BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR MEETING
MINUTES
JULY 5, 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, July 5, 2022 in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL - The following members were present: Crystal L. Vanuch, Chairman; Pamela Yeung, Vice Chairman; Tinesha O. Allen; Meg Bohmke; Thomas C. Coen; Darrell E. English; Monica L. Gary.

Also in attendance were Randal E. Vosburg, County Administrator; Rysheda McClendon, County Attorney; Cheryl Giles, Deputy Clerk; Julia Holmes, Assistant Deputy Clerk; various staff members; and other interested parties.

Ms. Vanuch said she had two brief comments. She said in regard to the 4th of July, she hoped everyone had a great weekend celebrating the birth of their wonderful country. She said they lived in an amazing country that prioritized freedom, but that freedom did not come free. She said over the weekend and over the last couple of weeks, they had some very terrible incidents, as in Highland Park, where innocent civilians lost their lives, as well as incidents that involved the killing of a police officer and even a police dog.

Ms. Vanuch said they remembered those who lost their lives and continued their great efforts to end this type of violence. She said they cannot forget the people who willingly go to work to ensure they were safe and keep their freedoms. She said they never knew what they may face in any given day, and their country was so wonderful because they had so many people who want to serve others. She said today and yesterday, they saluted their country and those who sacrificed it for them.

Ms. Vanuch said that led her to her comments regarding yesterday's fireworks celebration. She said she extended a huge thank you to their Parks and Recreation staff, Facilities and Maintenance crew, and all of their first responders who gave up the day spending time with their families so that Stafford residents could enjoy a fireworks show. She said they were tremendously thankful for each and every one of their staff members who attended Pratt Park and the other various parks that were open to accommodate Stafford constituents.

Ms. Vanuch said they did have a little bit of a snafu with the Pratt Park fireworks celebration. She said apparently the vendor who sets off the fireworks ran into a glitch with the finale and struggled to light it for about an hour. She said if people were wondering why the fireworks went off so late at this part of the finale, it was because they were not allowed to transport them, so they had to dispose of them and light them prior to leaving, so that's why there were fireworks going off at 11 p.m. She said it was very unfortunate, but the Board had been made aware of it; many members of the Board were actually there and they were working with the County Administrator to look into the contract and determine what types of repercussions there would be on the vendor.

Ms. Vanuch said her next comment was on behalf of the entire Board of Supervisors. She said she would like to welcome the new County Administrator, Mr. Randal Vosburg. She said today was Mr. Vosburg's first day with Stafford; he came to them from Highlands County, Florida, where he served as County Administrator. She said they would like to welcome Mr. Vosburg and his family to Stafford County. She said additionally, they would like to thank longtime Stafford County employee Mike Smith for serving as interim County Administrator over the last several months; he was definitely a steadying presence and helped them during this transition.

PRESENTATIONS

There were no presentations today.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Bohmke motioned, seconded by Mr. Coen, to approve the Consent Agenda as amended to add proposed Resolution R22-188, a Resolution to Adopt the Stafford County Department of Human Resources Family and Medical Leave Act Policy (FMLA) to the Consent Agenda.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC - I

Ms. Vanuch read the protocol for public presentations and said she had one speaker card for the name Fem Bratton.

1. Ms. Fem Bratton, 37 Billington Lane – remarked she was a resident of the Griffis-Widewater District. She said the issue was trash and it had to do with the GFL company that was servicing them for trash. She said she would make this as brief as she possibly could, because there was a lot of stuff she was going to try to get in. She said she felt that if someone was paying for a service, that it should be rendered in a very professional manner, and it should be rendered with respect. She said this company, as far as she was

concerned, is rubbish. She said they have no manners and do not care about whoever was paying them 25 cents or $1 million for a service.

Ms. Bratton said the GFL company was not even located here and there was not a physical address that they could actually deal with them. She said for sending mail, anything sent to them had to be certified to a post office box. She said her biggest concern is maggots. She said they just pick up their trash whenever they feel like it; they went for a few weeks without their trash being picked up and there were maggots in different trash cans.

Ms. Bratton said her bigger issue as well was this past Thursday -- their regular trash day for the 22 years she had lived in the house. When there was no trash at 3 o'clock, she called down to them and asked if they were going to pick up the trash. She said they asked if she received the memo of a robo-call on Sunday night when they decided to pick up trash on Monday instead. She said that she told them they were either stupid and got the memo and decided to throw the trash out there, or the majority of them did not get the message about the robo-call for people to get their trash out. She said that she said that they needed to pick up the trash and come get it, and they did not do it.

Ms. Bratton said Shifflett was not picked up on Thursday and on Friday there was County Waste that was not picked up, so now their entire neighborhood was full of trash. She said she called them again and they said tough you-know-what and said they would not pick up trash until Tuesday. She said no one knew about this non-pickup, so all this trash was left out, which was something she would rather not do. She said she was going to the neighbors and saying they could not leave the trash out here because they were not coming, the neighbors were shocked that they were not coming. She said they had to pull all the trash back, and she went around the neighborhood and took videos, which she would not show unless requested by the Board due to time restrictions.

Ms. Bratton said the bottom line was that they needed to be able to have options or other companies that can come in. She said this company came in and decided to purchase out other companies, which was part of the American way. She said wherever one came from and had the money to do the job legally, and they were fine, but they required options and the ability to choose, so if there was a service that was not working they could go to something else. She said she hoped the Board could look into allowing them or giving permission for someone to come and ask to service the County.

Ms. Vanuch thanked Ms. Bratton for her remarks and responded that the she asked one of the R-Board members to speak with her.

2. Mr. Adams introduced himself as Jeff Adams, residing at 449 Kellogg Mill Road. He said Ms. Baker spoke about PDR last month, and he spoke and left as frustrated as could be. He said he had to be able to express his frustration to them now. He asked the Board to listen. He said imagine it was election day on November 8, 2022, they were running for the very first time for the Stafford Board of Supervisors, and at 8:16 p.m. they were in the election headquarters and the results came in; they just got 97% of the vote. He said the excitement was unbelievable, and at that point, they were ready to go to work then and there.

   Mr. Adams said they asked one simple question: When do I get sworn in? He said he did not know and he would check and get back. He said after five minutes, someone came back and said they did not get sworn in until January 2, 2027. He said he did not make a mistake about 2027. He said as Supervisors, they had a real quandary now, because they had to run for reelection in November of 2026 and yet have not even been sworn in, so they did not have a record and would have to run. He said that his frustration with PDR was that there was no money, and the little money that there was just pennies on the dollar. He said to realize that if no land came out of the land use for the next five years, there was not a dollar in the budget, nary a dollar. He asked how that could be corrected.

   Mr. Adams said what they needed was money, which was not nickels or dimes. He said there were two examples of money that they needed. He said the first president of the United States was an organic farmer, and he had a home in Stafford County. He said the third president of the United States was a great man and died on July 4, 1826, along with someone he shared a last name with, who was an organic farmer. He said the first five presidents would tell them that they were farmers and were not presidents. He said unless they started putting money into the program—and this year the budget was set—he hoped one of them would tell Mr. Vosburg next year to put money in the budget for the PDR program so they had a real PDR program and not a fake one.

3. Ms. Kristin Maxson introduced herself as a resident of 1816 Richmond Highway, which used to be Jefferson Davis Highway along Route 1, which was being developed quite quickly in the Aquia District. She said she was there on June 7, 2022, and she was looking forward to figuring out the last hearing issue, which was "planning and zoning amendments to County code Chapter 22-A, purchase of development rights, proposed ordinance 22-17. She said she could not really decipher a lot of the numbers because she did not have the cheat sheet that sometimes was being used. She said she never really got the information on that.

   Ms. Maxson said she was an affected homeowner who was affected by the transfer of development rights, or TDR. She said she did not know whether this was voted upon as a closed meeting action that happened that day. She said she went into the online records and it stopped at 22, which was the planning and zoning that included Lidl and so forth, but did not get to item 24. She said she did not know what happened to that. She said changing the proposed ordinance and the rules of the TDR was very confusing to her, because she knew that it was first written by a County lawyer who did the best job that they could to give guidance from A to Z on TDRs and how to work with the public, including giving heads-up through letterheads and so forth when land was subjected to TDR.

Ms. Maxson said she never received any letter, never received any letter for the bike trail that was being planned, and she knew that in the freelance paper, you could actually bet that nobody did get this letter because they defined that that was the common statement from the public. She said she would like to try to follow the TDRs more closely so that she could understand how she could properly move if she was directed when she was in the receiving area, not the sending area, and she did not plan to actually pay for that expense. She thanked the Board.

Ms. Vanuch asked if there was anyone else who wished to address the Board. Seeing none, she said they would move to Board member comments.

REPORTS BY BOARD MEMBERS

Ms. Yeung - remarked that on Monday she attended a FAMPO meeting, which stood for Fredericksburg Area Metropolitan Planning Organization, which assisted with the development of regional transportation plans. She congratulated Supervisor English for his election as Vice Chair, nominated to the position by Supervisor Bohmke. She said on Thursday, she attended with some of her colleagues the Coalition of High Growth Communities, which was a conference on affordable housing. She said the report was online, but she thought they could get a link to their website. She said she had a report document that they gave to her, so if copies could be made for their colleagues, that would be great for them to have for those who were not in attendance. She said she did not know if Ms. Bohmke was in agreement, but she thought it was a great session, and she thought those individuals that were there were willing to talk to them, and maybe they could have a work session about that in Stafford.

Ms. Yeung said on Wednesday, they acquired a new Manhattan Pizza restaurant in Garrisonville. She congratulated Jack Azar and his team. She said the pizza was awesome and they sold other items also, but she loved the salty caramel Italian ice cream. She said they also opened up a new barbershop in Garrisonville, which was competition to Slammin Cuts. She said Jason Jordan was a veteran Marine and welcomed him to the neighborhood and wished him much success. She said on Thursday, she met with the EDA and Planning Commission to discuss Garrisonville's growth in the area, and some of the things that came out of the survey they were requesting.

Ms. Yeung said she wanted to highlight Stafford, Virginia for the work being done and its mention around the world, namely in Germany by bringing technological solutions to global first responders. She said the write-up, dated June 27, 2022, is from Dan Cotter, the Executive Director of the Office of Science and Engineering. She said the Science and Technology directorates say the first responders' capability program provided technical assistance and developed innovative solutions to the most pressing challenges faced by first responders, emergency managers, and incident commanders as they responded to hazardous situations.

Ms. Yeung said the Virginia Smart Community Test Bed, a Virginia test bed, a dynamic lab showcasing innovations developed to provide new solutions for homeland security and dual use technologies, was one of SNT's most successful public-private partnerships to date. She said the idea for Virginia test bed was born more than three years ago as SNT came together with the Virginia Innovation Partnership Corporation (VIPC), the Commonwealth of Virginia, and Stafford, Virginia, to convert a former convenience store into a cutting-edge test bed for technologies that can be applied to real-world use benefiting the public. She said companies such as communications providers like Cisco and Verizon, and a variety of private companies were utilizing the Virginia test bed to explore new technologies from Wifi-enabled smart poles to robotic lawnmowers.

Ms. Yeung said yesterday was 4th of July, a proud moment they celebrated in the United States of America, where everyone that came out to Pratt Park had a wonderful time listening to the Fredericksburg Concert Band presenting the sounds of freedom. She said there were awesome vendors and they had great weather. She thanked Nicole Moore, Michael Morris, Sheriff Decatur, Dante and his family, Officer Cordone, and Mr. Vosburg and his family, and their staff such as Supervisor Vanuch just mentioned, all the young people out there employed by Parks and Recreation. She said unfortunately the fireworks did not go to plan, but everyone had a great time.

<u>Ms. Allen</u> – remarked that in the spirit of today's meeting being a little bit extended, she would decline from her comments.

<u>Ms. Bohmke</u> - remarked she talked to the constituent from Griffis-Widewater about GFL and the trash. She said her trash was not picked up for thirteen days and they were having a major issue in Stafford County with GFL. She said as Supervisor Gary and she mentioned at the last Board meeting that they did meet with GFL, and that included a gentleman from Shifflett's who was bought out. She said postcards were supposed to go out and apparently robo-calls went out. She said they were in a transition period right now, and she would not sit here and defend GFL, but

she wanted to let them know they were a private company and they had absolutely no control over what they did and what they did not do or how they communicated with their constituents. She said if people were interested in other haulers in the County, the Stafford County R-Board website had information on residential and commercial haulers in Stafford County.

Ms. Bohmke said she wanted to remind her colleagues in addition to the email she sent that next Tuesday, in Palmyra was the Region 5 and Region 7 VACo Board meeting. She said since they had a few new people on the Board, the purpose of this meeting was to get together with colleagues in the regions and discuss what the legislative issues were going forward. She said that included the great things they were doing and the concerns they might have with legislation that was just approved or things that could be considered for the next year. She said she sent them an email, and there would be a gentleman there speaking about solar facilities from the Department of Energy.

Ms. Bohmke said at GWRC last week, they approved the $2 million coming from the state for affordable housing in Caroline County. She said they would be building 20 homes in conjunction with some other funds. She said that program was awarded to Habitat for Humanity out of Caroline. She said it was an RFP and RFQ process, where there was a great interview panel and group that considered all the applications, so she was very excited about that. She apologized for what happened last night regarding the fireworks finale. She said the finale occurred, but it was just about an hour later.

Ms. Bohmke said she knew a lot of people sent her messages because she was right across the street from the fireworks, and it was very late, and she knew some people did not get the greatest night of sleep, and hopefully they could do better in the future. She said apparently, they did have to release all the mortar, they could not just transfer the mortar away and not shoot them off, so that was why they had to endure the loudness until all the mortar fireworks were shot off.

Ms. Bohmke said there was a special meeting called for the library last week for what could and could not be seen in the library's app. She said she wanted to give very specific information. She said they discovered that there were no parental controls on the library app. She said on the library browser, you can see all the books that were available in visible print. She said on the app, if a child was on their iPhone or any kind of device and on the app, there were no parental controls.

Ms. Bohmke said in looking at this and digging down further with this special called meeting, they were able to ascertain that there was a gap in the technology, and they were working with Biblio Commons, the app provider, who admitted in a letter to their library staff that they had had similar concerns raised throughout the nation with other library systems that did not allow for parental controls. She said this was very disturbing for her. She said she made a motion at the meeting that was approved unanimously that they were going to be putting information out to alert families, parents, and people in general about this. She said it was going to be done throughout all forms of media. She said there were no parental controls if using the app. She said they would get that fixed and she appreciated their patience. She welcomed Mr. Vosburg.

Mr. Coen – remarked that releasing the fireworks was a weird way of getting rid of fireworks. He welcomed Mr. Vosburg to their exciting group. He said on the date that many members attended the very interesting summit on high-growth communities, he was at a ribbon-cutting in Chatham for the Virginia Oncology Care. He said it was a lifelong dream of Dr. Mehta to establish this in their community, and one of the things he was very pleased with and made a point of saying to him was how great it was to see how the government parts worked together to make people's dreams come true. He said it was very nice, in the wonderful Chatham area, and would be a great benefit to their community.

Mr. Coen said he attended a town hall at Celebrate, and he appreciated the approximately 200 people who attended and 60 who attended online. He thanked Scott Mayausky, Commissioner of Revenue, Al Bain, and Jeff Harvey, for attending with him and answering questions as far as growth and development and the things going on in their area. He said it was nice to have them in the George Washington District now. He said the bylaws committee met, and Supervisor Gary served on that alongside himself. He said they were intending to bring forth the proposals that people had raised and their ideas about that to their August meeting with possibly some type of action in September to get that moving. He said July 4th was a big day. He said it was great to attend the flag ceremony at Ferry Farm, and this year Supervisor Vanuch attended as well. He said he also went to Quantico to see the events there; Supervisor Gary was there as well. He said it was great to see and honor their citizen soldiers across the history of this country.

