BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR MEETING
SEPTEMBER 20, 2022

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:10 p.m. on Tuesday, September 20, 2022 in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford, VA.

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

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

CHAIRMAN'S REMARKS

Ms. Vanuch thanked all of those who attended and participated in their annual 9/11 memorial ceremony, on behalf of the entire Board. She said it was made even more special by Stafford's First Responders. She said in addition to that, the Utilities Department had a great year to date and recently received even more recognition from their peers. She said Stafford County Utilities won the Courageous Service Award from the Virginia section of the American Waterworks Association for their extraordinary efforts and activities earlier this year during the January 3 snowstorm.

Ms. Vanuch said that Stafford County's wastewater treatment facilities, Little Falls Run in Aquia, were selected to receive a 2021 Peak Performance Award from the National Association of Clean Water Agencies. She stated that Little Falls Run won a platinum award for an incredible eighteen years of 100% compliance, and Aquia won a gold award for 100% compliance for one year. She congratulated the hardworking men and women of Utilities.

PRESENTATIONS

Presentation of a Proclamation Recognizing September 17-23, 2022 as Constitution Week

Ms. Vanuch said that each year, Constitution Week was celebrated from September 17 through 23 to commemorate the history of the Constitution and its importance to bring attention to how it still served them all today. She said to celebrate, members of the Falls of the Rappahannock National Society of the Daughters of the Revolution were present to accept the proclamation. She said at this time, she would ask Donna Sayer, Anne Klein, and Martha Newton to join her on the dais.

Ms. Vanuch read the proclamation.

Ms. Donna Sayer thanked the Board for having them and issuing the proclamation. She said she encouraged everyone during this week to read the Constitution. She said there were many misconceptions about what the Constitution said, and it was always good to refresh one's memory. She said if anyone had children or grandchildren, it was always good to instill in them from a very early age what the Constitution said and stood for. She thanked the Board again for the proclamation.

<u>2022 Virginia Association of Counties (VACo) Achievement Award Presentation</u>
Ms. Vanuch said earlier in the summer, there was an announcement that Stafford County won a Virginia Association of Counties Achievement Award for its Stafford Cares program. She said on behalf of the Board of Supervisors, she would like to welcome Dean Lynch from the Virginia Association of Counties to present the award, and she would also like to recognize the staff who made this program successful: Deputy County Administrator Donna Krauss, Andrew Spence and his entire Community Engagement team, John Holden, and the employees of Economic Development and Tourism, Michael Muse and his Social Services staff, and Deputy County Administrator Mike Morris and the PRCF staff. She said it was a great effort for the community and she looked forward to more in the future. She asked Supervisor Bohmke, President of VACo to accept the award with her.

Mr. Lynch addressed the Chair and members of the Board. He introduced himself as Dean Lynch, Executive Director of the Virginia Association of Counties. He said it was his distinct pleasure to be present this afternoon to give the VACo Achievement Awards. He said for the benefit of constituents who may not be familiar with the Virginia Association of Counties, VACo had existed since 1934 to serve the interests of county governments. He said they first did this through advocacy, then through education programs and through their communication programs. He said in 2003, they established the Achievement Award Program to recognize counties that had developed innovative programs. He said this was the 20th annual Achievement Awards Program, and they received over one hundred entries in 2022; 29 winners were selected from 21 counties.

Mr. Lynch said regarding Stafford County and its involvement with the Achievement Award Program, the County had won the Achievement Award eleven times. He said Stafford County ranked #9 of all time in the Achievement Award winners. He said Stafford County won an Achievement Award in 2003, 2005, 2006, 2010, 2013; three awards in 2016; and again in 2021. He said this was a very competitive program and the judges looked at four things when deciding the awards: if the program was an innovative program, did it promote inter-governmental cooperation, can this program be modeled and implemented by the counties, and four, is it an innovative approach to developing a solution to a problem. He said the Stafford program that won the award was the Stafford Cares program, which entailed local governments participating in tabletop exercises or drills to keep skills sharp and prepare for emergencies.

Mr. Lynch said no training or experience at this point could prepare anyone for a worldwide pandemic like the Coronavirus, and the Coronavirus impacted literally every one of Stafford County's 160,000 residents. He said recognizing the virus may be present in an indeterminate future, Stafford established the Stafford Cares program to continue meeting the community needs. He said the new program began with the desire to just disseminate the CARES Act funding, and initially the County worked with restaurants that were hurting because of lockdowns to buy gift cards for lower-income families who needed supplemental food, but as time passed, professionals noted that mental health was taking a toll on residents.

Mr. Lynch said the County expanded the program to partner with the Mental Health Organization to post signs on County property and businesses to advertise a helpline phone number. He said plans for this program were continually in the works for using the Stafford Cares brand and program to call for residents to be good neighbors and reach out to family, friends, and neighbors to ensure that they were okay. He said the brand was recognizable and residents would know staff was continuing its efforts to support and care for the community every time it was used. He said congratulations on an innovative program that could be used throughout the state. He presented the plaque to the Board.

Ms. Bohmke thanked Mr. Lynch for traveling from Richmond to present this award. She thanked the staff who implemented all of this. She said people discovered their parks during the pandemic, and while she was at one of the parks during a walk, she saw one of the signs that gave the suicide hotline number. She thanked all staff and especially Donna Krauss, who created the program.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Ms. Vanuch asked if there were any additions or deletions to the agenda. Hearing none, she asked if there was a motion.

Mr. Allen 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)

PRESENTATIONS BY THE PUBLIC - I

Ms. Vanuch read the protocol for public presentations.

1. Ms. Shannon Fingerholz of the Hartwood District. She said the Stafford 2040 plan document should look familiar. She said it sounded like a wonderland of suburban bliss; a flourishing community, progressive and well-designed, a great place to call home, citizens first, always welcoming. She said reading through the plan, the focus that jumped out was business, and in the overall summary of bliss on the first page, business was mentioned nine times and the K-12 schools once. She said flipping through the rest of the document, it showed the keystones that would make up Stafford 2040: healthy growth, transportation system, recreation and culture, quality educational opportunities, a vibrant and exciting business community, public safety, organizational excellence, and other priorities. She said under these keystones, priorities were listed, and each had an average of about five priorities, but education only had two, which was the fewest of all.

   Ms. Fingerholz said one of which was a focus on supporting gaps for their business and government employers, and even the mission statement under education read very broad, and again brought up business. She said while none of this was wrong and they absolutely needed strong businesses, they were building upon sand. She said they wanted to attract phenomenal companies and dynamic young professionals, and as their families and income grew, they wanted them and their taxes to stay here, because their kids would have a fantastic experience at Stafford County Schools. She said they wanted that great place to call home. She said schools that were a priority of their community grew productive, solid adults, who then taught their kids, took care of their ailing parents, and became an educated and skilled workforce that those businesses did require.

   Ms. Fingerholz said the Stafford they wanted to be known for would take some work and it sounded like an adjustment in priorities. She said their kids were citizens, so they should be put first. She said Drew Middle School was built in the 1950s, before homes had colored TVs and family cars had seatbelts. She said their entire County population was about 11,000, which was 7% of the current population. She said while Eagle Scouts were a cool crew, they should not be relied on to build a walkway for day school users or paint their hallways. She said maybe the Eagle Scouts could also replace their worn-down plumbing in Drew Middle School.

   Ms. Fingerholz said their teachers and kids were packed to the gills in buildings that were failing; this impacted behaviors, test scores, and receiving services, and there were more tiny minds coming. She said a shift in focus, while uncomfortable, needed to happen. She said the future Stafford they were presenting to the world told people there would be an opportunity for a high-quality education here, but not a guarantee or even a high probability. She said in Stafford 2040, they had an opportunity to get a great education by some of the most kick-ass teachers in this state, if they can find them a seat.

2. Ms. Pat Smith, a resident of Locust Grove, stated she which was a ways away, but her interest in their schools began six years ago when she had been tutoring two Stafford children who were Spanish speakers with parents from Bolivia. She said a year ago, as part of Virginia Organizing, a group met with the acting school superintendent and the representative of the contracting company who hired and managed the custodial workers. She said at that time, they were assured there was enough money to hire 150 custodial workers, but there never had been that number and the workers had had to work overtime, sometimes one worker cleaning an entire school alone.

   Ms. Smith said she would say many times there was one worker cleaning an entire school alone. She said to please help their workers by prioritizing public-school funding in their budget. She said to please help these workers by accommodating the petition they had written for them (Attachment 1). She said these workers deserved to thrive and feel pride in their work as an integral part of the greater school community.

3. Ms. Kristin Maxson, 1816 Richmond Highway. She said she seconded the first and second speaker about their children who would inherit Stafford's debt. She said the September 6 teachers also came up and said to slow things down because they did not need to think out of the box to save time. She said the conference they had in the room was being televised, but they could not hear it. She said she had an inquiry about September 15, 2020, 7:00 p.m. Room Parks Recreation Advisory Commission, the minutes and agendas were never shown. She said she did not know where it was being held, but after the date, she found it was in ABC conference room. She said those minutes were extremely important; it did not matter if someone was absent—those minutes were for the people. She said Farmer Jeff Adams spoke about the PDR and TDR being a broken system.

   Ms. Maxson said she was trying to find the PDR and TDR amendments but could not find them. She said something was said about a boilerplate and a cart before the horse. She said all of this needed to be taken into consideration and she was glad that the government person would admit that procedures need to be followed. She said that voting on the Board had been unanimous lately, which was interesting because prior to COVID-19, it had more variance. She said the Washington Post articles have been saying that the 4th and 7th Amendment rights had been denied, and that did not exclude Stafford. She said she was glad to see that awards were being made for their Constitution. She said they needed to revisit it and regain the 4th and 7th Amendment rights.

   Ms. Maxson said they needed the right to due process. She said in 2016, she asked Alex, the Transportation Project Manager, for an impact study. She said she got a 2009 document and then found out there was a 2016 document with zoning compliance. She said she should have received that information then. She said that would be Zoning Ordinance Chapter 22, Article 7. She said she asked for the effect of her property at the time and did not find it, so if Mr. Vosburg could help her with that she would appreciate it.

REPORTS BY BOARD MEMBERS

Mr. Coen – remarked he first wanted to express appreciation to the Utilities Department and their dealing with numerous water issues and making a point of informing the residents and restoring service to people in a PDQ fashion. He said he did not know if the Board desired to explore this avenue, but the United States Department of Education kept being reported in various news outlets as having money from COVID-19 for air quality and air conditioners to a total sum in the millions. He said Anthony Toigo explored this and the process to secure the money was so arduous and laborious that it was why they still had the money.

Mr. Coen said when looking at things in Stafford with air conditioners in schools, it seemed irrational that the government had money available but was not making it accessible. He said he did not know if they wanted to communicate with State Senators and their Congress members to see if they could lean on the President to lean on the Department of Education to free up money they could use to improve their schools, then let other money be freed up to be used for things.

Mr. Coen said in the last eleven days or so, the world had seen the honoring of Queen Elizabeth II, an individual who put public service, commitment to others, respect for people, and inclusion of all people at the forefront. He said there were people from many walks of life that were interviewed that said they came to the country because of her outreach of inclusion. He said while she was the head of her faith and cared deeply about her faith, she was respectful of all faiths and of people who had no faith. He said many of the elements of their own country were influenced by Great Britain, including parts of law and culture. He said they all as a society could be better served by her example.

Mr. English – remarked he had been invited up to Life Care this past September 11th. He said they had their district meeting for the VAVRS, the Virginia Volunteer Rescue Squad Association. He said Kevin Dillard had invited him and he wanted to recognize Region 10 for what they do. He said he was also invited to Choice Baptist Church on Mr. Tim Wilcox's invitation. He said Mr. Wilcox recognized the First Responders that day and he was very appreciative. He said on Monday, Stafford and Comcast announced the commencement of the project to connect 650 unserved residents of Rock Hill and Hartwood Districts for high-speed internet. He said it was a partnership between Stafford County and Comcast, made possible through the Virginia Telecommunications Incentive Grant.

Mr. English said it would bring Comcast's fast, reliable, and fiber-rich network along with its suite of Infinity products and services. He said the construction was underway and was expected to be completed by the end of 2023. He said the residents could check at www.welcometoxfinity.com to see if their address was included. He said this was a $5.7 million project made possible by the $3.4 million through the VATI Grant. He said if residents needed more information, he would hold a community meeting if needed.

Mr. English said this Friday, he visited the Stafford Airport because they completed their 1000 extension to their runway, so it was now at 6000 feet, so they were well on their way to being a hub for Stafford County's future airport. He said he wanted to thank Anna Hash for working diligently because early voting began on the 23rd. He said it would be challenging this year but he appreciated Ms. Hash's work.

