allow warehouse, mini-storage in the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, and 44-98C, all located within the Hartwood 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 B-2, Urban Commercial 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 meets 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 16th day of November, 2021, that a conditional use permit pursuant to application CUP21153821 (CUP) be and it hereby is approved with the following conditions:

1. This CUP allows warehouse, mini-storage in the B-2, Urban Commercial Zoning District on Tax Map Parcel Nos. 44-100, 44-98A, 44-98B, and 44-98C (Property), in the location identified on the Generalized Development Plan prepared by Fairbanks & Franklin, entitled, “Banks Ford Self Storage Generalized Development Plan,” dated March 1, 2021, as last revised and sealed August 26, 2021 (GDP).

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

3. There shall be only one entrance into the Property in the general location depicted on the GDP.

4. The warehouse, mini-storage buildings on the Property shall be single-story, with the exception of one (1) three-story building depicted on the GDP.

5. All vehicle travelways shall be kept clear for emergency vehicle access.

6. One-way directional pavement markings shall be provided as shown on the GDP.

7. Hours of operation shall be between 6:00 AM and 10:00 PM daily.

8. Motor vehicles and boats shall not be stored on the Property.

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.

NEW BUSINESS

27. Human Resources; Consider Updating the County's Drug Free Workplace Policy and Related Sections in Other County Human Resources Policies.

Assistant Director of Human Resources Andrea Wilson reported that they would be discussing the drug-free workplace policy, stating that it was reviewed with FAB in August but is just now making it to the Board. Ms. Wilson said that staff is recommending a zero-tolerance policy for marijuana in the workplace, despite recent changes in Virginia legislation. She stated that they would obtain medical certifications for use of cannabis oil in the workplace, and high-risk, safety-sensitive positions would have random testing.

Ms. Wilson said that the primary change staff is recommending in the policy is the pre-employment testing portion, and that would continue to test to THC, but the County would not deny employment because those people would not be aware of the zero-tolerance policy—with the exception of temporary and seasonal employees, who would not be hired if they failed a drug test. She stated that during employment, high-risk, safety-sensitive positions would have random screenings; if there was reasonable suspicion of impairment or if someone were under the influence or had an accident, they would still do drug testing.

Ms. Wilson stated that during FAB, there was a question raised as to whether random screenings could be expanded to the entire population, and after County Attorney review, this was determined as not permissible. She said that the County Attorney's Office also reviewed the policy and determined that it would not be in violation of any federal funding requirements.

Ms. Wilson said that staff is also recommending removal of the pre-employment medical physical unless the position deems it necessary, such as public safety positions. She noted that it was not a common practice in the industry. She stated that they are also recommending the removal of drug and alcohol testing at time of promotion, which is also not a common practice, and in that case they recognize there is already a certain level of trust established with that person, so they are not recommending testing again at that point. She stated that the rehabilitation portion is in their policy now, but they tightened it up to ensure that employees know that if they are requesting rehabilitation assistance, they must come forward before there is any negative action taken against them. She noted that there were other minor changes in three other policies, for alignment, and those are related to the conduct, employment, and EEO policies, and those were all uploaded to CivicClerk.

Ms. Wilson reported that the new Virginia law prohibits employers from disciplining, discharging, or discriminating against an employee for the lawful use of cannabis oil. She said that someone must have a written certification from a certified healthcare practitioner, and they must be certified by the state to issue that to an employee. She said the county would still be permitted to test, deny, or take action against someone if there was impairment on the job, or if they were possessing cannabis oil while on county property.

Ms. Wilson stated that staff surveyed eight jurisdictions over the summer and reached out recently to see if there were any updates, and a lot of localities are still working through recommendations. She said that several are maintaining a zero-tolerance standpoint in their communications in the interim, and some have modified their policy to remove their reference to illegal drugs for inclusion of marijuana.

Mr. Snellings asked for clarification that they were not hiring part-time employees that test positive.

Ms. Wilson confirmed that it was not part-time employees, but seasonal. She noted that she had failed to mention that if they hire someone who tested positive for marijuana, the zero-tolerance policy would still go into place, and they would implement a practice where someone would be retested 8-12 weeks after they were hired. She said that because seasonal employees are shorter-term employees, they would not have the opportunity for retesting.

Mr. Snellings asked about cannabis oil and if it required a doctor's prescription.
Ms. Wilson explained that it must be a doctor who is certified by the state to prescribe cannabis oil specifically.

Mr. Snellings asked why it wouldn't be allowed in the workplace if it was medicine.

Ms. Wilson responded that they would not be allowed to have it on them and could not be under the influence while at work. She said that it may still show up in the bloodstream, but it didn't impact activities the next day.

Mr. Snellings asked if it gives you a buzz.

Ms. Wilson responded that she did not know.

Ms. Allen said that she learned about this in pharmacology, and it has use for pain relief, stress relief, certain mental disorders, etc.—and it doesn't stay in the system as long but does have the same components as marijuana. She noted that it also is helpful for cancer patients.

Ms. Vanuch stated that she has spoken with several sheriff's and Stafford public safety officials, and some of these changes are fundamentally flawed, in her opinion. She asked if this did not allow the county to fire anyone for the use of cannabis oil.

Ms. Wilson confirmed that as long as they had a medical certification and were not carrying it on county property.

Ms. Vanuch said that this and other changes, such as retesting with promotions, were fine—but she had a huge problem with retesting those who failed and just telling them they needed to stay sober for 8-12 weeks. She said that it was illegal to randomly select that individual again because it was not necessarily considered random if they came back positive from the first test. She stated that she can support all but that change.

Ms. Lamb said that the reference to "random" does not pertain to the individual but is random, so a person does not know when they are going to get tested, which is far more powerful. She said that if a person is complying with state and federal law, she did not see a problem with someone coming into stricter standards and informing a candidate of the policy that says they may randomly test them.

Ms. Vanuch responded that the policy says the county will test someone within 8-12 weeks, and that is not random. She said that by state code, if they select that person for testing, it is not random but is selective, and you cannot do that.

Ms. Lamb asked for clarification from staff if they were not meeting the standard of randomization.

Ms. Wilson stated that random testing for public safety and safety-sensitive positions is not being impacted at all here, and in those particular situations, the individuals would still be subject to random testing. She said they are trying to say that for new people coming to the county who may not be aware, it will significantly impact recruitment efforts for certain positions if they take such a hard stance that they're saying if you fail it, you won't be hired—because candidates would not be aware of that policy at the point of the county looking to hire them. She said that the county's approach is to say that a person can fail it but come on board, with the understanding that the county has a zero-tolerance policy. She stated that this would weed out habitual users, and if someone tests positive, they will follow the process and move towards termination.

Ms. Lamb suggested that they remove the word "random."

Ms. Vanuch said that the word wasn't in there; the policy is telling them that they would be tested within the first 8-12 weeks of employment.

Ms. Wilson clarified that they don't need to set a particular timeframe, and that was just a recommendation.

Ms. McClendon stated that there had to be a specific timeframe imposed. She said it could be changed, but the 8-12 weeks was included to ensure they were not running afoul of the randomization aspect they've been discussing. She said that an initial failure created reasonable suspicion such that they can test again later, but that timeframe must be reasonable and must be established.

Ms. Vanuch asked for confirmation that the policy includes the provision that random testing is only for safety positions, and one of the proposals of this is that an employee must be pertinent to a safety position.

Ms. McClendon confirmed this and said that the law supports randomized drug testing for safety-sensitive positions, and those are specified in the policy; the county also must follow strict protocol regarding selection for random testing.

Ms. Vanuch gave an example of someone applying for a job with the Treasurer's Office and failing their drug test when they were interviewing; they are told based on this policy that they will be retested in 8-12 weeks; they stay clean for 8-12 weeks, and because they are not in a safety-led position, they will never be tested again.

Ms. Wilson said if someone appears impaired or had an odor of usage, that would constitute reasonable suspicion, which would allow the county the opportunity to retest at that time.

Ms. Vanuch stated that 8-12 weeks is halfway through the recruit academy, and that is a lot of investment they're putting into an employee.