Mr. Coen said of the 4th of July and fireworks that before the 4th, he and Mr. Adams raised concerns about fireworks being done in the neighborhoods and its impact on veterans, pets, and farm animals. He said it was a little disconcerting that they spent $20,000 for a public show and people kept doing things in their neighborhoods, and as loud and as boisterous as releasing the mortars at 11 o'clock last night, which his dog did not appreciate. He said one of his constituents had gone into the City yesterday and talked to the City, and they apparently had different rules and regulations pertaining to fireworks in the neighborhood, so he was reaching out to the Sherriff's Office and to staff if they could once again revisit this so if they were going to have a County celebration, people should be doing all this massive stuff here.

Mr. Coen said one of the Board members suggested they pick a parking lot and tell everyone to bring all their stuff to one parking lot so they were not doing it in every neighborhood, where it could be disrupting and disconcerting for veterans, pets, and farm animals. He said in his end of the County, that was a massive portion of their people, so he would like to see if they could do something about that as they moved forward into this year.

Mr. English – welcomed and thanked Mr. Vosburg for joining them. He said in June, he and Supervisor Gary attended the American Legion installation of officers Post-290, and he wanted to thank the outgoing commander, Patrick Fox. He said their new commander is Steve Robertson. He said the American Legion did a lot in this community that people did not know about. He said they put food baskets out every year for Thanksgiving and Christmas, and Becky Raines received an award at their installation because she got the kids at Stafford High School to donate over 5,000 pounds of food for the drive this year, which was a great accomplishment on her part. He said they also had the service awards for the County for employees who had three years and up, and they had one forty-year person, Wayne Sullivan. He said that was a nice event, and he thanked all the County employees who served. He said it was just a small token of what they can do for the County. He said he wanted to thank Donna Krauss for what she did for him, which he so appreciated.

Mr. English said he talked with the traffic unit, and as of the date of June 29, 2022, there had been 879 reportable crashes in Stafford County, 326 personal injuries in Stafford County, and 10 fatalities already in Stafford County. He said that was just as of June 29, 2022. He said that came with growth, and a lot of it was because of speed and not wearing seatbelts. He said 10 fatalities in less than six months in Stafford County was crazy, and people needed to pay attention, wear their seatbelts, and slow down.

Mr. English said on a sad note, they lost a great citizen of Stafford on July 2, named Howard Lee Fleming. He said Mr. Fleming was a Stafford County resident who was 92 years old, and throughout his life, Howard stayed busy working in different capacities. He said he worked with a railroad, worked with the Fredericksburg Diaper Service, a school bus driver, and he and his wife were some of the first custodians in Stafford County. He said he did not know anyone here who would remember Mr. Fleming, but he kept the yard immaculate; it was like he was going to the Augusta Nationals in Georgia. He said he was always out there with a tie and hat on, and he and his wife did a phenomenal job at the courthouse. He said he lived off of Clift Farm Road, and said his prayers went out to Norma, Jerry Fleming, Mildred, Howard Fleming, Jr., and family members.

Ms. Gary – remarked that as Supervisor Bohmke mentioned, they had been trying to stay on top of finding solutions for the GFL issue. She said it was impacting her neighborhood as well, and there was mention of other options, but she would personally like to look into what was required for a company to keep their permit to operate in Stafford County and have that conversation with them later, so she would be asking those questions after this meeting. She said she had been to many events, some mentioned already, and it had been a very full month. She said she wanted to mention the issue with the library and library app. She said as referenced by Supervisor Bohmke, there were some issues there that were valid for parents to understand the way that the app operated, and she believed this quarter they were rolling out an update, but they did not know when this quarter. She said that should enable some parental controls, which she thought people would appreciate. She thanked Ms. Bohmke for staying on top of that.

Ms. Gary said she and Supervisor Bohmke went to the 30-year celebration for the VRE, and that was the first time she had been on it, and she really enjoyed it. She said she got her full tour that Friday, and she was exhausted but rode all the way out to Alexandria, then to D.C., riding under the Capitol as some information was being delivered that had turned their world upside down recently. She said she went to the Stafford NAACP Juneteenth event at Colonial Forge, which was also supported by Parks and Recreation. She said that it was a very nice event and their children enjoyed it so much so that she did not get to go in until the end of some of the activities going on inside, but she knew Supervisor Bohmke went as well.

Ms. Gary said she traveled out to the Northern Neck for the Rappahannock River Basin Commission and learned about living shorelines, which was very interesting. She said someone from Friends of the Rappahannock would be coming to discuss that, and she thought there were some opportunities there for their constituents who lived on the water, as there were some loans from the state available that they were trying to figure out how to make available to manage the coastline so people's backyards did not continue to get eaten away by the water.

She said she had been asked to comment on the issue of Roe v. Wade being overturned, as it applied to them locally. She said she personally believed that children were a gift, and she did not always believe that, but deep down she did. She thought as this applied to them locally, she wanted to share some information. She said they put up ribbons last month for children who were in foster care. She said she thought they went unnoticed, and she walked by them a few times before the ribbons were there, so she just wanted to reiterate that to those who wanted to be a part of the solution, that they had 45 children currently in foster care in Stafford County. She said if anyone was interested in becoming a foster parent, to contact Ms. Cammie Robinson at DSS at the email address cammie.robinson@dss.virginia.gov.

Ms. Vanuch – thanked Andrew Spence and Donna Krauss. She said many of the Board members attended the Just Serve Awards back in June, and it was the most fun awards ceremony she had ever attended. She said she had been to many corporate awards ceremonies, but they did a great job engaging everyone, playing games, and integrating the entire County, whether it was public safety or County government employees, and they did a great job of recognizing their wonderful employees across the County. She said it was not unnoticed by the Board and she wanted to give them kudos on that. Ms. Vanuch said she would like to pull Item 10, and that concluded her comments.

REPORT OF THE COUNTY ATTORNEY

Ms. McClendon had no report.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said he was so excited to be on the team. He said he picked a doozy of a day to start, but he thought it was a good thing that he was there that day and into the night. He said his family arrived there Saturday, and they did not have furniture yet but were camping with air mattresses in the house. He said they were very excited to be there, and while it was his first day, he had been working with the team to transition, and so many people had helped him get up to speed on this first day. He thanked the Board of Supervisors and said he looked forward to working for the citizens of Stafford.

Ms. Vanuch thanked Mr. Vosburg and welcomed him.

APPROVAL OF THE CONSENT AGENDA

Mr. Coen motioned, seconded by Ms. Bohmke, 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. County Administration; Approve June 7, 2022, Board of Supervisors Meeting Minutes.

Item 2. County Administration; Appoint Ms. Patricia Copeland to the Rappahannock Emergency Medical Services Council, Inc. Board of Directors for a Term Expiring June 30, 2025.

Item 3. Budget and Management; Adopt the Fiscal Year (FY) 2024 Budget Calendar.

Resolution R22-165 reads as follows:

A RESOLUTION ADOPTING THE FISCAL YEAR (FY) 2024 BUDGET CALENDAR

WHEREAS, the FY2024 budget calendar (Budget Calendar) includes annual processes for the Board and County staff; and

WHEREAS, the Board has adopted a Capital Improvement Program (CIP) Development Policy; and

WHEREAS, the establishment of the Budget Calendar provides an outline for planning and gives staff direction to meet the Board's objectives;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does adopt the FY2024 Budget Calendar as follows, which dates and purpose of the meetings may be changed based on need and availability, with prior notice being provided in compliance with all applicable State laws:

STAFFORD COUNTY BOARD OF SUPERVISOR'S
FISCAL YEAR 2024 BUDGET CALENDAR

Date	Purpose
August	
Friday, August 19, 2022	CIP: All CIP Projects Due to Budget Office
September	
Tuesday, September 13, 2022	CIP: School Board Adopts Large CIP Priorities
Tuesday, September 20, 2022*	Presentation of the preliminary FY2022 Schools and County year-end summary of financial results
Tuesday, September 20, 2022*	Request to appropriate County year-end encumbrances
Wednesday, September 21, 2022	CIP: Technical Review Committee (TRC) receives all CIP projects for review
October	
September 26, 2022 – October 7, 2022	CIP: TRC Reviews CIP requests
Tuesday, October 18, 2022*	Presentation of County and Schools FY2023 First Quarter Review
Tuesday, October 18, 2022*	Appropriation of Schools' year-end encumbrances
Tuesday, October 18, 2022*	CIP: Joint School Board and Board meeting to review School Board CIP priorities
November	
Friday, November 4, 2022	Schools provide TRC updated September 30th enrollment and projections
Tuesday, November 15, 2022*	Five-Year Financial Plan (FYFP): General Fund Work Session
Tuesday, November 15, 2022*	CIP: Presentation of TRC's review of CIP projects and affordability
December	
Tuesday, December 6, 2022	CIP: Joint School and School Board review of TRC's review of CIP projects and affordability

Tuesday, December 13, 2022*	FYFP: Work Session Other Funds and General Fund direction
Tuesday, December 13, 2022*	CIP: Board provides final guidance for the FY2024-33 CIP
January	
Tuesday, January 17, 2023*	Presentation of the FY2023 County and Schools' Mid-Year Review
March	
Tuesday, March 7, 2023*	County Administrator Proposes FY2024 Operating Budget and FY2024-34 CIP
Tuesday, March 14, 2023	Budget Work Session (BWS): General Fund Revenues and Expenditures
Thursday, March 16, 2023	BWS: Follow up to March 14, 2023, if needed
March 13 – March 17, 2023 Stafford County Public Schools Spring Break	
Tuesday, March 21, 2023*	BWS: Joint Board and School Board meeting for the School Board/staff to provide School Board's FY2024 Budget request
Tuesday, March 21, 2023*	Authorize advertisement of the FY2024 Budget, CIP, Virginia Public School Authority (VPSA), and Calendar Year (CY) 2023 Tax Rates
Tuesday, March 21, 2023*	BWS: Utilities, Transportation and Other Funds
Thursday, March 23, 2023	BWS: Follow up to March 21, 2023, if needed
Tuesday, March 28, 2023	BWS: CIP and project status
Thursday, March 30, 2023	BWS: Follow up to March 28, 2023, if needed
April	
Tuesday, April 4, 2023*	Public Hearing FY2024 Budget, CIP, VPSA, and CY2023 Tax Rates
Tuesday, April 4, 2023*	BWS: If needed
Tuesday, April 11, 2023	BWS: If needed
Tuesday, April 18, 2023*	Presentation of County and Schools' Third Quarter Review
Tuesday, April 18, 2023*	BWS: If needed
Tuesday, April 18, 2023*	Adopt the CY2023 Tax Rates, FY2024 Budget, CIP, and VPSA
May	
Friday, May 5, 2023	Treasurer's Office Sends Bills to Taxpayers
June	
Monday June 5, 2023	Real Estate and Personal Property Tax Bills Due

*Denotes a regularly scheduled Board Meeting Day.

Item 4. Budget and Management; Budget and Appropriate Federal Communications Commission (FCC) Emergency Connectivity Fund Grant Funds to the Schools' Grants Fund.

Resolution R22-186 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FEDERAL COMMUNICATIONS COMMISSION (FCC) EMERGENCY CONNECTIVITY FUND (ECF) GRANT FUNDS TO THE SCHOOLS' GRANTS FUND

WHEREAS, Stafford County Public Schools (Schools) has been awarded a $1,942,032.96 grant from the FCC ECF; and

WHEREAS, the FCC ECF is a federal program that helps schools provide the tools and services their communities need for remote learning and to close the homework gap for students who currently lack necessary internet access or the devices they need to connect to the classroom; and

WHEREAS, the FCC ECF funding provides for 100% of the eligible expenditures and no local funding match is necessary to support expenditures; and

WHEREAS, Stafford County Public Schools has identified approximately $192,032.96 of eligible expenditures in FY2022 that can be reimbursed from this award; and

WHEREAS, the Superintendent has requested the Board budget and appropriate the remaining grant funds, $1,750,000, for fiscal year 2023;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022 that FCC ECF grant funds are budgeted and appropriated for fiscal year 2023 as follows:

FUND	AMOUNT
Schools' Grant Fund	$1,750,000

Item 5. Capital Projects; Authorize the County Administrator to Execute Contracts to Provide On-Call Professional Architectural and Engineering Services for Capital Construction Projects.

Resolution R22-172 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS TO PROVIDE ON-CALL PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES FOR CAPITAL CONSTRUCTION PROJECTS

WHEREAS, the County contracts with multiple architectural and engineering firms to provide architectural or professional engineer services related to various County construction projects on an on-call basis; and

WHEREAS, current contracts for on-call engineering for capital projects have expired, and pursuant to Request for Proposals (RFP) No. 22-011-9401-SP-R, the County solicited proposals from qualified firms to provide on-call architectural and engineering services for seven categories of construction projects:

Category	Project Types
A	General Government Facilities: **Category A-1:** "Small Projects" that are less than \$300,000 in estimated construction value. **Category A-2:** "Larger Projects" that are more than \$300,000 in estimated construction value.
B	Environmental and Natural Resources Engineering
C	Geotechnical Engineering
D	Construction Engineering Inspection (CEI) Services
E	Industrial Hygiene
F	Surveying

; and

WHEREAS, staff evaluated the proposals received and determined the most qualified firms for all categories; and

WHEREAS, negotiations have been completed with several firms, and contracts are ready for approval and execution; and

WHEREAS, individual projects or task orders that meet or exceed \$200,000 will require Board approval;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the County Administrator be and he hereby is authorized to execute contracts for one year with four optional renewal terms with the following architectural and engineering firms to provide professional, on-call engineering services for capital projects in the designated categories:

Project Categories		Awarded Firms
A	General Government Facilities, Category A-1: "Small Projects" that are less than \$300,000 in estimated construction value	Spaces Design Studio, L.L.C.

	General Government Facilities, Category A-2: "Larger Projects" that are more than $300,000 in estimated construction value	Dewberry Architects Inc.
B	Environmental and Natural Resources Engineering	Stantec Consulting Services Inc.
C	Geotechnical Engineering	ECS Mid-Atlantic, LLC Dominion Engineering Associates, Inc. Terracon Consultants, Inc.
D	Construction Engineering Inspection (CEI) Services	ECS Mid-Atlantic, LLC Dominion Engineering Associates, Inc.
E	Industrial Hygiene	ECS Mid-Atlantic, LLC
F	Surveying	Legacy Engineering, P.C. J2 Engineers, Inc. Timmons Group, Inc.

; and

BE IT FURTHER RESOLVED that individual projects or task orders are authorized in an amount not to exceed Two Hundred Thousand Dollars ($200,000), unless modified by a duly-authorized contract amendment.

<u>Item 6. Capital Projects; Authorize the County Administrator to Advertise a Public Hearing to Consider the Condemnation and Exercise of Quick-Take Powers in Connection with the Claiborne Run Force Main Project.</u>

<u>Resolution R22-175 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE CLAIBORNE RUN PARALLEL FORCE MAIN PROJECT, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the Board identified completion of the Claiborne Run Parallel Force Main (Project) sewer line upgrades as a critical part of the County's Water and Sewer Master Plan; and

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

WHEREAS, Tax Map Parcel No. 54-74A (Property) consists of approximately 1.3280 acres of land owned by Chatham Industrial Properties (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 9,405 square feet of permanent water-sanitary sewer easement, 3,164 square feet of temporary construction easement, and 1,279 square feet of temporary access 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 Thirteen Thousand Sixty-Four Dollars ($13,064), based upon the 2022 tax assessment value; and

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

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

WHEREAS, to determine the necessity for condemnation and exercise of its quick-take powers to acquire the easements for the construction of the sewer line upgrades related to the Claiborne Run Parallel Force Main, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider the condemnation and use of the County's quick-take powers to acquire a permanent water-sanitary sewer easement, temporary construction easement, and temporary access easement on the property of Chatham Industrial Properties, Tax Map Parcel No. 54-74A, in connection with the Claiborne Run Parallel Force Main sewer line upgrades, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

Item 7. Capital Projects Transportation: Petition VDOT to Include Certain Streets into the Secodnary System of State Highways for Marsh Run Estates; Liberty Knolls; Old Potomac Church Road; Rappahannock Landing Sections 2 and 3; and Shelton Knolls.