<u>Ms. Gary</u> – remarked she had a rather quiet two weeks since their last meeting. She said a lot of things had been covered already. She said congratulations to those who were going to benefit from the VATI Grant and new broadband coming in. She thanked her colleagues for voting for applying for the next round of that grant. She said soon they would be a county that had full coverage everywhere, which was incredible with the challenges people were facing, so she was grateful for that. She said she did not have anything else right now but she wanted to pull Item 5 from the Consent Agenda.

<u>Ms. Yeung</u> – remarked that last week, she met with experts on affordable housing in Garrisonville. She said it was very important they had affordable housing for their teachers, public safety employees, and young people who currently lived with their parents and could not afford to live where they worked. She said on September 11th, they met and recognized those firefighters who gave their lives, with a beautiful ceremony. She said she also attended the school town hall at North Stafford where parents and other members of the public discussed the need for the County to build new schools and the construction priorities they had.

Ms. Yeung said she agreed, as a former School Board member, that it was frustrating to have to ask for something you desperately need, not for yourself but for your students. She said she did not agree with which schools were asking for, but so far, she knew there was a need for an elementary school in Garrisonville, a need for a rebuild in Hartwood, and definitely a new school for Drew.

Ms. Yeung said she attended the airport extension celebration with her colleagues, taking many pictures and eating cake. She said on Friday, September 16th, she attended the VRE, Virginia Railway Express meeting as an alternate for her colleague, where discussions surrounded ticket sales, satisfaction surveys, increase in reliability, and a reminder that it was free for the month of

September. She said they now had an emergency sign at railroad crossings, so look for the blue signs. She said someone brought up the fact that if their phone was not working in that area, it would matter.

Ms. Yeung said she had attended a ribbon-cutting on Wednesday, September 28th at Rolling Road Station, which was a free event. She said on Saturday, the Board had a strategic planning session where they took their last strategic plan and compared completed objectives with new objectives, creating their newest strategic planning initiatives. She said they had work to do but were listening to what Stafford was asking for and what it deserved: connectivity, parks, trails, good high-end restaurants, schools, and solutions to traffic.

Ms. Yeung said in general, she was still getting complaints from GFL customers, so she was going to ask Mr. Vosburg for updates on what they were promised and the promises made to customers. She said a status report on the issue would be beneficial. She said for transportation, the signals on Garrisonville Road were retimed for efficiency, but it was still slow. She said Hispanic Heritage Month, which took place every year September 15 through October 15, was a time to celebrate and recognize the contributions, diverse cultures, and extensive histories of the American Latino community.

Ms. Yeung said beginning in 1968, Hispanic Heritage Month (HHM) was originally observed as Hispanic Heritage Week but was later extended in 1988. She said since then, HHM had been celebrated nationwide through festivals, conferences, community gatherings, and more. She said the month also celebrated the independence days of several Latin American countries, including Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Mexico, and Chile. She said she would like to see a day where they did not have to have a celebration of a week or month, because as human beings, their existence should come to a point where they celebrate one human race. She translated her last quote into Spanish [31:25-31:40]

<u>Ms. Allen</u> – thanked Dr. Yeung for always showing up to cover those who sit on committees and that could not go to meetings due to last-minute conflicts. She said Ms. Yeung was always ready to serve when they needed them to represent them in regional bodies. She said she wanted to extend her gratitude to Bishop Quick of Shiloh Temple for hosting a unity prayer breakfast this past Saturday, and it was wonderful to see the community, the Sheriff's Office, and others praying for the nation.

Ms. Allen said Stafford Airport opened a portion of the extension, which would bring more revenue to the County. She congratulated Dr. Carr on his installation as the new bishop of Shiloh Newside Baptist Church; they looked forward to his service and teachings. She said in providing updates to the district, they had submitted the 2023 VATI Grant in conjunction with Comcast to address the broadband gaps in Widewater and Aquia. She said VDOT would pave the rest of the road in 2024 and was under schedule; furthermore, Brent Point Road was scheduled to be paved as well, and staff was looking at potentially widening it to address safety concerns brought to them because of the park and the boat ramp.

Ms. Allen said the insurance for Carl Lewis was back in the amount of $203,000, in addition to the proffers of approximately $600,000, they had about $800,000 earmarked for the project. She said she requested the Board to look into using ARPA funds to make up the gap of the cost when final renditions and engineering were completed. She said they would soon begin the preliminary and designing phase, which would trigger citizens' input for subsequent meetings. She said she was currently working with Economic Development to revitalize Route 1 so they had amenities in the district. She thanked their County Government staff, Fire and Rescue, and deputies for their daily services to their constituents; and said it was greatly appreciated.

<u>Ms. Bohmke</u> – remarked she had a library meeting with a very large attendance of constituents at that meeting who were speaking about not removing books from the library. She said the library chair spoke at the beginning and stated that "the Library Board of Trustees were not discussing removing books from the library. The special called meeting was about the lack of parental controls on the app." She said they had a lot of public speakers and it was always nice to hear what people had to say. She said they were all very complimentary and loved the library.

Ms. Bohmke said a vote was taken; they voted on the FY24 budget and she abstained from that budget because she asked for additional monthly meetings to discuss the budget and they were given a handout that she did not have a chance to digest that regarded direct and indirect costs. She said a number of them on the trustee board had asked for what their individual branches cost, the Howell Branch and Porter Branch in Stafford County. She said she had worked with Andrea Light, Budget Director, who indicated that the library budget was not due until December, so she hoped her colleagues would agree to monthly meetings, but that did not happen.

Ms. Bohmke said she would continue to recommend additional process improvements with the library so that they had greater accountability for the public. She said regarding the library with the Board, they agreed that they wanted Mr. Vosburg to continue the circulation of the review of all the jurisdiction's 1993 Library Agreement. She said they asked for Stafford to continue to lead that effort because it began with their former County Administrator. She said Mr. Vosburg wanted to review the document with Donna Krauss and the Supervisors. She said if it was the pleasure of the Board, they could meet with the Library Executive Director and their staff to understand this budget document better, as well as the Library Agreement changes and anything that they would like to be added. She said the Board would be a part of that process as well. She asked if anyone was opposed to that.

Ms. Bohmke continued that she also attended the runway expansion, and her only comment was that they had a 1940s Steerman that flew from the new runway and took off. She said that Nick Futrell, a senior at Stafford High School and a member of Troop 199, was rebuilding all of the benches at the Belmont to Ferry Farm Trail. She said a lot of people think they had been vandalized, but they were not; they had yellow caution tape wrapped around them because they were putting new boards into them. She congratulated Mr. Futrell and all others involved.

Ms. Bohmke said she wanted to pass on condolences to the family of Shannon Berry, a longtime Falmouth young man who joined the Falmouth Fire Department many years ago when he was only 16 years old, when the Falmouth station was still located on Route 1 by Access Eye Center. She said Shannon was involved in many service clubs and is known for serving the community. She said those that knew him said he would be remembered for his beautiful smile, his great laugh, and his generous heart. She said they offered condolences to his family and friends.

Ms. Vanuch – remarked that to be able to accomplish the securing of a $5.7 million broadband extension into the most rural parts of the community out in Hartwood and Rock Hill was incredible and they would be able to get a lot of people connected who would otherwise not be able to be connected. She thanked Mike Morris and his staff for their hard work in following through and getting this years-long process accomplished. She thanked her colleagues for their support because it meant a lot to their districts. She said Supervisor English mentioned doing a town hall, and she would love to be a part of that if the community decided they needed one to answer questions in their districts.

REPORT OF THE COUNTY ATTORNEY

Ms. McClendon said she had no report at this time.

REPORT OF THE COUNTY ADMINISTRATOR

Elections Update

Ms. Hash Anna Hash, General Registrar of General Elections in Stafford County stated she had a brief update on the redistricting process that had now been completed. She said mid-July, all changes were made in the database. She said if anyone had registered to vote or change their address or made any changes, the card they received from that point would have those updated changes. She said all registered voters in the County would be receiving new cards, and the state was mailing them out tomorrow or the next day. She said all registered voters would be getting a new card that showed if their location had changed or if it had not changed, it would continue to show where they had always voted.

Ms. Hash said everyone was now in the 7th Congressional District. She said that was on the ballot in this upcoming election, in which early voting began on Friday. She said everyone would have new House and Senate Districts, and many voters would have new polling locations they would go to. She said the information was posted on her website which could be accessed through the County's webpage by going to "voter registration." She said an article and a short video were released today as well with all the information about the redistricting changes.

Ms. Allen said great work had been done by Ms. Hash's staff. She said she knew they had a very tight timeline to get this done and they worked hard to allow people to exercise their constitutional right to vote. She said she looked forward to seeing the results of their efforts with early voting.

Ms. Yeung thanked Ms. Hash for the work they had done. She said several envelopes came home to her children who did not live there anymore, and she was trying to find out which ones were real and which were not. She asked how they were ensuring individuals understood what mail was real, the people whose addresses had changed, and those people who may not have access to the webpage or YouTube.

Ms. Hash said if someone did not live there, it was returned undeliverable and came back to them. She said likely what Ms. Yeung was getting were voter registration applications or absentee ballot applications for your kids from a third-party organization. She said they were real and legitimate, and when mailed back they came back to the County and not to the third party, but they had nothing to do with that in any way. She said what could be seen with new voter location information was a postcard that said it was from the Department of Collections and official election mail. She reiterated that the envelopes Ms. Yeung was receiving were likely from a third-party organization.

Ms. English asked Ms. Hash if it was possible that they could put what the card looked like so that people would know what to look for.

Ms. Hash said she would as soon as she knew what the card looked like. She said they were being sent out from Richmond and the design was not known, but she would get a picture as soon as possible.

Mr. Coen said he believed he had seen that there was a shortage of poll workers.

Ms. Vanuch said Mr. Coen could not participate as an elected official.

Ms. Hash said there was a link on her webpage for people who wanted to help out with the polls. She said they would have a booth at National Night Out for more information for people who would like to become election officials. She said they always needed more.

Update on Musselman Park Master Plan
Mr. Vosburg said this project was about to begin, and as part of that process, they would have a community meeting in October.

Monthly Expenditure Listing Report (For Information Only)
Mr. Vosburg said the monthly expenditure report was in the Board's packet as usual. He said Supervisor Yeung had asked about GFL, and his update as of now was that they had seen that complaints in their office were at a low level, but that did not mean that they were getting the same complaints she was, He said he asked Mr. Toigo, who said that within the last two weeks, they had worked with two complaints from their office, so they would continue to work those and with Phil at the landfill and with Denny at GFL. He said relatively speaking, they were at a lower level than they previously were.

Mr. Vosburg said they had a great Strategic Plan session last Saturday and he was excited about the future and what they were able to accomplish.

CONSENT AGENDA

Ms. Vanuch said that Ms. Gary had asked to pull Item 5 from the Consent Agenda.

Ms. Gary motioned, seconded by Ms. Yeung, 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 September 6, 2022, Board of Supervisors Meeting Minutes.

Item 2. County Administration; Approve August 16, 2022 Board of Supervisors American Rescue Plan Act Work Session Minutes.

Item 3. County Administration; Receive Central Rappahannock Regional Library's Quarterly Report.

Item 4. County Administration; Appoint Mr. Michael Parkyn to the Parks and Recreation Advisory Commission Representing the Garrisonville Election District for a Term Ending December 31, 2025.

Item 5. County Administration; Authorize the County Administrator to Send a Letter to the State Board of Local and Regional Jails Regarding the On-Going Inmate Fees Study.

Ms. Vanuch said that this motion would authorize the letter. She asked Supervisor Gary to discuss this item.

Ms. Gary said she wanted to understand what the purpose was. She asked if there was a letter attached in the packet. She asked if they could go back through it and make sure it was understood what they were conveying in that letter.

Ms. Vanuch said that Mr. Vosburg was at the jail board meeting with herself and Ms. Gary.

Ms. Gary confirmed that she attended that meeting.

Ms. Vanuch said that was the letter they were discussing.

Mr. Vosburg said at the last jail meeting, there was a vote taken to send a letter as a result of a bill that had been passed this past session. He said the bill was to create a committee to look at reducing fees or eliminating fees within the jail system. He said the concern that was brought up at the jail board was the tremendous impact that could have on revenue. He said the letter from the jail board stated that it was more than a $4 million impact on the revenue plus the expense of providing some of those services.

Ms. Vosburg said the letter was what was before the Board to state that they had concerns and objections to the loss of revenue, because there were two paths at that point. He said if the revenue were taken away, they either reduced some of the services, which could have an impact on those currently utilizing those services, or looked to local jurisdictions to pick up the dollars to continue to provide those services. He said it was a multi-million-dollar item, so the letter came from revenue concerns.

