

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA
MEETING MINUTES
JANUARY 18, 2022

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:00 p.m. on Tuesday, January 18, 2022, 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; Pamela Yeung, Vice Chairman; Tinesha O. Allen; Meg Bohmke; Thomas C. Coen; Darrell English; Monica Gary.

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.

SUSPENSION OF THE BYLAWS

Ms. Yeung motioned to suspend the Bylaws per Section 1-1.E to allow the Chair to succeed herself. Ms. Bohmke seconded the motion.

The Voting Board tally was:

Yea:	(6)	Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(1)	Allen

Chairman Vanuch thanked everyone who aided with the storm preparations over the weekend, stating that the response went much smoother than the previous one. She also acknowledged Dominion Power for deploying significant resources into the County, as well as VDOT and VDEM for their pre-operations and setting up much more infrastructure ahead of time. She commented that she hoped for good winter the rest of the winter, but if not, the County was here to assist and would be ready for it.

Ms. Vanuch said that in regard to COVID-19, the positivity rate as of January 14 was 45.1%—which essentially means that half of everyone tested was positive for the virus. She stated that Omicron presented as fairly mild symptoms in most people, but for some it requires hospitalizations. She emphasized that people need to understand that hospitals are over capacity now, and Mary Washington Hospital has had to establish a field hospital in their parking garage. She asked the public not to go to the emergency room just for testing or for anything else other than a true emergency, to help reduce stress on the healthcare system.

Ms. Vanuch recognized Martin Luther King, Jr. and all that he accomplished for the country, his efforts in civil rights, bravery, and incredible dignity. She commented that his legend lives on in each of us every day, and she pledged to continue the work toward Dr. King's dream of ending racism in the United States.

Ms. Vanuch stated that for those who don't know, the name of Route 1 has been changed in Stafford County; from the northernmost border of Stafford, south to Layhill Road, it is now called "Richmond Highway." She said from Layhill to the City of Fredericksburg line, it will remain "Cambridge Street." She also noted that the County's GIS department is working with mapping services to ensure that the name is reflected correctly, as some do have incorrect names.

PRESENTATIONS

Presentation Of A Proclamation To Declare January As Slavery And Human Trafficking Prevention and Awareness Month in Stafford County.

Ms. Vanuch recognized January as Human Trafficking Prevention Month and stated that human trafficking has claimed more than 40 million victims worldwide. She said that in speaking with the Sheriff's Office, she knows it's been here in the community and does not always look the way you would think. She acknowledged Ileana Negron, a care coordinator from the Rappahannock Council Against Sexual Assault, and Lisa Schmitt from the Central Virginia Justice Initiative. Ms. Vanuch said they were joining the meeting to accept the proclamation declaring January Human Trafficking Prevention Month in Stafford, and she presented them with the proclamation as she read it aloud.

Ms. Ileana Negron thanked the Board for the proclamation and for their commitment to the issue that affects everyone on a national, state, and local level, and their commitment to ending human trafficking.

Ms. Lisa Schmitt stated that some of the things people can look out for include young people who are marginalized, vulnerable, or alone—and reach out to them and be a trusted adult for them. She said when children are vulnerable, they are targets for seduction into this horrible crime. She thanked the Board for recognizing this issue and focusing on January for awareness.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Presley stated that there was a small addition to the Consent Agenda, a minor edit to the proclamation.

He noted an addition to the Consent Agenda: County Attorney; A Resolution Authorizing the County Administrator and the County Attorney to Execute Any and All Documents Necessary to Settle Stafford County Board of Supervisors V. Carter Bank & Trust, a Successor By Merger to Peoples Bank of Danville, Case No. Cl20-4032, Proposed Resolution R22-30, and said that it approves the settlement.

He noted a deletion under New Business: Budget And Management; Appropriate American Rescue Plan Act (ARPA) Funds For Economic Development Purposes, Proposed Resolution R22-20.

Mr. Presley stated that this item was asked to be brought back to the Board as New Business once the EDA had a chance to weigh in on the proposal. The Authority met virtually the previous week but had technical difficulties, so not all members could participate. That item will be brought back to the EDA again and then come back to the Board on February 1.

Ms. Bohmke motioned, seconded by Ms. Yeung, to approve the additions and deletions of the Consent Agenda.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Ms. Bohmke asked if the Board would still hear Item 11 for economic development.

Mr. Presley confirmed that it would come back as New Business at the next meeting.

PRESENTATIONS BY THE PUBLIC

Ms. Vanuch explained the protocol for public presentations and called the first speaker forward.

1. Ms. Carol Lysher stated that she is a retired Stafford County teacher and lives at 17 Ironwood Road in the George Washington District. She said that in the fall, she volunteered as an assistant coach for the North Stafford field hockey team and was back at a school where she had spent the better part of her career. She commented that it was a great experience, but there were many challenges the school had to deal with as a grass-stadium school—as every other school on their schedule plays on turf, including the Spotsylvania schools; Colonial Forge paid to rent a turf field at Embrey Mill. She noted that the only time the Stafford team had practice on turf was at away games, and they had to adjust their

game play from grass to a fast turf, and they struggled to keep up with the experienced turf teams, but she was proud of the heart the kids showed in trying to adapt to different fields. Ms. Lysher emphasized that this is a parity issue of not being afforded quality competition turf fields that exist in three County schools, and they were told turf would be coming soon but discovered at the end of the season that the turf installation had been pushed to 2024. She said with that decision, student athletes are being shortchanged, and that's why she was before the Board today. She stated that if she had not returned to help coach, she would not have known about the parity issues that exist in athletic programs. She said she learned that artificial turf is the expected competition surface for outdoor team sports, and turf is a Virginia High School League requirement to host state-level competitions. She stated that she observed and heard about all the many benefits other schools were experiencing with artificial turf, and those fields are utilized by fall and spring sports teams, marching bands, and graduations—with the first turf fields installed at Brooke Point and Stafford High School in 2014, with Mountain View following in 2015. She noted that the current CIP lists two turf fields for the 2024 budget, and that is 10 years after the school started installing turf, and this was not an acceptable timeline.

Ms. Lysher said that once the decision was made to go to artificial turf, there should have been a plan in place for all County schools to have equity in a timely manner, and the Board of Supervisors and School Board need to work together to find the money to achieve parity in the school stadiums. She stated that they want and need their support in upgrading grass stadiums to turf at North Stafford and Colonial Forge for equity in County high schools, student athletes, and student competition fields. She implored the Board to fix the parity issue as soon as possible.

2. Ms. Margaret Lowry stated that she is a resident of 608 Tacketts Mill Road in the Rock Hill District, and she was before the Board to make sure they were aware of the inequities and lack of parity in the five high school athletic facilities. Ms. Lowry said that Stafford County was moving in a progressive direction when artificial turf was installed in three of the five County high schools in 2014 and 2015—and it was time to catch up to today's standards in athletic competition fields by finding the funds to install turf fields in the stadiums at Colonial Forge and North Stafford high schools. She emphasized that those schools deserve the same opportunities on quality fields as the three high schools that have had turf fields for the past 7-8 years.