Resolution R22-177 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE RICHWOOD COVE WITHIN MARSH RUN ESTATES INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Richwood Cove within Marsh Run Estates into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street within Marsh Run Estates, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Richwood Cove (SR-2407)	From: 0.08 mi N/NW inter Rte 1991 Snowy Egret Way To: 0.19 mi. N/NW Inter Rte 1991 Snowy Egret Way	0.11 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Marsh Run Estates, recorded among the land records of Stafford County, Virginia in Plat Map No. PM200000031 with Instrument No. LR200004934 on March 6, 2020; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R22-178 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE SHERMANS RIDGE ROAD AND PENNS CHARTER LANE WITHIN LIBERTY KNOLLS WEST INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Shermans Ridge Road and Penns Charter Lane within Liberty Knolls West into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Liberty Knolls West, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Shermans Ridge Road (SR-2368)	From: Inter Rte 630 Courthouse Road To: Inter Rte 2372 Penns Charter Lane	0.39 mi. ROW 52'
Penns Charter Lane (SR-2372)	From: 0.09 mi. W Inter Rte 2368 Shermans Ridge Road To: Inter Rte 2368 Shermans Ridge Road	0.09 mi ROW 52'
Penns Charter Lane (SR-2372)	From: Inter Rte 2368 Shermans Ridge Road To: Inter Rte 2371 Liberty Knolls Drive	0.07 mi ROW 52'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Liberty Knolls West, recorded among the land records of Stafford County, Virginia in Plat Map No. PM170000072 with Instrument No. LR170012831 on July 20, 2017; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R22-179 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE OLD POTOMAC CHURCH ROAD INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Old Potomac Church Road into the Secondary System of State Highways; and

WHEREAS, VDOT inspected this road and found it satisfactory for acceptance into the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following street into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Old Potomac Church Road (SR-2420)	From: 0.11 mi S Inter Rte 2378 South Campus Blvd To: Inter Rte 2378 South Campus Blvd	0.11 mi. ROW 50'

Old Potomac Church Road (SR-2420)	From: 0.11 mi S Inter Rte 2378 South Campus Blvd To: 0.19 mi S Inter Rte 2378 South Campus Blvd	0.08 mi ROW 50'

An unrestricted right-of-way, as indicated above, for this street with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, South Campus, Abberly at Stafford Courthouse, recorded among the land records of Stafford County, Virginia in Plat Map No. PM150000099 on July 23, 2015, and Instrument No. LR 150014655 on August 21, 2015; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

<u>Resolution R22-180 reads as follows:</u>

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE STREAMVIEW DRIVE, LANDING DRIVE, WATERSPRITE WAY, HALF MOON WAY, HIDDEN BROOK DRIVE, BIRDS NEST WAY AND BUNKER LANE WITHIN RAPPAHANNOCK LANDING SECTION 2 AND 3 INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Streamview Drive, Landing Drive, Watersprite Way, Half Moon Way, Hidden Brook Drive, Birds Nest Way and Bunker Lane into the Secondary System of State Highways; and

WHEREAS, VDOT inspected this road and found it satisfactory for acceptance into the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Streamview Drive (SR-2457)	From: Inter Rte 657 Musselman Road To: Inter Rte 2458 Landing Drive	0.04 mi. ROW 56'
Landing Drive (SR-2458)	From: Inter Rte 2459 Watersprite Way Roundabout To: Inter Rte 2457 Streamview Drive	0.11 mi ROW 50'
Landing Drive (SR-2458)	From: Inter Rte 2460 Half Moon Way To: Inter Rte 2459 Watersprite Way	0.11 mi ROW 50'
Watersprite Way (SR-2459)	From: Inter Rte 2458 Landing Way To: 0.04 mi E Rte 2458 Landing Way	0.04 mi ROW 50'

Half Moon Way (SR-2460)	From: Inter Rte 2458 Landing Way To: 0.04 mi E Rte 2458 Landing Way	0.04 mi ROW 50’
Hidden Brook Drive (SR-2461)	From: Inter Rte 2462 Birds Nest Way To: Inter Rte 2463 Bunker Lane	0.05 mi ROW 50’
Hidden Brook Drive (SR-2461)	From: Inter Rte 2463 Bunker Lane To: Inter Rte 1601 Ironcasting Road	0.07 mi ROW 50’
Birds Nest Way (SR-2462)	From: 0.04 mi W Inter Rte 2461 Hidden Brook Drive To: Inter Rte 2461 Hidden Brook Drive	0.04 mi ROW 50’
Birds Nest Way (SR-2462)	From: Inter Rte 2461 Hidden Brooke Drive To: 0.02 mi E Inter Rte 2461 Hidden Brook Drive	0.02 mi ROW 50’
Bunker Lane (SR-2463)	From: Inter Rte 2461 Hidden Brook Drive To: 0.03 mi E Inter Rte 2461 Hidden Brook Drive	0.03 mi ROW 50’

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Rappahannock Landing Section Three, recorded among the land records of Stafford County, Virginia (Land Records) in Plat Map No. PM150000159 with Instrument No. LR150019499 on October 29, 2015, and Plat of Record entitled Rappahannock Landing Section Two, recorded among the Land Records in Plat Map No. PM150000152 with Instrument No. LR150018973 on October 21, 2015; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Resolution R22-181 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE HOLLYCREST PLACE, ZOE WAY, MARIANNE PLACE, YATES STREET, CHRISANTHE DRIVE AND STANDISH PLACE WITHIN SHELTON KNOLLS INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Hollycrest Place, Zoe Way, Marianne Place Yates Street, Chrisanthe Drive and Standish Place within Shelton Knolls into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include the following streets within Shelton Knolls, into the Secondary System of State Highways:

Street Name/ Route Number	Station	Length
Hollycrest Place (SR-2405)	From: 0.07 mi NE Rte 2402 Elm Street To: Inter Rte 2428 Marianne Place	0.09 mi. ROW 50'
Hollycrest Place (SR-2405)	From: Inter Rte 2428 Marianne Place To: Inter Rte 2431 Standish Place	0.06 mi. ROW 50'
Hollycrest Place (SR-2405)	From: Inter Rte 2429 Yates Street To: 0.02 mi E Inter Rte 2429 Yates Street	0.02 mi. ROW 50'
Hollycrest Place (SR-2405)	From: Inter Rte 2431 Standish Place To: Inter Rte 2429 Yates Street	0.04 mi. ROW 50'
Zoe Way (SR-2427)	From: Inter Rte 648 Shelton Shop Road To: Inter Rte 2428 Marianne Place	0.02 mi. ROW 50'
Marianne Place (SR-2428)	From: Inter Rte 2405 Hollycrest Place To: Inter Rte 2427 Zoe Way	0.06 mi. ROW 50'
Marianne Place (SR-2428)	From: Inter Rte 2427 Zoe Way To: Inter Rte 2431 Standish Place	0.12 mi. ROW 50'
Marianne Place (SR-2428)	From: Inter Rte 2431 Standish Place To: Inter Rte 2429 Yates Street	0.05 mi. ROW 50'
Yates Street (SR-2429)	From: Inter Rte 2405 Hollycrest Place To: Inter Rte 2428 Marianne Place	0.06 mi. ROW 50'
Yates Street (SR-2429)	From: Inter Rte 2428 Marianne Place To: 0.16 mi N/NE Inter Rte 2428 Marianne Place	0.16 mi. ROW 50'
Chrisanthe Drive (SR-2430)	From: Inter Rte 2405 Hollycrest Place To: 0.07 mi E Inter Rte 2430 Hollycrest Place	0.07 mi. ROW 50'
Standish Place (SR-2431)	From: Inter Rte 2405 Hollycrest Place To: Inter Rte 2428 Marianne Place	0.08 mi. ROW 50'

An unrestricted right-of-way, as indicated above, for these streets with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Shelton Knolls Section One, recorded among the land records of Stafford County, Virginia (Land Records) in Plat Map No. PM190000013 with Instrument No. LR190001744 on February 6, 2019, and Plat of Record entitled, Shelton Knolls Section Two, recorded among the Land Records in Plat Map No. PM190000023 with Instrument No. LR190004064 on March 25, 2019, and Plat of Record entitled, Shelton Knolls Section Three, recorded among the Land Records in Plat Map No. PM190000053 with Instrument No. LR190008237 on May 29, 2019; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

Item 8. Capital Projects Transportation; Authorize the County Administrator to Execute a Task Order with ATCS, P.L.C. for Transportation Planning Services for the County's Transportation Master Plan; and Budget and Appropriate Transportation Funds.

Resolution R22-182 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH ATCS, P.L.C. FOR TRANSPORTATION PLANNING SERVICES REGARDING THE DEVELOPMENT OF A TRANSPORTATION MASTER PLAN FOR STAFFORD COUNTY, AND BUDGET AND APPROPRIATE FUNDS

WHEREAS, the Board identified reviewing, evaluating, and updating the County's Transportation Impact Fee Program as a critical part of the County's Transportation Improvement Plan; and

WHEREAS, ATCS, P.L.C. (ATCS) was selected as one of the qualified firms to provide on-call engineering services for Category C-Transportation Planning and Analysis, pursuant to Request for Proposal (RFP) No. 21-011-9602SP; and

WHEREAS, ATCS submitted a cost proposal for transportation planning services and analysis for the County's Transportation Master Plan at a cost of $731,309; and

WHEREAS, County staff reviewed the proposal received and determined it to be reasonable for the scope of work requested; and

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the County Administrator be and he hereby is authorized to execute a task order with ATCS, P.L.C. for transportation planning services and analysis regarding the County's Transportation Master Plan, in an amount not to exceed Seven Hundred Thirty-One Thousand Three Hundred Nine Dollars ($731,309), unless modified by a duly-executed contract amendment; and

BE IT FURTHER RESOLVED that funds from the Transportation Fund are budgeted and appropriated as follows:

Fund	**Purpose**	**Amount**
Transportation Fund	Transportation Master Plan	$731,309

Item 9. Capital Projects Transportation; Authorize the County Administrator to Execute a task Order with Rinker Design Associates, P.C. for Design and Right-of-Way Acquisition Services for the Enon Road & US-1 Improvement Project.

Resolution R22-183 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH RINKER DESIGN ASSOCIATES, P.C. FOR DESIGN AND RIGHT-OF-WAY ACQUISITION SERVICES FOR THE ENON ROAD & US-1 IMPROVEMENT PROJECT

WHEREAS, the Board identified improvements to Enon Road (SR-753) and US-1 (Project), as a critical part of Stafford County's roadway improvement plan; and

WHEREAS, Rinker Design Associates, P.C. (RDA), was selected as one of the qualified firms to provide on-call engineering services for Category A-Transportation Engineering, pursuant to Request for Proposal (RFP) No. 21-011-9602SP; and

WHEREAS, RDA submitted a proposal to provide engineering, right-of-way acquisition, bidding, and construction phase services for the Project in the amount of $2,052,692; and

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

WHEREAS, the Board budgeted and appropriated funding in the amount of $1,200,000 to the Transportation Fund for the Project pursuant to Resolution R22-122; and

WHEREAS, the Board budgeted and appropriated additional funding in the amount of $1,000,000 to the Transportation Fund in Fiscal Year 23 pursuant to Resolution R22-66; and

WHEREAS, funding in the amount of $2,200,000 is available in the Transportation Fund for the Project and can be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the County Administrator be and he hereby is authorized to execute a task order with Rinker Design Associates, P.C., for engineering and right-of-way acquisition services for the planned improvements to Enon Road (SR-753) and US-1 (Project), in an amount not to exceed Two Million Fifty-Two Thousand Six Hundred Ninety-Two Dollars ($2,052,692), unless modified by a duly-authorized contract amendment.

Item 10. Economic Development & Tourism; Accept, Budget, and Appropriate $160,000 in ARPA Tourism Grant Funds from the Virginia Tourism Authority to Support Tourism in Stafford County.

Ms. Vanuch said she pulled Item 10 to bring it to the attention of the Board of Supervisors in case they did not notice, but she pulled up the background reporting on Economic and Tourism's acceptance of $160,000 ARPA grant, which was R22-185, and in that background report, essentially what they were asking for was $160,000 in funding from ARPA to create a video for leisure and tourism activities. She said coming off of a campaign, she understood that videos were not that expensive.

Ms. Vanuch said when looking at what they were getting out of the marketing and the production, they were only getting three 15-second videos, three 30-second videos, and a two-minute general leisure video, so she personally would like to have a lot more information on this and wanted to highlight it because it seemed like an awfully large cost to be funding, especially it being on consent. She said she did not know if anyone else had seen that or had concerns.

Ms. Bohmke said the way she understood this was that it was actually a pass-through from the state ARPA grant specifically for tourism called the Tourism Recovery Program. She said she was not delving down into the details as much as Ms. Vanuch was, but when she read the resolution, she would like for it to tie back into specifically what they were going to be using the money for, because the resolution did not really state that under the "be it further resolved." She said one of her concerns was that whenever they had a resolution, she would like for it to be a little more specific as to what the money was going to be used for.

Mr. English said like Ms. Vanuch said, $160,000 was a lot of money for a video, and he wanted to know where they were getting this and how they were going to distribute this, and have they looked into other alternatives to get this video made. He said his church did phenomenal videos, so they might be able to reach out and help with the video to save some of the money. He said he was glad Ms. Vanuch pulled the item and was also concerned about that.

Ms. Vanuch asked Mr. Holden to come down and address a few things such as where the money was coming from and what the money was intended to do, and if there were other options outside of video, or if that was a requirement.

Mr. Holden addressed the Chair and members of the Board. He said it was a direct grant that was allocated to Stafford from the Virginia Tourism Commission. He said it was allocated to a number of direct marketing and tourism organizations, allocated by a formula. He said that one of their needs was to update their photo and video library. He said it was not one video and may be twenty videos, as that had been not determined yet. He said they would bid all of this out and get the best they needed to update their tourism marketing library.

Ms. Vanuch asked if it had to only be used for videography.

Mr. Holden said no, it could be for all tourism marketing and other things, but they determined their need at this time was to update their library. He said they could certainly use it in any other marketing ways.

Ms. Vanuch said when looking at the background report, that was essentially what it was; they were talking about spending $10,000 on talent to be sourced by the vendor, so when she saw that, she was fairly certain they could find residents in Stafford to get in the video for free. She said she knew Jeff Adams would probably love to do it. She said this background concerned her enough that she needed additional information.

Mr. Holden said that was fine and he would be glad to come back to the Board with additional information, perhaps even tonight or certainly in August.

Ms. Vanuch said she did not know if there were any other thoughts about this, and she knew this was a pass-through from the state, but she had some concerns about how they were spending the money, especially if it could go to helping tourism in other ways. She said she would hate to spend $10,000 on talent recruitment, for example, if it could go towards helping a tourism activity a little better.

Ms. Gary stated if Mr. Holden were able to come back to them today, that would be good.

Mr. Holden said he could bring it back today or in August as per the Board's discretion.

Ms. Vanuch asked if it was a time constraint.

Mr. Holden said no, it could come in August.

Ms. Vanuch asked if he could bring additional background, and if they were voting on it, what they were tying the money to.

Mr. Holden said he understood.

Ms. Vanuch asked if everyone was okay with that.

Ms. Bohmke said she liked the way they broke down in the chart the categories of weddings, groups, reunions, meetings, leisure, and sports, so all the content categories were present, which was helpful. She asked if Lisa Logan was the one initiating this.

Mr. Holden said yes.

Mr. Coen said what Ms. Bohmke said was that it was pass-through money, so it was not as if it was their taxpayers' money, it was their taxpayers' money that they had given to the state but that they had gotten from the federal government, which we had paid them in also, but was all a part of that funding. He said he thought the breakdown was helpful and the staff report was very helpful because it seemed to be a holistic approach to help tourism.

Mr. Holden said it was rather broad, and they thought one of their biggest needs was to update their video library, and he would be glad to come back with more details.

Ms. Yeung asked that their talent be diversified.

Mr. Holden said of course.

Mr. Coen asked if they needed to vote on something now.

Ms. Vanuch asked Ms. McClendon for her guidance.

Ms. McClendon said the Board could bring it back through Unfinished Business in August.