Ms. Gary said she understood that and understood conveying those concerns, but she did not necessarily want to take a position on that, and that was something that should be talked through in more depth as a Board because of the scope of the situation and its impact on people. She said she understood personally how these things can affect people and that in the past she was with someone who went to jail, and she could tell that complex story sometime about the impacts of people who actually had to deal with someone who was in jail. She said she ended up over $30,000 in debt with someone who was awful to her and she had to do things she would prefer not to do in trying to get out of that relationship and trying to pay off that debt. She said they should have a fuller discussion before sending off that letter. She said she was not opposed to discussing the impacts that it would have.

Ms. Yeung said that if Supervisor Gary did not pull it, she would have done so. She said she had similar concerns but was not at the meeting. She said she understood from Mr. Vosburg that it appeared that he was recommending the letter, but he actually did not have anything to do with the letter being recommended before the Board.

Mr. Vosburg said that was correct. He said at the jail board he voted for this item to come before the Board. He said the letter was drafted as coming from himself.

Ms. Yeung said she would not blindly agree to send a letter because the RRJA is telling them to without knowing what the recommendation was of the Virginia State Board of Local Jails. She said when it was completed, she would like to see that.

Mr. Vosburg said that the intent of the letter was to send it so that the group reviewing this would know that objection existed.

Ms. Yeung said she would not object to something that would out-read a recommendation before she objected.

Ms. Allen said that the conversation needed to discuss the fiscal impacts, and she understood that, but she was curious about what other jurisdictions were doing. She asked if there were any mentioned in the letter that would be on board with this.

Mr. Vosburg said it was a unanimous vote at the jail board meeting that everyone was taking it back and passing it. He said he knew of one jurisdiction that had passed a similar letter.

Ms. Allen asked when the jail board meeting occurred.

Ms. Vanuch said it was a month ago and it took a long time to get the letter. She said they had just received the letter before the agenda came out.

Ms. Allen said if this was an issue, she would like to have known before today or when getting the Board packet. She said she would like to have time to ask questions and feel comfortable doing that because prior to their Board packets being released, she did not know this was something in the purview of the Jail Authority.

Ms. Bohmke said it was the usual state unfunded mandate if things changed. She said she would like to understand if the letter was going to be received by a group that was going to be studying this. She asked if there was more specificity as to what the legislation said.

Mr. Vosburg said that the Board packet's third page gave the language from the General Assembly, which talked about the group that was created, the different memberships the group was comprised of, and the intent was stated as "regarding the reduction or elimination of costs and fees charged to inmates in local or regional correctional facilities to defray the cost of an inmate's keep, work release, or participation in educational or rehabilitation programs, to use telephone services, to purchase items from stores or commissaries, to utilize electronic visitation systems and otherwise deemed relevant by the Board." He said that was the scope, and it then discussed the membership of the group that would look at the elimination of fees related to those services.

Ms. Bohmke said she had concerns about the entire item. She said she would like to make a recommendation to defer this to the Public Safety Committee and dive into it more. She said she was unsure if anyone would be ready to vote on this today.

Ms. Vanuch said she would recommend they get a summary from the Superintendent of the Jails for that meeting and put some of the consequences of what they discussed that led to that. She said it was not fresh in her memory. She said because it was on the Consent Agenda, it could show up under Unfinished Business, so that way the entire Board was getting it and not only three people in public safety.

Ms. Bohmke said that was fine.

Ms. Gary said she wanted to clarify that this was not necessarily an unfunded mandate. She said the reason they were doing this study was that there were some things that they would still be required to provide, but there were also other things that were not required that were paid for by families and single mothers, people who were actually utilizing Social Services, so there were other fiscal impacts to this that were outside of just the jail. She said that was the reason for the study, she did not think there was anything wrong with the study, and in this complex situation, they should leave it to people who had the capacity to deal with it and look at it.

Mr. Coen said Ms. Allen brought up a good point. He said when thinking of other districts, it made him think about how they were going to go further on this and what their response would be: to cut services or raise taxes to pay for thereof. He said that was an interesting question to understand if other localities had even thought about what they were going to do. He said in looking at this list, there was a large difference between things on this list and the explanation of what those were was different.

Mr. English asked what this would cost the taxpayers at the bottom line. He asked if it would cost them millions of dollars.

Mr. Vosburg said the total impact, according to the letter, was a little over $4 million, which was split among all the membership on the Board. He said he did not know their exact percentage but could find out.

Ms. Gary asked if they would know what that would be if the study had not yet been completed. She said they may complete the study and find that some should be done and some should not. She said conveying their concerns is the right move instead of taking a position on it.

Ms. Vanuch said that the letter had already been sent. She said the intent of the letter was to say that from the jail board's perspective, the localities had an interest in all marrying the same opinions and showing a unified front of the impacts to the actual taxpayers of the localities for the inmates. She said they would lose their iPad privileges or the localities would then have to pay for that. She said it was a committee of the General Assembly, so they would look at a variety of things, and then they would typically provide comments to the General Assembly committee or notify them of impacts they may not be aware of. She said they were there to seek public input from the jails, the counties, and the constituents.

Ms. Yeung asked if the jail board had already sent the letter.

Ms. Vanuch said the jail board had sent the letter.

Ms. Yeung asked if they were representatives on the jail board.

Ms. Gary said she was not.

Ms. Yeung said it was like influencing a decision without the recommendation being provided. She said she was not for either or, and individuals in jail caused harm and had to serve time, but it was about the families and those that had and had not. She said she wanted to make sure whatever decisions were made were with the Board's consent with that board so that they were ensuring that for those individuals and those families. She said that was the reason, regardless of what the details were in between that it was fair. She said she wanted to see the recommendation without influencing before the recommendation was complete.

Mr. English asked if they already provided services and money to the jail. He said this was another added expense. He said he did not think it should be upon the taxpayers to pay this and he was for sending the letter today.

Ms. Allen said she respectfully disagreed with Mr. English; while people may commit crimes, there was such a thing as compassion. She said this also applied to people who did not commit crimes and were waiting. She said she agreed with Ms. Gary that it took a position and said they were in opposition. She said that contrary to the Chairman's statement, what they were saying was that they understood this was a review committee and they would do a study and have conversations, and the jail board already did their process, but as a Board, some of them did not agree, especially when it took a position for them.

Ms. Allen said they could express some level of concerns, but she did not think they needed to take a position, whereas the letter said they were in opposition, which was a position. She said if Mr. Vosburg rewrote the letter to express concerns as opposed to taking a position, that would allow them time to get some of the information back while allowing the state to deliberate. She said the letter made them take a position.

Ms. Gary said she would be okay with sending out a letter expressing concerns about the fiscal impacts this may have, but because this takes a position, she could not support it, and any person who had a loved one in jail knew it was not just the person in jail who suffered but the family, including a spouse, girlfriend, boyfriend, children. She said that Social Services was impacted and this had fiscal impacts on the community where they must step up and take care of families who were impacted by tens of thousands of dollars in individual families each year.

Ms. Gary said they could not just siphon resources out of hurting families because they could not sustain something. She said there was a better way to do it, the people of the state knew this, and that was why they were doing this study to begin with. She said it was not just to let this continue, the study was warranted, and she agreed that they should express their concerns with impacts that may be had, but that was as far as they could go as a Board.

Ms. Bohmke motioned, seconded by Ms. Gary, that Mr. Vosburg rewrite the letter and in the letter communicate that they were concerned about the fees, revenues, and expenses and that the state had to figure out a way to support them.

Ms. Bohmke said if those revenues were to go away, they needed to make adjustments. She said this would go to appropriations anyway and they would have a fight about it in Richmond, and it would not be an easy lift. She said when looking at all the jails in the Commonwealth, it would be a big number.

Ms. Vanuch said earlier they discussed this coming back as Unfinished Business. She asked if part of the motion could include this item to come back with the new letter as Unfinished Business and with a summary from the superintendent from the jails. She said perhaps she or Mr. Vosburg was forgetting a point that was brought up that may help the Board make a decision.

Ms. Bohmke said she was not opposed to any additional information.

Ms. Yeung asked if there was information about the recommendation from the State Board that they got outside of what she had read so far.

Ms. Vanuch said there was not one.

Ms. Gary said they were working on it.

Ms. Vanuch said they just started the committee. She said this was to inform their committee and she did not think they had met yet.

Ms. Yeung asked if they had meetings or minutes.

Mr. Vosburg said they would look into that and he would send any pertinent information.

Ms. Yeung said if there was anything, he could send that.

Ms. Gary requested that any additional information that was attached to this would not have an opinion but have facts to be conveyed.

Ms. Vanuch said the only other opinion would be from the superintendent and the jail board.

Ms. Gary asked if they were attaching an opinion with the jail board, but they had already sent the letter. She said she did not want to attach an opinion if they had already sent a letter.

Ms. Yeung said it was information for the Board to read.

Ms. Gary asked if it was information to be read and not to go with the letter.

Ms. Vanuch said yes. She said it was a part of their packet.

Mr. Coen said if Ms. Light could provide information if other communities were fully funding this area. She said some of the information was covered in the budget but he was unsure if they discussed the jails in this much depth.

Ms. Allen said she wanted to ensure that in the packet they would receive information about what they were paying as a jurisdiction and if the state would give any assistance.

Ms. Bohmke said they could certainly ask that question.

Ms. Allen said she knew they were unfunded.

Ms. Bohmke said any additional facts and figures would be great.

Ms. Vanuch asked for the Board to vote on the deferment of this item to October 4 under Unfinished Business.

The Voting Board tally was:

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

Item 6. County Administration; Approve Disbanding the Public Day School Committee of the Board of Supervisors and the School Board.

Item 7. Budget and Management; Budget and Appropriate FY2022 Year End Encumbered Funds for FY2023.

Resolution R22-233 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FISCAL YEAR (FY) 2022 YEAREND ENCUMBERED FUNDS FOR FY2023

WHEREAS, at the end of the fiscal year all prior year unspent appropriations lapse and the associated funds return to the fund balance of the General Fund or the fund they were originally appropriated and encumbered within; and

WHEREAS, the Board requires prior-year reappropriation to be reviewed under the standards of the Principles of High-Performance Financial Management; and

WHEREAS, the Board directed staff of the County and Schools to provide a year-end report of encumbrances over $50,000, which staff desire for reappropriation; and

WHEREAS, the School Board will provide its reappropriation request at a future meeting of the Board;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the FY2022 unspent encumbrance funds from the

County's funds be and they hereby are budgeted and reappropriated to the funds, departments, and account lines said funds were within on June 30, 2022, in the amounts as follows:

FUND	AMOUNT
General Fund	$3,322,328
Grants Fund	$174,084
ARPA Fund	$1,230,973
Transportation Fund	$1,979,945
Garrisonville Road Service District	$1,125,407
Warrenton Road Service District	$254,851
Asset Forfeiture State Fund	$14,236
Asset Forfeiture Federal Fund	$46,441
Lake Carroll Service District	$8,459
Hidden Lake Service District	$1,823
Lake Arrowhead Service District	$3,217
Capital Projects Fund	$2,395,952
Utilities Fund	$27,135,824
Total re-appropriation	**$37,693,540**

Item 8. Budget and Management; Budget and Appropriate Additional Transient Occupancy Tax Revenue for FY2022 From the Tourism Funds.

Resolution R22-252 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FISCAL YEAR (FY) 2022 TOURISM FUNDS

WHEREAS, two percent (2%) of the five percent (5%) of the Transient Occupancy Tax revenue collected in the Tourism Fund is transferred to the General Fund each year; and

WHEREAS, monies collected and/or projected to be collected for the remainder of FY2022 exceed the amount previously budgeted and appropriated;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that additional transient occupancy tax revenue be and it hereby is budgeted and appropriated as follows:

FUND	PURPOSE	AMOUNT
Tourism Fund	Transfer to General Fund	$113,160

Item 9. Capital Projects Transportation; Budget and Appropriate Funds from the Garrisonville Road Service District Fund for a Multimodal Study.

Resolution R22-241 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE FUNDS FOR THE GARRISONVILLE ROAD SERVICE DISTRICT MULTIMODAL STUDY

WHEREAS, the Board identified bicycle and pedestrian improvements within the Garrisonville Road Service District, as a critical part of Stafford County's roadway 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 Garrisonville Road Service District Multimodal Study at a cost of $120,874; and

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

WHEREAS, funding from the Fredericksburg Area Metropolitan Planning Organization (FAMPO) in the amount of $75,000 has been allocated for this study; and

WHEREAS, additional funding in the amount of $45,874 is necessary to fully fund the study; and

WHEREAS, funding in the amount of $45,874 is available in the Garrisonville Road Service District fund and can be used for this purpose, but must first be budgeted and appropriated;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that Forty-Five Thousand Eight Hundred Seventy-Four Dollars ($45,874) from the Garrisonville Road Service District Fund be and it hereby is budgeted and appropriated for the Garrisonville Road Service District Multimodal Study.