Mr. Snellings said that he would like to ask the Sheriff and Fire Chief to be here so they can speak to how this might affect them, because it seems to him that they are being tested anyway.

Ms. Allen asked Ms. Vanuch what she is concerned about with this.

Ms. Vanuch responded that she has expressed those concerns.

Ms. Allen commented that there is a disconnect for her, and she doesn't understand what Ms. Vanuch is objecting to. She said that even after 8-12 weeks, they get tested, and the policy says they will be tested again and again.

Ms. Vanuch stated that it is random, and that particular person who failed would not be able to be tested for random testing.

Mr. Coen suggested that he would like to hear from Ms. Bohmke and Anthony Toigo as to whether this was likely to change in the next General Assembly session, but he gauged that it was not and agreed that they needed to decide on it.

Ms. Vanuch said that this would come back, with the Sheriff and Fire Chief present to answer questions.

<u>28. Human Resources; Consider Updating the Stafford County Department of Human Resources Retirement Policy.</u>

Ms. Andrea Wilson said that this policy was presented to FAB in October and also earlier in the afternoon of this meeting, and the committee has made some recommendations that she would share at the end of the presentation.

Ms. Wilson reported that changes to the retirement policy were discussed with the Board in 2019, but due to the timing of a competitive bid for the Medicare retiree population, combined with the COVID-19 pandemic, this was not addressed. She said that instead of having two separate policies—one for retirement and one for retiree health—they have combined the two and are referring employees to the Virginia Retirement System for details that relate to VRS. She noted that they felt the detail for that was best provided by the VRS and not county policy. She said they are adding a requirement for retiree health insurance, stating that employees must be participating in the county's health insurance at the time of retirement, which aligns with current practices but needs to be clarified in the policy. She said that key discussion points are a continuous years of service requirement, a grandfather status for employees, and a payment structure for any non-grandfathered employees. She also noted that the supported options will have no impact to current employees or current retirees.

Ms. Wilson presented a chart showing current retiree benefits, and she noted that there are two populations of retirees: one that is over 65 and Medicare eligible, and one that is over 50 and not eligible for Medicare, and if they have 15 or more years of service with the county, they have certain benefits provided to them. She said that through the VRS, retirees with at least 15 years of service are eligible for health insurance credit of $1.50 per year of service, up to a maximum of $45 per month. She said their current policy provides retirees with 15 or more years of service the ability to pay the same rate that an active employee pays for insurance in the under-65 group; if you're over 65 years old, since 2009, that population of employees has not had to pay for health insurance.

Ms. Wilson stated that the current policy is more generous than other localities in the region, and the rising cost of benefits and rising population of retirees will impact costs well into the future. She said that staff pulled some data from the Virginia Retirement System to demonstrate the number of retirements they could potentially see over the next five years. She noted that this number is those who are fully eligible to retire who meet both years of service and age requirements, but it does not take into account those who could retire early but also meet the 15+ years of service, as that would be a much more difficult calculation to make but could also increase this number. She said that they currently have nine retirements in process, and for FY22 alone, they have 70 employees who are fully eligible for retirement, although she doesn't anticipate that they will all retire. She said that over the next five years, there are 170 eligible retirees, which is about 18% of the total population.

Ms. Wilson said that FAB had asked staff to bring back a summary by department just to see the impact of where those retirements are coming from, and she presented a chart reflecting that information. She stated that for the top five organizations, Planning and Zoning, Capital Construction, Courts, Budget, and the Commissioner of Revenue have the highest percentage of retirees possible in the next five years. She said they left Sheriff's Office, Fire and Rescue, Landfill, and Utilities separate, and rolled up all organizations under General Government.

Ms. Wilson presented information on the history or plan costs, noting that this is fully ensured Medicare-eligible, and Anthem is a self-insured plan, so it's hard to carve out just retiree costs. She stated that the average increase from 2016 to 2020 is a 14% increase year over year, inclusive of premium increases and continued increases in the number of retirees participating in the plan. She stated that in 2021 and 2022, there was a drop because of the competitive renewal, and the county chose United Healthcare. She said that in FY21, there is a half-year impact on cost reduction, with FY22 costs as shown. She pointed out that they do anticipate based on climbing healthcare costs that the number would still increase; averaged together is 8.67%, and the total cost increase of the $536,343 up to the $932,009 represents a 74% increase in costs.

Ms. Wilson stated that for projected retiree population and cost impact, they took average costs for an employee on the Anthem self-insured plan and United Healthcare fully insured plan to come up with an average. She said they added a modest inflationary increase year over year, and also the retiree population increase of 20 per year—which was chosen because the county has averaged about 21 retirements per year over the last six years, with 94% of them having 15 or more years of service. She stated that the premium increase reflects about a 59.7% increase, with the total retiree population being a 44.6% increase in the number of retirees.

Ms. Wilson said the decision points to address when considering changes to the policy include service credit options, and the committee discussions generated a preferred option of removing a continuous service requirement but requiring the last five years of service to be with Stafford County. She said that option two would be to maintain a continuous service requirement but remove it for elected and appointed officials only. She noted that additional options could be considered. Ms. Wilson stated that one of the reasons for removing the continuous service requirement was based upon a recruiting standpoint and fairness standpoint, especially those who may leave for a few years to raise their families. She said that the policy is currently written so a person must have 15 years of continuous service to be eligible for this—so if someone worked in the county for 10 years but left to raise a child, the clock would reset if they returned. She stated that this change would allow a person to come back in and work without losing that.

Ms. Wilson stated that with the grandfathering status, they do not want to make changes to the existing retiree population or impact them, and of the recommendations being put forth, the intent is to not impact any current employees or retirees. She said that of the options considered here, the ELT's preferred option was the option of having all current employees on the date of the policy change grandfathered in; option two would be employees hired prior to January 1, 2016; and option three would be those hired prior to January 1, 2006—but that was more restrictive and would isolate those who already have 15 years or more of service.

Ms. Wilson said that the third point of discussion related to the stipend, and staff's recommendation is to provide a stipend to retirees based on years of service. She said the majority of jurisdictions in the region are providing a stipend for retirees, most of which are based on years of service. She said they would have a minimum number of years to qualify and a maximum benefit at 30 years. She presented stipend level examples, showing United Healthcare and the Anthem group plan information. She explained that if they went with the $13 stipend for someone with 20 years of service would get a stipend of $260 and would be eligible for a VRS stipend of $1.50 per year of service, so they would get a $30; their monthly cost after the stipend would be $125. She said that on the Anthem side, the cost would be $369. Ms. Wilson stated that staff was looking for Board direction on what stipend to provide, and she noted that in the United Healthcare Medicare group, those individuals also have to pay for Medicare Part B, so the cost of the plan at $415 is not the total cost. She stated that with market comparisons, three localities offer no medical benefit at all for Medicare retirees; one offers dental and vision only; three offer stipends based on years of service; one provides a grandfathered population 100% coverage or a flat dollar amount into an HRA. She said that a stipend places Stafford in the middle of the comparative localities.

Ms. Wilson reported that when they met earlier, the recommendation from FAB was to remove a continuous service requirement but require the last three continuous years to be with Stafford County for public safety, and six years for all other county employees. She said that they also recommend grandfathering all retirees and current employees as of 1/30/22, which would allow recruitment efforts to close out and ensure that no retirees or current employees would be impacted by this policy change. She said that they would allow employees to opt into the new policy at the time of policy adoption. She noted that there is general support for a stipend approach for the new policy, and there was a request for an exception for public safety employees who will remain under the existing policy.

Ms. Wilson recapped that the main decision points related to removal of the continuous service requirement, grandfathering of all current employees and retirees, and implementing a stipend.

Mr. Snellings said that an employee who is retiring qualifies for Medicare, so when they retire, Medicare takes care of 80%, and the county takes care of 20%.

Ms. Wilson responded that Medicare Part A and Part B don't cover everything, and that's where the supplement plans come in that a lot of retirees are purchasing. She said the United Healthcare plan is considered a supplemental plan for retirees.

Mr. Snellings asked how much the county charges an employee's spouse for that plan.