<u>Item 11. Fire and Rescue; Authorize the County Administrator to Execute a Contract with Knox Associates, Inc. DBA Knox Company to Purchase Knox Box Rapid Entry Systems for Fire and Rescue.</u>

<u>Resolution R22-142 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH KNOX ASSOCIATES, INC. DOING BUSINESS AS KNOX COMPANY TO PURCHASE KNOX BOX RAPID ENTRY SYSTEMS FOR FIRE AND RESCUE

WHEREAS, the Knox Rapid Building Access System provides contactless emergency access to hundreds of secured buildings throughout Stafford County; and

WHEREAS, the Fire and Rescue Department's (Department) system is aged, in immediate need of modernizing, and is adversely impacting the daily operations of our crews; and

WHEREAS, this new contactless system will allow first responders to maintain physical distancing measures consistent with recommendations made by the Centers for Disease Control as well as the ability to update equipment remotely; and

WHEREAS, the quotation from Knox Company was reviewed by the Department and was found to be compatible with the County's existing system and reasonable at the cost of$211,523.68 for the services desired; and

WHEREAS, the Department has negotiated a contract with Knox Associates, Inc., the sole source provider of the Knox Box Rapid Entry Systems; and

WHEREAS, pursuant to Resolution R22-129, the Board budgeted and appropriated American Rescue Plan Act (APRA) grant funds for the initial contract term, with funding for subsequent contract term years being subject to Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the County Administrator be and he hereby is authorized to execute a contract for one year with four optional one-year renewal terms with Knox Associates, Inc. doing business as Knox Company for replacement Knox Boxes and KnoxConnect software license, in an amount not to exceed Two Hundred Eleven Thousand Five Hundred Twenty-Four Dollars ($211,524) for the initial one-year term, unless amended by a duly-executed contract amendment.

<u>Item 12. Information Technology: Authorize the County Administrator to Approve Additional Expenditures with Infor Public Sector, Inc. for the County's Enroute Computer-Aided Dispatch System.</u>

<u>Resolution R22-140 reads as follows:</u>

A RESOLUTION AUTHORIZING ADDITIONAL EXPENDITURES WITH INFOR PUBLIC SECTOR, INC. FOR THE COUNTY'S ENROUTE COMPUTER-AIDED DISPATCH SYSTEM

WHEREAS, Infor Public Sector, Inc. (INFOR) currently supports the Enroute Computer-Aided Dispatch (CAD) system software for the Sheriff's Office and the Department of Fire and Rescue; and

WHEREAS, authorizing additional expenditures will extend the maintenance on these systems to ensure that software fixes and upgrades will remain available for the CAD system; and

WHEREAS, staff reviewed the proposed contract amounts and determined them to be reasonable for the scope of services to be performed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does authorize additional expenditures with Infor Public Sector, Inc. to provide one year of maintenance for the Enroute Computer-Aided Dispatch (CAD) system software in an amount not to exceed Four Hundred Seventy-One Thousand Fifty-Nine Dollars ($471,059), unless amended by a duly-executed contract amendment.

Item 13. Information Technology; Authorize the County Administrator to Approve Additonal Expenditures Under the Current EPlus Technology, Inc. Contract for Information Technology Products, Computer and Network-Related Equipment, Services and Support.

Resolution R22-141 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH EPLUS TECHNOLOGY, INC. FOR INFORMATION TECHNOLOGY PRODUCTS, COMPUTER AND NETWORK-RELATED EQUIPMENT, SERVICES AND SUPPORT

WHEREAS, part of the County's technology replacement program includes various services, severs, maintenance support and equipment that is a critical part of the County's technology systems; and

WHEREAS, the information technology products, services, and support may be cooperatively procured through Rider Agreement No. 20-1245-C1155, with ePlus Technology, Inc.; and

WHEREAS, the purchase of products, computer and network-related equipment, products, services and support from ePlus Technology, Inc shall not exceed $1,500,000 in Fiscal Year (FY) 2023, and the funds are available in the General Fund and Utilities Fund for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the Interim County Administrator be and he hereby is authorized to approve additional expenditures with ePlus, Technology, Inc. to purchase products, computer and network-related equipment, products, services and support in an amount not to exceed One Million Five Hundred Thousand Dollars ($1,500,000) for FY2023, unless amended by a duly authorized contract amendment.

Item 14. Information Technology; Authorize the County Administrator to Approve Expenditures for Cabling and Fiber Deployment for the County by Express Technologies, Inc.

Resolution R22-170 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES FOR CABLING AND FIBER DEPLOYMENT FOR THE COUNTY BY EXPRESS TECHNOLOGIES, INC.

WHEREAS, Express Technologies Inc., doing business as Express Tek, provides network infrastructure cabling service to the County; and

WHEREAS, and the County expects to spend $390,000 in cabling and fiber construction services for various projects including Falmouth Fire Station, expanding Wi-Fi in the Courthouse, engineering and design services for fiber deployment to County facilities, and cabling for office renovations; and

WHEREAS, the County purchases the cabling and fiber deployment through the Commonwealth of Virginia, Virginia Information Technologies Agency (VITA) Contract #VA-220218-EXPR; and

WHEREAS, the purchase of cabling and fiber deployment from Express Tek shall not exceed $390,000 in Fiscal Year (FY) 2023, subject to available funding in the Capital Improvement Program (CIP) and various General Fund sources from the Department of Information Technology and other departments;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the County Administrator be and he hereby is authorized to approve expenditures with Express Technologies, Inc. for cabling and fiber deployment for the County in amount not to exceed Three Hundred Ninety Thousand Dollars ($390,000), unless amended by an executed contract amendment.

ADD-ON TO THE CONSENT AGENDA

Human Resources; Adopt The Stafford County Department of Human Resources Family and Medical Leave Act Policy.

Resolution R22-188 reads as follows:

A RESOLUTION TO ADOPT THE STAFFORD COUNTY DEPARTMENT OF HUMAN RESOURCES FAMILY AND MEDICAL LEAVE ACT POLICY

WHEREAS, the Family and Medical Leave Act (FMLA) provides job protection for eligible employees up to twelve weeks of unpaid leave during a 12-month period for qualifying situations; and

WHEREAS, Stafford County's current policy requires employees under FMLA leave to utilize accrued leave balances as dictated by the reason for FMLA; and

WHEREAS, Stafford County's current policy only allows a limited use of sick leave accruals for the care of the employee's immediate family members and requires a greater emphasis on the use of annual leave; and

WHEREAS, the County desires to provide additional support and flexibility to employees by allowing the full use of sick leave and annual leave accruals while on any approved FMLA leave;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that the amended Stafford County Department of Human Resources Family and Medical Leave Act Policy, as last revised June 16, 2009, that it be and hereby is approved and adopted.

UNFINISHED BUSINESS

Item 15. Planning and Zoning: Consider a Request to Reduce the Time Limit Requirement for a Family Subdivision (Miramontes Family)

Mr. Brian Geouge with the Planning and Zoning Department said this was a request to reduce the ownership time limit requirement of Subdivision Ordinance Section 22-5A to reduce the five-year ownership that an owner must have of a property before they could subdivide for family. He said the request was made by Mrs. Iris Miramontes, whose family moved late last year and purchased a property off of 46 and Moorwood Drive in January. He said they purchased it with the belief they could move forward with the family subdivision for her parents to have a lot there as well, but they were informed by County staff that the property must be owned for five years before dividing for family members.

Mr. Geouge said the subdivision ordinance allowed for the Board to reduce that five-year ownership requirement if they found that an extraordinary hardship existed, and the family did provide a letter and in it was cited that financial and family health reasons were hardships that supported their request. He said at the last meeting, the Board did inquire about the possibility of having a condition that the grantee hold the property for a longer period of time, for example, 10 years after it being granted, however, their department consulted with the County Attorney's Office and it was determined that that was not an option, as the ordinance did not explicitly state that was an option for the Board to impose as a condition of approval. He said in order to do that, the ordinance would need to be amended to allow such. He said he would take any questions.

Mr. English said there were no limitations on it, so if they built this house tomorrow and decided next year they wanted to sell it, they could do that. He asked if that was correct.

Mr. Geouge said no. He said the subdivision ordinance only stated that the grantee must hold the property for five years before voluntarily transferring it to a non-family member. He said they would still need to hold it for a minimum of five.

Ms. Vanuch said they were changing it from ten to five. She said typically, they would have to own it for five if it would apply.

Mr. English said okay.

Ms. Vanuch asked if there were any other questions.

Mr. English motioned, seconded by Ms. Gary, to approve Proposed Resolution R22-136.

The Voting Board tally was:

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

Resolution R22-136 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. 37-31G, LOCATED IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Iris Miramontes, Christopher Joshua Miramontes, and Joel Gomez (Owners) purchased Tax Map Parcel No. 37-31G (Property) on January 14, 2022; and

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

WHEREAS, Stafford County Code Sec. 22-5(a)(2) requires that property 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 Owners is 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 5th day of July, 2022, 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 the Iris Miramontes, Christopher Joshua Miramontes, and Joel Gomez such that the family subdivision of Tax Map Parcel No. 37-31G for the purpose of sale or gift to a member of the immediate family, pursuant to 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 this approval is non-transferable and the Property shall still be required to meet all other applicable requirements of the subdivision and zoning ordinances.

Item 16. Planning and Zoning; Consider Amendments to County Code Chapter 22-A, Purchase of Development Rights.

Ms. Baker said she was not certain if she should go through the presentation in their packet, but she wanted to remind them this was to consider the Proposed Ordinance O22-17, which would amend the Purchase of Development Rights Ordinance. She said the amendments would revise the ranking criteria, the name of the agricultural purchase of development rights committee, and establish an appraisal process. She said the Board held the public hearing on June 7 and requested more information on the PDR program, which was what was provided in the PowerPoint in the packet. She said she would be happy to go over any questions they may have. She said Scott Mayausky, Commissioner of Revenue, was present. She said she knew there had been some questions about appraisals. She said she would leave it up to the Chair to decide if she should give the presentation.

Ms. Vanuch said she did not know if it was necessary. She asked if any other Board members would like to see the presentation.

Ms. Allen said yes.

Ms. Vanuch jokingly said to be quiet.

Mr. English said he thought Mr. Mayausky would be making a presentation on this.

Ms. Baker said he was there to answer questions. She said in the presentation, there was general information on appraisals. She said she thought appraisals was a wide subject.

Ms. Allen said she would like to hear the presentation.

Ms. Vanuch said they would skip the presentation for now because they heard it during the public hearing. She asked if they had specific questions for Mr. Mayausky.

Mr. English asked if they went with this proposal to do an outside appraisal, why did it all come about and what happened with that?

Mr. Mayausky said the program had been around for about 15 years, and it was his understanding that they had to use a federal funding source with one of their most recent acquisitions, and that federal funding source required an appraisal. He said the appraisal value came in lower than the per-unit value they had been using for all the other properties. He said he thought that caused some concern with the Board. He asked what Mr. English's other question was.

Mr. English asked why they were now changing this. He asked if it had caused problems.

Mr. Mayausky said what they were doing was working very well, but the concern came in when they had that outside appraisal that came in with a much lower value than the number they had been using, which he believed was $25,000 per development right. He said they came in at a lower number than that, so that caused some Board members to think they perhaps needed to look at the appraisal because they did not want to be overpaying for these properties. He said he personally did not believe that was the case.

Mr. Mayausky said there were a lot of different factors that go into appraisals, and at the end of the day, they were all subjective. He said ten different appraisers are going to come up with ten different values. He said he thought the concern was legitimate, but the program they had in place did work very well and people felt very secure with it because they knew what they were getting into; everything was agreed upon at the beginning and there was no worry about appraisals coming back and arguing with appraisers and different values.

Mr. English asked if it could cause some lawsuits.

Mr. Mayausky said that was his fear. He said it sounded like condemnation at some point. He said if one appraiser said it was worth one thing and another said it was worth something different, they either went to court to figure it out, but in this case, he did not think anyone would go to court, but people would just stop participating in the program unless they got the number they wanted.

Mr. English asked if Mr. Mayausky's opinion was that right now, it was working okay.

Mr. Mayausky said he believed it was, and he had a conversation this afternoon with Fauquier County, who was one of the leaders in the PDR program, to reaffirm what they were doing, and they had moved away from the appraisal method for all these reasons. He said they were using $25,000 per development right, and that seemed to be working very well for them and the people in the program.

Mr. English asked if they were doing the appraisal.

Mr. Mayausky said they were not doing the appraisal. He said when they had to do an appraisal to get the funding source, everyone understood from the beginning that the appraisal was not a negotiating tool for either side, because it could come back higher than what was offered to pay, and it was not a negotiating tool, it was just a means to get to the funding source to get that property out from development.

Mr. English said it could cause legal issues.
Mr. Mayausky said it was definitely possible.

Ms. Gary said they had several conversations, and Mr. Mayausky had been very hospitable when she came to his office to ask him questions about this, so she somewhat understood, but what she really wanted to focus on was what Mr. Mayausky believed he had seen was the process that made the most sense to the County financially and was fair to those participating in the program.

Mr. Mayausky said they both had pros and cons, and he did not want to say the appraisal idea was a bad idea, but just because they were in the program going into its second decade, and it was working well and they had secured a lot of very important pieces of property, the fact that it was working and seemed to be working for both the County and the property owner, he would be concerned about changing that methodology now because the impact in the future was unknown. He said the price they were paying now, the $25,000 per unit, had been confirmed to them that they were definitely in the market for what a development right was selling for, so they were not overpaying necessarily.

Ms. Gary asked if the issue they ran into with the federal funding source was a common thing that happened or if it only happened once in a while.

Mr. Mayausky said he would defer to Ms. Baker to answer that question.

Ms. Gary said she did not want to change an entire system to suit an anomaly if it did not happen that often.

Ms. Baker said the issue was that almost all of their easement acquisitions from this point forward were going to require the matching funds and require an appraisal to serve the purpose of the matching fund agency. She said they would still have to do appraisals, and for the matching fund they would only supply 50% of that.

Ms. Gary asked if they would have to do the appraisals anyway.

Ms. Baker said they would have to do the appraisals anyway for the most part. She said again, they were only going to pay the 50%, so it was going to be up to the Supervisors whether they were going to cover the additional costs. She said this was if a property came in under the value they had given them for the development right value. She said they used the methodology to determine how many development rights they paid $25,000 per development right, and they knew that at the beginning of the process that that was what would be paid. She said in some of the instances, it had taken them five years to get through the applications where anything could have changed, whether it be the value of the property, appraised value, or any comparable sales for other properties, so a lot of things could change in that time, but it was ultimately up to the Board of Supervisors how to handle a final acquisition that came through.

Ms. Yeung asked if they had compared what they were doing with another County that had been successful in terms of the outcomes.

Ms. Baker said for the Purchase of Development Rights program, there were five or six that were active throughout the state. She said Fauquier was the only other one that used the per-development-right process, and everyone else used the appraisal process. She said the reason they were doing that was because they had not come up with the methodology they wanted to use, but they also negotiated with their property owners, so that could also take time on both sides and expertise that when negotiating on costs that could certainly cause problems. She said to either go with the development right methodology or get an appraisal and go with what that appraised value was. She said they did not have it written right now, or they probably did not have the means to actually do a negotiation. She said it would be up to the Board to determine what their cost would be.

Mr. Coen said the state used to kick in a certain amount of money per year, but that had dried up. He asked if the new sources of funding that were available were more tied to the appraisal method or was it just that they were looking at it and missing out on it because of that.

Ms. Baker said she was unsure if she followed, but they used four agencies right now, two were state and two were federal. She said the federal ones required appraisals, and the Virginia Department of Agriculture did not require them, and they did not require that they had a specific property to use their funds. She said they had the least amount of funds available, so typically they had two to three years to use their funds, and they had to build that money because it was a smaller pot, so that was why they went with the other agencies that had more money available.

Mr. Coen said if his memory served him, there were some attempts they were doing to get land that would be near Quantico, for example, and therefore they would be tying it to different federal programs. He said when he was on the committee, there were questions about if they were going for the federal funds, they then had to do something that they were not doing yet, so he wondered if they had looked at doing some kind of hybrid plan whereby if they went for this funding pool, they used the assessment because that was what was required, but they had this other one for ones they did not, or was that looked at with an attitude of going all-in on the appraisals.

Ms. Baker said the Board directed them to go to the direct appraisal process and not use the methodology, which was the reason they were coming back with the change to the ordinance. She said it was no preference to her, as she would do what they recommended and used the Commissioner of Revenue's expertise to assist with appraisals.