Ms. Lowry said that she would highlight a few advantages of artificial turf. She said that North Stafford and Colonial Forge were spending more than \$20K each for paint, grass seed, and fertilizer to prepare and maintain their grass stadium fields to give their athletic teams similar competitive opportunities as the other three high schools. She said that

Brooke Point, Stafford, and Mountain View do not have this expense and can take their funds to upgrade softball, baseball, practice fields, and purchase equipment. She said that Colonial Forge field hockey paid \$2,500 to rent to have home games on turf; often, Stafford has a snowy and rainy spring season that begins in February, and three high schools can use their stadiums for games and practices, but melting snow and rain create a mudfest at the other two. She stated that 16 soccer and lacrosse teams at Forge and North have to either cancel practice, go to the parking lot or gym, or pay to rent turf fields—which is not parity but financial inequity.

Ms. Lowry stated that the proposed School Board CIP sent to the County Administrator in September of 2021 has turf fields scheduled for 2024—which is 10 years since the first turf field was installed, and it is unfair to wait this long. She asked the Board to find the funds to address this parity issue by installing turf fields at North Stafford and Colonial Forge High schools in 2022. She stated that now was the time to correct the inequity issue in the high schools, and she provided a packet for each Board member that included research to support this.

3. Mr. Jeffrey Adams of 449 Kellogg Mill Road addressed the Board and stated that two weeks ago was “hell,” and if you were a farmer, you were very busy. Mr. Adams stated that the neighborhood across the street from him had about 200 trees down in a 600-foot section of road. Mr. Adams recognized Lieutenant Harding and Officer Johnson, stating that four men in a green gator showed up with chain saws and helped neighbors who were trying to cut trees; once they started, there was no letup. Mr. Adams said that it takes a while to clear 600 feet with 200 trees, and he was glad to have the help.

Mr. Adams also stated that one of the biggest problems with the storm was GPS, and drivers were not notified until they got to the backup on I-95 that there was a major problem. He said they could have been routed to I-81 and I-64 to proceed south, and there must be a way to turn it off in emergencies and he wasn't sure what can be done in that regard. He commented that the road he lives on is not meant to carry the volume of traffic that I-95 does, and people no longer know how to read maps. He added that they should be ticketed for going down a closed road.

4. Ms. Laura Rudy of the Aquia District addressed the Board and said she is the County Treasurer, congratulating the new Board members and Ms. Vanuch for her service as Chair. Ms. Rudy also recognized the Chair's leadership during the storm and for contacting state officials in the middle of the night to escalate the emergency situation at hand and have needs addressed in Stafford, as the roads were a mess, and many people were without

power for days and even an entire week. Ms. Rudy noted that I-95 was already being treated ahead of the subsequent snowstorm and she saw brine along that road and on Route 1.

REPORTS BY BOARD MEMBERS

Ms. Bohmke commented that staff had done a phenomenal job in the last storm, and she reported that VDOT had problems with the GPS system—as they were sending everything up the chain, but it wasn't being acknowledged. She said that staff had done a remarkable job and thanked them for working with the team in the Emergency Operations Center.

Mr. Coen also thanked staff for addressing the storm issues, as well as people in utilities who have been going out and dealing with water issues for residents. He stated that the County has been dealing with GPS issues since the hundred-year floods that affected the local area and especially the river—and it is a problematic bureaucracy, but as Ms. Bohmke said, officials locally have been pushing to get it addressed.

Mr. Coen stated that he had a constituent reach out to him because she was outraged about the fact County residents were paying the bag tax passed by the City of Fredericksburg. He said that staff and Commissioner of Revenue Scott Mayausky looked into this and addressed it, and one of the problems is that there are ZIP codes that still say "Fredericksburg." He asked staff to further look into what they need to do to have Stafford ZIP codes say "Stafford" and bring it forward to whatever committee is appropriate.

Mr. Coen stated that the Healthy Generations Committee has a citizen who typically serves a one-year term, and Ms. McClendon has advised that this person can serve more than that. He said that Linda Musselman does a fantastic job, and he consulted with Mr. English to make it a longer term and would like this to be put on the Consent Agenda at a February meeting.

Mr. English reported that he had received a call from Abel Lake HOA President Larry Bird, who provided great accolades to Mr. Adams for all of his help and his work with his tractor to get the trees out. Mr. English expressed his appreciation to Mr. Adams. Mr. English asked if the emergency state funds could go to the community for cleanup of their subdivisions.

Mr. English mentioned that February 5 is the Special Olympics Polar Plunge in Virginia Beach, and he asked the community to participate and/or donate. He stated that Area 11, which includes Stafford, participates every year and raises the most money. He said the best way to donate is to visit Virginia Special Olympics Polar Plunge online and make a donation. He stated that he participated one year with his daughter and got as far as his knees. Mr. English also mentioned the

dire need for blood for the Red Cross, and he wondered if there was something the County could do.

Mr. English thanked Ms. Giles for helping transition to his role as Board member.

Ms. Gary expressed her gratitude for how the locality handled the last storm, stating that her family was out of power for five days during the first storm.

Ms. Gary stated that she is proud to be part of a Board and community that takes human trafficking seriously, and she serves on the District 16 Human Trafficking Task Force. She emphasized that it is far more prevalent than people realize, and it's important to look out for our children—with the task force doing some wonderful things in terms of educating youth in the community. She thanked the women present from the task force for being concerned about children and the facilities they need, adding that the County is aware of the school budget shortage. She stated that they need to pay teachers better and ensure there is equity across the schools in several ways, and she has been on the phone with their state delegate to problem solve how to correct the state adjustment to get more funds.

Ms. Yeung thanked everyone for being so prepared for the recent storm and Ms. Vanuch for disseminating so much information. She also thanked Mr. Presley for his help in getting someone out to a constituent's home and ensure his wife could get to the hospital for her oxygen.

Ms. Yeung reported that Stafford Gymnastics' Make a Wish meet is January 28-30, and she wished Isaiah much luck in his first expedition there.

Ms. Allen stated that staff has done a great job in navigating a challenging winter thus far, and the low temperatures have not been helpful.

Ms. Allen read a lesser-known quote from Dr. Martin Luther King, Jr.: "Our lives begin to end the day we become silent about things that matter."

Ms. Vanuch deferred her comments.

REPORT OF THE COUNTY ATTORNEY

Ms. McClendon had no report.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Presley noted that the Board's strategic plan update was in their background information, and he asked that they reach out with any questions.

Mid-Year Financial Review

Ms. Andrea Light stated that the purpose of this update was to provide the Board and citizens with an update on the projection of the county's financial position for FY22, and she would go through the General Fund, Transportation, and Utilities. She reported that in General Fund revenues, they are currently anticipating real estate revenues to come in under budget, and this is due to increased exonerations in FY21 that did not come into the FY22 budget. She said this also assumes that the tax rate remains at 97 cents, with a reassessment rate of 6.5%.

Ms. Light stated that personal property is anticipated to exceed budget, and actual bills were approximately \$500K higher than the projection for December. She said that with consumption taxes, sales and use continue to increase and are up 17% over the same period as last year and about 10% over budget. She said that due to some of the COVID revenues, collections in the prior year, comparing those to 2020, the County is about 32% over that period of time.

Ms. Light reported that recordation continues to be projected over budget and is currently 28% over budget; compared to non-COVID years, the County is up about 42%. She noted that recordation is one of those things when the interest rates go low, people tend to refinance or buy new homes, and recordation goes up—with interest revenue decreasing significantly. She said that meals tax is projected to be over budget by about \$1.8 million and returning very strong at about 43% over budget, and this is an average of 14% above the same period in FY22, if they adjust for the increased tax rate.