Item 10. Capital Projects Public Construction; Authorize the County Administrator to Provide a Letter of Support for the Virginia Department of Rail and Public Transportation's Railroad Crossing Elimination Grant Application and Dedicate Matching Funds from the County's Secondary Six-Year Plan.

Resolution R22-243 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO PROVIDE A LETTER OF SUPPORT FOR THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION FOR A RAILROAD CROSSING

ELIMINATION GRANT APPLICATION AND DEDICATE MATCHING FUNDING FROM THE COUNTY'S SECONDARY SIX-YEAR PLAN

WHEREAS, Stafford County identified the Brent Point Road railroad grade crossing as a safety concern for citizens, passenger and freight rail operators, school buses, and emergency services; and

WHEREAS, proposed improvements will increase grade crossing safety for both rail and vehicular traffic; and

WHEREAS, the Federal Railroad Administration (FRA) has made available \$573 million in funding for the elimination and improvement of railroad grade crossings in Fiscal Year (FY) 2022 through the Railroad Crossing Elimination Program; and

WHEREAS, the Commonwealth completed environmental clearance and preliminary engineering for the aforementioned grade crossing as part of the DC2RVA Tier II Environmental Impact Statement (EIS), for which a Record of Decision was issued by the Federal Railroad Administration (FRA) on September 5, 2019; and

WHEREAS, the Virginia Department of Rail and Public Transportation is seeking to submit a funding application for the Railroad Crossing Elimination Program; and

WHEREAS, Stafford County has indicated that the Brent Point Road railroad grade crossing is a local priority by committing \$25,000 in FY2023 funds and \$25,000 in FY2024 funds from the County's Secondary Six-Year Plan;

NOW THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this day the 20th day of September, 2022, that the County Administrator be and he hereby is authorized to provide a letter of support for the Department of Rail and Public Transport's application to the Federal Railroad Administration (FRA) Railroad Crossing Elimination Program for the Brent Point Road railroad grade crossing project; and

BE IT FURTHER RESOLVED that the Board acknowledges the availability of \$25,000 in Fiscal Year (FY) 2023 and \$25,000 in FY2024 funds from the County's Secondary Six-Year Plan that can be budgeted and appropriated as the County's portion of the matching funds required if the grant is awarded.

Item 11. Community Engagement; A Proclamation Recognizing National Hispanic Heritage Month

Resolution P22-13 reads as follows:

A PROCLAMATION RECOGNIZING SEPTEMBER 15 TO OCTOBER 15 AS NATIONAL HISPANIC HERITAGE MONTH 2022

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

WHEREAS, each year, Americans observe National Hispanic Heritage Month by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

WHEREAS, the theme of this year's Hispanic Heritage Month is "Unidos: Inclusivity for a Stronger Nation," a call to ensure that all voices are represented and welcomed to help build stronger communities and a stronger nation; and

WHEREAS, Stafford is proud that persons of Hispanic or Latino descent constitute more than 15% of Stafford's total population and have added to and enhanced the community life in the county; and

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

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

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

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that it be and hereby does recognize National Hispanic Heritage Month, 2022.

<u>Item 12. Community Engagement; A Proclamation Recognizing September 17-23, 2022, Constitution Week.</u>

<u>Resolution P22-14 reads as follows:</u>

A PROCLAMATION RECOGNIZING SEPTEMBER 17 – 23, 2022, AS CONSTITUTION WEEK IN STAFFORD COUNTY

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2022, marks the two hundred and thirty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, two of America's and Stafford's most revered native sons, George

Washington and George Mason, attended and had significant impacts on the Constitutional Convention of 1787; and

WHEREAS, George Mason wrote the Virginia Declaration of Rights, which became the basis for the Bill of Rights, and then became the first 10 amendments to the Constitution; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 20th day of September, 2022, that the Board be and hereby does encourage citizens to reaffirm the ideals of our founding fathers by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, the Constitution of the United States of America.

Item 13. Community Engagement; A Proclamation Recognizing September 18-24, 2022 as Adult Education and Literacy Week.

Resolution P22-32 reads as follows:

A PROCLAMATION RECOGNIZING THE WEEK OF SEPTEMBER 18 - 24, 2022, AS ADULT EDUCATION AND FAMILY LITERACY WEEK

WHEREAS, 43 million individuals in the United States cannot read, write, or do basic math above a third-grade level; and

WHEREAS, adult literacy intersects with almost every socioeconomic issue, and we must address these issues by investing in the education of adults, parents, and workers so they can reach goals of self-sufficiency and be successful in their homes, lives, careers, and as citizens; and

WHEREAS, adult education programs continue to work to solve these challenges by helping Virginians move along the continuum of their educational journey to achieve basic skills and get prepared for careers and college; and

WHEREAS, we recognize the continued need to raise public awareness of adult education and family literacy, assist learners in need of literacy services, and support increased access to Adult Education and Family Literacy Programs; and

WHEREAS, from July 2018 to June 2021, Adult Education Programs in the Commonwealth of Virginia served 44,890 participants, 1,716 received high school equivalency credentials, 829 transitioned to post-secondary education, and 7,494 made gains in English Language proficiency; and

WHEREAS, the Rappahannock Area Regional Adult Education Program (serving Fredericksburg City, King George, Caroline, Stafford, and Spotsylvania Counties) has provided essential education and support opportunities to citizens in our region for over 30 years; and

WHEREAS, these adult and education literacy systems are essential to improving the quality of life for individuals, adults, children, and families;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 20th day of September, 2022, that the Board be and hereby does proclaim the week of September 18-24, 2022, Adult Education and Family Literacy Week in Stafford County and urge all citizens to support Adult Education and Family Literacy.

<u>Item 14. Economic Development; (1) Accept the Virginia Transportation Partnership Opportunity Fund (TPOF) Grant to Fund Roadway Improvements for Project Mover, (2) Budget and Appropriate the Grand Funds, and (3) Authorize the County Administrator to Execute Associated Agreements with the Virginia Department of Transportation (VDOT) and Stafford County Economic Development Authority (EDA).</u>

<u>Resolution R22-209 reads as follows:</u>

A RESOLUTION (1) ACCEPTING THE VIRGINIA TRANSPORTATION PARTNERSHIP OPPORTUNITY FUND GRANT TO FUND ROADWAY IMPROVEMENTS FOR PROJECT MOVER, (2) BUDGETING AND APPROPRIATING THE GRANT FUNDS, AND (3) AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ASSOCIATED AGREEMENTS WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) AND STAFFORD COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA)

WHEREAS, the County and the Stafford County Economic Development Authority (EDA) partnered with the Virginia Economic Development Partnership Authority (VEDP) to incentivize the development of a new distribution facility by DHL Supply Chain (DHL) in Stafford County (Project Mover); and

WHEREAS, VEDP's incentive included an invitation for the County to apply for funds from its Virginia Transportation Partnership Opportunity Fund (TPOF) grant program to assist with roadway improvements to serve Project Mover; and

WHEREAS, pursuant to Resolution R20-403, the Board authorized the submission and approval of a TPOF grant application; and

WHEREAS, the Commonwealth awarded the County $1,392,000 in TPOF grant funds to assist with roadway improvements located at Venture Business Park at the intersections of Wyche Road and Bradburn Place, and Wyche Road and Wyche Court (Project); and

WHEREAS, the Board desires to engage the EDA, and the EDA desires to assist the County with the management of the TPOF grant and disbursement of grant funds to DHL; and

WHEREAS, acceptance of the TPOF grant funds requires execution of agreements with the Virginia Department of Transportation (VDOT) and the EDA specifying the requirements of the grant and the Project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the Virginia Transportation Partnership Opportunity Fund (TPOF) grant award in the amount of One Million Three Hundred Ninety-Two Thousand Dollars ($1,392,000) from the Commonwealth of Virginia, through the Virginia Department of Transportation (VDOT), to be allocated to DHL Supply Chain through the Stafford County Economic Development Authority (EDA) for construction of roadway improvements along Wyche Road to serve Project Mover, be and it hereby is accepted; and

BE IT FURTHER RESOLVED that One Million Three Hundred Ninety-Two Thousand Dollars ($1,392,000) in TPOF grant funds are budgeted and appropriated to the Grant's Fund to be used for the purpose stated herein; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to execute agreements with VDOT and the EDA, which set forth the terms and conditions of the disbursement of TPOF grant funds and the project requirements.

<u>Item 15. Information Technology; Authorize the Amendment of Resolution R22-214 and Ratify FY2023 Virginia Telecommunications Initiative (VATI) Grant With Comcast as the Co-Applicant to Bring Broadband Service to Various Unserved and Underserved Areas of the County.</u>

<u>Resolution R22-256 reads as follows:</u>

AN RESOLUTION TO AMEND RESOLUTION R22-214 AND RATIFY AN APPLICATION FOR THE FY2023 VIRGINIA TELECOMMUNICATIONS INITIATIVE (VATI) GRANT WITH COMCAST CORPORATION AS CO-APPLICANT TO BRING BROADBAND SERVICE TO VARIOUS UNSERVED AND UNDERSERVED AREAS OF THE COUNTY

WHEREAS, the County seeks to provide service to approximately 1,297 homes and businesses unserved and underserved by telecommunication broadband services in various parts of the County, an increase from the 1,251 homes recognized in the Board's authorization to apply for the FY2023 VATI grant pursuant to Resolution R22-214; and

WHEREAS, the Virginia Department of Housing and Community Development (DHCD) has implemented the Virginia Telecommunications Initiative (VATI), which provides grants to supplement construction costs by private sector broadband service providers in partnership with local units of government; and

WHEREAS, the County applied for the fiscal year (FY) 2023 VATI grant on August 25, 2022, which will award projects in an amount not to exceed 10% of DHCD's total available funds in FY2023; and

WHEREAS, the County identified Comcast Corporation (Comcast) as an eligible co-applicant for the VATI grant through Request for Information #22-01-1245-RFI; and

WHEREAS, Comcast has proposed to construct and bring landline service to 1,297 unserved and underserved homes and businesses in various parts of the County with an anticipated total project cost of $11,120,000, an increase from $10,230,000; and

WHEREAS, based on the proposed project costs, the request for VATI grant funds includes a match of 40% of the total project cost from Comcast or $4,451,962 and the County's match is $1,300,000 or 11.6%; and

WHEREAS, American Rescue Plan Act (ARPA) funds are available and can be used for the County's portion of the local match; and

WHEREAS, if the FY2023 VATI grant is awarded, staff desires to reallocate portions of prior ARPA fund appropriations to cover the County's portion of the local match associated with the FY2023 VATI grant;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that Resolution R22-214 be and it hereby is amended to include the new project cost totals and application amount for the fiscal year (FY) 2023 Virginia Telecommunications Initiative (VATI) grant; and

BE IT FURTHER RESOLVED that if awarded, Comcast Corporation will provide 40% or $4,451,000 in matching funds, and Stafford County would provide 11.6% or $1,300,000 in American Rescue Plan Act (ARPA) funds as a local match.

Item 16. Planning and Zoning; Refer Proposed Changes to the Public Notification Requirements for Zoning Reclassifications, Conditional Use Permits, Special Exceptions and Variances to the Planning Commission.

Resolution R22-245 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND THE STAFFORD COUNTY CODE REGARDING PROPOSED AMENDMENTS THE NOTICE REQUIREMENTS FOR CONDITIONAL USE PERMITS, ZONING RECLASSIFICATIONS, VARIANCES, AND SPECIAL EXCEPTIONS

WHEREAS, the Planning Commission has expressed concerns about lack of citizen participation at public hearings; and

WHERAS, County Code requirements meet minimum state standards for public notification to property owners who abut property subject to a zoning change; and

WHEREAS, the Board's 2040 Strategic Plan has a goal to "implement a comprehensive communications system to keep the public informed and engaged;" and

WHEREAS, the Board desires to consider amending the Zoning Ordinance to change how notification is provided to the public of proposed zoning changes to properties and requests the Planning Commission conduct a public hearing and make recommendations regarding this ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the Planning Commission be and it hereby is requested to conduct a public hearing and provide its recommendations to the Board on proposed changes to the County Code regarding notice requirements for conditional use permits, zoning reclassification, variances, and special exceptions, pursuant to proposed Ordinance O22-24.