Mr. Coen asked if the committee had a viewpoint.

Ms. Baker said the committee just worked out the language they were directed to work out and include appraisals in the ordinance.

Mr. Coen said he believed there was an email received from a member of Mr. English's district who had a strong opinion of keeping it the way it was. He said he had not heard from his person feeling strongly one way or the other. He said he understood, and they would have done the same during his time on the committee, if the Board said to look at one option, they would have looked at it, but that did not mean they were happy about it, they were just doing what they were directed. He said he was trying to figure out if the committee was where they were.

Ms. Baker said she could not speak for the committee but could look back at what their comments were during the process.

Ms. Gary said she thought they should hear from the committee on this.

Ms. Vanuch said they sent it to the Board in their action. She said they recommended approval.

Ms. Gary asked if there was a recommendation.

Ms. Vanuch said yes. She said they took a vote on it and sent it to the Board recommending approval.

Ms. Gary asked if the recommendation was to change it.

Ms. Vanuch said exactly. She said for historical perspective, last year or the year before, there was a PDR application that went through in the Hartwood District, Mr. Harris' property, and they did not do an appraisal. She said he went through discussions with the County for the $25,000 per lot, and essentially, the matching request required an appraisal, and if her memory served her, they did not want to take that amount, so the Board then had to take action to pay over the appraisal. She asked if that was what happened.

Ms. Baker said it was 50% of the County's cost.

Ms. Vanuch said exactly. She said that slowed down additional funding going to additional PDR lots, so if they had the appraisal up front and marry it up as a requirement to the federal or state programs, and if they were going to go into a partnership with the Northern Virginia Conservation Trust – she asked if that group required appraisals.

Ms. Baker said for donated easements, yes.

Ms. Vanuch said to her, it was clear they needed to have this as a part of the policy so that people could know what their property was worth and could determine whether or not they want to move forward with the PDR process, because otherwise, they were going to get huge surprises when looking for a partner for matching funds and they required an appraisal. She said it would then put them in a situation where they did not have the funds or puts the issue on the backburner because they only allocated $250,000 of budget in the PDR program, so they were absolutely depending on the state matching funds. She said the County was not buying these properties from people, but the people were essentially keeping the property and could continue to live there and continue to farm there, but could not develop it.

Ms. Vanuch said, for herself, when getting into a real estate deal, appraisals were done on the property to see how much it was worth. She said she thought it would also provide them with additional information on the property that could be shared with constituents about what types of property they were able to conserve. She said she thought depending on where they were in the County, the appraisal would be higher or lower. She said property out in certain areas of Rock Hill or Hartwood may not be worth nearly as much as certain properties in Aquia or Garrisonville as land they would like to preserve. She said she thought that last year, it was unanimous from the Board that they needed to update this process and require appraisals to not slow down the process.

Ms. Gary motioned, seconded by Ms. Bohmke to approve the Proposed Resolution.

Ms. McClendon clarified that the item was O22-17.

Ms. Vanuch confirmed it was Proposed Ordinance O22-17.

The Voting Board tally was:
Yea: (6) Allen, Bohmke, Coen, Gary, Vanuch, Yeung

Nay: (1) English

Ordinance O22-17 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE CHAPTER 22A, "PURCHASE OF DEVELOPMENT RIGHTS"

WHEREAS, the Board established Stafford County Code, Chapter 22A, "Purchase of Development Rights" in 2007; and

WHEREAS, the Agricultural/Purchase of Development Rights Committee is recommending amendments to Stafford County Code Chapter 22A, "Purchase of Development Rights" to improve the the process of purchasing easements for properties in exchange for development rights; and

WHEREAS, the Board finds that in order to conserve and promote the public health, safety, and general welfare, establish procedures, methods, and standards for the purchase of development rights within the County, adoption of the proposed ordinance amendment is required;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that Stafford County Code, Chapter 22A, "Purchase of Development Rights" be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Chapter 22A PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

Sec. 22A-3. Definitions.

For the purpose of this chapter, the following words and phrases shall have meanings respectively ascribed to them by this section:

Appraisal means a written statement or report independently and impartially prepared by a qualified appraiser setting forth an opinion of defined value of an adequately described property, or any such portion or interest therein, as of a specific date, supported by the presentation and analysis of relevant market information.

Committee means the Stafford County Agricultural and ~~/Purchase of Development Rights~~ Land Conservation (ALC) Committee.

Sec. 22A-4. Designation of program administrator; power and duties.

(b) *Power and duties.* The administrator shall administer the program and shall have powers and responsibilities to:

(5) Coordinate the contracting and delivery of appraisals for each property.

(~~5~~6) Negotiate with the landowner relating to conservation easement terms.

(~~6~~7) Provide staff support to the committee and the appraisal review committee.

(~~7~~8) For each conservation easement accepted into the program, establish baseline data and assure that the terms and conditions of the easement are monitored and complied with by coordinating a monitoring program with each easement holder.

Sec. 22A-5. ~~Agricultural/purchase of development rights committee~~ Agricultural and Land Conservation (ALC) Committee established; powers and duties.

Section 22A-6. Appraisal review committee established; powers and duties.

(a) *Establishment.* The appraisal review committee is hereby established, as follows:

(1) An appraisal review committee shall be created by the committee and shall operate directly under its supervision.

(2) The appraisal review committee shall consist of three members comprised of at least one professional real estate appraiser, one member of the committee and the County Commissioner of the Revenue or his or her designee from the assessment office. The members shall be appointed by the committee.

(3) The members of the appraisal review committee shall serve at the pleasure of the committee. Each member, other than the County Commissioner of the Revenue, or his designee, shall serve a term of one year. The County Commissioner of the Revenue, or his designee, shall be a permanent member of the appraisal review committee.

(b) *Powers and Duties.* The appraisal review committee shall have the power and duty to review appraisals to ensure they are consistent with appropriate appraisal guidelines and practices and make recommendations thereon to the committee and provide approved appraisal results to the committee and the administrator. This shall not include the authority to alter or make a substitution for an appraisal, but shall only include the authority to evaluate appraisals for appropriateness under specific guidelines and practices.

Sec. 22A-~~6~~7. Eligibility criteria.

In order for a parcel to be eligible for the program, it must meet the following criteria:

(b) The property(s) must be no less than twenty (20) acres in area or be included in a batch in which the combined area of contiguous parcels is no less than twenty (20) acres in area. A property owner who has a parcel of land currently encumbered by a Stafford County PDR easement may apply through the PDR application process to add additional acreage to the current easement from directly adjoining property with the same owner. If the additional acreage meets all other criteria for inclusion in the PDR program, the board and the ~~PDR~~ committee can waive the minimum twenty (20) acres requirement. The additional acreage must be capable of supporting at least one development right.

Sec. 22A-~~7~~8. Property ranking system.

In order to effectuate the purposes of this chapter, parcels for which conservation easement applications have been received shall be evaluated by using a ranking system. The initial ranking system and any changes to the ranking system shall be approved by the board.

(b) There shall be five (5) categories of criteria for evaluation under the system. In each category, certain factors descriptive of the characteristics of property sought to be included in the purchase of development rights program are included. Each factor is stratified into a range of possible point values ranging from zero (0) to thirty (30). To determine the total points assigned to such property, the values for all five (5) categories are added. Property having the highest total scores shall rank highest in priority of acquisition. The maximum total score is two hundred seventy-five (~~270~~ 275) points. The categories, with their respective factors, are as follows:

PDR RANKING CRITERIA POINT SYSTEM—SECTION A			Possible Points	Total Points
(A)	Quality of the parcel (productivity capability) (~~90~~ 110 Maximum Points)			
	(1)	Size of property	~~10~~ 20	
		• 100 acres or more—~~10~~ 20		
		• 90 to 99.99 acres—~~9~~ 18		
		• 80 to 89.99 acres—~~8~~ 16		
		• 70 to 79.99 acres—~~7~~ 14		
		• 60 to 69.99 acres—~~6~~ 12		
		• 50 to 59.99 acres—~~5~~ 10		
		• 40 to 49.99 acres—~~4~~ 8		
		• 30 to 39.99 acres—~~3~~ 6		
		• 20 to 29.99 acres—~~2~~ 4		
		• Less than 20 acres (if eligible)—1		
	(2)	Soils—Percentage Identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance?	20	
		• 80% or more—20		
		• 60 to 79%—16		
		• 40 to 59%—12		
		• 20 to 39%—6		
		• Less than 20%—0		
	(3)	Parcel contains active farm land *(Active farm land: Cropland or pastureland that has been harvested or grazed during the proceeding year or in 3 of the previous 5 years)*	20	
		• 2 points per 10 acres or fraction thereof with a maximum of 20 total points		

	(4)	Parcel contains active timber land *(Active timber land: timber land that has an executed forestry commitment or an approved professional forest plan)*	20	
		• 2 points per 10 acres or fraction thereof with a maximum of 20 total points		
	(5)	Soil and Water Quality Conservation Assessment (Maximum of ~~20~~ 30 points)	~~20~~ 30	
		• Owner has ~~implemented~~ a plan through Tri-County/City Soil and Water Conservation District, NRCS or other applicable agency—~~20~~ 10		
		~~• Owner has filed a plan through Tri-County/City Soil and Water Conservation District, NRCS or other applicable agency—10~~ • Owner has a farm management plan to include applicable BMPs to protect water quality, either voluntarily or through a state or federal conservation program – 10		
		~~• No plan developed—0~~ • Owner has a nutrient management plan through Tri-County/City Soil and Water Conservation District, NRCS or other applicable agency – 10		
SUBTOTAL POINTS—SECTION A			~~90~~ 110	
PDR RANKING CRITERIA POINT SYSTEM—SECTION B			Possible Points	Total Points
(B)	Likelihood of parcel being threatened (development pressure) (~~90~~ 70 Maximum Points)			
	(1)	Urgency of circumstances favoring conversions	~~30~~ 20	
		~~• Parcel subject to potential forced sale—30~~		
		~~• Parcel subject to estate settlement sale—24~~		
		• Parcel has approved ~~preliminary~~ subdivision plan—~~18~~ 10		
		• Parcel owner is older than average of the Stafford County farmers according to the most recent Ag Census—~~12~~ 10		
	(2)	Acreage suitability for residential conversion—Percentage of well or moderately well-drained soils on the parcel	30	
		• 80% or more—30		
		• 60 to 79%—24		
		• 40 to 59%—18		
		• 20 to 39%—9		
		• Less than 20%—0		
	~~(3)~~	~~Fund Leveraging—Additional development rights received through funding sources provided by the~~	~~10~~	

		~~applicant or through a donation (maximum of 10 points):~~		
		~~• 5 points for each ten (10) percent of the total purchase price of the easement for which those funds can be applied~~		
		~~• 2 points for each additional number of development rights to be donated~~		
	(~~4~~3)	Amount of public road contiguous to parcel	10	
		• 1,000 linear feet or more—10		
		• 600 to 999 feet—8		
		• 300 to 599 feet—7		
		• 100 to 299 feet—4		
		• Less than 100 feet—0		
	(~~5~~4)	Landowners have agreed to any of the following restrictions (maximum of 10 points):	10	
		~~• Timber buffers along streams—10~~		
		• No new dwellings may be located on the property—~~6~~ 5		
		• Parcel shall not further be divided—~~3~~ 5		
SUBTOTAL POINTS—SECTION B			~~90~~ 70	

PDR RANKING CRITERIA POINT SYSTEM—SECTION C			Possible Points	Total Points
(C)	Circumstances supporting agriculture (~~40~~ 35 Maximum Points)			
	(1)	Number of nonfarm rural residences within one-half mile of the property boundary	~~13~~ 15	
		• 0 to 7 dwelling units—~~13~~ 15		
		• 8 to 12 dwelling units—~~9~~ 10		
		• 13 to 18 dwelling units—~~6~~ 7		
		• 19 to 24 dwelling units—~~3~~		
		• More than 25 units—0		
	(2)	Proximity of parcel to other properties with PDR or other perpetual easements	10	
		• Contiguous—10		
		• Within ¼ mile—8		
		• Within ½ mile—6		
		• Within 1 mile—4		
		• Greater than 1 mile—0		
	(3)	Proximity to another existing farm of 20 acres or greater	~~12~~ 10	
		• Contiguous—~~12~~ 10		
		• Within ~~1~~ 1/2 mile—~~9~~ 8		
		• Within ~~2~~ 1 miles—6		

		• Within ~~3~~ 2 miles—~~3~~ 1		
		• Greater than 3 miles—0		
	~~(4)~~	~~Batch application with contiguous parcels~~	~~5~~	
		~~• Contiguous—5~~		
		~~• Not contiguous—0~~		
SUBTOTAL POINTS - SECTION C			~~40~~ 35	
PDR RANKING CRITERIA POINT SYSTEM—SECTION D			Possible Points	Total Points
(D)	Environmental and aesthetic quality (~~30~~ 40 Maximum Points)			
	(1)	Virginia Department of Conservation and Recreation Ranking (as identified in the Ecological Cores portion of the Virginia Conservation Land Needs Assessment model and scored as a weighted average)	10	
		• C-1 Outstanding Conservation Significance—10		
		• C-2 Very High Conservation Significance—8		
		• C-3 High Conservation Significance—6		
		• C-4 Moderate Conservation Significance—4		
		• C-5 General Conservation Significance—2		
	(2)	Percentage of parcel in forest	~~6~~ 5	
		• 80% or more—~~6~~ 5		
		• 50 to 79%—~~4~~ 3		
		• 20 to 49%—~~2~~ 1		
		• Less than 20%—0		
	(3)	Proximity to areas identified as having high environmental value, such as state or federal parks, ~~wetlands,~~ designated wildlife refuge, wildlife corridor or threatened or endangered species habitat	~~8~~ 5	
		• Contains or is contiguous—~~8~~ 5		
		• Within ½ mile—~~6~~ 3		
		• Within 1 mile—~~4~~ 1		
		~~• Within 1½ miles—2~~		
		~~• Greater than 1½ miles—0~~		
	(4)	~~Proximity of parcel to perennial stream or waterway~~ Water Quality Value	4 20	
		• ~~Parcel either includes or is adjacent to perennial waterway with an intact buffer or compliant with the Chesapeake Bay Code~~ Parcel includes perennial waterway—~~4~~ 5		
		• ~~Other perennial waterways—2~~ Parcel includes wetlands – 5		
		• ~~All other—0~~ Parcel includes intermittent stream - 5		
	~~(5)~~	~~Contiguous to a wildlife corridor as identified in either the VCLNA model or in the Stafford County Comprehensive Plan—2~~	~~2~~	

SUBTOTAL POINTS—SECTION D			~~30~~ 40	
PDR RANKING CRITERIA POINT SYSTEM—SECTION E			Possible Points	Total Points
(E)	Cultural resources (20 Maximum Points)			
	(1)	Proximity to historic or cultural features	15	
		• Property is located on or adjacent to feature designated or deemed eligible for listing on National or State historic registers, or within Stafford County Historic District—15		
		• Property is associated with or adjacent to property associated with an important historic place, event, person or activity (listed in Stafford County database, or through documentation presented to the county)—10		
		• Property is within or adjacent to an established or familiar visual feature that is part of an historic landscape (as confirmed by county)—5		
	(2)	Property is designated as or associated with a Century Farm—5	5	
SUBTOTAL POINTS—SECTION E			20	
TOTAL POINTS			~~270~~275	

Sec. 22A-~~8~~-9. Purchase development terms and conditions.

Sec. 22A-~~9~~10. Purchase of development rights procedure.

(1) *Application submission.* Applications to sell development rights shall be on a form prescribed by the administrator and shall be signed by the landowner and submitted to the administrator. An application fee may be required. The administrator may require supporting documentation, including, but not limited to, deeds, surveys, or other legal instruments, to be submitted with the application. A landowner may submit an application for each parcel or may submit a single application for more than one contiguous parcel. Applications for batched parcels shall follow the same procedure, but shall be signed by all landowners. Applications must be received in the county administrator's office by close of business on the last day of an open application period to be eligible for consideration during that open application period.