Ms. Wilson responded that they would pay that rate for the employee-only coverage of $415.

Mr. Snellings commented that this seemed awfully high.

Ms. Wilson said they have the option of choosing any of the other plans.

Mr. Snellings noted that he just arranged for his own supplemental insurance to supplement Medicare, and it was less than $200 through Anthem.

Ms. Wilson stated that this is a Medicare Advantage plan that also includes dental and vision.

Ms. Vanuch commented that it's an all-encompassing plan that includes prescriptions, dental, and vision.

Mr. Snellings said his was too, and he was paying less than $500 a month for himself and his wife, and he questioned the amount of money being charged for these premiums.

Ms. Wilson stated that they went through a competitive bid process last fall, and this plan was put in place January 1, 2021.

Mr. Snellings commented that one of the biggest benefits to work for a company is health insurance, and when you get 55, you realize that you need that—and he is reluctant to change a program that will eliminate health insurance for future employees, as there will be no incentive for recruitment.

At 4:45 p.m., Chairman Vanuch left the meeting and Vice-Chair Lamb indicated that she would be taking over.

Ms. Allen asked why the recommendation was for six years instead of five for non-public safety employees.

Ms. Wilson responded that she was not sure what FAB's rationale for that was.

Ms. Allen said that her other concern would be along Mr. Snellings' concern, because if they are not offering a competitive package, they are not putting themselves into a position of competing for the best staff.

Ms. Wilson said they would certainly have the opportunity to offer a different stipend, and the intent was to address the escalating costs that were likely to happen with the continuing growing population and increasing cost of healthcare—and many jurisdictions are doing stipends at a lower level.

Ms. Allen commented that she didn't know the solution and how to make it more economical, but she did not think it was fair to place that burden on those coming into the workplace.

Mr. Coen stated that when he was hired by the county, he didn't think about health insurance, but he does now; and people who were hired after him are more cognizant of this now. He said that health insurance is now taxable, and the stipend would be too, and he felt that he needed more information before jumping into this.

Ms. Bohmke said that she would like to listen and hear some of the discussions from other counties, and she would like to see the data for jurisdictions' decisions used in the comparative analysis, so they can listen to their debates and see how they arrived at their conclusions.

Ms. Allen stated that the pandemic showed the importance of health insurance, and they don't even know the long-term impacts of people's health, so she would hate to do something to hamstring people who need all the help they can get. She said she would like to see if staff could find another alternative.

Ms. Lamb asked if there was a motion needed for this.

Mr. Presley stated that it would come back as unfinished business.

29. Parks, Recreation, and Community Facilities; Consider Authorizing the County Administrator to Advertise a Public Hearing to Consider Amending Stafford County Code Sec. 15-51, "Unlawful Parking Generally" And Sec. 15-58, "Removal and Disposition of Unattended or Immobile Vehicles" to Provide Additional Authority to Tow Vehicles on County-Owned Property.
Director of Parks, Recreation, and Community Facilities Mike Morris stated that this is to authorize a public hearing to consider changes to Code Section 15-51 and 15-58 related to illegal parking and abandoned vehicles on county-owned property. He said that currently, only the Sheriff's office has authority to address these vehicles and tow them, and this would give the County Administrator or his designee the authority to also tow an illegally parked or abandoned vehicle.

Ms. Allen asked where the most common areas are that people are doing this.

Mr. Morris responded that the most common area is county parks, most prevalent at Port of Falmouth in the summertime, but people have left vehicles in various locations for consecutive days.

Ms. Allen asked if people would be given a warning or if the cars would just be towed.

Mr. Morris responded that the county would put signs up that cite the code section, and before they tow, similar to what they do now, officials would go through any crowd present and announce that they are going to tow vehicles. He said that if people had not moved their cars within 15-30 minutes, their vehicles would be towed.

Mr. Coen said if they don't make this time-sensitive and have the public hearing in December, they would be looking at the latter part of January.

Mr. Presley confirmed that this was the case.

Mr. Morris said they would like to have this enacted for the upcoming spring season.

Ms. Bohmke said that the ordinance says "county-owned property," but people are parked in VDOT's right of way, especially for the Port of Falmouth, which was not county-owned property. She asked if the ordinance gave any ability with right-of-way.

Mr. Morris responded that state law does not give the county the authority to do that, and it must be done by a law enforcement officer, so only the sheriff's office could do that.

Mr. Coen motioned, Ms. Bohmke seconded, to make the item time sensitive.

The Voting Board tally was:

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

Mr. Coen motioned, seconded by Ms. Bohmke to approve proposed Resolution R21-410.

The Voting Board tally was:

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

Proposed Resolution R21-410 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING STAFFORD COUNTY CODE SEC. 15-51, "UNLAWFUL PARKING GENERALLY" AND SEC. 15-58, "REMOVAL AND DISPOSITION OF UNATTENDED OR IMMOBILE VEHICLES"

WHEREAS, County Code Sec. 15-51, "Unlawful parking generally," and Sec. 15-58, "Removal and disposition of unattended or immobile vehicles," currently only authorizes the Sheriff to tow or remove vehicles that are parked illegally on County-owned property; and

WHEREAS, the increase of illegal parking and/or leaving unattended vehicles at parks and County buildings has precipitated the need for increasing avenues to address the issue; and

WHEREAS, the Board desires to consider the amending the County Code to authorize the County Administrator or designee to also tow or remove vehicles parked illegally on County-owned property, which will provide additional avenues to address these parking issues without occupying the resources of the Sheriff;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending Stafford County Code Sec. 15-51, "Unlawful parking generally" and Sec. 15-58, "Removal and disposition of unattended or immobile vehicles," pursuant to proposed Ordinance O21-53.

30. Planning and Zoning; Consider a Request to Reduce the Five-Year Ownership Requirement for a Family Subdivision Pursuant to Section 22-5(A)(14) of the Subdivision Ordinance (Project Known As Deffenbaugh).

Mr. Harvey stated that the Defenbaugh family has lived in the Hartwood area for approximately 25 years and purchased the property on 70 Legacy Lane for a little over two years; they would like to do a family subdivision so their family can move closer to where they live and have their grandchildren in closer proximity. He said that county code stipulates that a family must own the land for a period of five years before they can convey a parcel off to a family member, and they are requesting a waiver of the time-limit requirement. He said if this were granted, the recipient of the parcel would still have to retain the land for a period of five years; if the Board were inclined to approve the waiver request, they would adopt R21-414.

Mr. Snellings motioned, seconded by Mr. Coen, to make the item time sensitive.

Ms. Bohmke noted that they just approved the family subdivision ordinance, and this was like something that would be requested from the BZA in terms of a waiver.

Mr. Harvey confirmed this.

Ms. Bohmke stated that her hesitancy was nothing against this family but the fact that they might have to do that again, as this becomes a slippery slope.

Mr. Snellings noted that they just did this at the last meeting, and this comes up occasionally—just two or three a year.

Mr. Harvey agreed that it was pretty rare that a waiver request came up, and they average about four family subdivision lots per year, and requests to the Board are about once a year. He mentioned one request in the Hartwood District earlier this year, so this is just the second one with a situation where the family needs to act in a timelier manner than the code allows.

The Voting Board tally was:

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

Mr. Snellings motioned, seconded by Mr. Coen, to approve proposed Resolution R21-414.