<u>Item 17. Utilities; Authorize the County Administration to Approve Additional Expenditures and Ratify a Contract With 72 Hour LLC D.B.A. National Auto Fleet Group for the Purchase of Utility Vehicles.</u>

<u>Resolution R22-237 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES AND RATIFY A CONTRACT WITH 72 HOUR LLC DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF VEHICLES

WHEREAS, the Department of Utilities operates a fleet of various types of vehicles, which include service body trucks and crane trucks for daily maintenance, repairs to infrastructure, and maintaining generators at water and sewer pump stations; and

WHEREAS, the County executed a contract with 72 Hour LLC, doing business as National Auto Fleet Group, Rider Agreement No. 22-073-5030CO, which rides a contract awarded by a national cooperative, Sourcewell Contract No. 091521-NAF, to furnish and deliver vehicles, related equipment and accessories; and

WHEREAS, the contract value is anticipated to exceed $200,000 in total cost and further Board action is required; and

WHEREAS, funds are available for the purchase of vehicles in the Utilities Fund Operations Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the contract with 72 Hour LLC, dba National Auto Fleet Group, Stafford County Rider Agreement No. 22-073-5030CO, for an initial term from March 14, 2022 to November 8, 2025, with one optional one-year renewal term, be and it hereby is ratified and approved; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve additional expenditures with 72 Hour LLC, dba National Auto Fleet Group to furnish and deliver vehicles, related equipment and accessories on an as-needed basis, in an amount not to exceed One Million Dollars ($1,000,000), in a total contract amount of $1,041,338, unless modified by a duly-executed contract amendment.

Item 18. Utilities; Authorize the County Administration to Approve Additional Expenditures and Ratify a Contract With Instrumentation and Control Systems Engineering, Inc. for Electrical Services.

Resolution R22-250 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES AND RATIFY A CONTRACT WITH INSTRUMENTATION AND CONTROL SYSTEMS ENGINEERING, INC. FOR ELECTRICAL SERVICES

WHEREAS, the Department of Utilities requires additional professional services for electrical repairs and maintenance for the water and wastewater treatment facilities and pump stations, which is beyond the scope of Utilities staff; and

WHEREAS, the County executed a contract with Instrumentation and Control Systems Engineering, Inc. (ICSE), Rider Agreement No. 22-036-5030CI, which rides a contract awarded by Spotsylvania County, Contract No. 17-07-TV-02, for electrical services; and

WHEREAS, the contract value is anticipated to exceed $200,000 in total costs and further Board action is required; and

WHEREAS, funds for the professional services are available in the Utilities Fund Operations Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the contract with Instrumentation and Control Systems Engineering, Inc., Stafford County Rider Agreement No. 22-036-5030CI, for a term from October 5, 2021 to January 11, 2023, with no renewals, be and it hereby is ratified and approved; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve additional expenditures with Instrumentation and Control Systems Engineering, Inc. for electrical service, in an amount not to exceed Two Hundred Fifty Thousand Dollars ($250,000), for a total contract amount of $415,993, unless modified by a duly executed contract amendment.

UNFINISHED BUSINESS

Item 19. By-Laws Committee; Consider Proposed Amendments to the Board's By-Law and Rules of Procedure.

Ms. Vanuch said at the last meeting they went through all of these and they only had a few carry-overs.

Mr. Coen said he requested the County Attorney lead this, because the alterations were ones she made based on recommendations of the Board.

Ms. Vanuch asked Ms. McClendon if this was Item 19 or Item 20.

Ms. McClendon said this was Item 19.

Ms. Vanuch said her sheet was wrong and was not renumbered.

Ms. Bohmke said all their sheets said 19.

Ms. McClendon said she believed this was Item 19 as that was what she had.

Ms. Vanuch said the Chair Agenda was not updated so she needed to fix the numbers.

Ms. McClendon said the Board discussed the amendments to the by-laws at their last meeting and provided feedback. She said where there was consensus, those amendments had been incorporated into the proposed amendments, which were highlighted in the background report. She said this presentation would only cover and address the concerns raised by the Board to come to a consensus today.

Ms. McClendon said that Sections 3-1 (C) and 3-1(D) were written with regard to providing updates for the BACCs that Board members sat on. She said this was not Board committees but the committees they actually sat on, like the jail board which was just discussed. She said the language was provided to give general information with regards to updates, so instead of prescribing how the updates had to be provided, it made note that updates should be provided unless the Board members determined how the information would be provided to other Board members. She said if there was an update specific to a district, it could be provided to other Board members or they could use Supervisor report time to provide updates to Board members.

Mr. Coen said this incorporated people's concerns about using up five minutes, but they could email or send it if they felt it did not need to be taken out of their own time.

Ms. McClendon asked if Ms. Vanuch would like to provide feedback on the four amendments that were still outstanding or if the Board wanted to discuss it at the end.

Ms. Vanuch asked if the Board wanted to discuss them one by one. She said that was likely easier. She asked what the Board wanted to decide. She asked if anyone was opposed. Hearing none, she asked Ms. McClendon to proceed.

Ms. McClendon said the next slide covered summaries being provided to Board members with regards to actions of committees. She said there was a desire to make sure Board members knew what was happening in the committees, and staff already created summaries or action lists from each committee meeting, so this particular provision would have those action lists provided to Board members. She said there was an additional request to ensure the public also knew what was happening with Board committees, so she recommended those action lists be provided to the Board and to the public under the County Administrator's Report, where it would be provided as information only, similar to the expenditure list or construction list. She said therefore, there would be no presentation on it, and she did not believe any additional language changes were necessary to ensure it got to the Board and the public.

Ms. Vanuch asked if she would have to write these.

Mr. Coen said no. He said there was a comment about if a Board member did not go to a committee meeting that the minutes should be provided, and that stuck in his head. He said the reason this was raised in the first place was not for Board members but for the public. He said they put on the internet what their agenda was but they did not go any farther than that, and unless one of them detailed the meeting contents, the public did not know what was going on. He said this way, the public could access that information. He said this was not for individual Board members but was for greater transparency, which according to their survey, was an area that they needed to work on.

Ms. Allen said they had a speaker who just told them that their last meeting was not accessible, and that was true of several of their meetings.

Ms. Vanuch said it was difficult for her to follow along.

Ms. Allen said that anything they could do to help with that public process would raise their transparency score, so it made sense to her.

Ms. Vanuch asked if anyone was opposed to this change. Hearing none, she asked for the next slide.

Ms. McClendon said the next section was providing clarity around the significant uses of staff time. She said the Board wanted to make sure it excluded requests from the Chairman and Vice Chairman on behalf of the Board.

Ms. Vanuch asked if anyone was opposed to this.

Ms. Allen said she understood the Chair and Vice Chair had their own meetings. She asked how this related to the Chair and Vice Chair meetings.

Ms. Vanuch said if they did not have the majority of the Board with them, it would still stop.

Mr. Coen said his question was if someone was Chair and it did not come forward with Chair and Vice Chair, but then the Chair contacted staff and said they believed they were doing something for the betterment of the Board and wanted it researched, would staff understand that they could not do that because it was not for the betterment of the Board unless it was brought in front of the whole Board for discussion.

Ms. Gary said she thought that staff understood that.

Ms. Allen asked how they knew that the Chairman had consent from the rest of the Board. She said she would like clarification.

Ms. McClendon said ultimately, the Board was a self-governing body, so as a staff member, this was regarding ordinances and resolutions, and the Chair or Vice Chair would be asked if it was on behalf of the Board, but ultimately, if the Board felt that the Chair or Vice Chair were acting without the Board's overall permission or authority, it was up to the Board members to then act.

Ms. Vanuch said they were reading too much into it. She said an example would be if they wanted to create a new road, the Chair would ask for maps, and staff would ask if it was for the betterment of the Board. She said then, the County Administrator would step in and say it needed to come onto an agenda, or he would send an email out on behalf of the County Administrator to the Board. She said the original language was an issue because with the Chair and Vice Chair, they authorized staff to create ordinances and resolutions, so they had to have that ability. She said if the Chair or Vice Chair did something that was in the wrong direction, it could be addressed through the majority of the Board.

Ms. Yeung asked the County Administrator for his opinion.

Ms. Vanuch asked if he was allowed to have an opinion.

Ms. Yeung said she would like to hear his opinion.

Mr. Vosburg said his opinion was that it was clear to him, and he had gotten good communication with all the Board members so that if something was awry, he could bring that to the attention of the Board, and as Ms. McClendon said, the Board could address that. He said the relationship and communication were good and in place so if there was a violation of this, he could bring it to the Board.

Ms. Yeung asked if this could be read for someone who was not a County Administrator.

Ms. Vanuch asked if they could return to this item after hearing the rest of the information.

Ms. McClendon said the next particular revision was brought forward with regard to adding items to the agenda. She said the proposed language was adding items to the agenda with a 2/3 vote of the Board, then requiring unanimous consent of the Board to vote at the same meeting. She said when looking at this particular provision, it was helpful to look at how they added items now versus how they would add them under the proposed amendment. She showed a slide with a chart of the procedural effect of the proposed amendment.

Ms. McClendon said if an item was to be added to the agenda now, they were looking at it under the Consent Agenda or under the New Business agenda. She said under consent, if a new item was brought forward, after the agenda had been published on Thursday but something was received on the dais on Tuesday, currently, it would be approved as an addition to the agenda by a majority vote, and they would vote on that item as part of the rest of the Consent Agenda. She said under the proposed amendment, however, it would take a 2/3 vote to add that to the Consent Agenda but would still be approved by a majority vote.

Ms. McClendon said the most significant changes from the proposed amendment would be for New Business items. She said for the current agenda, New Business items could be added to the current agenda by a majority vote, but it must take a 2/3 vote to find it time-sensitive and voted at the same meeting. She said under the proposed change to this particular section, it would take a 2/3 vote to get it onto the agenda, and then to act on it on the same day, it would require unanimous consent to waive the by-laws. She said this particular provision had no proposed amendments, the Board had concerns with this additional standard, so they were looking for feedback as to whether the Board wanted to keep the amended language, to change it, or do anything else with it.

Ms. Yeung said she agreed with the 2/3 vote because it was good business practice.

Ms. Vanuch said that was not a majority but a supermajority.

Ms. Vanuch said she was opposed to this change for many reasons she had stated before. She said she would not vote on the by-laws if this was in them.

Mr. Coen said they could separate the items in the by-laws and vote on them individually.

Ms. Vanuch said the adoption of the by-laws required a 2/3 majority and was not something she would vote for if this was in there.

Mr. Coen said he had no problem with the 2/3 vote and he did not see where that would be that difficult to get the fifth vote.

Ms. Allen said she was okay with the 2/3.

Ms. Gary said she helped write it, so she was good with it. She said any time they were trying to move things through quicker, there should be a greater majority.

Ms. Bohmke asked if an item was brought to the Board to add to New Business and there was not a 2/3 vote would the item automatically go to the next agenda to be voted on. She asked what would happen to that item.

Ms. McClendon said if an item was brought forward and did not receive a 2/3 vote to be added to the current agenda, staff would bring it to the next agenda, but it would be presented to the Board on the draft agenda just as any other item that was added.

Ms. Vanuch said it could still go on the agenda but would be a two-week delay. She asked if two members were not present and there were only five Board members, whether it was a 2/3 of that majority or 2/3 of the total Board.

Ms. McClendon said it applied to the members present and voting. She said this was also true of the unanimous consent; it referred to the unanimous consent of those present and voting.

Mr. Coen said most of the time they added something, staff normally told them why it needed to go on, and if there was really a problem they would debate it. He said it would give that emphasis that it was not only a simple majority.

Ms. Vanuch asked where they had a problem with something coming out of committee and coming on the agenda that necessitated a 2/3 majority. She asked what this was addressing. She asked what precipitated the need for a supermajority to take committee items and put them on the agenda.

Mr. Coen said if they did not have all the information but it was pushed on there by a simple majority on the agenda, then they discussed it and used time when it did not belong on the agenda. He said if it was something that was so mundane, usually everyone agreed it should be on the agenda and voted for it, but on controversial things that were pushed through, it was rushed as opposed to using due process.

Ms. Gary said they would need more time to deliberate when there was something more contentious, and sometimes the public may want to weigh in or be aware when there are issues the Board did not agree on and were close. She said it only made sense to give added time to come to the correct resolution.

Mr. English said if it was an emergency and they needed to get it done.

Ms. Gary said they would likely agree as they had in the past.

Mr. English said they would need 5 of 7 votes.

Ms. Vanuch said considering the diverse opinions of the Board, having five may be difficult, especially if it's a controversial item that four Board members wanted.