(a) *Application form.* The application form shall require, at a minimum, that the owner provide:

- The names of all owners of the parcel;
- The address and telephone number of all owners;
- The acreage of the parcel;
- The tax map and assessor's parcel number;
- The zoning designation of the parcel;
- A grant of permission to the administrator and such other staff as may be appropriate, and an independent, licensed and certified appraiser, to enter the property, after reasonable notice to the owner, to evaluate the property; and
- The application form shall also include a space for the owner to indicate whether he/she volunteers to have his/her parcel subject to greater restrictions than those contained in the standard deed of easement, and to delineate those voluntary, additional restrictions.

(b) *Additional application information required by administrator.* The administrator may require the owner to provide additional information deemed necessary to determine:

(i) Whether the proposed easement is eligible for purchase; ~~and~~

(ii) The ranking of the parcel~~.~~; and

(iii) The value of such easement.

(2) *Evaluation by administrator.*

(a) The administrator shall review each application to determine whether the eligibility criteria set forth in county code section 22A-~~6~~8 are met. In the event a parcel, or portion thereof, fails to meet the eligibility criteria set forth in county code section 22A-~~6~~7, such parcel, or portion thereof, shall not be considered for inclusion in the program. In the event the ineligibility of a parcel or portion thereof, renders the remaining property which is the subject of the application ineligible, none of the property shall be considered for inclusion.

(c) When the application is deemed complete, and the administrator has determined that the parcel satisfies the eligibility criteria set forth in county code section 22A-~~6~~7, the administrator shall determine the number of points to be attributed to the parcel by applying the ranking system in accordance with section 22A-~~7~~8. The administrator shall notify each applicant of the total number of points attributed to their respective property.

(e) In the event available funding is insufficient to purchase the development rights on all properties which are the subject of pending applications under this chapter, the director shall evaluate each application, using the criteria of the property ranking system set forth in county code section 22A-~~7~~8, and shall ascertain all necessary facts and information for ranking the priority of acquisition of the lands included in the application. In performing such evaluation, the administrator may request the assistance of the commissioner of revenue or his designee and such other county departments as may be appropriate and beneficial. The evaluation shall include a recommendation for the number of agricultural ranking system points to be assigned to the application.

(5) *Appraisal of conservation easement value.* Each conservation easement identified by the board to be purchased shall be appraised by an independent qualified appraiser contracted by the County for such purpose. Each completed appraisal shall be submitted to the program administrator and the owner. The program administrator shall forward each appraisal to the appraisal review committee, which shall review each appraisal and make recommendations thereon to the committee.

(~~5~~6) *Requirements and deadlines may be waived.* Any requirement or deadline set forth in this chapter may be waived by the board if, for good cause, it is shown that exigent circumstances exist that warrant consideration of an otherwise untimely application or it is shown that the requirements of this chapter unreasonably restrict the purchase of an easement. Under such circumstances, the board may authorize purchase of a conservation easement at any time it deems necessary so long as the purchase meets the intent of the program as identified in the comprehensive plan and the purchase complies with the specific purposes and applicability of this ordinance as set out herein.

(~~6~~7) *Reapplication.* An owner of a parcel not selected by the board for purchase of a conservation easement may reapply in any future open application period.

Sec. 22A-~~10~~11. Outreach.Sec. 22A-~~11~~12. Inspection and enforcement.

An effective easement program involves periodic inspection to ensure that the rights acquired are protected. The county also has the ability to coordinate this effort with its land development process for approving subdivisions and building permits. In the event enforcement action in necessary, the staff responsible for administration of the program and inspection of property will work with the county attorney. Staff may assist landowners in determining whether proposed uses or activities are consistent with easement restrictions on particular properties. In the event that an easement is held jointly by the county and another organization, these inspection and enforcement efforts would need to be coordinated.

The local soil and water conservation district may be able to provide assistance in this regard. The district currently helps landowners to prepare and implement soil and water conservation plans required by grant program criteria or the state or county guidelines in conjunction with its land use tax program. It also assists in the design and cost sharing of best management practices and verified compliance with BMPs and farm management plans.

The county should fund a periodic inspection program but seek as much assistance as possible in this regard from any organizations holding easements jointly in the county. In addition, the inspection program should be closely coordinated with, and seek the assistance of the soil and water conservation district or other appropriate agency, where applicable.

NEW BUSINESS

Item 17. Planning and Zoning; Consider Entering a Memorandum of Understanding with Northern Virginia Conservation Trust (NVCT) Regarding a Land Conservation Partnership.

Ms. Baker said this item was on the June Economic Development Committee agenda, and the committee voted to forward it to the Board for consideration. She said it was an MOU to consider partnership with the Northern Virginia Conservation Trust to help carry out the County's initiatives with regard to the overall land conservation program. She said this MOU would focus on a donated land easement acquisition program, but would address other goals such as assisting with the education and outreach to property owners. She said NVCT would also provide technical assistance and expertise to the County, help identify and pursue funding sources, and assist with promotion of the land conservation program.

Ms. Baker said the MOU itself would specify the roles of the County and NVCT with regard to conservation easements and fee-simple donations, and would specify funds for a staff person to be hired by NVCT to be dedicated to Stafford County. She said the funds would be 50% provided by the County and 50% by NVCT. She said that would begin in January of 2023, so the midyear cost to the County for this fiscal year would be $27,500, and the following two years would be $55,000. She said the County would also provide office space for that NVCT employee. She said the MOU itself was developed jointly with NVCT and County staff, including the County Attorney's Office. Ms. Baker said the NVCT Board of Directors approved the draft in principle. She noted that if the Board approved this, it would go back to both their attorney and Stafford's County Attorney would prepare the document for the County Administrator to sign off on. She said this would come back to the August 16 meeting for any action. She said she would entertain any additional questions or provide additional information they may need.

Ms. Bohmke asked if they were incurring expenses by entering into an MOU with Northern Virginia Conservation Trust and were agreeing to house them an office space.

Ms. Baker said that was correct.

Ms. Bohmke asked where they planned on housing them.

Ms. Baker said for the near term, they had additional space in the Planning and Zoning Office, but that may be something they will have to look for further within other departments that may be needed if they grew and needed additional offices.

Ms. Bohmke asked how long they intended to be here.

Ms. Baker said it would be a full-time position, but there could be telecommuting options and things like that that could be worked out.

Ms. Bohmke asked if that was in the MOU.

Ms. Baker said it was not specific to the timing or how much would be spent. She said a lot of their time would also be out in the field, working with property owners, doing outreach, doing site visits, and going out to prospective properties. She said they would have to get more into the details of that as they worked through the program.

Ms. Vanuch said she knew Ms. McClendon's office reviewed the MOUs and in the past they had reviewed multiple MOUs. She said staff would say they had reviewed them, but she knew sometimes their office had concerns about certain items in the MOU. She said she did not know if Ms. Baker specifically had reviewed this particular MOU or another staff member in the office reviewed it, but she would like her to discuss if there were any concerns whatsoever from a legal perspective that did not get ironed out that she was 100% satisfied with.

Ms. McClendon said she knew her office had been involved with negotiating the MOU and they worked with the terms. She said if there were any specific concerns, they could bring that back to the Board, but probably would not want to do that in an open session, so if necessary, that could be scheduled for an August closed session, but if not necessary, they would let the Board know they recommended it and move forward with their decision.

Ms. Gary said she read through the MOU a few times and there was nothing that stuck out to her.

Ms. Vanuch said this would come back at their August meeting.

Item 18. Capital Projects Transportation; Consider Endorsing and Authorizing FY2024 Applications to Virginia's Round 5 SMART Scale Funding Program.

Ms. Vanuch said Mr. Alex Owsiak would be presenting. She said he could give an abridged version of his presentation if he would like to.

Mr. Alex Owsiak, Planning Manager, said he wanted to keep his presentation brief but still provide information to members of the public.

Ms. Vanuch said the Board had to vote on the item at the meeting, so it would need to be deemed time sensitive. She noted that supervisors should ask all the questions they felt necessary in order to vote.

Mr. Owsiak said SMART SCALE was the state-wide prioritization process for transportation project funding through the Commonwealth Transportation Board (CTB). He said eligible projects must meet a VTrans 2021 or 2019 Mid-term Need related to a corridor of state-wide significance, a regional network, an urban development area, or a safety need. He explained eligible projects were scored against six weighted factors used to evaluate the proposed projects. He said the factors were congestion, mitigation, economic development, accessibility, safety, environmental quality, and land use.

Mr. Owsiak said organizations such as FAMPO—Fredericksburg Area Metropolitan Planning Organization—or GWRC—George Washington Regional Commission—as well as the County could submit up to five pre-applications but were limited to four final applications. He said FAMPO and GWRC had determined their list of four final applications, with GWRC submitting two projects in the County—intersection improvements at Route 1 and Layhill and construction of dedicated left turn lanes on American Legion and Eskimo Hill Road at the intersection with Route 1. He said it was up to the County to determine which four applications would move to the final stage. He said the applications were due August 1.

Mr. Owsiak said five project pre-applications had been submitted. He said all the projects were deemed eligible for funding. He said four of the projects were identified in the 2019 bond referendum, and one was identified from a pipeline study VDOT conducted along Route 1 to evaluate existing VTrans needs and how to address those needs to meet safety and increase efficiency.

Mr. Owsiak said the first project submitted was the Garrisonville Road Widening Project which would widen Garrisonville Road by six lanes between Eustace Road and Shelton Shop Road with a raised concrete median, curb and gutter, dedicated turn lanes, and a five-foot sidewalk along both sides of the roadway. He said they were looking to include pad-sites for new bus benches for three FRED transit stops within the corridor.

Mr. Owsiak provided a conceptual graphic of the proposed improvements. He said the current estimated costs were about $60.8M, an increase of about $8.4M from the previous-year CIP. He said in FY23, $31.6M in County funding was allocated, and they had received additional funding from FAMPO and the VDOT revenue sharing program. He said it would bring the anticipated SMART SCALE request to $22.7M, about 37% of the project cost.

Mr. Owsiak said the Leeland Road Widening and Shared-Use Path project would widen the road to provide a two-way left turn lane between Julian Drive and Portland Drive. He said there would be dedicated bike lanes on the roadway and five-foot sidewalks on both sides. He said the current estimated costs were about $16.1M. He said there was a significant cost increase of about $8M from the previous CIP, mainly to increase the project scope to include additional bicycle and pedestrian accommodations that VDOT had been pursuing but were eventually cancelled. He said the FY23 CIP committed about $8M in County funding to the project, and the SMART SCALE request was approximately $5.3M, 33% of the overall cost.

Mr. Owsiak said the Route 624 widening project was for between the intersections with Forbes Street and Morton Road. He said the roadway would be widened to provide a two way turn lane down the middle of the road along with a shared-use path to the north to connect bicyclists and pedestrians to the Leeland Road VRE station. He provided graphics showing how the improvements worked. He said the estimated costs for the project were $4.2M. He said it represented an increase of about $1.6M over the FY22 CIP. He said the FY23 CIP committed about $2.8M in County funding. and the SMART SCALE request would be about $1.4M overall, or 33% of the total cost.

Mr. Owsiak said the fourth project was to reconstruct the intersection of Mountain View Road and Kellogg Mill Road. He said it was currently a four-way stop intersection with poor site distances. He said the goal was to reconstruct the intersection to a one-lane roundabout to improve safety and increase efficiency of the intersection. He provided a graphic with the proposed improvements. He said the estimated cost for the project was about $5.9M, the FY23 CIP committed about $4.1M, and the SMART SCALE request would be about $1.8M—about 30% of the total cost. He explained they tried to keep the SMART SCALE asks around 30% of the projects costs.

Mr. Owsiak said the last project was to widen Route 1 to provide a dedicated left-turn lane at the intersection of Potomac Hills Drive. He said the project would require some minor widening of Route 1 between Acadia Street and south of Potomac Hills Drive. He provided a conceptual graphic of the widening improvements. He said the estimated costs for the project were about $7.5M. He noted the project had been recently identified from a study conducted by VDOT, so it was not included in the CIP and did not receive funding in the FY23 CIP budget. He said the

County was looking to request the full $7.5M from the SMART SCALE program. He said due to timing of the funds, design work would begin in the fall of 2025.

Mr. Owsiak said the slide provided a summary of the five County pre-applications and the two applications that were submitted by the GWRC. He noted that the increase in total estimated costs between the five projects was $25M over the previous year. He said by utilizing the personal property tax revenue dedicated to transportation, they had been able to keep the SMART SCALE requests to about a third of the overall total project costs. He said the request for the Route 1 and Potomac Hills turn-lane project would cover 100% of the project costs.

Mr. Owsiak said the next steps included continuing to work with VDOT, GWRC, and an on-call engineering consultant to further refine the project scopes, graphics, and cost estimates for submittal. He said they were working with the Economic Development and the Planning and Zoning staff to gather additional information to support the applications. He said the final applications were due August 1, and they were limited to four.

[Ms. Yeung off mic]

Ms. Vanuch said there should be a motion for R22-184.

Ms. Bohmke said the Board needed to deem the item time-sensitive.

Ms. Yeung said she would deem it time sensitive.

Ms. Vanuch clarified; Ms. Yeung motioned to deem the item as time-sensitive.

Ms. Yeung motioned, seconded by Ms. Bohmke, to deem R22-184 as time sensitive.

The Voting Board tally was:

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

Ms. Vanuch noted the motion carried.

Ms. Yeung motioned, seconded by Ms. Gary, to approve proposed Resolution R22-184.

Ms. Allen said the County was only allowed to submit four projects, so even if they wanted to submit the Route 1/Potomac Hills project, they would not be able to.

Mr. Owsiak said they would not.

Ms. Vanuch called for the vote.

The Voting Board tally was:

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

Resolution R22-184 reads as follows:

A RESOLUTION TO ENDORSE AND AUTHORIZE FISCAL YEAR (FY) 2024 APPLICATIONS TO VIRGINIA'S ROUND 5 SMART SCALE FUNDING PROGRAM

WHEREAS, the SMART SCALE program is the State-wide prioritization process, pursuant to Virginia Code § 33.2-214.1, for any projects to be funded by the Commonwealth Transportation Board (CTB); and

WHEREAS, the final application period to have projects included in the last three years of the Virginia Department of Transportation's (VDOT's) Six-Year Improvement Plan (SYIP) and secure funding for Fiscal Years 2026-2028 is open and applications are due on August 1, 2022; and

WHEREAS, all submitted SMART SCALE applications will be evaluated and scored by VDOT and the Office of Intermodal Planning and Investment (OIPI) staff on the criteria of accessibility, safety, economic development, congestion mitigation, environmental quality, and land use; and

WHEREAS, the Board endorses and authorizes County staff to submit the SMART SCALE applications contained herein below;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does endorse the following SMART SCALE projects in priority order:

1. Garrisonville Road Widening (Shelton Shop Road to Eustace Road)
2. Leeland Road Widening
3. Route 624 Widening (Forbes Street to Morton Road)
4. Mountain View Road and Kellogg Mill Road Roundabout

; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to submit Round 5 SMART SCALE project applications for the above- listed projects in priority order, and to submit and execute all other documents necessary to secure funding from the Commonwealth Transportation Board through the SMART SCALE program.

Item 19. Discuss Parking at Aquia Landing Park.

Ms. Allen said after the Board's last conversation regarding the Port of Falmouth, she felt it was necessary to address the Aquia Park parking. She said it was an issue she had brought up and the Board had brought up since 2020. She said they decided to take an approach of not charging any water access fees. She said they had now decided to charge parking fees at Port of Falmouth, so they needed to reevaluate Aquia Park.

Ms. Allen noted Aquia had just as many parking issues since 2020. She said she had personally called the Sheriff's office to complain about safety. She said the passage way was so narrow, that when people parked along the roadway, it prevented emergency response vehicles from being able to access the area. She said the Board needed to consider charging parking fees for Aquia Park.

Ms. Gary said she was already working on the issue and evaluating parking expansion options. She said there was a grassy area to do that. She noted residents had brought up other ideas at various HOA meetings. She said because the entrance Ms. Allen referenced already had signs designating the area a no-parking tow zone, there needed to be a contract to be able to tow the vehicles so that the deputies were not wasting their time managing parking. She said she would like to examine the issue and use all the County tools first before the County began charging for parking.