The Voting Board tally was:

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

Resolution R21-414 reads as follows:

A RESOLUTION AUTHORIZING THE REDUCTION OF THE FIVE-YEAR PROPERTY OWNERSHIP REQUIREMENT OF STAFFORD COUNTY CODE SEC. 22-5, "FAMILY AND MINOR SUBDIVISIONS," ON TAX MAP PARCEL NO. 26-5C, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Judy S. Deffenbaugh and Lance S. Deffenbaugh (Deffenbaughs) purchased Tax Map Parcel No. 26-5C (Property) on September 24, 2019; and

WHEREAS, the Deffenbaughs desire to subdivide the Property for the purpose of sale or gift to a member of their immediate family pursuant to Stafford County Code Sec. 22-5; and

WHEREAS, Stafford County Code Sec. 22-5(a)(2) requires property used for a family subdivision be owned for at least five consecutive years by the current owner prior to the transfer; and

WHEREAS, County Code Sec. 22-5(a)(14) provides that if the Board finds an extraordinary hardship is being caused by the five-year time restriction, it shall reduce the time period to alleviate the hardship and that the hardship provision shall be noted on the plat or in the deed; and

WHEREAS, the Board finds that the imposition of the five-year ownership requirement as applied to the Deffenbaughs and the Property causes an extraordinary hardship pursuant to County Code Sec. 22-5(a)(14) and that granting a reduction of such time period is appropriate and in the best interest of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does grant a reduction of the requirement that property be owned for at least five consecutive years by the current owner or member of the immediate family, pursuant to Stafford County Code Sec. 22-5(a)(2), to Judy S. Deffenbaugh and Lance S. Deffenbaugh such that the family subdivision of Tax Map Parcel No. 26-5C for the purpose of sale or gift to a member of the immediate family, pursuant to Stafford County Code Sec. 22-5 (Family Subdivision), is permitted as of the date of this Resolution; and

BE IT FURTHER RESOLVED that both the plat and deed effecting the Family Subdivision permitted by this Resolution shall contain a note referencing this Resolution number and Stafford County Code Sec. 22-5(a)(14); and

BE IT STILL FURTHER RESOLVED that the property shall still be required to meet all other applicable requirements of the subdivision and zoning ordinances.

31. Discuss Ferry Farm Elementary School Renovations Project Request.

Mr. Coen stated that another supervisor had asked about this, so he asked the schools to provide an update on the project.

Executive Director for Facilities and Maintenance for Stafford County Schools John Anderson said the Board had a handout with basic information about the Ferry Farm renovation, and the school was fairly dark and needed a lot of work—but now it's a beautiful place. He said the project had taken longer because of the pandemic and some of the existing conditions encountered during construction, which is normal for a project like this, especially since the original building was constructed in 1957. He stated that they have been able to stay within budget, with a few unresolved issues they are still working on.

Ms. Bohmke asked Mr. Anderson for the top three issues they are trying to address and how long it will take to resolve them.

Mr. Anderson responded that there was a fairly long punch list, and the architect and project manager have been very thorough in walking the school, so there are a lot of smaller issues. He said the elevator is a bigger issue, with the contractor having some issues with the subcontractor, although there aren't access issues because there is a ramp in the other part of the building. He said they also had a roof leak in the area where the addition connects to the existing building, and it's a fairly small leak that went away for awhile and then returned. He stated that they are finishing the graphics and had some issues with the design, so they had to have it refabricated.

Ms. Bohmke said that she had heard about the leak there—and leaks in new buildings are not a good sign. She said that typically when there are leaks in new construction, they have to take it all up and start over, and she asked if the leak was from a crease.

Mr. Anderson responded that it's in the connection of the new building to the existing building, and it's a fairly small leak that has stained some ceiling tiles; in a heavy rain, it produces about a glass of water on the floor. He said that it's in the beautiful new library space, so of course that would be fixed. He stated that the roofing contractor and county roofing contractor have both been there and are addressing it.

Ms. Bohmke asked how the county would protect itself if it continued to leak, and whether they were holding back payment, etc.

Mr. Anderson responded that this is covered under warranty, and they would have a walk-through before the warranty expired. He said that he didn't expect it to be an ongoing issue, and he was told that it would be fairly easily corrected.

Ms. Bohmke asked when the project was expected to be completed.

Mr. Anderson replied that they are working with the contractor on that now, and the project manager and person the contractor has assigned to this are both being very thorough. He said that he would estimate everything to be done early in the new year, and the architects and project managers have been thorough in making sure they get it right.

Mr. Coen said that in his conversation with School Board Member Susan Randall, she indicated that the schools were very pleased with the shift in project managers.

Mr. Anderson responded that they did not start out as well as the county would have liked, but they have stepped up and there has been a lot of communication throughout the project.
Ms. Lamb thanked him and noted that the project was very important to the county.

Mr. Anderson thanked the Board.

<u>25. 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>

Mike Zuraf of the Planning and Zoning Department stated that he would provide a comprehensive plan update, noting that it was consideration of the five-year update. Mr. Zuraf said that at the joint Board and Planning Commission public hearing on October 19, the Commission recommended approval 7-0 with one modification in the Clift Farm Road area on the land use plan; the Board made two modifications to the proposed amendments and deferred the item. He noted that the Board did not take action on the Commission's recommended modification. He explained that the Board proposed modifications to the proposed land use plan map, and he presented images of the proposed changes, as proposed by the Planning Commission, to designate the Cannon Ridge Golf Course as a park. He said that the Board adjusted that to remove the proposed modification and have the area revert back to suburban future land use, which is no change from the current land use plan.

Mr. Coen asked if the green area is what has been in the comp plan for five years, protecting the sensitive area along the river.

Mr. Zuraf confirmed that it reflects the city-owned riparian areas.

Mr. Coen said what's on the right is the continuation of what's been there for at least five years, if not 10.

Mr. Zuraf confirmed that it's been there since at least 2016.

Mr. Snellings asked for confirmation that the Board did not rezone the property by their action.

Mr. Zuraf confirmed this.

Mr. Snellings said the comp plan designates this as suburban, which would be up to three houses per acre, but they would still have to file a site plan and go through public hearings.

Mr. Zuraf said it would be up to three houses and would require a site plan, but this area is already zoned RBC, and there is a land use concept plan. He said that this lower portion of Celebrate Virginia is defined as a resort district, and there is still a limited amount of residential development that may occur—but it's probably no more than 100 to 200 lots, and there are still some conservation easements in that area that were put in place when Silver originally developed the project.

Ms. Bohmke asked for clarification that the green area on the Board-modified map denoted the land Silver had dedicated years ago down by the river.

Mr. Zuraf responded that the green land has always been owned by the City of Fredericksburg, even before the Silver company owned it; the Silver land is the yellow area. He confirmed for Ms. Bohmke that the green area could never be developed.

Mr. Zuraf reported that the Board's other change was to remove Section 4.16 and Figure 4.5 from the Transportation chapter, as that proposed a new north-south corridor as an alternate to the outer connector. He said the Board had voted to remove that as an amendment, so the latest draft has those items eliminated.

Mr. Snellings stated that the Planning Commission had recommended designating it as parkland but also recommended putting a four-lane superhighway through it, and he asked Mr. Zuraf if he knew what their rationale had been.

Mr. Zuraf responded that he did not.

Mr. Coen said that it appeared that the prospective transportation corridor goes through land that is owned by the city, so any type of discussion would be theirs, even before one crosses the river.

Mr. Zuraf confirmed this and said it would also be under the purview of the regional transportation group.

Mr. Zuraf stated that the Planning Commission had recommended modification of the future land use map to adjust the Urban Services Area (USA) boundary and keep properties along Clift Farm Road within the USA and retain the designation for the areas as suburban. He pointed out their recommendations on a map provided, noting that the Commission voted at the last meeting to keep it back in—but the Board did not act on that recommended change, so they would have to include that if they considered approval of the comp plan.

Ms. Bohmke said that meeting was on a crazy night, and she asked why the Commission had come back and added in those eight lots.

Mr. Zuraf responded that it was realized that the change may not have the intended effect when this was all drawn up.

Mr. Zuraf said that another proposed change was that the plan recommends updating goals related to school capacity and says that new elementary schools should be planned for based on program capacity instead of design capacity, and this is noted in a few places in the plan. He stated that the program capacity for elementary schools does not match the Board's current CIP methodology for determining school capacity, which considers design capacity for all schools including elementary schools.

He concluded that staff supports adopting the amendments to update the comprehensive plan, pursuant to Resolution R21-367, with the additional modifications recommended by the Planning Commission.

Mr. Coen said that all other documentation talks about building capacity, so the program capacity would be an anomaly.

Mr. Zuraf confirmed that it would be different from the way they've operated in the past.