Ms. Light said that transient occupancy is also anticipated to be slightly over budget; in comparison with 2020, this is about 18% above the same period for 2021. She noted that the transient occupancy tax (TOT) is a 5% tax, with 3% remaining in tourism funds and being the major revenue source for that activity. She stated that the remaining 2% is transferred to the General Fund; in FY22, the County budgeted \$750K and anticipates seeing revenues above that.

Ms. Light stated that zoning and building permit revenues are aligning with FY21 collections, and the FY22 budget assumes a slightly reduced revenue, so aligning with FY21 will actually exceed the budget. She said that bank fees are exceeding interest, which is the inverse of the recordation, and interest earnings are currently negative. She stated that CARES Act funds were required to be

fully expended by December 2021, and those have been completely spent, with Finance completing that state reporting; Stafford will not have to return any of the \$26 million.

Ms. Light said that overall, revenue is very healthy and is anticipated to be approximately 1.5% above budget.

Ms. Light reported that with General Fund expenditures, every year the County anticipates vacancy savings, which reduces expenditures for unfilled positions and is accounted as part of the budget. She said that in FY 22, the budget is about \$1.2 million—and they would meet or exceed this savings target. She said that juvenile detention center costs were slightly below budget, and the center has an annual true-up to ensure incurred costs are assigned to the jurisdictions that use them. She noted that health insurance is anticipated to be under budget, and per the County's financial policies, insurance savings is provided to other post-employment benefit trusts; typically, staff brings the prior year to the Board in the 3rd quarter review and anticipates last year's savings of \$1.5 million can be brought to the Board for consideration to be sent to OPEB.

Ms. Light stated that based on overall revenue and expenditures, staff asks the Board to consider releasing the 5% appropriation hold on proposed Resolution R22-09, and the appropriation hold is approved as part of the budget process to provide flexibility in dealing with unforeseen financial events.

Ms. Light reported that the County has received the first four months of gas tax, and to date is approximately 14% or \$200K over budget in revenues. She said the revenue supports primarily the transportation fund's operating expenses, such as debt service, PRTC, VRE, FRED Bus, and the airport—and there is little fluctuation in any of their operating expenses, as this is part of their annual budget.

Ms. Light stated that FY22 impact fees have already exceeded the budget by \$186,000, and staff continues to monitor capital expenditures as they are seeing the cost of construction, materials, and supplies increase.

Ms. Light stated that utility fund revenues, which are primarily water and sewer charges, are aligning with the budget, and capital revenue continues to reflect the growth in the County. She said that they anticipate operating costs within the FY22 budget and increasing commodity costs will stress operating and capital budgets; impacts from the January storms may also affect the budget, as many of the utility workers were out helping to cut down trees and aid citizens.

Ms. Light reported that capital projects continued to be over budget due to commodity costs and the cost of construction; with lead times getting longer and an open project manager position,

projects are moving slower than anticipated. She said that overall, staff expects the County to be within budget, but some of the projects will be delayed.

Ms. Light stated that the FY21 audit was complete, and the external auditors have affirmed year-end balances, which staff provides the Board now for some possible strategic investments that will help move the Board's priorities forward. She noted that this is proposed Resolution R22-10 on the Consent Agenda.

Ms. Light said that under responsive transportation, there were two items, the first being personal property. She stated that in 2021 with the adopted 2022 budget, the Board opted to increase personal property to help pay for transportation projects, with a \$50 million voter-approved bond. She said that June collections were affected by this because the tax rate is on a calendar year and the adopted budget is on a fiscal year, so those collections of almost \$2.4 million were collected for transportation purposes. She said that staff asks the Board to budget and appropriate those to move them to transportation. She stated that the impact fees in FY21 were also above budget, by about \$720K, and these can be used to repay the transportation fund for prior County-funded impact-fee-eligible projects.

Ms. Light stated that under responsive public safety team, there were two items, including support of replacement of emergency communications center console furniture. She said that this is used 24/7 by the Emergency Communications Center (ECC) staff and does not lend itself to the number and size of monitors, and the space is very inefficient; the Sheriff's Department has identified this as a need. She said that staff also asks for the replacement of three brush trucks for fire and rescue, and vehicles like these have been used for many responses—most recently deployed in the snowstorm in early January. She stated that these vehicles replaced are from 1992, 1997, and 1999.

Ms. Light summarized that General Fund revenues are anticipated to continue with strong but manageable growth, and due to escalating costs and shifting timelines, staff will continue to monitor those costs in transportation and utilities expenditures.

Ms. Light stated that schools will be presenting mid-year results to the School Board, which staff will subsequently share with the Board of Supervisors. She said that the requested actions for the Board today are to release the appropriation holds on R22-09 and for the strategic investments on R22-10. She offered to answer questions.

Ms. Yeung asked Ms. Light to explain the 3% figure for General Fund revenue and whether that was in total.

Ms. Light asked if she meant the 1.5% above budget.

Ms. Yeung confirmed that she did.

Ms. Light said that was approximately \$5.5 million.

Ms. Yeung asked her to explain the transient occupancy tax.

Ms. Light explained that the TOT was a hotel tax, so anyone coming and renting a hotel was subject to a 5% tax that comes back to the County. She said that 3% of that supports the tourism fund, as required by the Code of Virginia to support tourism activities, and the other 2% goes into the General Fund to support other activities that lead to tourism.

Ms. Bohmke asked about the anticipated \$5 million over budget and if the TOT of 2% was included in that number or in addition to it.

Ms. Light confirmed that it was included in that number, and the 2% was looking at about \$120K over budget currently; TOT brings in just over \$2 million total each year, with 3% of the 5% staying in the tourism fund.

Ms. Bohmke asked what the end of FY21 excess funds were after the audit was completed, as she did not recall that report coming to the Board.

Ms. Light responded that staff did a preliminary presentation in September 2021, and overall total revenues in FY21 were \$363,862,000; the budget for FY22 is \$355,383,000. Ms. Light stated that the disparity has mostly to do with federal funds, specifically CARES Act, that the County received in FY21—as the majority of the \$26 million was in FY21.

Ms. Bohmke asked what the net amount was for FY21 after the audit was completed; usually there is some kind of contingency brought back to the Board, with the Board identifying projects for those funds or assigning it to transportation, etc.

Ms. Light replied that she did not have all of those figures available, but the County was able to put aside \$7 million in CARES Act funding to support public safety salaries, and she recalled that the year-end fund balance went up around \$7-8 million. She confirmed that those were separate funds that totaled about \$15 million.

Mr. English asked for confirmation that the reassessments would likely go up this year in terms of housing.

Ms. Light responded that the Commissioner of Revenue was looking at that now and would be briefing the Board on that in February.

Mr. English asked what the impact would be in eliminating personal property or cutting it in half, for example, and how it would affect the budget—perhaps even eliminating just one vehicle per household. He commented that it was a pipe dream, but he would like to see those numbers.

Ms. Light replied that motor vehicle personal property was about 83% of overall personal property, with the remaining 17% comprised of mobile homes, which is about \$150K in merchants' capital.

Ms. Vanuch said she would encourage the County Attorney to provide guidance on what the state law says, as they require taxation of certain things but not others, so it would be helpful to understand the state code first.

Ms. Yeung said that the CARES Act funding was 100% exhausted, according to staff, and she wondered if there was a report that could be provided on those expenditures.

Ms. Light stated that staff had not provided that to the Board but could.