Mr. English said he agreed with Ms. Allen. He said he would like to know how many people who used the park were County residents. He said if the tax payers were footing the bill, then it was costing $150,000 for three months to handle the parking. He said the parking fees should also apply to Aquia Landing. He said Mr. Coen had received feedback regarding Mooney Lake. He said he would like to see the Board discuss how it would move forward. He said if there were a lot of people from outside the County using the park facilities, then it was not fair to the County residents to support the cost burden. He said non-residents should have to pay for parking.

Ms. Gary noted the Board had intended the Port of Falmouth Park program to be a pilot program. She said the Board should wait to see the results of the pilot program before expanding it to other areas.

Ms. Bohmke said she agreed with Ms. Gary. She said the Board had discussed the Port of Falmouth program being a pilot. She said before the Board took action on the other parking issues, they should let the pilot program complete, collect data, and make an educated decision.

Mr. English clarified Ms. Bohmke was saying the Board should determine how many County residents were using the facilities and how many non-County residents were using the facilities.

Ms. Bohmke said she had no issue with collecting data.

Mr. English said they should start the count on January 22 for the rest of the year to see who was using the facilities.

Mr. Coen said July.

Ms. Allen said she disagreed. She said the data for Port of Falmouth would be unique to the park, and it could not be used to apply solutions to other parks. She said the other parks were different circumstances and different people used the parks. She said each individual facility needed to have its own pilot program or data collection. She said they should not use facilities at disparate ends of the County to determine solutions for the rest of the facilities. She said if they were to do a pilot program for the Port of Falmouth, then one needed to be done for Aquia Landing and Lake Mooney as a means to gain accurate information with respect to the individual facilities.

Ms. Allen said one of the reasons for charging for parking at the Port of Falmouth was because the County was incurring costs for public safety responses to the park. She said the County was incurring those costs at Aquia. She asked why they should incur the costs for another summer. She said the parking fees could be used to fund a contract with a towing company to improve the beach. She said the parking lot areas could be expanded. She said there were photos from June 25 showing people parked on the side of the road.

Mr. Coen said when he had his townhall, people raised the fact that they had seen people park along the roadside and at an open field rather than the parking lots. He said he recalled Parks and Recreation was performing a study on all issues related to the parks. He said if there were issues that needed to be addressed in total, then they needed to be reviewed in total. He said if it was an issue of cataloguing or noticing which vehicles were there, then it did not help with the fact that if someone lived in another part of Virginia, then it would not qualify.

Mr. Coen said he knew that in Colonial Beach, buses brought people from other communities. He said it was erroneous to say the Board needed a year to do an analysis on the parking fees at Port of Falmouth. He said the fee would only be in place from July 22 to Labor Day, so it will not be a year study. He said an employee had noted that the success of the program would be known sooner than a year. He said Parks and Recreation needed a holistic approach. He said the Board needed to be proactive with solutions.

Ms. Gary said "proactive" was that she had been on the Board for less than a year and she was already addressing issues. She said "reactive" was that she had joined the Board and had to solve issues that had not been solved for years. She said to not support a motion but then to support a similar motion in a different district out of spite was unacceptable. She said the Board was better than that.

Ms. Gary said the program was intended to be a pilot for a year, as requested by Ms. Allen. She said she agreed that the locations were different, and the information from the Port of Falmouth could not be used for Aquia Landing. She said the Board had to use the tools at its disposal properly before it did further projects and studies that required more funding. She said there needed to be a towing contract to alleviate the deputies from performing parking detail.

Ms. Bohmke said the Board took action on the other item regarding the Port of Falmouth at the first meeting in June. She noted there was not a second meeting in June. She said they were now discussing the issue on July 5. She said the Board was preparing to go on break, and they would not have business until the second or third week in August. She said there was not time for anything to take place between the meetings.

Ms. Bohmke said if the Board were to consider such a program, they should have considered it a month or two months prior. She said they could not request anything of staff. She said students were back in school in the second week of August. She said there was not time to bring information forward. She said there would not be many County residents attending the park if school was back in session. She said families began getting ready the week or two before school started. She said there was not sufficient time. She said the Board would not be discussing old business until August 16.

Mr. English asked if it was possible for staff to begin collecting a tally of resident and non-resident park goers at all three previously mentioned parks.

Mr. Mike Morris said they could do spot inspections and easily look at license plates, but it will not reveal who was a County resident. He said to actually ask people if they were residents would be labor intensive. He said staff was not assigned to permanently be at Aquia Landing. He said staff went from park to park to get the trash. He said there would have to be staff at Aquia Park all the time for a specific period of time.

Mr. English suggested a two-week time period.

Ms. Gary asked if the Board could evaluate the cost of a towing contract so deputies would not have to go out to the park.

Ms. Vanuch said she remembered the Board discussing the item. She said it was one of the solutions. She said it would be helpful if the information could be resurfaced.

Mr. Morris said the Board approved giving the County Administrator the authority to tow vehicles. He said they had the authority, and they were working on an RFP to implement the towing.

Ms. Vanuch asked if there could be a follow up on the towing. She said she did not know if CEDC was the appropriate place for the item to be reviewed.

Mr. Morris said the contract would likely come back before the Board because they had to do a contract for the towing company to provide the service because the company would be profiting.

Ms. Vanuch asked how long the RFP would be and when a solution would be ready.

Mr. Morris said he would have to consult with procurement on how long it will take to complete the RFP.

Ms. Vanuch asked if it could be done that week and if the information could be provided to the Board via email.

Ms. Allen said she was not opposed to Mr. English's suggestion on having a committee review the information. She said she did not initiate the discussion to attack the district. She said she had brought up the issue since she had joined the Board. She said the topic had been approached as individual parks and beaches as opposed to holistically. She said maybe now was the time to examine the issues holistically. She said Parks and Recreation should have a clear agenda of what the Board wanted related to the public spaces.

Ms. Gary requested the Board evaluate the implementation costs in the event that they needed to implement paid parking for non-County residents at Aquia Landing. She said it would be useful information moving forward.

Ms. Vanuch asked if the Board would wish to have the item return on the agenda in August or in early September. She asked Mr. Morris if that would be enough time or if they needed more.

Mr. Morris said it would be plenty of time to gather the information.

Ms. Vanuch asked what the Board wanted to do.

Mr. English said if Mr. Morris thought it was enough time, then it gave the Board a starting point. He said he did not think the issue was a district-specific problem but rather a County-wide problem. He said it was costing the tax payers too much money. He said $150,000 for three months of maintenance was tax payer money, and it was a County problem.

Ms. Gary said she agreed with Mr. English's comment. She said she wanted to save resources when possible. She said her previous comment was due to how the vote went regarding Port of Falmouth and the subsequent opposition, and now there seemed to be support.

Mr. Coen said he was not supporting any measure. He said the first was an egregious abomination, and the matter before the Board was not any less abominable. He said he did not know the details regarding Lake Mooney. He said he had talked to a former supervisor who said the issue had been ongoing. He said if there were ongoing issues, they should be reviewed. He said his point was that the Board should be evaluating the issue to determine the best solution. He said he was not in favor of the Board's previous action, and he was not in favor of implementing a similar program in another district. He said the road was narrow back to the park, and if people were parking on the road, then it meant emergency response vehicles would have a hard time getting to the park. He asked whether Parks and Recreation was performing a master plan of what it needed to do.

Mr. Morris said the Parks and Recreation Commission reviewed all the past and current Parks and Recreation master plans. He said they were reviewed about the same time the previous year.

Item 20. Discuss Solar Panels in Stafford.

Ms. Bohmke said there had been inquiries in the County regarding solar facilities. She said she had mentioned that at the Summer Virginia Association of Counties meeting, held in Stafford, and it was brought up by members of the VACO Board. She said with the applications that were being submitted, the Board needed to be educated. She said she knew just enough to be dangerous. She said there were new EPA and DEQ regulations. She said she did not want the Board to step on a landmine. She said there were requirements regarding solar facility maintenance, such stormwater runoff and decommissioning the panels. She said she wanted to know if the Board was amenable to having a work session coordinated and organized by the new County Administrator, Mr. Randal Vosburg.

Ms. Gary said she would like to hear more about the topic.

Mr. Coen said he would like to hear more about the topic.

Ms. Vanuch said they could work on scheduling a work session. She said it would be preferable to not hold the work session during the summer recess.

Ms. Bohmke said she was not opposed, and a work session after the break would be great.

CLOSED MEETING

At 4:45 p.m., Ms. Yeung motioned, seconded by Ms. Bohmke, to adopt Resolution CM22-17 to authorize closed session.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM22-17 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to class action litigation, where such consultation or briefing in open meeting would adversely affect the litigation posture of the Board; (2) discussion and consideration of the acquisition of real property for recreational and fire facilities purposes, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; (3) discussion and consideration of the disposition of County-owned property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and (4) discussion of the performance of a specific public employee of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 5:30 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-17(C) to certify the closed meeting.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM22-17 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 5, 2022

WHEREAS, the Board has, on this day, the 5th day of July, 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 day, the 5th day of July, 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 4:45 p.m., the Board adjourned its meeting until the evening session.

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

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

Ms. Vanuch opened the hearing for presentations by the public. She said speakers would have three minutes to address the Board. She noted there was one individual in the audience, so she would defer the other comments.

1. Mr. Jeff Adams said he lived at Walnut Hill Farm on Kellogg Mill Road. Mr. Adams shared a video recording of an event held at his farm. He said the previous month, he invited the Board to his farm for an event. He noted the $160,000 in ARPA funds. He said the event he hosted cost him $0.20. He said the tourism people needed to realize that in October, pumpkin patches, hayrides, and corn mazes happened on farms, not at breweries. He said starting on Monday, there was a three-week event. He said children loved the farm. He suggested people who visited the farm bring snacks and drinks. He said kids made butter and that the pigs loved skim milk. He said they were making butter and planting egg-carton gardens for 5 and 6-year-olds at his farm.

   Mr. Adams said he had mentioned agricultural education many times. He said there was one agricultural teacher between five high schools and eight middle schools. He said with 20 students and a pure agricultural program, he could improve SOL scores for every student. He said he knew the Board could not take up the budget, but they signed the checks for the people across the street who did not know what milk or eggs were. He said when a child drank milk 30 seconds from the cow, it changed their life.

Ms. Vanuch closed the public comment portion of the meeting.

PUBLIC HEARINGS

Item 21. Planning and Zoning; Consider a Request for a Conditional Use Permit (CUP) to Allow a Car Wash Facility Within the HC, Highway Corridor Overlay Zoning District, on Tax Map Parcel No. 58-9E, Zoned B-2, Urban Commercial (Project Known as Washington Square, Take 5 Car Wash).

Mr. Jeff Harvey stated that the hearing was for a CUP for a carwash in the HC overlay district in the George Washington magisterial district. He said the parcel was located in front of the Washington Square Plaza. He said Driven Brands Inc. was the applicant, and the owner was Woody Real Estate Investments LLC. He provided a location and zoning map for the site. He said the property was located along King's Highway, and it had access off Murphy Way and Express Drive within the shopping center.

Mr. Harvey said the HC overlay district was put in place to aid with access along the highway to ensure there were a minimum number of entrances directly onto the highway as well as ensure there were inter-parcel connections. He said the generalized development plan for the project showed the proposed carwash which had a single drive-through bay oriented towards Murphy Way and Route 3. He said when customers came into the property, they came off Murphy Way into the site. He said there was also the typical vacuum bay area and an exit point in case customers decided to not get a carwash.

Mr. Harvey said Murphy Way was currently existing for access point. He said it was part of the original proffer for the property in the 1980s and 1990s. He said the property had been zoned for commercial use for three decades. He said the proffers for the property spoke to access and internal circulation. He provided images of the facility that represented the proposed building elevations. He said the proposed buildings met a number of the neighborhood design standards—using a variety of materials and textures and including recessions and projections from the building.

Mr. Harvey provided an architectural rendering of what the carwash would look like. He said the view represented the perspective from Murphy Way. He provided an aerial image that showed the existing conditions on the property. He said immediately adjacent to the site was the Murphy Oil Gas Station, and Advance Auto Parts was located in the front. He noted the parking lot for Walmart and the locations of other shops. He said it was consistent with the automobile-oriented type businesses along the road, and it was compatible with other retail activities in the area.

Mr. Harvey noted there were residential properties across King's Highway and the CSX rail line. He said the residences were located at a much higher elevation than the proposed use. He provided an image of a street-view of the entrance for the proposed use off of Route 3. He said the Comprehensive Plan recommended the area be a commercial node area within the suburban land-use designation. He said the suburban land use designation recommended commercial activities be more community-serving retail and community-serving services that were low scale in suburban nature and one to two-stories maximum. He noted the commercial node was an area more concentrated for commercial development. He said it would be more suitable than some infill areas.

Mr. Harvey said there were a number of development conditions proposed with the CUP. He said one was general conformance with the generalized development plan and the architectural design. He said there were limitations on hours of operation. He said it was required the water be recycled within the system. He said there were other conditions dealing with landscaping, location of the dumpster pad site, and other factors.

Mr. Harvey said staff noted the proposal was consistent with the recommendations from the comprehensive plan, was compatible with the other automobile related uses, and would not change the character of the development pattern in the area. He said the proposed building design standards met what had been identified in the neighborhood design standards plan of the comp plan. He said the design of the inter-parcel connections and driveways minimized impacts to Route 3, and staff believed the conditions would mitigate any negative impacts. He said staff did not see any apparent negative impacts with the application. He said staff and the Planning Commission recommended approval of the application subject to the conditions in R22-150.

Mr. Coen noted on slide 7, the entire parcel was marked. He asked if the gas station was located adjacent to the vacant parcel in the image.

Mr. Harvey said that was where the existing Murphy Oil Gas Station was located.

Mr. Coen noted on slide 4, the proposed use only occupied half of the parcel.

Mr. Harvey said the CUP would only apply to a portion of the property. He said the remaining portion would have a future use that was to be determined.

Mr. Coen clarified that there would not be a connection to the existing gas station.

Mr. Harvey said the connectivity to Murphy Oil was through Murphy Way.

Mr. Coen said on slide 7, it looked as if people could go from the gas station to the back of the car wash. He said from the slide, it appeared as if there would be vegetation. He clarified there was no direct access from the gas station to the parcel.

Mr. Harvey indicated where the Walmart parking lot was. He said there was a steep slope. He said a retaining wall was proposed in the lower part due to the elevation change between the proposed site and the Walmart site. He said the elevation along the site would drop off and made a direct connection to Walmart impractical. He said that was the intent of Express Drive—to provide a connection between the front pad sites and the Walmart.

Mr. Coen asked if residents in Argyle and Fairy Farm had been informed of the proposed development. He noted there was vegetation in the summer that blocked the view of the parcel. He asked if there had been an outreach effort to the residents.

Mr. Harvey said staff had not specifically reached out to the residents other than the residents across the public street.

Mr. Coen said in theory, some residents should have received notice.

Mr. Harvey said yes.

Ms. Yeung said Mr. Coen was previously on the Planning Commission, and so were Ms. Vanuch and Mr. English. She asked where the next nearest carwash was located and whether any of the gas stations in the neighborhood had carwashes.

Mr. Harvey said the closest carwash he recalled was on Chatham Heights Road. He said there may be a self-serve carwash by Earl's.

Ms. Yeung noted the commercial node. She said she was hesitant that other commercial uses would avoid the area because of the carwash. She clarified that the other surrounding uses were automotive related.

Mr. Harvey said that was correct.

Ms. Yeung asked if the surrounding residents had been informed of the public hearing.

Mr. Harvey explained that by the local ordinance and state code, the County was required to send notice to people across the street. He indicated the residents in Argyle Heights who would have received notice.

Mr. Coen said it was Ferry Farm.

Ms. Yeung asked if their comments would be taken into consideration.

Mr. Harvey said they had not received comments from anybody regarding the project. He said no one came to the Commission meeting, either.

Ms. Allen asked what else an overlay could be zoned for. She asked if it could be anything other than a carwash. She asked if another applicant had applied for a non-carwash use in the overlay.