Mr. Snellings asked what would be required to get a bridge across the Rappahannock River—what approvals, who would approve it, etc.—as this is not an easy process.

Mr. Zuraf responded that it would likely serve a major regional transportation need, so it would require approval through FAMPO and the regional transportation board, which involves all the other localities, as well as the state.

Mr. Snellings noted that it would also involve the Army Corps of Engineers and environmental organizations, and he wanted to convey to the public that it takes years.

Mr. Zuraf confirmed this, adding that it also takes a lot of money.

Ms. Bohmke said this was on as Unfinished Business, but it looks like New Business on her sheet. Ms. Bohmke motioned for approval of R21-367, going back to the design capacity versus program capacity, and excluding the eight homes in the Clift Farms area, because those individuals requested not being in the USA.

Mr. Zuraf noted that it was currently proposed as the eight homes, because although the Planning Commission had recommended their inclusion, the Board had not acted on that.

Ms. Bohmke clarified that her motion would just have the one change related to capacity.

Mr. Snellings seconded the motion.

Ms. Bohmke stated that Ms. Vanuch was on a conference call, and she wondered if they wanted to take a hiatus.

At 5:20 p.m., Ms. Vanuch returned to the meeting.

Ms. Lamb commented that she has spoken with each of the Board members about narrowing the focus of not allowing them to do anything with the Brooke VRE, and as they know from VACO and from some of the conversations they've had, the focus on multi-modal and increasing access to rail stations is important to keep that within the USA or some other solution to keep that door open. She stated that she is also concerned that Mr. Dudenhefer is not present to vote on something this important, and she would like to make a substitute motion to defer this, as her understanding is that there isn't a significant impact to the current Board or land if they defer the vote on the comp plan to the next Board.

Ms. Lamb motioned to defer the item to the next Board.

Ms. Bohmke recapped that she had made a motion to approve the comp plan R21-367, with the only change being to go back to design capacity versus program capacity, and Mr. Snellings had seconded the motion.

Mr. Snellings stated that on December 31, he would be leaving the Board, and he would be leaving social media. He said that he has never seen anything like what's been happening on social media, all perpetrated by a former Board member. He said that everyone is forgetting that Cannon Ridge Golf Course is a privately owned piece of property, and the county doesn't own it, nor can they dictate its usage. He said that putting a highway through a subdivision or residential development like Del Webb, which has 2,400 residents, is ludicrous—and estimates have a third of all traffic on Route 17 taking the new highway, which is 25,000 cars per day. Mr. Snellings said it also amazes him to hear that they have a "secret road plan," and it's disturbing to him that educated people are agreeing with him and will be before the Board en masse. He stated that if you're getting your news from Facebook, you're in serious trouble.

Mr. Coen stated that one of the reasons why he is leery of deferring this to next year is because it causes them to have another public hearing, and they have enough on their agendas going into next year. He said that he did not see any phasing with the comp plan, as there was five years ago, so it was very clear that Brooke was in the future. He said that there had been talk about what to do with the connector, and that had been in the plan for 20 or 30 years now, and one of his concerns with an outer connector is that with large roads come large developments. Mr. Coen said that this means runoff into the river, more pollution, and more problems. He stated that an outer connector could be way out, and he doesn't think that going through Celebrate Virginia is an option—and he wouldn't want that through his neighborhood. He noted that it also may not be practical to have this road anymore, given the changes with telecommuting, adding that he would have loved to see Brooke at the time when they knew they were getting high-speed rail, but that didn't come out of the Planning Commission.

The Voting Board tally was:

Yea:	(5)	Allen, Bohmke, Coen, Snellings, Vanuch
Nay:	(1)	Lamb
Absent:	(1)	Dudenhefer

<u>Resolution R21-367 reads as follows:</u>

A RESOLUTION TO AMEND THE "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN, 2016-2036," ADOPTED ON AUGUST 16, 2016, AS LAST REVISED (COMPREHENSIVE PLAN), PURSUANT TO VIRGINIA CODE §§ 15.2-2229 AND 15.2-2230, BY ADOPTING THE DOCUMENT ENTITLED "STAFFORD COUNTY, VIRGINIA COMPREHENSIVE PLAN, 2016-2036," DATED APRIL 27, 2016 AND UPDATED OCTOBER 19, 2021, INCLUDING A NEW FUTURE LAND USE MAP, DATED OCTOBER 19, 2021

WHEREAS, the Board requested the Planning Commission draft amendments to the Comprehensive Plan during its five-year update pursuant to Virginia Code §15.2-2230; and

WHEREAS, the Board desires to amend the Comprehensive Plan pursuant to Virginia Code § 15.2-2229 by replacing the document entitled "Stafford County, Virginia, Comprehensive Plan, 2016-2036," adopted on August 16, 2016, as last revised with the document entitled "Stafford County, Virginia Comprehensive Plan, 2016-2036," dated April 27, 2016 and updated October 19, 2021 (Comprehensive Plan Update); and

WHEREAS, the Planning Commission conducted a public hearing on the proposed Comprehensive Plan Update and provided its recommendations to 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 finds that the adoption of the Comprehensive Plan Update will guide and accomplish a coordinated, adjusted, and harmonious development in Stafford County, which will, in accordance with the present and probable future needs and resources of the County, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the County and its citizens; and

WHEREAS, the Board finds that the Comprehensive Plan Update is consistent with good planning practices; and

WHEREAS, the Board finds that the Comprehensive Plan Update should be adopted;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and it hereby does amend the Comprehensive Plan by adopting the new textual document entitled "Stafford County, Virginia, Comprehensive Plan 2016-2036," dated April 27, 2016 and updated October 19, 2021, including a new Future Land Use Map, dated October 19, 2021, attached hereto as **Exhibit A**.

CLOSED MEETING

At 5:28 p.m., Ms. Lamb motioned, seconded by Mr. Snellings to approve proposed Resolution CM21-20.

The Voting Board tally was:

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

Resolution CM21-20 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding the federal vaccine/testing requirement and the performance responsibilities of specific public officers, which is a specific legal matter requiring the provision of legal advice by counsel, (2) discussion and consideration of the acquisition of an interest in real property for a recreational facility, which is a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, (3) discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating its facilities in the County, and (4) consultation with legal counsel pertaining to *Sprouse v. Martinski* where such consultation in open meeting would adversely affect the litigating posture of the Board ; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1), (A)(3), (A)(5), (A)(7) and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CLOSED MEETING CERTIFICATION

At 6:01 p.m., Ms. Lamb motioned, seconded by Mr. Snellings to approve proposed Resolution CM21-20(C).

The Voting Board tally was:

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

Resolution CM21-20(C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 16, 2021

WHEREAS, the Board has, on this the 16th day of November, 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 16th day of November, 2021, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Ms. Lamb motioned, seconded by Ms. Bohmke, to add the *Sprouse vs. Martiniski* settlement as a Consent Agenda item on the December 14th Board meeting agenda, as discussed in their closed session today.

The Voting Board tally was:

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

At 6:03 p.m., Chairman Vanuch recessed the afternoon session of the November 16, 2021 Board meeting.

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

PRESENTATIONS

Presentation of a Proclamation Recognizing November as National Native American Heritage Month.

Ms. Vanuch stated that November is National Native American Heritage Month, and Stafford is home to two different American tribes, the Patawomeck and Manahoacs, as well as other indigenous peoples, including Alaskans and Hawaiians. She said that this month, they celebrate Native Americans and their contributions to the diversity and leadership in our communities. She recognized Chief Charles "Bootsie" Bullock to accept the recognition.

Mr. Coen read the proclamation into the record and presented the award to Chief Bullock.

Chief Charles Bullock expressed his appreciation to county administration and the Board of Supervisors, stating that the tribe looked forward to the opening of their tribal center, museum, and cultural center next year, somewhere in the May/June timeframe.

PRESENTATIONS BY THE PUBLIC

Ms. Vanuch read the protocol for speakers and called the first speaker.

1. Ms. Danielle Dash of Pecos Place in the Rock Hill District said she is here representing the Stafford Regional Choral Society, which has been singing for neighbors since 2001. Ms.