Mr. Coen said that he has had people in his district want to shift County tax deadlines to other six-month timeframes instead of December and June, and he asked that this information also be provided.

Ms. Gary asked about the ECC console furniture.

Ms. Vanuch said that would be discussed as part of the Consent Agenda.

APPROVAL OF CONSENT AGENDA

Ms. Vanuch stated that Ms. Bohmke had asked her to pull Item 3 from the Consent Agenda and asked for a motion to approve with that item removed.

Ms. Bohmke motioned, seconded by Ms. Gary, to approve the Consent Agenda as amended.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Item 1. Budget And Management; Authorize an Increase in the County's Full-Time Employee Authorized Strength to Support the Recruitment of a Judicial Law Clerk.

Resolution R22-08 reads as follows:

**A RESOLUTION INCREASING THE COUNTY'S FULL-TIME EMPLOYEE
AUTHORIZED STRENGTH**

WHEREAS, the Stafford County Circuit Court's caseload exceeds the recommended caseload of 1,500 cases per year; and

WHEREAS, the addition of a Law Clerk will provide support to the judges and staff to handle the heavy caseload; and

WHEREAS, the ideal recruitment period for the position is now with a projected start date in Fiscal Year (FY) 2023 with a salary and benefits impact of \$98,965;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that the County's authorized full-time strength be and it hereby is as stated below, and recruitment and maintaining full-time positions up to the authorized strength is permitted:

General Fund	FY2022*	Revised FY2022
Non-Public Safety	416	417
Public Safety	494	494
Utilities Fund	162	162
Capital Projects Fund	2	2
Transportation Fund	2	2
Total	1,076	1,077

*Last revised December 14, 2021, Resolution R21-390

Item 2. Budget and Management; Release the Appropriation Hold by Appropriating the Remaining FY2022 Budgets for the General Fund and Schools Operating Fund.

Resolution R22-09 reads as follows:

**A RESOLUTION TO APPROPRIATE FY2022 BUDGETED FUNDS,
RELEASING THE REMAINING FY2022 APPROPRIATION HOLD**

WHEREAS, to provide financial flexibility, the Board partially appropriated the Fiscal Year (FY) 2022 budget with the plan to consider releasing the remaining budgeted by unappropriated funds pending a mid-year fiscal review; and

WHEREAS, the FY2022 mid-year review projects sufficient revenues to warrant the release and appropriation of the remaining General Fund and Schools Operating Fund budgets;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that it be and hereby does appropriate \$6,694,832 to the Schools Operating Fund and \$13,471,736 to the General Fund as follows:

General Fund:	
Board of Supervisors	\$34,731
Budget and Management	38,510
Commissioner of the Revenue	158,560
County Administration	57,400
County Attorney	73,196
Electoral Board and Registrar	33,906
Finance and Procurement	102,467
Geographic Information System	34,932
Human Resources	58,123
Information Technology	175,749
Community Engagement	43,357
Treasurer	127,696
15th District Court Unit	18,085
Code Compliance	272,608
Fire & Rescue Services	1,456,583
Sheriff	1,696,736
Circuit Court	28,234
Clerk of the Circuit Court	92,394
Commonwealth's Attorney	190,032
Court Deputies	175,806
General District Court	5,806
Juvenile and Domestic Relations Court	5,660
Magistrate	436
Cooperative Extension	10,062
Economic Development	30,877
Planning and Zoning	128,917
Human Services	334,239
Social Services	464,370
Parks and Recreation	441,164
Community Facilities	244,457
Engineering	20,078

Schools Operating Budget Transfer	6,651,086
Schools Public Day School Transfer	43,746
Compensation/Benefits	1,000
Economic Development	13,170
Insurance	58,579
One-time Projects	27,829
Operating Budget Contingency Reserve	36,941
Other Non-Departmental	79,214
Vehicle Replacement Program County	5,000
Total General Fund Appropriation	\$13,471,736
Schools Operating Fund:	
County Schools Operating Transfer	\$6,651,086
Schools Public Day School Transfer	43,746
Total School Operating Appropriation	\$6,694,832

Item 3. Budget And Management: Budget and Appropriate FY2021 Year-End Set Aside Funds for Strategic Investments.

Ms. Bohmke stated that Item 3 related to budget and management.

Ms. Bohmke stated that for clarity for the public, she had emailed the Sheriff the previous day about the consoles in the ECC because it was really expensive. She asked the Sheriff to explain what was compiled in this request.

Sheriff David Decatur introduced Captain Ray Davis, Director of the ECC. Sheriff Decatur stated that they've had this in the budget for a while now and were looking for an alternative way to use rollover money to get this funded. He said that people think of furniture as a desk and a chair, but in the 911 center, these console pods hold a lot of equipment—up to seven monitors—and are electronic, cooled and heated, and equipped with special features because of all the equipment being operated. He said that they were fortunate to move into that public safety building in 2008 before the economic downturn and have a beautiful building, and that's when the consoles were installed. He stated that they've been using them for 14 years and they are now wearing and breaking—but they were lucky enough to have some replacement parts. He said that over the years, they have run short of trying to fix some of the motorized parts of the equipment. He added that COVID required a lot of cleaning and wiping down, and some of the equipment made 14 years ago wasn't designed to be cleaned, with lots of fabric used, etc. He said that the newer, modern consoles will allow for a healthier environment because of the spacing between the 911 operators,

with a typical desk or station being used about 2,000 a year—but 24/7 use means 8,700 a year for this equipment, with multiple users.

Sheriff Decatur said that Prince William shifted to this company a year ago to replace their equipment, and they are the industry standard and a reputable provider of this equipment. He acknowledged the sticker shock on the costs, and his technical advisor was present in the event there were questions about the operation.

Ms. Gary asked what was integrated into these pods.

Captain Ray Davis explained that each of the pods has heating, cooling, and motorized desktops, with cable management and USB ports for keyboards so users don't have to share. He stated that one of the issues is the surfaces becoming de-laminated, and they are currently cleaning them with hydrogen peroxide wipes—but they are getting down to particle board that can't be cleaned. He said that this is the only place they have to have people in an office setting 24/7, and there is no backup facility or other option for work. He mentioned that the sides of the pods are covered in fabric and are not six feet apart for workstations, so the new units will provide a healthier structure and a better workflow. He said that the new units will also improve the circulation for personnel when they have to provide something to another pod, as they now have to walk all the way around, which slows things down.

Captain Davis said they have gone through their spare parts and have had property management staff try to rewire motors to get things to work properly, and as they replace these, they will have to juggle to keep the center open while technicians are installing the new system. He stated that when they put this in, there were only a few regular-size monitors, and now operators are using 42-inch curved monitors that are overwhelming the system. He said they have added to this over the years, including two dispatches, with emergency medical and fire dispatching, and they were constantly adding equipment to a console configuration that wasn't designed to withstand it.

Ms. Gary stated that the Board certainly didn't want them to have to hodgepodge the system, and she hoped the new system held up to the cleaning and provided everything they needed.

Ms. Yeung asked if they could perhaps change the language from "furniture" to something like "technical equipment," because someone reading this might still think it's furniture.

Ms. Vanuch stated that it would be reflected in the minutes for the conversation they were having.

Ms. Yeung asked if she could ask a question about brush trucks if they would be under this item also.

Ms. Vanuch responded that it wouldn't be answered by the Sheriff's Office, but perhaps Mr. Presley or Ms. Light could answer.