Ms. Gary said she did not think they would turn it down if it was an emergency. She said they were all level-headed enough to understand that if something needed to be done, they would get it done, and they had shown that in the past.

Ms. Vanuch said they were thinking of themselves, but there were elections next year.

Ms. Gary said she was referring to things they had done recently.

Ms. Vanuch said Ms. Gary was thinking about the current sitting Board and not about the Board the next year or the following year.

Ms. Gary said they could vote and change the by-laws.

Ms. Vanuch said it would take a supermajority, so these things had very big consequences.

Mr. Coen said at the start of a new term with new members, they formed a by-laws committee that looked into the by-laws as pro forma. He said at that point, it would be a normal procedure like what he and Ms. Gary did this year.

Ms. Bohmke said she did not have a problem with the 2/3 on the proposed, but waiving the by-laws by a unanimous vote meant that one Board member could be contentious for personal reasons and something important may need to move forward that the Board member would refuse to vote on, so that was a very big ask. She said that it should not be a unanimous vote but a majority or 2/3.

Ms. Gary said she was okay with changing that.

Ms. Vanuch asked if it was 2/3 for the by-laws currently.

Ms. McClendon asked if she was referring to waiving the by-laws.

Ms. Vanuch said yes.

Ms. McClendon said it was 2/3 to waive the by-laws and 2/3 to find the New Business item time-sensitive.

Ms. Vanuch asked if they were okay with moving that back to 2/3.

Ms. Gary said she was okay with that.

Ms. Vanuch said there was not yet a motion.

Ms. Bohmke said there may be some situations where they did not want to hamstring the Board.

Ms. Vanuch said she was opposed to both of those. She said she appreciated them moving on the first one, but she would not support an item coming back to have a 2/3 majority to be added to New Business or onto consent. She said consent was different because it was supposed to be non-controversial, but to add an item to New Business just to discuss it being able to be on the agenda was something she opposed. She asked if Mr. Vosburg had read the earlier section.

Mr. Vosburg said he was good with the language. He said there was discretion and obviously that could be problematic sometimes, but a professional in this position beyond himself should be able to apply that discretion, and again, communicating back with the other Supervisors if there was a potential issue. He said it was difficult to completely remove discretion from a policy or practice, so what they had was acceptable and had an appropriate amount of discretion.

Ms. Gary asked if adding something about it being the confirmed direction of the Board would cover this issue.

Ms. McClendon said they could. She said the County Administrator already had that authority and the by-laws were meant to govern the Board, so they could add it with his authority.

Ms. Gary said she understood he had the authority. She said she did not know if they needed it or not but thought it may be a solution.

Mr. Vosburg said when it referred to the Chair and Vice Chair acting on behalf of the Board, it meant the Chair and Vice Chair would ensure they were acting on behalf of the Board, because he already had the ability to reach out to the Board and confirm that, so this was governing the Board on whatever could occur, but it was for the Board to regulate at that point.

Ms. Vanuch asked if there were any issues.

Mr. Coen asked Ms. McClendon if it was correct that they could approve R22-200 with the exception of 3-5(B) and take that as a separate vote.

Ms. McClendon said that was correct. She said eventually, they would have to put together an entire document that required a 2/3 majority vote.

Mr. Coen said they would just wait and have it brought back that way.

Ms. McClendon said she could do that, or the Board could vote today. She said with regards to 3-5(B), she understood the Board would like to keep the 2/3 vote for adding to the agenda, but not the unanimous consent portion.

Ms. Vanuch said she would be voting no on the by-laws change. She asked if there was any further discussion.

Ms. McClendon asked the Clerk to show one of the slides again. She said for Sections 3-5(B) and 3-10, they would keep the first line of B and then strike the rest of B. She said ultimately, what would be before the Board for adoption today would be R22-200 to adopt the amended by-laws, pursuant to Exhibit A in the Board package with the exception of 3-5(B), which would only retain the first sentence of the amendment and none of the rest.

Ms. Vanuch asked if there were any other questions. She asked if there was a motion.

Mr. Coen motioned, seconded by Ms. Allen, to approve R22-200 as amended.

The Voting Board tally was:

Yea: (5) Allen, Bohmke, Coen, Gary, Yeung
Nay: (2) English, Vanuch

Resolution R22-200 reads as follows:

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

WHEREAS, the Board last updated its By-laws and Rules of Procedure (By-laws) on January 18, 2022; and

WHEREAS, the Board now desires to amend it By-laws to further refine, clarify, and amend its rules and procedures; and

WHEREAS, in accordance with By-laws Section 7-1, notice of amending the By-laws was provided at the Board's August 16 and September 6, 2022 meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that the By-Laws and Rules of Procedure be and they hereby are amended, in accordance with the document attached as **Exhibit A** dated September 20, 2022, as amended from the dais.

Item 20. Planning and Zoning; Consider Amending Stafford County Code Sec. 28-25, "Definitions of Specific Terms," Sec. 28-35, Table 3.1, District Uses and Standards," and Sec. 28-39, "Special Regulations, " to Amend the Definition of and Change How a Commercial Kennel is Permitted in the A-1, Agricultural Zoning District.

Ms. Vanuch said they had received a robust presentation on this item at the last meeting, and the point of contention from the Board's perspective was whether or not to have this fall under the authority of the BZA or the Conditional Use Permit process through the Planning Commission or Board of Supervisors. She asked if anyone needed the presentation.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve O22-18.

Ms. Allen said at the last meeting they said they would contact the BZA members to have conversations about this, which she did, and one of the things she wanted to understand was why they could not send this back to the BZA with the recommendations and keep it there versus coming back to the Board.

Mr. Harvey said the Board could adopt this ordinance minus the change to Table 3.1, which would keep it with the Board of Zoning Appeals. He said it was with the Board of Supervisors' discretion as to what approval process was appropriate for this type of use in this zoning category.

Ms. Allen asked if the zoning process went through the Board and not the BZA whether it would cost staff to have to do more work in the entire process versus having the BZA handle it.

Mr. Harvey said with regards to Conditional Use Permit versus Special Exception, from a staff perspective, the Special Exception route only involved one public hearing, versus a Conditional Use Permit requiring a public hearing with the Planning Commission and Board for a total of two public hearings, so there was additional work involved with that process. He said it was up to the Supervisors' discretion as to what level of involvement was appropriate for the governing body with regard to this land use type.

Ms. Allen asked her colleagues if an additional public hearing was involved, what opposition there was against sending it back to the BZA and giving them guidance that could be used. She said that was two less public hearings on the Board's agenda.

Ms. Bohmke said she discussed with her Planning Commissioner, who was also their BZA appointee, the litany of why it needed to stay with the ordinance the way it was written. She said it put more controls in place, which was important, and constituents had two bites at the apple rather than one. She said there was also a lot more notice with Planning Commission meetings and Board of Supervisor meetings, but the BZA meeting information did not seem to get out there as well as when the Board of Supervisors and Planning Commission were both involved. She said it was more costly for someone, but it was the right way to go.

Ms. Vanuch asked for the Board members to cast their votes.

Ms. Yeung asked for clarification as to what the vote was on.

Ms. Vanuch said the vote was to approve Proposed Ordinance O22-18 for commercial kennels.

The Voting Board tally was:

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

Ordinance O22-18 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS," SEC. 28-35, TABLE 3.1. "DISTRICT USES AND STANDARDS," AND SEC. 28-39, "SPECIAL REGULATIONS," TO AMEND THE DEFINITION OF AND CHANGE HOW A COMMERCIAL KENNEL IS PERMITTED IN THE A-1, AGRICULTURAL ZONING DISTRICT

WHEREAS, the A-1, Agricultural Zoning District provides for rural areas and allows a variety of uses; and

WHEREAS, the Board desires to amend the Zoning Ordinance to change how a commercial kennel is permitted in the A-1 Zoning District; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that Stafford County Code Sec. 28-25, "Definitions Of Specific Terms," Sec. 28-35, Table 3.1. "District Uses and Standards," and Sec. 28-39, "Special Regulations," be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

Sec. 28-25. - Definitions of specific terms.

Kennel, commercial. Any establishment, including home-based rescues, in which canines, felines, or hybrids are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing for routine profit, sale, or rental. ~~in which ten (10) or more canines, felines, or hybrids of either more than six (6) months of age are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing. This includes home-based rescues.~~

Sec. 28-35. - Table of uses and standards.

Table 3.1. District Uses and Standards

A-1 Agricultural.

(b) *Conditional use permit:*

Kennel, commercial.

(c) *Special Exception:*

~~Kennel, commercial.~~

Sec. 28-39. - Special regulations.

(e) ~~*Reserved.*~~ *Special provisions applicable to commercial kennels in the A-1, Agricultural Zoning District.*

(1) A commercial kennel shall only be located on a lot 5 acres or larger in size, which is not located within a major platted subdivision.

(2) The commercial kennel shall be located a minimum of 200 feet from the property lines.

(3) The commercial kennel shall be completely fenced in.

(4) The commercial kennel shall be completely screened from adjacent properties.

(5) No more than 50 animals may be kept at the commercial kennel at any time.

NEW BUSINESS

Item 21. Planning and Zoning; Authorize the County Administrator to Execute Deeds of Easement for the Purchase of Development Rights on 10 Tax Map Parcel Nos. 58D-1-35 and 58D-1-37 (Jones Property) and 2) Tax Map Parcel Nos. 47-70, 47-71 and 48-6A (Moore Property); and Appropriate Funds.

Ms. Vanuch said they reviewed this item already in CDEC. She asked if any of these items were time-sensitive.

Ms. Baker said they were time-sensitive but not as far as today.

Ms. Vanuch said she wanted to ensure everyone knew what questions were appropriate for today's meeting versus the next meeting.

Ms. Baker said the committee asked for a lot of background information on the PDR program in general, so she would proceed with some of that. She said this was to prove two deeds of easement for two PDR properties, the Jones and the Moore properties. She said Jones was on Forest Lane Road in George Washington and Moore on New Hope Church Road in the George Washington

District. She said the CDEC reviewed it on September 6, forwarded it to the Board, and requested additional information from staff regarding the potential impacts from the A-1 density change that occurred in 2021.

Ms. Baker said the PDR program was established in 2007, and application rounds were held in 2009, 2013, and 2017. She said there was a total easement acquisition on twelve properties of 1,035 acres and the development rights retired at 273, which was equivalent to building lots. She said the application rounds were based on the availability of funds as they moved forward. She said they opened their newest application rounds due on the 30th. She said during the 2017 round, they had twelve applications, six of those withdrawn for various reasons, four that had been completed, and the final two properties, the Jones and Moore, were in process.

Ms. Baker said the 2017 PDR application process entailed that after application submittal, properties were ranked by staff using criteria per County Code, and the value of those development rights was determined by staff for each property based on the pre-established methodology. She said the PDR committee then reviewed those recommendations and sent them forward to the Board, where the Board proceeded to authorize staff to work with each individual property owner under their ranking status and based on the available funding to move forward. She said all the applications they submitted for matching funds through a partner agency, and they worked with each property owner through developing a deed of easement by providing a template deed of easement to use, which had to be revised according to some of those matching fund agencies, which sometimes had more stringent requirements.

Ms. Baker said they then ordered an appraisal of the easement, and the reason for that in the 2017 round was because their matching agents required that, but the County did not require them. She said they used them to substantiate the values of the preexisting determination they had made. She said that once all the deeds were reviewed by staff, the County Attorney, the owners, and everyone was in agreement, they sent it to the matching fund agencies who authorized them to move forward, and they were now at the point where the Board authorized the project to be completed and close on the properties in question.

Ms. Baker said the Jones property was authorized initially in November 2020. She said they applied for matching funds, which took two rounds of matching funds to achieve the total amount. She said the ordinance was almost complete, the appraisal had been complete, and they should be closing on the property at the end of the year or early in the next year. She said the Moore property had been authorized for acquisition in 2018, the USDA process took longer to get through, but they were looking to close potentially by the end of the year.

Ms. Baker said in 2017, the methodology used for determining development rights was by taking the property size subtracted by 5% of right-of-way dedication plus hydric soils plus 25% slopes divided by three acres, the number of a minimum lot size in the A-1 zone. She said this was equivalent to the number of development rights and the original determinations for Jones and Moore were on the chart on the slide, with Jones having 13 development rights and Moore having 16 development rights. She said for the Moore property, the owner subtracted out nine acres of that for future family subdivision sites.

Ms. Baker said in 2020 when the Board adopted the new amendments to the A-1 zoning district, they went from a three-acre minimum lot size to a six-acre density, so properties that were now being determined for the number of subdivision lots were based on the six-acre maximum density. She said when the Board adopted the ordinance in March of last year, there was a specification that the five PDR applications in process be able to proceed at the purchase price they had calculated at the application process. She said that included the Jones and Moore properties, another property that closed last year in April, and two other applications were withdrawn.