Dash said that this community choral group has been working to develop a culture of fine arts in Stafford County and has produced three concerts per year, with thousands of dollars given in scholarship money to high school graduates seeking education in musical arts. She said they have been pretty devastated by the pandemic but are rebuilding and continuing their mission to bring music to Stafford county. Ms. Dash said their first concert would be December 12 at 3 p.m. at St. Peter's Lutheran Church, and it would be a holiday concert.

2. Mr. Tim Haddix stated that he is a resident of Sunset Drive in Stafford and is a member of the Aquia Overlook Community Association. Mr. Haddix said that his concern is Decatur Road, stating that he paid both of his property tax bills online and noticed they had eliminated the vehicle licensing fee but also added in 58 cents on $100 for the 2019 road bond referendum. He stated that he was a proponent of that referendum, but he wants to ensure that the money is spent where it is intended. He stated that he has been before them about Decatur Road and believes his voice and those other others were heard. He said the county widened and resurfaced the road beginning at Widewater Road and terminated the project at Norman Road near the Elk Grove Baptist Church. He said this left a 1.2-mile stretch of road from there to the back gate of Aquia Harbor.

   Mr. Haddix said that while past efforts have brought great improvements for businesses and residences along Decatur Road, it left a short stretch of road in bad need of widening and resurfacing. Mr. Haddix said he was pleased to see Decatur Road was in the current widening and resurfacing plan, map item 13, VDOT Route 635, that would finish this project from where it left off to the current terminus of Decatur Road. He said that while the roads in Aquia Overlook could use resurfacing, they don't require widening, as the development would not have been approved had it not been for those roads meeting standards. He stated that the portion of Decatur Road he is referring to not only facilitates the residents residing on it, but several roads spurring from it along with access to the back gate of Aquia Harbor. He noted that this was one of very few points of ingress and egress from Aquia Harbor.

   Mr. Haddix stated that there was already a good bit of traffic along this stretch, and an additional 32 homes had been approved for Aquia Overlook for sections 3 and 4, and that completes their development, capping out at 100 single-family homes. He said there was also a plan to have other access going from that point through to Quarry Road, which would bring more traffic to the subdivision. He said all the homes were already on the market, so the volume was only going to increase, and he asked the Board to elevate this as one of the 2019 road projects. He said that if there was any doubt about the road conditions, he encouraged Board members to get on a school bus and travel that road.

3. Mr. William Hoyt of Windermere Drive stated that he had sent the Board an email just before this meeting, which included links to several videos, including those showing flooding and one of him walking from the east end of the walking trail in Crestwood all the way through to Windemere. He stated that it may look rough, but there has been a lot of work to clear trees and make the pathway walkable, with about \$35,000-\$40,000 in labor and materials and a year's worth of labor to create this. He said they are proud of it, and it is well-lit, well-built, and well-used. He stated that the Crestwood site is basically being used as a park and ride. Mr. Hoyt said that not counting \$5,000 from the community, he is out about \$30,000 out of pocket—and he has not heard anything from county staff about paying for improvements at some point; he's hoping the county will not leave him hanging.

PUBLIC HEARINGS

32. Capital Projects Transportation; Consider Requesting the Virginia Department of Transportation To Restrict Through Truck Traffic On Austin Ridge Drive (Sr-1468).

Transportation Program Manager Alex Owsiak stated that he would present on a through-truck restriction on Austin Ridge Drive. He said that in September, staff received a letter from the Austin Ridge HOA requesting restriction of through-truck traffic on Austin Ridge Drive between the intersections of Mine Road and Courthouse Road. Mr. Owsiak stated that after reviewing the situation with VDOT, they agreed that Austin Ridge Drive meets the criteria for a through-truck restriction. He noted that the Board authorized this issue for public hearing after their September 21st meeting, and the advertisement for this meeting was in the *Free Lance-Star*.

Mr. Owsiak stated that for some background on the current traffic along Austin Ridge Drive, VDOT's 2019 traffic data shows over 7,200 vehicles per day traveling along the road but does not give a breakdown of the percentage of heavy vehicles. He said that VDOT's 2020 update accounts now show only about 3,500 vehicles traveling along Austin Ridge Drive, with about 1% of that traffic being heavy trucks. He stated that VDOT makes the disclaimer that there was significant decrease in local traffic, so those 2020 figures are skewed—but if you take the combination of the two and 1% of 7,000 being heavy trucks, that's about 70 heavy trucks per day traveling down Austin Ridge Drive.

Mr. Owsiak presented a map showing Austin Ridge Drive and the proposed alternate route, which would be Mine Road. He said that if approved by the Board, Resolution R21-351 would be delivered to VDOT's Fredericksburg residency for presentation to their commissioner of highways for review. Mr. Owsiak stated that if the commissioner approves the request, the county would be notified, and Austin Ridge Drive would be added to VDOT's list of Virginia truck-restricted routes. He noted that trucks would still be permitted to cut across any of the side roads on Austin

Ridge Drive and would still be in compliance with through-truck restrictions if they just traversed a portion of the road and didn't complete the full loop from Courthouse Road to Mine Road.

Ms. Vanuch opened the public hearing. She stated that this is in the Garrisonville District, and she spoke with Supervisor Dudenhefer, who has no problem with this item moving forward. She noted that she is restricted from making a motion, but she asked her fellow Supervisors to do so.

Mr. Coen motioned, seconded by Ms. Lamb, to approve proposed Resolution R21-351.

The Voting Board tally was:

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

Resolution R21-351 reads as follows:

A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION RESTRICT THROUGH-TRUCK TRAFFIC ON AUSTIN RIDGE DRIVE (SR-1468), LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board desires to promote public health, safety, and welfare of the County and its citizens, including the prevention of accidents and injuries caused by large truck traffic in residential area and;

WHEREAS, large trucks travel between Mine Road (SR-684) and Courthouse Road (SR-630), using Austin Ridge Drive (SR-1486), which is a major collector road; and

WHEREAS, large truck traffic using Austin Ridge Drive (SR-1468) creates a safety concern for the residents of this area; and

WHEREAS, large trucks have an alternate route available to access Courthouse Road (SR-684) by using Mine Road (SR-684); and

WHEREAS, in accordance with § 46.2-809 of the Code of Virginia (1950), the Board considered the recommendations of staff and public testimony if any at the public hearing held on November 16, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that the Virginia Department of Transportation be and it hereby is requested to restrict through-truck traffic on Austin Ridge Drive (SR-1486); and

BE IT FURTHER RESOLVED that the County Administrator or his designee provide a certified copy of this Resolution to the Virginia Department of Transportation, Fredericksburg Residency.

33. Utilities; 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.

Deputy County Administrator Mike Smith stated that this was an amendment to Chapter 25, as there was currently a conflict between the county's comp plan and water and sewer/sewage disposal ordinance, which is Chapter 25. He said the comp plan prevents connection of water and sewer outside of the service area, but Chapter 25 requires that connection to water and sewer is within 300 feet. He noted that they do have some lines that run outside of the USA, so this causes a conflict.

Mr. Smith said there are three changes being proposed for Chapter 25, including to add a definition of the urban services area to that proposal so it's easier to understand. He said a second change is to amend the mandatory water connections, as there is significant infrastructure outside of the USA, with a lot of those lines being dead-end lines. He said that in those instances, the county will require the owner to apply for a comp plan review, which will meet the plan's standards; if the Planning Commission denies it, the owner will have to come to the Board to seek a waiver; if the Board does not approve it, they will be allowed to build on a private well. He stated that the sewer connection is not quite as complicated, because if there's a sewer out front, they don't necessarily have to have more demand, and the owner may connect to the public sewer or to a private septic system.

Ms. Vanuch stated that this is fantastic news, and she opened the public hearing. There being no speakers, the item was placed before the Board.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Ordinance O21-49.