Mr. Presley explained that the brush trucks were replacing three units currently used by volunteers, all of which were purchased in the 1990s and essentially have outlived their useful life. He said these trucks would be used for brush fires, as they require specialized equipment to get into tight areas in the woods to put those out—and there have been several in the past year because it was so dry. Mr. Presley said they were also used in the January 3rd snow event because they were one of the few vehicles that could be used to access residents.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Resolution R22-10. She said that she would forward the email she received from the Sheriff to the rest of the Board members, so they would all have his breakdown of the consoles and other items in the quote.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Resolution R22-10 reads as follows:

**A RESOLUTION TO BUDGET AND APPROPRIATE FY2021 YEAR-END SET
ASIDES FOR STRATEGIC INVESTMENTS**

WHEREAS, staff has identified strategic priorities that can be advanced through the use of Fiscal Year (FY) 2021 funds realized by year-end positive results of operations and the annual audit has confirmed these funds are available to achieve these priorities; and

WHEREAS, the Board adopted Transportation System Strategic Priority 2.2 to “Develop a comprehensive funding strategy that establishes a dependable revenue source to maximize transportation improvements”; and

WHEREAS, the increased personal property tax rate yielded \$2,371,250 in revenue for FY2021, to support Transportation Bond projects; and

WHEREAS, Transportation Impact Fees revenues have exceeded the FY2021 budget and can be transferred to the Transportation Fund to fund future road projects; and

WHEREAS, the Board adopted a Strategic Priority for a Dedicated and Responsive Public Safety Team; and

WHEREAS, the Sheriff's Office has identified the need to replace Emergency Communications Center furniture to provide a more efficient operating layout and to replace failing work stations at a cost of \$474,100; and

WHEREAS, the Fire and Rescue Department has identified the need to replace three brush trucks that are over twenty years old and are ineffective for their mission at a cost of \$165,000;

NOW THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that General Fund Reserve funds be and they hereby are budgeted and appropriated to the General Fund as follows:

Department	Amount
Transfer to Transportation Fund	\$2,371,250
Sheriff's Office	\$474,100
Fire and Rescue Department	\$165,000
Total General Fund Budget and Appropriation	\$3,010,350

; and

BE IT FURTHER RESOLVED that Transportation Impact Fee Reserve funds are budgeted and appropriated to the Transportation Impact Fee Fund as follows:

Department	Amount
Transfer to Transportation Fund	\$719,560
Total Transportation Impact Fee Budget and Appropriation	\$719,560

Item 4. Capital Projects; Authorize the County Administrator to Execute a Contract With CB&I Storage Tank Solutions LLC for the Enon Water Storage Tank Project, and Appropriate Utilities Funds to the Project.

Resolution R22-07 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CB&I STORAGE TANK SOLUTIONS LLC FOR THE ENON ROAD ELEVATED WATER STORAGE TANK PROJECT, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT, AND APPROPRIATING UTILITIES FUNDS FOR THE PROJECT

WHEREAS, the County contracted with Stantec Consulting Services, Inc. to design a new two-million-gallon elevated water storage tank and associated site work along Enon Road (Project); and

WHEREAS, the County solicited competitively sealed bids for the Project, pursuant to Invitation for Bid #22-012-9411SB; and

WHEREAS, CB&I Storage Tank Solutions LLC was determined to be the lowest responsive and responsible bidder for the Project; and

WHEREAS, \$5,825,352 was budgeted and appropriated in the Utilities Fund for this Project; and

WHEREAS, an additional \$1,370,000 must be appropriated to fund the work as submitted, necessary third party services, and a 10% contingency; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that the County Administrator be and he hereby is authorized to execute a contract with CB&I Storage Tank Solutions LLC to construct a two-million-gallon elevated water storage tank along Enon Road (Project), in an amount not to exceed Six Million Two Hundred Fifty-Two Thousand Nine Hundred Dollars (\$6,252,900), unless modified by a duly-executed change order; and

BE IT FURTHER RESOLVED that funds held in the Utilities Fund are appropriated as follows:

Department	Purpose	Amount
Utilities Fund, Department of Capital Construction	Enon Road Water Storage Tank Project	\$1,370,000

Item 5. Capital Projects; Authorize the County Administrator to Execute a Contract With Suburban Contractors, LLC, for Construction of the Amyclae Water Storage Tank Rehabilitation; And Budget and Appropriate Utilities Prior Year Fund Balance for the Project.

Resolution R22-12 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SUBURBAN CONTRACTORS, LLC FOR THE REHABILITATION OF AMYCLAE WATER STORAGE TANK, AND BUDGETING AND APPROPRIATING FUNDS FOR THE PROJECT

WHEREAS, the Amyclae Water Storage Tank Rehabilitation project (Project) is included in the Utilities Capital Improvement Program (CIP) Water Storage Tank and Maintenance Program; and

WHEREAS, the Project will add a cell tower corral on the roof, a mixer on the tank interior, repair minor deficiencies and repaint the existing tank to extend the service life of the tank; and

WHEREAS, the County solicited bids for the construction of the Project; and

WHEREAS, staff determined that the bid submitted by Suburban Contractors, LLC, in the amount of \$735,000, is the lowest responsive and responsible bid, and is reasonable for the scope of services proposed; and

WHEREAS, a contingency budget of \$25,000 is deemed prudent for unexpected yet justified construction changes, to be included in the Project financing; and

WHEREAS, \$500,000 was budgeted and appropriated in the Utilities Fiscal Year (FY) 2022 CIP; and

WHEREAS, an additional \$260,000 is needed to execute the contract with Suburban Contractors, LLC and to sustain construction through the Project; and

WHEREAS, all possible and reasonable efforts have been exhausted to execute the Project within the approved funding;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January 2022, that it be and hereby does authorize the County Administrator to execute a contract with Suburban Contractors, LLC, in an amount not to exceed Seven Hundred Thirty-Five Thousand Dollars (\$735,000.00) for the construction of the Amyclae Water Storage Tank rehabilitation project (Project), unless modified by a duly-authorized change order; and

BE IT FURTHER RESOLVED that Utilities prior year fund balance reserve funds are budgeted and appropriated as follows:

Department	Purpose	Amount
Utilities Fund, Capital Projects	Amyclae Water Storage Tank rehabilitation project	\$260,000

Item 6. Community Engagement: A Proclamation to Declare January as National Human Trafficking Prevention Month In Stafford County.