Mr. Harvey explained there were a number of commercial uses that came into the HC overlay districts—such as restaurants and drive-throughs. He said any restaurant with a drive-through in the HC overlay had to receive a CUP. He said there were other activities—like hotels—that may also be required to come in via a CUP. He said there were other uses that may generate high traffic volumes at certain intervals, and those required additional review via a CUP.

Ms. Allen asked if the carwash was self-service.

Mr. Harvey said it was a drive-through tunnel.

Ms. Vanuch asked if the applicant was present.

Mr. Jonathan Dozier of Pinonet Associates said he was the civil engineer for the project. He said if the Board had questions regarding the site plan or the business operations, he could provide answers.

Ms. Yeung asked if the color blue and the bubbles in the logo were standard.

Mr. Dozier said it was a standard color.

Ms. Vanuch said Ms. Yeung wanted the color to be red.

Mr. Dozier said the oil change was red.

Ms. Yeung said blue was fine—they did not do red.

Mr. Coen asked if it was a self-service type carwash—no one would be hired to do the vacuuming and detailing. He said he was trying to determine whether the carwash was similar to one by Planet Fitness or the one by Golds Gym.

Mr. Doger said the use would be a single lane tunnel. He said there were workers present during the hours of operation. He said the vacuums were only on during hours of operation. He said the workers provided minimal work—they sprayed the cars down before the tunnel. He said the cars went on a track through the carwash tunnel, and the vacuums were self-service.

Mr. Coen said the use was not as nice as 610 which hired high school students, but it was not as bad as other carwashes.

Ms. Allen asked how many people the proposed use would hire.

Mr. Dozier said most of the time, there would be four to five employees on during one shift. He said it was automatic, so there was not as much of a need for employees.

Ms. Allen asked how much revenue the business was expected to generate.

Mr. Dozier said he could not answer that question.

Ms. Allen said the economic impact was a concern of hers. She said people may need the use, but was it providing jobs and did it provide the tax revenue.

Mr. Dozier said the site was currently a vacant piece of land, so any improvement would increase revenue.

Ms. Vanuch opened the hearing to the public. She noted there were no speakers and closed the hearing to the public. She said the Board had the opportunity to address the applicant. She asked Mr. Coen what he would like to happen given the proposal was in his district.

Mr. Coen said the adjacent neighborhood was Argyle Heights. He noted there was a large buffer of trees between where the homes were and the railroad tracks. He said the trees offered year-long coverage. He said he would move for approval because it was an empty space, there was a nearby Advance Auto Parts, and he would like a carwash closer to him.

Mr. Coen motioned, seconded by Mr. English, to approve proposed Resolution R22-150.

The Voting Board tally was:

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

Resolution R22-150 reads as follows:

A RESOLUTION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A CAR WASH WITHIN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT ON TAX MAP PARCEL NO. 58-9E (PORTION), LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Driven Brands, Inc. submitted application CUP21154204 (Application), requesting a conditional use permit to allow a car wash within the HC, Highway Corridor Overlay Zoning Districts on a portion of Tax Map Parcel No. 58-9E, located within the George Washington Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-59(e), which permits this use in the HC, Highway Corridor Overlay Zoning District, after a CUP is issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that a conditional use permit pursuant to application CUP21154204 (CUP) be and it hereby is approved with the following conditions:

1. This CUP allows a car wash in the HC, Highway Corridor Overlay Zoning District on a portion of Tax Map Parcel No. 58-9E (Property) as shown on the Generalized Development Plan prepared by Pennoni Associates Inc., entitled, "Washington Square - Take 5 Car Wash 460 Kings Highway Fredericksburg, Virginia Generalized Development Plan," last revised and sealed May 5, 2022 (GDP), in the location identified as "Portion of Parcel 'A' (±1.35 AC)".

2. Development of the Property shall occur generally as shown on the GDP.

3. The car wash shall be limited to a single automated wash stall, located within an enclosed building on the Property, and shall not exceed 4,276 square feet.

4. Services offered shall be limited to the automatic car wash and self-service vacuums. Vehicle detailing services shall be prohibited.

5. There shall be no new driveway entrances to Kings Highway.

6. A sidewalk shall be constructed along Kings Highway and provide a connection to the Property as generally depicted on the GDP. Such sidewalk shall be a minimum of five (5) feet wide and connect to existing sidewalk on adjacent parcels.

7. Hours of operation shall be limited to 7:00 AM to 7:00 PM Monday through Sunday.

8. The building on the Property shall be constructed in general conformance with the styles and materials depicted on the architectural renderings prepared by Rogue Architects, entitled "Washington Square – Take 5 Car Wash For Driven Brands 460 Kings Highway Fredericksburg, VA 22405," dated June 21, 2021.

9. The car wash shall use a water recycling system.

10. The dumpster shall be screened from view with masonry and/or brick materials, with type and color similar to that of the primary building.

11. Parking lot perimeter landscaping shall be provided along the northern property line adjacent to Tax Map Parcel No. 58-9F to the maximum extent practical. Such plantings shall consist of a mix of understory trees and small shrubs, and shall be planted in accordance with Section 120.2 Parking Lot, Perimeter of the Stafford County Design and Construction Standards for Landscaping, Screening, and Buffering (DCSL), or other landscaping standards in place at the time of site plan submission.

12. No portable or temporary signage may be utilized within the front yard setback along Kings Highway. All signage shall be of a complimentary color and design. All monument signage shall consist of materials similar to that of the primary building.

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

Item 22. Planning and Zoning; Consider Amending the Subdivision Ordinance, Stafford County Code Sec. 22-4 and Sec-22-152, to Clarify Requirements for Stormwater Management Facilities and Best Management Practices.

Mr. Harvey said the public hearing was pursuant to ordinance O22-16. He said it would modernize the subdivision ordinance and solve a current problem. He said the current regulations for stormwater management facilities referenced a term, "integrated management practice," or IMP. He said IMP was a form of best management practice. He said it was a term that was not recognized in the local stormwater ordinance and was not referenced in state code. He said in the mid-2000s, it was a common practice to have low-impact development practices, where, for water quality purposes, stormwater infiltrated into the ground. He said as part of the code, it allowed to have the water quality measures on individual lots.

Mr. Harvey said in some instances, developers had placed the individual development practices on a lot and allowed the infrastructure to service the runoff from multiple lots. He said it had created problems in situations where a third party used to maintain the stormwater management facility but no longer existed, saddling the underlying property owner with the maintenance responsibility for a facility that served multiple lots. He said the ordinance amendment was trying to address the problem.

Mr. Harvey said developers were only able to use the best management practices for the lot they served. He said if the facility were to serve multiple lots, it would have to be on an open-space parcel that was maintained and owned by the HOA. He said the purpose was to make the clear distinction of what was a homeowner's responsibility versus an HOA's responsibility. He said the Commission had reviewed the ordinance and unanimously recommended approval.

Ms. Allen asked if there were instances of this happening.

Mr. Harvey said there had been a few instances which sparked the need for an ordinance amendment. He said the Development Services Department had run into these situations as they reviewed the maintenance agreements for stormwater facilities.

Ms. Allen asked how a homeowner would know if they were responsible for the maintenance.

Mr. Harvey said in many cases, the developer was not in the subdivision, and the homeowner was dealing with the homebuilder who may not be aware of the situation. He said the County required a maintenance agreement which ensured the future homeowner or HOA would be responsible for maintaining the facility. He said attached to the agreement was a listing of all the maintenance requirements that had to be met.

Mr. Harvey said it referenced the ability of the County to periodically inspect the facility to ensure compliance with the requirements. He said the recorded document should show up in the title work when someone purchases the property, but it might not be noticed by the average person. He said there would be a recorded drainage easement on the plat. He said most people did not understand what the easement was—and it could be a swale, pipe, or landscaped area.

Ms. Allen said it would be a huge financial undertaking for someone to learn they were responsible for the maintenance. She said it was good there would be some way to be notified.

Mr. Coen asked if the ordinance would apply to families. He said there were instances where someone tried to put in a family subdivision, but they faced all sorts of issues with stormwater. He asked if the ordinance applied to large scale developments.

Mr. Harvey said it was within the subdivision ordinance, so it dealt with the creation of new lots and new neighborhoods.

Ms. Yeung asked if the amendment would be applied retroactively or if it would only apply to new development.

Mr. Harvey said the ordinance amendment would apply to new construction.

Ms. Yeung asked if there was a way to address the problems with the previous construction.

Mr. Harvey said it was a policy decision up to the Board as to what extent the Board wanted to get involved with drainage problems. He said the Board had available funding for the resolution of drainage problems, but it was up to the Board to decide what projects to fund.

Ms. Gary noted there was a grant program for Ms. Yeung's question. She asked how the County would ensure developers were educating the homeowners in new developments and passing the information on to the HOAs. She said in her development, it did not happen.

Mr. Harvey said it was one of the difficult issues because the County did not normally get involved in property transactions. He said the County had information that they released through

Development Services regarding stormwater management in general, but they did not have a targeted approach to go to each neighborhood and speak to individual property owners.

Ms. Gary suggested the County send out notices to addresses in new developments with a checklist of common items to review. She said the County had to find a way to better educate the residents so that people knew what to maintain.

Mr. English clarified that the stormwater management was not intended for multiple properties but was intended to be used for properties zoned for an HOA.

Mr. Harvey said that was correct.

Mr. English asked what would happen if the HOA dissolved or no longer existed. He asked who would be responsible for the maintenance.

Mr. Harvey said if there was an individual parcel that was dedicated and conveyed to an HOA, and the HOA no longer existed, then the County could still have recourse against the collective of all the homeowners in the subdivision.

Ms. Vanuch said she believed that was only the case if it was taxable. She said there had been a case with a similar issue in Lake Arrowhead where there was no assessment to the HOA area—it was $0 and they did not pay tax—so there was no way to go to tax sale. She said there were multiple parcels in Vista Woods because the HOA was never established. She said the County did not own it, the HOA did not own it, and there was no way for the County to take it because it was a $0 assessment. She said they would need to work with the Commissioner's Office to determine how they would assess those properties to ensure it would not become a problem.

Ms. Vanuch asked if the Board would want to defer the item. She said it could come back on unfinished business. She said they could hold the public hearing. She said they may want to determine the impacts if an HOA dissolved.

Mr. Harvey said it was not relevant to the ordinance amendment. He said it was more of an enforcement mechanism that the County would have to deal with after the fact. He said the ordinance amendment applied to someone creating a new subdivision rather than enforcing the stormwater regulation.

Mr. English asked if they could include a catch-all for the issue in the ordinance. He said the enforcement was hard.

Mr. Harvey said they would have to work with the County Attorney's Office to determine the enforcement of the ordinance. He said there were probably multiple different avenues and ways in which it could be done, and it may be best to not be codified.

Ms. Vanuch opened the hearing for public comment.

1. Mr. Jeff Adams, Kellogg Mill Road, said he was a telephone engineer 40 years ago. He said there were stormwater issues 40 years ago. He said the good part of the ordinance was that the rain that fell in the County ended up in the Potomac or Rappahannock River, and both of those rivers fed the Chesapeake Bay. He said the County was already in noncompliance with the Bay Act. He said the ordinance would help the County by preventing the developers from placing the burden on the property owners. He said if the developers were always responsible for the cost, then they may maintain the infrastructure.

Ms. Vanuch noted there were no more public comments. She closed the hearing to the public.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Ordinance O22-16.

The Voting Board tally was:

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

<u>Ordinance O22-16 reads as follows:</u>

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 22-4, "DEFINITIONS" AND SEC. 22-152, "LOTS FOR STORMWATER MANAGEMENT FACILITIES" TO CLARIFY SUBDIVISION ORDINANCE REQUIREMENTS FOR STORMWATER MANAGEMENT FACILITIES

WHEREAS, the Subdivision Ordinance in the Stafford County Code contains terms no longer applicable to the County's stormwater management program; and

WHEREAS, the Comprehensive Plan recommends updates to the County's best management practices (BMP) program for the County as newer, more effective strategies become available; and

WHEREAS, the current requirements regarding BMPs and stormwater management facilities, including those on common area parcels, is out of date; and

WHEREAS, the Board desires to update the County Code to ensure it complies with best subdivision and stormwater management practices; and

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

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good subdivision practices require adoption of the proposed ordinance amendment;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that Stafford County Code Sec. 22-4, "Definitions" and Sec. 22-152, "Lots for stormwater management facilities" be and they are hereby amended and reordained as follows, with all other portions remaining unchanged:

Sec. 22-4. - Definitions.

~~*Integrated management practices:* Low-impact development microscale and distributed management techniques to maintain predevelopment site hydrology. Integrated management practices shall include bioretention facilities, dry wells, filter/buffer strips, grassed swales, rain barrels, cisterns, infiltration trenches and amended soils as specified in low-impact development design manuals.~~

Sec. 22-152. - Lots for stormwater management facilities.

For purpose of this chapter, managing stormwater runoff shall be handled by stormwater management facilities ~~(ponds and other centralized stormwater best management practices) and low-impact development integrated management practices (IMP)~~and best management practices (BMP or BMPs as defined in county code section 21.5-2).

(1) For residential subdivisions, all stormwater management facilities and-BMPs other than those that specifically manage runoff from a sole individual lot as provided below in subsection 22-152(5), and the access road shall be located on open space parcels with frontage on a public right-of-way. The open space parcel shall be conveyed to and maintained by a ~~homeowners association~~property owners' association, or, in the absence of or defunct status of such association, the property owners within the subdivision, collectively, shall be responsible for maintenance.

(2) All stormwater management facilities and BMPs shall have a storm drainage easement located around the facility in accordance with the Stafford County Stormwater Management Design Manual. The easement shall be fully contained within the parcel.

(3) The access to all stormwater management facilities and BMPs shall be an ingress/egress easement dedicated to public use and shall be fully contained within the parcel.

(4) Open space parcels for stormwater management facilities and BMPs shall be exempt from the provisions of section 22-144.

(5) ~~IMP~~Stormwater management facilities and BMPs that specifically manage runoff from a sole individual lot, also known as individual lot BMPs, shall be permitted on

residential building lots in accordance with the provisions of chapter 21.5 of this Code.

~~(6) All areas used for IMPs shall have a storm drainage easement located around the area in accordance with the Stafford County Stormwater Management Design Manual. The easement may be contained on more than one lot or parcel.~~

~~(7) Provisions shall be established to provide access to all areas used for IMP. Unless the area used for an IMP adjoins a public street, the access from a public street shall be within an ingress/egress easement dedicated to public use and may be contained on more than one lot or parcel. The width and location of the easement shall be identified on the construction or grading plan and the record plat~~.

CLOSED MEETING

At 7:44 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-18 to authorize closed session.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM22-18 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion of the performance of a specific public employee of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 8:18 p.m., Ms. Yeung motioned, seconded by Ms. Allen, to adopt Resolution CM22-18(C) to certify the closed meeting.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM22-18 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JULY 5, 2022

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

CERTIFY CLOSED MEETING AFTER-ACTION

Ms. Yeung motioned, seconded by Ms. Allen, to approve proposed Resolution R22-161.

The Voting Board tally was:

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

Resolution R22-161 reads as follows:

A RESOLUTION RECOGNIZING THE COUNTY ATTORNEY'S ANNUAL PERFORMANCE EVALUATION AND AUTHORIZING AN AMENDMENT TO THE COMPENSATION PROVIDED

WHEREAS, the Board and County Attorney Rysheda M. McClendon entered into an employment agreement, effective on March 1, 2018, and subsequent amendments (collectively, Employment Agreement); and

WHEREAS, pursuant to Section VII of the Employment Agreement, the Board has performed its annual performance evaluation of the County Attorney and finds her performance acceptable; and

WHEREAS, pursuant to Section IV of the Employment Agreement, the Board considered and desires to provide an increase in the annual salary of the County Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of July, 2022, that it be and hereby does authorize an increase in the County Attorney's current compensation in the amount of 3.5% effective July 1, 2022 and in the amount of 1.5% effective January 1, 2023, which mirrors the compensation increases provided to County employees for fiscal year 2023.

ADJOURNMENT

At 8:18 p.m., Chairman Vanuch adjourned the July 5, 2022 Stafford County Board of Supervisors meeting.

Randal E. Vosburg
County Administrator

Crystal L. Vanuch
Chairman