The Voting Board tally was:

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

Ordinance O21-49 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN 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 may present between County Code, Chapter 25, and the Comprehensive Plan regarding the requirements and plans to connect to public water and sewer; and

WHEREAS, to reduce possible conflicts, staff proposed revisions to the County Code to clarify the process that property owners must go through to connect to public water and sewer outside of the Urban Services Area boundary 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, the Board has conducted a public hearing in accordance with Virginia Code § 15.2-1427 and has carefully considered the recommendations of the Utilities Commission and staff, and the testimony at the public hearing, if any;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that Stafford County Code Sec. 25-1, "Definitions," Sec. 25-22, "Mandatory sewer connections," and Sec. 25-23, "Mandatory water connections," be and they are hereby amended and reordained as follows, with all other portions remaining the same:

Sec. 25-1. - Definitions.

Unless the context specifically indicates otherwise, wherever in this chapter or in regulatory documents relating thereto, the following terms and abbreviations are used, they shall have the meanings ascribed to them in this section:

<u>*Urban services area:* Areas within the county identified for public water and sewer services in the then current Stafford County, Virginia Comprehensive Plan.</u>

Sec. 25-22. - Mandatory sewer connections.

(a) The owner of all newly constructed houses or buildings or property used for human occupancy, employment, recreation or other purposes situated with the county and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, provided such public sewer is within three hundred (300) feet of the building drain <u>and located within an urban services area. If such public sewer is within three hundred (300) feet of the building drain but located outside an urban services area, the owner may connect to public sewer subject to meeting all requirements of this chapter and receiving approval of compliance for the</u>

provision of public sewer to the property in accordance with Virginia Code § 15.2-2232. No certificate of occupancy shall be valid unless such required connection is made.

Sec. 25-23. - Mandatory water connections.

(a) The owner of all newly constructed houses, buildings or property used for human occupancy, employment, recreation or other purposes situated within the county and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public water supply is hereby required, at his expense, to connect to such facilities directly in accordance with the provisions of this chapter, provided such public water supply is within three hundred (300) feet of the house, building or property and is located within an urban services area. If such public water supply is within three hundred (300) feet of the house, building or property but is located outside an urban services area the owner shall connect to public water subject to meeting all requirements of this chapter and receiving approval of compliance for the provision of public water to the property in accordance with Virginia Code § 15.2-2232. If the owner's compliance review request is denied by the planning commission, the owner shall seek an appeal to the board of supervisors in accordance with Virginia Code § 15.2-2232. If such appeal to the board of supervisors is denied, the owner shall not be required nor permitted to connect to public water from the house, building, or property. No certificate of occupancy shall be valid unless such required connection is made.

34. Development Services; Consider Partial Vacation of an Unused Portion of Widewater Parkway within the Widewater Village at Stafford Subdivision.

Mr. Paul Santay stated that this item is a public hearing to vacate a portion of the old Widewater Parkway, adjacent to the Widewater Village subdivision. He said that in March, the Board authorized the public hearing in response to inquiries about the right-of-way and whether or not it could be vacated to the benefit of the subdivision. He said the parkway is no longer included in the comp plan for roadway purposes, nor does the USA extend out to this particular area. He noted that the right-of-way could be a potential resource for future development in the Widewater peninsula area and could be impacted by the parcel right-of-way vacation. He said that on October 6, a 50-foot easement had been dedicated and reserved by the county for the potential transmission of future public utilities—whether it's county water and sewer, telecommunications, etc. He offered to answer questions.

Ms. Vanuch opened the public hearing. There being no speakers, the item was placed before the Board.

Ms. Allen motioned, seconded by Mr. Coen, to approve proposed Ordinance O21-52.

The Voting Board tally was:

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

Ordinance O21-52 reads as follows:

AN ORDINANCE TO APPROVE THE PARTIAL VACATION OF THE WIDEWATER VILLAGE AT STAFFORD SECTION 2 A/B SUBDIVISION PLAT TO VACATE AN UNUSED PORTION OF WIDEWATER PARKWAY, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, the Widewater Village at Stafford Section 2 A/B subdivision plat was recorded on December 3, 2018, at Plat Map Number PM030000218 (Plat), among the Stafford County Land Records (Land Records), which included the dedication of a portion of right-of-way known as Widewater Parkway (Parkway); and

WHEREAS, Widewater Village at Stafford Homeowners Association (HOA) approached the County with a request to consider vacating the Parkway; and

WHEREAS, the Parkway was intended to be a part of the larger Widewater Parkway, part of a development planned at the end of the Widewater peninsula, but the project was abandoned, and the development is no longer included in the County's Comprehensive Plan; and

WHEREAS, the Parkway is no longer needed for public street purposes or other public use; and

WHEREAS, the County has dedicated and reserved to itself a 50-foot easement for water, sewer, telecommunications, and electric utility purposes within the portion of Parkway to be vacated, pursuant to Deed of Dedication and Reservation dated October 6, 2021, and recorded among the Land Records at LR210034542; and

WHEREAS, the Board may vacate the Parkway by approval of this ordinance pursuant to Virginia Code §15.2-2272(2); and

WHEREAS, the Board has carefully considered the request of the HOA, recommendations of staff, and the testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that the vacation is in the best interest of the County; and

WHEREAS, pursuant to Virginia Code § 15.2-2274, the recording of this ordinance shall operate to (1) destroy the force and effect of the recording of the plat or part thereof so vacated, but subject to the rights of the owners of any public utility installations which have been previously erected therein; and (2) vest fee simple title for the entire width of the streets, alleys, or easements for public passage so vacated in the owners of abutting lots; and

WHEREAS, pursuant to Virginia Code § 15.2-2276, "the clerk in whose office any plat so vacated has been recorded shall write in plain legible letters across such plat, or the part thereof so vacated, the word 'vacated,' and also make a reference on the plat to the volume and page in which the instrument of vacation is recorded;"

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does approve a partial plat vacation of the Widewater Village at Stafford Section 2 A/B subdivision plat, recorded on December 3, 2018 at Plat Number PM030000218, among the land records of Stafford County, Virginia (Plat), in that specific location located between Parcel L (Tax Map Parcel No. 21R-2AB-L) and Parcel M (Tax Map Parcel No. 21R-2AB-M), designated as "WIDEWATER PARKWAY STREET DEDICATED TO PUBLIC USE 196,612 SQ. FT.," as shown and marked as "VACATED" on the portions of the Plat attached as **Exhibit A**; and

BE IT FURTHER ORDAINED, that the County Administrator or his designee shall record a certified copy of this ordinance in the land records of Stafford County, Virginia, in accordance with the provisions of Virginia Code § 15.2-2272(2).

<u>35. Capital Projects Transportation; Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Route 1 and Telegraph Road/Woodstock Lane Safety Improvement Project.</u>

Mr. Owsiak stated that this public hearing is for consideration of condemnation on Tax Map Parcel 21-64, which is associated with their Route 1 and Telegraph Road and Woodstock Lane safety improvement project. He said that the main intent of this project is to improve the safety and geometry of the intersections on Route 1 at Telegraph Road and Woodstock Lane, which will be done by realigning the intersections and providing dedicated turn lanes. Mr. Owsiak stated that the county contracted with Rinker Design Associates in April of 2018 for the project design and right-of-way acquisition services. He noted that the county will need to acquire the necessary property rights before utility relocation can begin and construction can commence afterwards. He said that utility relocation is scheduled to begin later this year, with roadway construction anticipated to start in Spring of 2022 and be completed by the end of 2023.

Mr. Owsiak stated that there are 12 parcels impacted by the project, and the county has been able to reach agreement with seven of those property owners; the Board has previously authorized condemnation on four of the other parcels in September for utility relocation. He said they are currently engaged with outside counsel to reach a settlement with those four impacted owners; currently there is only one property remaining to be acquired, and negotiations thus far have reached an impasse on that parcel. He presented a slide showing the history of contacted with affected landowners, beginning in April of 2018 when notifications about initial survey efforts were sent out, all the way to the formal public hearing held in November of 2019, through bona fide offer letters for property acquisitions, which were presented to all landowners by the end of June 2021, with negotiations happening since.