Proclamation P22-01 reads as follows:

A PROCLAMATION TO DECLARE JANUARY AS NATIONAL HUMAN
TRAFFICKING PREVENTION MONTH IN STAFFORD COUNTY

WHEREAS, human trafficking is an abhorrent abuse of power and profoundly immoral crime that strikes at the safety, health, and dignity of millions of people worldwide; and

WHEREAS, during National Human Trafficking Month, we reaffirm our commitment to protect and empower survivors of all forms of human trafficking, to prosecute traffickers, and to bring an end to human trafficking in the United States and around the world; and

WHEREAS, the federal government has released an updated *National Action Plan to Combat Trafficking*, a plan to link anti-trafficking initiatives to our wider efforts to counter illicit financing; advance gender and racial equity; expand the rights and dignity of working people; and promote safe, orderly, and humane migration; and

WHEREAS, Since human trafficking disproportionately impacts racial and ethnic minorities, women and girls, LGBTQI+ individuals, vulnerable migrants, and other historically marginalized and underserved communities, our mission to combat human trafficking must always be connected to our broader efforts to advance equity and justice across our society; and

WHEREAS, increased community education on how to identify victims of human trafficking along with increased knowledge of local resources and services for those affected by these criminal actions can help restore freedom and dignity to identified survivors, as well as help diminish the number of future victims; and

WHEREAS, every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problem of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions; and

WHEREAS, Stafford County joins the Planning District 16 Human Trafficking Task Force, the Rappahannock Council Against Sexual Assault and the Central Virginia Justice Initiative in their dedication to providing community outreach and education, legislative advocacy, training, promotion of services to survivors of human trafficking, and collaboration with law enforcement;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors, on this the 18th day of January, 2022, that it be and hereby does proclaim the month of January as National Human Trafficking Prevention Month and encourages all our citizens to become more informed on this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end trafficking in all its forms in our community. If you see something that does not look right, take action and call the National Human Trafficking Hotline at 1-888-373-7888.

Item 7. Legislative; Reappointment of Ms. Meade, Mr. Iroaka-Ohia and Mr. Roinestad to the Telecommunications Commission.

Item 8. Utilities; Authorize the County Administrator to Execute a Task Order With W. C. Spratt Incorporated for the Nelson Street Waterline Improvement Project.

Resolution R22-19 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH W.C. SPRATT INCORPORATED FOR WATERLINE IMPROVEMENTS ON NELSON STREET, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, waterline improvements along Nelson Street are needed to address the aging and deteriorating infrastructure that conveys water in the Ferry Farms Subdivision; and

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

WHEREAS, the work may be procured via a task order through the Utilities On-Call General Construction contract with W.C. Spratt Incorporated, Contract #21-003-5030SB-R-WCS; and

WHEREAS, staff reviewed the cost proposal and determined it to be reasonable for the scope of work desired; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that the County Administrator be and he hereby is authorized to execute a task order with W.C. Spratt Incorporated for the Nelson Street Waterline Improvements project, in an amount not to exceed Three Hundred Twenty-Nine Thousand Four Hundred One Dollars (\$329,401), unless modified by a duly-executed change order.

Item 9. County Attorney; A Resolution Authorizing the County Administrator and the County Attorney to Execute Any and All Documents Necessary to Settle Stafford County Board of Supervisors v. Carter Bank & Trust, A Successor by Merger to Peoples Bank of Danville, Case No. CL20-4032.

Resolution R22-30 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND THE COUNTY ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SETTLE *STAFFORD COUNTY BOARD OF SUPERVISORS V. CARTER BANK & TRUST, A SUCCESSOR BY MERGER TO PEOPLES BANK OF DANVILLE*, CASE NO. CL20-4032

WHEREAS, the Board and Carter Bank & Trust, are parties to the condemnation case, *Stafford County Board of Supervisors v. Carter Bank & Trust, a successor by merger to Peoples Bank of Danville*, Case No. CL20-4032; and

WHEREAS, the parties in the above-referenced case desire to enter into a settlement agreement to resolve the respondent's claim for just compensation under the terms and conditions agreed to and discussed in closed session with the County Attorney on January 11, 2021;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that the County Attorney and the County Administrator, or their designees, be and they hereby are authorized to execute any and all documents that they

deem necessary and appropriate to settle *Stafford County Board of Supervisors v. Carter Bank & Trust, a successor by merger to Peoples Bank of Danville, Case No. CL20-4032*, under the terms and conditions in the settlement agreement and discussed in closed session.

UNFINISHED BUSINESS

Item 10. Board Of Supervisors; Consider Amending Board's By-Laws and Rules of Procedure.

Ms. Vanuch said that the Board had seen the redline edits from Ms. McClendon and asked if they had comments or were ready for a motion.

Mr. Coen motioned, seconded by Ms. Yeung, to approve R22-29.

The Voting Board tally was:

Yea:	(6)	Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay	(1):	Allen

Resolution R22-29 reads as follows:

A RESOLUTION TO APPROVE AMENDMENTS TO THE BOARD OF SUPERVISOR'S BY-LAWS AND RULES OF PROCEDURE

WHEREAS, the Board last updated its By-laws and Rules of Procedure (By-laws) on February 19, 2019; and

WHEREAS, the Board now desires to amend its By-laws to allow the members in the Chairman and Vice Chairman positions to succeed themselves in office; and

WHEREAS, in accordance with By-laws Section 7-1, notice of amending the By-laws was provided at the Board's January 11, 2022 meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that the By-Laws and Rules of Procedure be and they hereby are amended, in accordance with the document attached as **Exhibit A** dated January 18, 2022.

NEW BUSINESS

Ms. Vanuch stated items 11 and 12 were discussed last year, and they could discuss those at length or could just review it, and it would always show up on the agenda under Unfinished Business at the next meeting—unless it were deemed time sensitive, for which they would have to make a motion for time sensitivity and pass by a two-thirds vote.

Item 11. Planning and Zoning; Authorize the County Administrator to Advertise a Public Hearing for a Partial Plat Vacation to Remove Access Restrictions to Lakeview Drive for Tax Map Parcel No. 8G-23. (Project Known As Equestrian Estates).

Mr. Harvey stated that the subdivision plat recorded for Equestrian Estates in 2004 had a restriction on it that Lot 23 could not access Lakeview Drive within the Lake Arrowhead neighborhood, and the owner of Lot 23 operates a bee farm and utilizes the property for that purpose. He said there was a stream and wetland area that bisects the property, which makes it difficult for the owner to traverse through their property and access the apiaries—so they are requesting use of an access off of Lakeview Drive, which is currently prohibited based on the plat restriction.

Mr. Harvey said that state code and local ordinance allow plats to be partly or entirely vacated, and this request would be partial to get rid of the plat restriction. He stated that this is done through a public hearing, with Equestrian Estate lot owners notified of the hearing, as well as the adjacent owners, and they would have the opportunity to come speak at the hearing. He said that this is a discretionary decision on the Board's part, and they would hear testimony from the applicant and citizens, then make their decision. He said if the Board chose to go forward with vacating the plat restriction, they would adopt an ordinance; under state code and the local ordinance, if the citizen subject to that subdivision plat files an appeal in circuit court, the court may overturn the Board's ordinance and thereby nullify it.

Mr. Harvey clarified that this is presented today for informational purposes, and the applicant was present to answer questions.

Ms. Vanuch asked when this would come back to the Board for public hearing.

Mr. Harvey responded that it would probably be in February.

Item 11. Budget and Management; Appropriate American Rescue Plan Act (ARPA) Funds for Economic Development Purposes.

[Item deleted per Board action.]

Item 12. 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 stated that staff was before the Board to talk about a change in policy for the County's policy on a drug-free workplace. She explained that

last July, there was a change to the legalization of marijuana use in the state of Virginia, and staff reviewed this with the Board last year; it was deferred to the new year to discuss with the new Board.

Ms. Wilson stated that marijuana remains a Schedule One controlled substance federally, and staff is still recommending a zero-tolerance policy related to drugs and alcohol and abuse of prescription drugs. She said the County employees a lot of people in safety-sensitive positions, so they want to make sure to retain that policy. She said that medical certification would be required for use of cannabis oil. She noted that the key points are maintaining a zero-tolerance policy; high-risk safety-sensitive positions would remain under their random testing process; and medical certification would be required for use of cannabis oil.