Ms. Baker showed the Board a table the committee had asked for, which showed a comparison of the properties based on the 2017 determination value and whether they could calculate the value if it were based on a six-acre density. She said on the left was the 2017 determined value with Jones being the thirteen development rights at a cost of $20,000 per development right for a calculated value of $325,000. She said the County would put up half of that and the agency match was $162,000. She said if they were to take that property determined under the new density requirements, they would have the capability of eleven subdivision lots.

Ms. Baker said taking that and multiplying it by the $25,000 per lot value at the time of the 2017 application round, it could potentially be calculated at $275,000. She said in the last column, the $400,000 was what the easement value was appraised at in April of this year. She said they were paying less than what the appraised value of the easement was. She said with Moore, the appraised value was higher than both the 2017 determined value and the 2021 density calculated value. She said to compare the two was not accurate because they had different methodologies to determine the value, but the table gave a view of what this looked like. She said that staff recommended the resolutions be adopted with the 2017 predetermined values.

Item 22. Planning and Zoning; Consider Authorizing the Initiation of an Application for Zoning Reclassification From the R-1, Suburban Residential to the M-1, Light Industrial Zoning District on Tax Map Parcel No. 45-98.
Ms. Vanuch said this item would approve the request and was in the George Washington District.

Ms. Baker asked the Clerk to show a map of the property as she discussed it. She said this would ask the County Administrator to initiate the rezoning application. She said they had done this for properties in the past. She said this property was located at the end of RV Parkway, highlighted in the red on the slide, north of Warrenton Road and east of I-95. She said it was almost six acres in size and currently wooded. She said RV Parkway was a public road that provided access to the property.

Ms. Baker said several of the surrounding properties were a mix of zoning, with B-2, M-1, R-2, and R-1. She said the comprehensive plan for this property showed it within the Warrenton Road planning areas as well as targeted residential growth area, and the more detailed Land Use Concept designated it at mixed-use for commercial and residential. She said this property was discussed at the recent joint meeting of the Board and the EDA; the EDA was requesting transfer of this property from the Board for expansion of a company called First Line Technology, a technology-based company currently located on Lendall Lane, that was looking to expand.

Ms. Baker said the Board would discuss the transfer of that property during one of the meetings in October. She said if the Board authorized the rezoning application, staff would compile the application and associated materials and it would process just like a standard rezoning application and go through public hearings with the Planning Commission and the Board of Supervisors. She said at that point, there would be no application fees because the Board would be the applicant and no proffers associated with the zoning, so this is just to authorize them to proceed with that. She said John Holden of Economic Development was present for specific questions on First Line Technology.

Ms. Yeung asked if they could not build on it as part of a sort of promissory note for these land acquisitions.

Ms. Vanuch asked if she meant to build houses.

Mr. Coen said Ms. Yeung was thinking of the previous item.

Ms. Vanuch said that was a PDR.

Ms. Yeung apologized.

Mr. Coen said this was zoned R-1, so by changing the zoning to M, it meant less residential development in Stafford County.
Ms. Baker said that was correct.

Mr. Coen said the company First Line had a building on Lendall Lane, but they also had discussed creating another division or part of the company that would be on this parcel. He asked if this company came to Stafford from northern Virginia.

Mr. Holden said First Line Technologies first consolidated their operations in Stafford as a result of an incentive they did a few years ago with the Board to Lendall Lane, and this would be an expansion of their current operations to do additional manufacturing and storage in this property.

Item 23. Capital Projects Transportation; Discuss Creation of a Safety-Wedge Widening Contract with the Virginia Department of Transportation.

Ms. Vanuch said that Item 24 could be addressed proactively.

Mr. Alex Owsiak, Transportation Program Director said he would discuss the VDOT safety-wedge widening process and the potential to create a new contract mechanism with the department. He said safety widening was first identified as part of the 2019 Transportation Bond Referendum that was approved by the citizens in November of 2019. He said in addition to larger, more complex road improvement projects, the referendum identified 35 different roadway segments across the County for safety widening efforts. He said this widening mainly consisted of widening existing pavement by approximately two feet on either side of the roadway, then overlaying the entire width of the roadway with new asphalt.

Ms. Owsiak said this would create a wider pavement section with wider travel lanes and more of a paved shoulder to prevent accidents. He said when the referendum was presented to voters, the total cost of the safety widening was estimated to be $10 million or averaging about $100,000 per linear mile. He said their current FY23-32 Transportation Capital Improvement Plan had dedicated funding of $1 million per year toward safety widening projects.

Mr. Owsiak said the graphic on the slide gave a depiction of how the safety widening took place. He said each edge of the shoulder was excavated, replaced with full-depth asphalt, then overlaid the entire pavement, resulting in wider travel lanes and a paved shoulder. He showed the next slide, which he said was included with the 2019 Transportation Bond Referendum information detailing the eight roadways for major reconstruction projects and also the 35 safety widening projects, highlighted in orange and distributed across the County. He showed a list of all the different roadways and their extents throughout the County.

Mr. Owsiak said that currently, roadways that were identified for safety widening were selected in conjunction with VDOT's annual maintenance paving program, where each year, VDOT staff traveled throughout the County and identified which roadways were in the worst condition and in the most need of resurfacing. He said when those roadways identified by VDOT matched up with roadways on the bond referendum list, they executed an agreement with VDOT to have their contractor perform the wedge widening and the overlay, then pay them for those improvements. He said to date, they completed work on approximately nine of those roadway segments, with work to be completed on Kellogg Mill Road in FY2023.

Mr. Owsiak said some of the challenges with this current arrangement included the County lacking control in the process, relying on VDOT to identify the roadways, and dependence on whether the roadways matched the ones on their list. He said if they did not select any roadways on the bond list, they missed out on taking advantage of the program for that year. He said another challenge was that the existing right-of-way may have culverts that were in the way and could not be extended and prohibited additional widening, issues with utilities such as telephone poles, and sometimes the proximity of ditch line and lack of available right-of-way in the roadway.

Mr. Owsiak said many roadways in the County that were referred to as having prescriptive right-of-way, which usually entailed fifteen feet on either side of the center line was the maximum amount of VDOT right-of-way, and beyond that, it was all private ownership, so they were sometimes limited to how much widening could be done with those prescriptive easements. He said another challenge was that VDOT had stated they would not prioritize roadways for safety widening that had been recently resurfaced in the last three or four years.

Mr. Owsiak said some additional challenges were that with inflation, the cost of the widening had increased from 2019 to approximately $350,000 per linear mile, and they had seen prices that ranged from $275,000 to $350,000 per linear mile. He said with their current program, VDOT already was paying to overlay the existing width of the current roadway, and the County contributed additional funds for the additional widening on either side and for the additional asphalt overlay, so there was some cost savings there, about $275,000 per year.

Mr. Owsiak said with this program, the County would take control of selecting and prioritizing those roadways and 100% of the roadwork would be on the County, so they would be paying for the widening and the overlay of the entire roadway, including pavement markings and other things. He said that was what drove the price up to about $350,000 per linear mile, a cost difference of about $75,000 per linear mile. He said looking at the cost increases with the remaining roadways they had to complete in their bond referendum list, they were looking at a cost of anywhere between $18.5 million to $23.5 million, so with their current funding rate of about $1 million per year, it would take in excess of 20 years to complete this process.

Mr. Owsiak said staff had explored some potential solutions for how this project could be accelerated. He said one would be creating a separate contract with the Department of

Transportation, which would give more control to the County so they could select and prioritize their roadways independent of whatever roadways VDOT selected for maintenance paving that year. He said in talking with VDOT, they recommended a contract value of around $2 million or more per fiscal year to allow for a larger pool of prequalified contractors to bid on the work and result in more competitive pricing rather than packaging it into smaller increments of work to be done. He said finally, the largest recommendation was to look for increased funding for these safety widening projects. He said with their current funding of $1 million, it was a very extended timeline to complete all of the safety widening projects.

Mr. Owsiak said in an attempt to help the Board prioritize all the remaining roadways they had, they developed a list with the number of roadway departure crashes each of the roads experienced. He said in the far-right column of the list shown was the number of roadway crashes, which was taken from. VDOT's crash data, looking at data going back from 2015 to earlier in 2022. He said if they were going to prioritize by crashes, combining the $1 million expenditure and a $2 million every other year would allow them to accomplish Poplar Road and Tacketts Mill Road, which had roadway departure crashes of 79 and 59 annually. He said that would bring them just shy of the $2 million threshold.

Mr. Owsiak said the recommendations of staff were to create a separate contract with VDOT in order for the County to prioritize and select roadways for safety widening, prioritize safety widening roadways based on the number of roadway departure crashes in an attempt to eliminate crashes, restructure current funding for safety widening in FY24 to $2 million every other year, and identify additional funding for safety widening efforts to reduce the projected 20-year timeline. He said based on some calculations, if they received additional funding of $1 million per year, they could cut the timeline to ten years, and additional funding of $2 million on top of current funding would reduce the timeline to approximately seven years.

Ms. Allen said she realized how massively underfunded the transportation needs in the County were. She said the transportation bond passed in 2019, if they continued at this pace, would not mature for 20 years, which was ludicrous. She said she hoped her colleagues realized they massively underfunded transportation needs and they must become more intentional about that. She said one of the first steps was to do something like this where they gave an extra $1 million to make sure road widening projects were much more feasible. She said the entire reason for doing the bond, before she was a Board member, was for safety, and if they were not addressing widening for another 20 years, it was questionable as to whether they were addressing the point of the bond.

Ms. Allen said one of the important things this presentation pointed out was that if they did not utilize this new creative way of thinking, they had to wait four years before VDOT would allow them to touch that. She said they must be cognizant of whether they wanted to wait four years to fix a road. She said the Board should give this much consideration and thought to be intentional about road safety. She said she would cater for Brent Point to be on that list.

Ms. Yeung said she felt bad because Mr. Owsiak worked hard on this list. She asked if she could get a cleaner list with the ones that were completed off the list. She asked if there was a plan outside of the 20 years. She said she could not wait 20 years for Garrisonville Road or anything else, but it was proposed that they work with VDOT when it was not on the list. She asked if there was a backup plan.

Mr. Owsiak said the backup plan was to remain at the status quo where they worked annually with VDOT, and once they developed their list for maintenance paving for the next fiscal year, they would review that list, see which matched up with the bond list, and try to select those roadways for maintenance paving. He said one of the challenges they had mentioned was the funding for this year in particular. He said they had done some early coordination with VDOT and identified Kellogg Mill Road for maintenance paving and safety widening.

Mr. Owsiak said as VDOT further refined their list for paving in FY23, roadways such as Garrisonville Road and Enon Road were also identified for maintenance paving, and it would have been great to take advantage of those roads and work with VDOT to widen the roads at this time, but it came down to a matter of funding. He said they had committed all their available funding for FY23 to Kellogg Mill and there was no money left, so based on this timing, they missed an opportunity and had to wait at least another four years before they got a chance to widen those roadways.

Ms. Yeung asked if Ms. Vanuch had a plan.

Ms. Vanuch said she did. She said she was very supportive of the bond referendum, but one of the things she noticed was that once the roads were widened, people drove extremely fast. She said there was a crash at the 800 block and 1200 block of Mountain View Road almost every day and the road got shut down. She said she would like to go back to all the backroads they had the safety wedge widened since the bond referendum, look at the crash data before and after wedge widening. She said Mr. Vosburg told her that any good planner knew that as soon as the quality of a road was improved, the speed increased, so it would require more traffic safety. She said they did not have enough deputies to run radar or traffic safety, and that was the department that would suffer the most if they took them out to perform extraneous functions.

Ms. Vanuch said she wanted to move forward with as many of the roads as possible, and Garrisonville Road after Joshua could be taken off the list because it was currently being paved, so that would save them money. She said they needed to look at those and identify what they had done so that they could see if it actually made the roads safer. She said much money had been put into transportation safety, but the deadliest year for driving in Stafford County had been this year. She said something was not being done right, so they should look at a comprehensive approach to this and see how the work had been going.

Ms. Allen said they could wedge widen for safety but could work with VDOT to develop road safety measures once the roads were widened to help with that. She said they did not have to stop the widening process because they did not want to miss the opportunity to have the data that said they should widen it before it got paved. She said having a conversation with VDOT about widening it and traffic safety was important.