Mr. Owsiak stated that the parcel for condemnation is Tax Map 21-164, and he presented a slide showing the location of that parcel, which is located near the southern intersection of Route 1 and Telegraph Road, between those roads and just north of the crucifix monument. He said that the county needs to acquire about 2,680 square feet of temporary construction easement on this project. He said the initial offer letter was presented in May of 2021, and the landowner has indicated support of the offer amount—but the county has run into a legal issue with the church because they have not yet been incorporated, nor do they have a set of trustees appointed to their board yet. He stated that the church is working with an outside attorney to establish the ability to convey the property legally to the county, further delays will impact the project schedule and affect the acquisition of this property.

Mr. Owsiak summarized that the condemnation is necessary to acquire the property rights needed to begin construction, and staff recommends approval of R21-383, which authorizes the condemnation of Tax Map Parcel 21-164; following that, a certified letter would be sent out to the landowner, informing them of the condemnation at least 30 days before filing with the court. He added that the county would continue to work with the landowner and attempt to reach an amicable settlement.

Ms. Allen asked him to repeat exactly where the work would take place.

Mr. Owsiak responded that it would be the southern intersection of Telegraph Road and the intersection just north, which is Woodstock Lane. He said they would be looking to realign Telegraph Road to bring it into more of a 90-degree angle with Route 1, and the temporary signal there now would become a permanent one. He added that at Woodstock Lane, they are also building a slotted left intersection with a raised median to protect northbound and southbound travel lanes with a projected left-turn lane onto Woodstock Lane; traffic exiting that road would only be able to make a right onto Route 1 northbound and would have to make a U-turn at the next light if they wanted to head south or travel to Telegraph Road and use the light there.

Ms. Allen asked for confirmation that staff would continue to work with the landowner to try to get a settlement.

Mr. Owsiak responded that it might work out based on timing that they are able to incorporate with their outside attorney before the county files the certificate as it is, but even if that happens after the fact, the county will still work with them and enter agreement after the certificate.

Ms. Allen commented that it's difficult to see oncoming traffic coming up Telegraph when making a right or a left, and she asked if the improvements would help with that.

Mr. Owsiak stated that the improvements do not extend all the way to the Telegraph Road intersection on Woodstock Lane and stop short of that, only going a few hundred feet past the intersection with Route 1—but the issue she raised could be addressed with SSYP money or other funding to work on the sight distance of that intersection.

Ms. Vanuch opened the public hearing. There being no speakers, the item was placed before the Board.

Ms. Allen motioned, seconded by Mr. Snellings, to approve proposed Resolution R21-383.

The Voting Board tally was:

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

Proposed Resolution R21-383 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE TEMPORARY CONSTRUCTION EASEMENT, ON TAX MAP PARCEL NO. 21-164, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

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

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

WHEREAS, Tax Map Parcel No. 21-164 (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 2021 appraisal conducted by a licensed appraiser; and

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

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

WHEREAS, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on November 16, 2021, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced temporary construction easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that it be and hereby does find that public necessity exists for the Board's ownership of temporary construction easement on Tax Map Parcel No. 21-164 (Property) for safety improvements on Route 1 at Telegraph Road and Woodstock Lane (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Three Thousand Five Hundred Dollars ($3,500) as just compensation for the temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Iglesia Pentecostal Unida En Accion (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 2,680 square feet of temporary construction easement, on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

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

<u>36. Capital Projects Transportation; Consider Amending and Reordaining Stafford County Code Sec. 15-56, "Designation of Restricted Parking Areas" to Add Certain Streets within the Briarwood Estates Subdivision.</u>

Mr. Owsiak reported that this is for the designated restricted parking spaces in Briarwoods Estate subdivision. He explained that in September, staff received a petition from the residents of the subdivision, expressing a majority of community support to implement restricted parking within their community. He said all the requested streets located within the subdivision are currently state maintained and meet the definition of a public highway as outlined in the county code. He stated that the Board authorized this item for public hearing at their October 5 meeting, and the current public hearing was advertised in the *Free Lance-Star*. He referenced a slide showing the restricted parking areas in the Briarwoods Estate subdivision.

Mr. Owsiak stated that if approved by the Board, Ordinance O21-48 would amend and re-ordain county code section 15-56 and add the requested streets within the Briarwood Estates subdivision to the county's list of restricted parking areas.

Mr. Coen asked what the parameters are for "restricted" parking.

Mr. Owsiak responded that it usually refers to trailers and items of that nature, unkept motor homes, travel car trailers, and other things left for an amount of time.

Ms. Vanuch opened the public hearing. There being no speakers, the item was placed before the Board.

Mr. Coen motioned, seconded by Ms. Lamb, to approve proposed Ordinance O21-48.

Ms. Bohmke asked if this was an HOA.

Mr. Owsiak confirmed that it was.

Mr. Coen commented that he was with the HOA the previous week, and they have not taken a position—but the residents are strongly in favor of it, as evidenced by the number who signed the petition. He stated that they have a beautiful common area where people who didn't even live in the subdivision were parking 18-wheelers and other massive vehicles, so the residents felt that they needed to step up.

The Voting Board tally was:

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

<u>Ordinance O21-48 reads as follows:</u>

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 15-56, "DESIGNATION OF RESTRICTED PARKING AREAS" TO INCLUDE CERTAIN STREETS WITHIN THE BRIARWOOD ESTATES

SUBDIVISION, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

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

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

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

WHEREAS, residents of the Briarwood Estates subdivision provided a petition requesting the establishment of a restricted parking area within the Briarwood Estates subdivision, and the petition satisfies the requirements of Stafford County Code Sec. 15-56; and

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

WHEREAS, the Board conducted a public hearing in accordance with Virginia Code § 15.2-1427; and

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that Stafford County Code Sec. 15-56, entitled "Designation of restricted parking areas," be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Sec. 15-56. – Designation of restricted parking areas.
(f) The following constitute the restricted parking areas within Stafford County where the provisions of this section are in full force and effect:

<u>(28) Briarwood Estates Subdivision on the following named streets:</u>
<u>(A) Briarwood Drive (SR-1190);</u>
<u>(B) Clarion Drive (SR-665;</u>
<u>(C) Heritage Road (SR-1170);</u>
<u>(D) Hardwick Street (SR-1195);</u>
<u>(E) Ashbury Drive (SR-1193),</u>

(F) Vesta Drive (SR-1194);
(G) Wickham Court (SR-1192);
(H) Wynngate Court (SR-1191).

37. County Attorney; Consider Granting a Permanent Ingress/Egress Easement on County-Owned, Tax Map Parcel No. 30-53 to the Estate of J. W. Clark.

Mr. David Honadle stated that this is the Allen case, which was filed with respect to the parcel next door for access; this would settle all claims between the county and that party with respect to that access. He said it provides access to the gravel road there and already dedicated to several other parcels on the right side of the property.

Ms. Vanuch opened the public hearing. There being no speakers, the item was placed before the Board.

Mr. Snellings motioned, seconded by Ms. Bohmke, to approve proposed Resolution R21-392.

The Voting Board tally was:

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

Resolution R21-392 reads as follows:

A RESOLUTION TO GRANT AN INGRESS-EGRESS EASEMENT ON 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 an adjacent parcel, Tax Map Parcel No. 30-54, have requested an ingress-egress easement across the Property to access Clarke Hill Road; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of November, 2021, that a 15-foot permanent ingress-egress on County-owned Tax Map Parcel No. 30-53 be and it hereby is granted to the Estate of J. W. Clark, also known of record as John W. Clarke, for the purpose of providing access from Tax Map Parcel No. 30-54 to Clarke Hill Road in the location shown and designated as "Proposed 15' Ingress Egress Easement (Hereby Reserved)" on the plat entitled, "Ingress-Egress Easement Tax Map Parcel 30-53 Aquia Magisterial District Stafford County, Virginia," dated October 25, 2021, as last revised; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to sign the Deed of Easement and any other documents deemed necessary and appropriate to effectuate the Board's desires.

ADJOURNMENT

At 7:43 p.m., Chairman Vanuch adjourned the November 16, 2021 Stafford County Board of Supervisors meeting.

Frederick J. Presley
County Administrator

Crystal L. Vanuch
Chairman