Ms. Wilson said that as it relates to pre-employment screening, the primary change staff is recommending is in the pre-employment testing, which will still continue to test for THC—but staff is recommending that employment not be denied, as individuals coming to work for the County would not be aware of the zero-tolerance policy. She said if someone tested positive at that point for THC, the County would have the opportunity to do a secondary test within 8-12 weeks from date of hire; in that timeframe, they must define a period of time in which someone had to be retested, which is why it is specifically stated in the policy.

Ms. Wilson stated that the County would not employ individuals testing positive who were seasonal and/or temporary, because they were employed for a brief period of time, and the retest occurs within 8-12 weeks so it didn't make sense to employ them in a period of time that would not allow for retesting.

Ms. Bohmke asked for clarification that the secondary test is state law and can happen 8-12 weeks after someone has failed a drug test initially.

Ms. Wilson explained that in this particular situation, the County would employ someone who came back positive for THC; if the County is offering retesting, they must state a specific period of time in which that would occur. She said that this arose last year and was determined by the County Attorney that they must stipulate a specific timeframe in which the test must be done.

Ms. Bohmke asked if she tested positive tomorrow for THC, who makes the decision if she comes back in 4, 8, or 12 weeks.

Ms. Wilson responded that it would be a random selection process, and the County could come back to her at 4 weeks or 6 weeks but wouldn't give her an exact timeframe.

Ms. Bohmke said if she tested clean in 12 weeks, for example, she would keep the job.

Ms. Wilson confirmed this.

Ms. Bohmke stated that after that, she could go back to her old habits and go back to the County.

Mr. English asked if the person tested clean at 12 weeks but tested positive randomly in the future whether that would be grounds for dismissal.

Ms. Wilson confirmed that it would be, but she stated that the County did not have random testing in its entire workforce—that was exclusive to safety-sensitive positions or those required by law.

Ms. Wilson said the County received some suggestions last year that certain groups be excluded from this, such as public safety or safety-sensitive positions, and staff was open to Board feedback on that.

Ms. Yeung asked if the County always had temporary or seasonal staff.

Ms. Wilson explained that seasonal staff were hired in the summertime, and if they tested positive for THC, they would not be hired. She also confirmed that they would be subject to pre-employment testing.

Ms. Yeung noted that the County was not excluding hiring anyone.

Ms. Wilson confirmed this.

Ms. Allen asked for clarification that if people returned to their old habits, as posed by Ms. Bohmke, whether that was also true to opioids and alcohol. She asked if the County would know what a person would do after 12 weeks.

Ms. Wilson responded that the County would not know, unless there were reasonable suspicion. She said that she would present on other jurisdictions, as two peer localities indicated that they did not do pre-employment drug screenings at all, except for those required by law—such as public safety or safety-sensitive positions.

Ms. Wilson said that other policy changes recommended were the removal of a pre-employment medical physical, unless a position deemed it necessary. She said that this was just not common in the industry, unless it were required for public safety or a position like that. She stated that there is language in the policy about rehabilitation that staff is tightening up, just to say that if someone

is looking for help and comes forward before something happens, the County would consider rehab opportunities if the issue was mentioned before a disciplinary action.

Ms. Wilson stated that staff is also recommending removal of drug and alcohol testing at the time of promotion, as it is also not standard among peer localities, and there is already a level of trust established with an employee when they are at the point of a promotion. She noted that there were also a few minor policies impacted related to conduct, employment, and EEO policy.

Ms. Wilson explained that with cannabis oil, Virginia law prohibits employers from disciplining, discharging, or discriminating against an employee for the lawful use of cannabis oil. She said in this situation, a valid, written certification is issued by a certified healthcare practitioner, which is someone who is registered with and certified by Virginia's Board of Pharmacy to recommend CBD or THC oil. She said that the County could not deny employment to someone if they presented a valid certification. She stated that disciplinary action is permitted if there is impairment or if someone had it with them at work.

Ms. Wilson presented information from peer localities, stating that most are maintaining zero-tolerance policies, but she spoke with two communities that said they did not do drug testing for their general population and only did it for those required by law—such as CDL drivers, public safety officials, etc. She said that staff is not recommending a change in the County's policy and still feels that pre-employment screening is important.

Ms. Wilson recapped the policy of pre-employment screening for THC and retesting allowed at 8-12 weeks if the employee tested positive; the policy includes the option to exclude uniformed public safety and the option to include all safety-sensitive positions; removal of the testing requirement when an employee is promoted; and change to only require pre-employment physicals based on the demands of the job.

Ms. Allen asked which localities she was referencing in the comparisons.

Ms. Wilson responded that those were Spotsylvania and Prince William.

Ms. Gary stated that there are different CBD oils, with some containing no THC and some containing trace amounts, and she did not want to lump them in together. She said that she wanted to be clear going forward, as they are very different things.

Ms. Vanuch stated that she would like to have the fire chief address this and understand what the Sheriff's Office wants to follow in their policy, and whether they are 100% exempt—as well as other positions that are exempt.

Ms. Wilson said that she has some information on the over-the-counter CBD oil products, versus the THC oil that requires medical certification. She stated that CBD oil by definition and by law contains zero or trace amounts up to .03%, and anything up to that level is not considered a THC product, which requires different levels of authorization. Ms. Wilson cautioned the workforce and others that CBD is not federally regulated, so you are putting faith that the manufacturer is following all the rules and regulations they are supposed to. She said there have been situations prior to July 1 where an individual was using CBD oil but was not using it according to label and ended up testing positive for THC and ended up losing their job.

Mr. Coen noted that one slide mentioned certain positions being exempt, and he asked Ms. Wilson to make it clear as to why, such as the Sheriff's Office positions. He said if people just saw the list on the website, they might wonder why the positions were exempt.

CLOSED MEETING

At 4:24 p.m., Ms. Yeung motioned, seconded by Ms. Bohmke, to adopt proposed Resolution CM22-03 to authorize closed session.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Resolution CM22-02 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of certain Board appointments; and

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

WHEREAS, the Board also desires to hold a Closed Meeting for (3) discussion of the performance of specific public officers, appointees, and employees of the Board; and (4) discussion of the performance of specific public officers, appointees, and employees of the Board, and of reports or plans subject to exclusion under Virginia Code § 2.2-3705.2; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) and (A)(19) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 4:32 p.m., Ms. Yeung motioned, seconded by Ms. Bohmke, to adopt proposed Resolution CM22-03(C) to certify the closed meeting.

The Voting Board tally was:

Yea:	(6)	Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	
Absent:	(1)	Allen

Resolution CM22-03 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON JANUARY 18, 2022

WHEREAS, the Board has, on this the 18th day of January, 2022, 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 18th day of January, 2022, 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.

RECESS

At 4:32 p.m. Chairman Vanuch recessed the meeting and announced that the Five Year Financial Plan Work Session would start at 5:30 p.m. in Conference Room ABC.

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

PRESENTATIONS

There were no evening presentations.

PRESENTATIONS BY THE PUBLIC

1. Mr. Jeff Adams of 449 Kellogg Mill Road introduced himself to the new Board members and stated that Mr. English is the new appointee to the Ag/PDR Committee. Mr. Adams said that Stafford County holds a conservation easement on the farm he and his wife own, and Kathy Baker from the Planning Department can show hundreds of pictures from her yearly inspection. Mr. Adams stated that he is one of the County's two directors to Tri-County City Soil and Water Conservation District.

Mr. Adams stated that he brings several issues to the Board on occasion, including what happens at Abel Lake and the bridge, and the second being agriculture. He said that he will always invite Board members out to events, and this weekend every day at 9 a.m., they will be bottle-feeding a calf. He noted that a teacher from Margaret Brent Elementary School and her sons would be visiting, and he would love to Zoom into classrooms and show things like how butter is made. He commented that he would do everything he would to promote agriculture in this County, as Stafford does not have an expansive program.

PUBLIC HEARINGS

Item 13. Capital Projects Transportation; Consider Amending and Reordaining Stafford County Code Sec. 15-4.1(C), "Maximum Speed Limits in Certain Residence Districts; Penalty" to Add Jett Street (Sr-1019).

Mr. Alex Owsiak stated that he was here to present on establishment of a residence district on Jett Street, located in the Falmouth District. Mr. Owsiak stated that staff received multiple contacts from residents who live along the street and are concerned with the excessive speeding; they also received a petition signed by about 50 residents, requesting the establishment of traffic-calming measures on Jett Street. She noted that staff went out and conducted a traffic study in October, which showed that a speeding issue does exist along Jett Street—and they recorded a maximum speed of 94 mph in this 25-mph district. He said this data was also shared with VDOT traffic engineers, who reviewed the data and agreed that a speeding issue does exist and Jett Street meets the criteria for a residence district.

Mr. Owsiak presented a slide showing the criteria for establishing a residence district, and the traffic study showed that Jett Street met all of the criteria. He said that VDOT also requires that the locality requesting the establishment of the district show that a speeding issue exists and that the increased fines have community support. He noted that this street isn't served by a formal HOA, but the residents did express support through the signed petition with over 50 signatures—which did represent more than 51% of the impacted area along Jett Street.

Mr. Owsiak summarized the proposal and said that Ordinance O22-01 would amend County Code Section 15-4.1C, creating a residence district along Jett Street and allowing for an additional \$200 fine for speeding infractions. He said that VDOT would install this signage beneath the existing speed limit signs, which would inform motorists and citizens of the additional fine in the residence district; the fine can only be suspended if the court orders up to 20 hours of community service.

The Chair invited public comments.

Mr. Jeff Adams stated that he travels Kellogg Mill and Poplar quite a bit and goes the speed limit, and he gets passed on double yellow lines all the time. He said that speed limit signs are often ignored, and if there's no enforcement, the speed limit is whatever you're willing to do. Mr. Adams said that 25 mph is more than sufficient in a residential area, and there must be a way somehow on some of these roads to enforce these speed limits.

Ms. Bohmke motioned, seconded by Ms. Allen to adopt proposed Ordinance O22-01.

Ms. Bohmke thanked everyone who walked around and got the petition signed, as it took a lot of hard work and effort. She thanked Mr. Owsiak and his staff and Mr. Toigo for all their work to make this happen. She also noted that the person going 94 mph was doing that every morning, and the deputies did catch them. She said they also had the same issue on Edwards Drive, and she agreed that it was an enforcement issue, but when there is a speeding sign that says \$200, it does incite motorists to slow down.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

Ordinance O22-01 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE
SEC. 15-4.1(C) ENTITLED "MAXIMUM SPEED LIMITS IN CERTAIN
RESIDENCE DISTRICTS; PENALTY"

WHEREAS, Virginia Code § 46.2-878.2 authorizes a \$200 fine for persons exceeding the maximum speed limit in designated residence districts; and

WHEREAS, pursuant to Ordinance O97-29(R), the Board established criteria for the establishment of residence districts where an additional fine could be levied; and

WHEREAS, the County received a petition from residents along Jett Street requesting traffic calming along the roadway; and

WHEREAS, Jett Street (SR-1019), meets the definition of a residential local road and has a posted speed limit of 25 miles per hour (MPH); and

WHEREAS, the Department of Capital Projects (Department) conducted a traffic study which documented a vehicular traffic volume on multiple days being greater than or equal to 600 vehicles per day on Jett Street; and

WHEREAS, the Department documented speeding problems with an 85th percentile speed of 10 MPH or more over the posted speed limit and/or the average speed of traffic being at least 5 MPH over the posted speed limit on Jett Street; and

WHEREAS, Jett Street meets the established criteria based on the current Residential Traffic Management Plan, Residence District-Additional \$200 Fine Sign Program; and

WHEREAS, pursuant to Virginia Code § 15.2-1427, the Board conducted a public hearing and considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board finds that the adoption of this Ordinance secures and promotes public health, safety, and welfare, including the prevention of accidents and injuries caused by speeding vehicles in designated residence districts;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that Stafford County Code Sec. 15-4.1(c) "Maximum speed limits in certain residence districts; penalty," be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Sec. 15-4.1. - Maximum speed limits in certain residence districts; penalty.

(c) The following areas are hereby designated as residence districts:

(57) Jett Street (SR-1019) from Deacon Road (SR-607) to its intersection with Hamlin Drive (SR-1350).

; and

BE IT FURTHER ORDAINED that the Virginia Department of Transportation (VDOT) is requested to designate Jett Street (SR-1019) from Deacon Road (SR-607) to its intersection with Hamlin Drive (SR-1350); as a residence district for maximum speed limit fines; and

BE IT FURTHER ORDAINED that VDOT is requested to install the appropriate signage displaying the maximum speed limit and the penalty for violations on Jett Street (SR-1019); and

BE IT STILL FURTHER ORDAINED that the County Administrator, or his designee, is authorized to provide a certified copy of this Ordinance to the VDOT District Administrator.

CLOSED MEETING

At 7:11 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt proposed Resolution CM22-04 to authorize closed session.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)

Resolution CM22-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion of the performance of a specific public officer, appointee, and employee of the Board; and of reports or plans subject to exclusion under Virginia Code § 2.2-3705.2; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) and (A)(19) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of January, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 9:13 p.m., Ms. Yeung motioned, seconded by Ms. Bohmke, to adopt proposed Resolution CM22-04 (C) to certify the closed meeting.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)

Resolution CM22-04 (C) reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON JANUARY 18, 2022**

WHEREAS, the Board has, on this the 18th day of January, 2022, 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 18th day of January, 2022, 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.

BOARD LIAISON POSITIONS

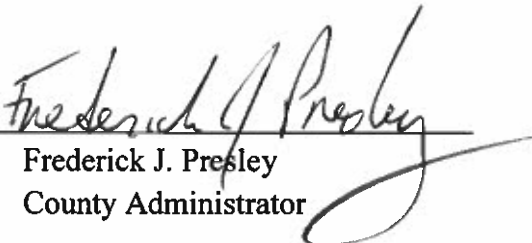
Ms. Yeung motioned, seconded by Mr. Coen, to create two Board Liaison positions within the EOC, when activated. Chairman Vanuch and Supervisor Allen are appointed to the positions; Supervisors Gary and English are appointed as alternates. The Board intends to incorporate these positions into the Emergency Operations Plan and requests staff to bring back amendments to the next meeting.

The Voting Board tally was:

Yea:	(7)	Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay:	(0)	

ADJOURNMENT

At 9:14 p.m., Chairman Vanuch adjourned the January 18, 2022 Stafford County Board of Supervisors meeting.



Frederick J. Presley
County Administrator



Crystal L. Vanuch
Chairman