Ms. Vanuch said she agreed with Ms. Allen. She said she wanted to find out what made it safer and how many personnel were needed for traffic safety. She said the communication around adding Garrisonville to the list with end-of-year funds was lacking and they did not know they were moving forward with it. She said perhaps they could discuss this item again on October 18, although it was scheduled to be on their next agenda.

Mr. English said in Hartwood, there were issues with the roads being widened and traffic accidents caused by the new use.

Ms. Allen said Telegraph Road was very narrow and was used every day, and if it was widened, people would continue to drive incredibly fast. She said they could explore whether VDOT could allow them to put speed bumps or rumble strips or something that did not require manpower. She said signage that said radar enforcement could be put up.

Ms. Vanuch said there was not personnel for that.

Mr. Vosburg said they could bring data back quicker, but they also had the Transportation Master Plan, which typically would take into account crash data. He said if it was not geared that way yet, perhaps they could influence it because it was in the early stages of making that a component of the Transportation Master Plan to bring back as well.

Ms. Vanuch said she would like to see the crash and ticket data of the roads they had improved, with prior data and post-improvement data.

Ms. Allen asked if that was on behalf of the Board as it would utilize staff time.
Mr. Coen said some of the roads on this list were not the major roads where people were speeding, so his concern was that this was the only way they would ever get addressed, so he was leery about freezing things or temporarily stopping because some of them should be taken advantage of. He

said perhaps the data would point them to other areas, and GPS data could be utilized to change the traffic patterns. He said Ferry Road had been addressed and there had not been accidents increasing, but it made it much better for buses and other vehicles to go down the road. He said he would not want to see them neglect the rural roads.

Ms. Allen asked if they were going to prioritize roads at this meeting or if they would wait.

Mr. Owsiak said based on the Board's feedback, he would bring this item back on October 18 and bring some of the crash data. He said it may be difficult to analyze that well, because some of these roads had been done recently and there was not a lot of data to show those trends.

Ms. Vanuch said Mountain View had probably twelve accidents since it had been paved.

Ms. Allen asked if he would return with the list they had to pick from.

Mr. Owsiak said yes.

Ms. Allen said next year, Widewater and Brent Point would get addressed, but if they did not do it then, they would have to wait four more years to address it.

Mr. Owsiak said yes. He said this was one piece of the comprehensive safety program they were trying to do with the County. He said they were looking at doing additional signage, edge line rumble strips, and other things to improve their rural roads.

Item 24. Discuss VDOT Median Lawn Maintenance Requested by Supervisor Meg Bohmke

Ms. Bohmke said she wanted to know if the Board would be amenable to having Mr. Vosburg gather more information. She said some of the information they had received from Kyle Bates. She said at a meeting, she was sitting with one of her colleagues on another Board of Supervisors, and she asked if they had problems with medians looking terrible with grass that was two or three feet tall. She said her colleague stated that they used to but they now paid VDOT extra to get it maintained.

Ms. Bohmke said that as it turned out, Spotsylvania paid VDOT to do an extra cycle, and other counties in the Commonwealth did this as well. She said she would like Mr. Vosburg to gather that information from VDOT, and according to Kyle Bates, they would contract through VDOT to have VDOT's contractor have an additional cycle of mowing. She asked if any Board members noticed how poorly the medians looked. She said she did not think it was a good welcome into Stafford County.

Ms. Allen asked why they could not utilize Parks and Recreation staff to complete that job.

Ms. Bohmke said it was because it was VDOT property and the County did not own it.

Ms. Allen asked why they could not use their own staff to save money.

Mr. English said that inmates cut the grass on Route 3.

Ms. Bohmke said she saw inmates out yesterday picking up trash. She said it was a conversation they could have with the jail as well. She said she was asking if Mr. Vosburg could gather information, whether it be from the jail superintendent or VDOT to bring back to the Board as a New Business item either in committee or wherever was appropriate.

Ms. Vanuch said it was infrastructure. Ms. Bohmke said that sounded good.

Item 25. Discuss Rappahannock Regional Jail Star Program Requested by Supervisor Meg Bohmke

Ms. Bohmke said she wanted to share that she was in Fairfax County at their diversion program a few weeks ago, and Sheriff Ken Kaye took them to the adult detention facility. She said in a particular room, there were twelve to fifteen male inmates who all stayed in a particular area by themselves. She said they had an opportunity to talk and ask them questions. She said it was a moving conversation and what they had to share was unbelievable. She said they all had been addicted to drugs on and off throughout their entire lives. She said one gentleman was 60 years old and said he had never read a book like a book called "Narcotics Anonymous," he had been through other programs but never anything that had influenced him as this program had done, and he could not go back to his family because they were all addicted to drugs.

Ms. Bohmke said they all discussed what they learned from this book from the facilitator, and these people did not assimilate with others in the detention facility but stayed together. She said it was a program about accountability and taught people about decisions they had made and why they made them. She said the next Saturday, she was invited to the Fail Safe Gala at the Expo Center. She said Juanita Shanks was the Executive Director from Fail Safe, a partner agency that received public monies for the first time. She said at that event, Ms. Shanks said that Ms. Bohmke could speak if she liked, and the first thing she asked was if anyone there was a part of the Star Program. She said there was one person at the first table who raised his hand, and perhaps one other person.

Ms. Bohmke said the first man was one of Ms. Shanks' guest speakers along with Marvin Gaye's brother, Antwaun, who also spoke. She said this gentleman had six slides on the screen, the first was a picture of his badge when he was incarcerated, and the last was a picture of when he graduated from Old Dominion University, and in between were all his accomplishments. She said he was a paraprofessional at Drew Middle School, one of the schools in Stafford County.

Ms. Bohmke said that gentleman indicated they had this Star Program in Stafford County years ago because he was a graduate. She said it stood for Striving To Achieve Success and was specifically for people addicted to drugs and alcohol. She asked if the Board would allow the County Administrator to do some research and find out if this was a program that would benefit their community. She said every one of them knew someone who had died of a drug overdose and their problems were only being exacerbated.

Ms. Yeung said that Ms. Bohmke talked about addiction, and they must recognize those individuals who were addicted but are still in prison. She said besides the Star Program and the Narcotics Anonymous book, she would like to know why people were still in prison if they were suffering from addiction. She said just like people suffering from poor mental health, addicts needed medical assistance, and that should be extended to these individuals.

Ms. Gary said she saw the photograph of Ms. Bohmke with the inmates on the website and wondered what the event was. She said she knew of multiple people, especially because of recent opioid epidemics, and this was affecting their community at younger and younger ages. She said it was a good program that they should look into. She said Ms. Bohmke mentioned the Narcotics Anonymous book and would like to know if they did a twelve-step program with NA or AA.

Ms. Bohmke said they did not go into details.

Ms. Gary asked if it was something that was part of the program.

Ms. Bohmke said yes. She said she had mentioned it to the Sheriff but had not yet talked to the jail superintendent. She said they would have to formulate the logistics in order to roll out the program, so this would be the first step for them. She said she was sure Sheriff Decatur knew Sheriff Ken Kay in Fairfax. She said they had been a great resource and would give any information needed.

Ms. Gary said they should look into it and studies could prove that community was the antidote to addiction, so having a healthy community through a program like the could be very beneficial.
Ms. Vanuch said she had to ask Ms. McClendon if she could discuss publicly the funding they were receiving for the opioid epidemic lawsuits. She said they should look at whether it was

eligible to be funded via that pathway so that there was a funding mechanism to allow it to succeed. She said that was quite a bit of research. She asked if the item could come back in November.

Ms. Bohmke concurred with the November timeframe.

Ms. Vanuch asked Mr. Vosburg to let the Board know if he required more time.

CLOSED MEETING

At 5:30 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-21 to authorize closed session.

The Voting Board tally was:

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

Resolution CM22-21 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion and consideration of the disposition of County-owned property where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of September, 2022, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFICATION OF CLOSED MEETING

At 5:45 p.m., Ms. Yeung motioned, seconded by Mr. Coen, to adopt Resolution CM22-21(C) to certify the closed meeting.

The Voting Board tally was:

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

Resolution CM22-21 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 20, 2022

WHEREAS, the Board has, on this the 20th day of September, 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 20th day of September, 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 5:46 p.m., the Board adjourned its meeting until the evening session.

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

PRESENTATIONS

Presentation of a Proclamation Recognizing September 18-24, 2022 As Adult Education And Literacy Week.

Ms. Vanuch said 43 million individuals in the United States could not read above a third-grade level. She said the week of September 18-24 was Adult Education and Family Literacy Week. She said they would do everything possible to empower children and adults to read, a skill that was the basic building block of almost everything they did. She said present today was Ms. Nicole Bennett, the Program Manager for Regional Adult Education in Region 16. She said she would be accepting a proclamation recognizing Adult Education and Family Literacy Week. She asked Ms. Bennett to come to the dais and for Ms. Gary to assist her in presenting the proclamation.

Ms. Vanuch read the proclamation.

Ms. Bennett thanked the Board. She said on behalf of adult education, they appreciated Stafford County's Board of Supervisors recognizing the importance of education for their adults. She said this area in Stafford was her home as well, so it was great to be able to provide English classes for adults, high school completion classes for adults, and workplace skills and credentials to help people get employed in jobs in the community with life-sustaining wages to give independence and a good life. She said they appreciated the recognition and Stafford County was amazing.

Ms. Bennett said they had a huge class following at Rodney Middle School where they hosted two nights a week, and that school had allowed them to offer more classes in the community. She said they were also at Garrison Woods, where the community had allowed them to hold classes, and in South Stafford, they were at the Melchers Head Start community. She said they would love to be able to continue to provide this vital service to all the adults in this area to help them become independent, educated, and more comfortable in their English skills and their life to be successful. She thanked the Board again.

PRESENTATIONS BY THE PUBLIC – II

Ms. Vanuch read the protocol for public presentations.

1. Mr. Tim Lewis, 19 Cloverleaf Court, Fredericksburg, Virginia. He said two weeks ago, this Board voted 5-2 to approve BRCC to build on Highway 17. He said at the conclusion of that vote, one member voting against said they stood by what they voted and why, and they did not need politicians who sowed division or companies that would fund these types of candidates. He said that divisive speech was protected as seen in Supreme Court Case Radenburg vs. Ohio, and funding of candidates was protected speech as seen in Citizens United versus FEC. He said prior restraint is the illegal use of a government to quell free speech was found unconstitutional in the Supreme Court Case Lakewood vs. Plain Dealer Publishing Company.

   He said in that case, the mere existence of a license toward unfettered discretion coupled with the power of prior restraint intimidated parties into censoring their own speech, even if the discretion and power were never actually abused. He said this member effectively stated to watch what was said and be careful who was supported, and if they thought it was divisive, they would use their position in the government to shut them down. He said it was illegal and unconstitutional. He said it was an abusive power vested in this Board. He asked Board to consider censure for this member and had taken this cause to encourage the Board to adopt objective review standards and stop subjective review to try and shape the social construct of the community, especially if it meant denying equal protection based on the exercise of constitutionally-protected liberties.

2. Mr. Cliff Heinzer, 316 Ironside Cove in the Aquia District. He said there was an issue about whether or not to send a letter concerning the jail expenses. He said as a reminder, a jail was not only a place to detain people after they had been sentenced but was also for pretrial detention, which meant there were normally a number of individuals in the jail who had yet to face trial and had not been convicted. He said he was concerned that when discussing fees, it should be understood that those who were in the jail were there for a particularly egregious or violent crime where they were not offered bail, or, more likely, they were not able to make cash bail.

   Mr. Heinzer said what they set up was that one group of individuals had enough money to either pay the cash bail and not have to pay the fees while being incarcerated, or if they were incarcerated, they would have the support of either themselves or their family members to pay the expenses, while another group, which if studied, may be found to be disproportionately composed of single parents who could not pay cash bail and were also charged fees. He asked if that was equitable and how that looked given the not-so-pristine record of Virginia and how they dealt with incarcerated persons. He said there were cases where someone may be acquitted or a conviction may be overturned, and while they were concerned about getting money from them, the question was whether they would give them any compensation at all if they were proven innocent. He said this was another facet of this issue.

   Mr. Heinzer said he also wanted to mention the plight of the custodial workers in the schools. He said some of his colleagues were present who kept their schools safe and clean but were paid lower than a fast-food restaurant and were treated poorly by the soon-to-be-former contractor, ABM. He said there was an easy solution that they were all aware of, which was to bring them back as Stafford employees. He said it worked better and they would not have to buy their own supplies to clean the classrooms. He thanked the Board for their work and their time.

3. Ms. Deborah Snyder, 8 Biscoe Court in the Rock Hill District. She said she was present to speak on behalf of ABM workers. She said she was very set against third-party contractors. She said they had no skin in the game as far as their County. She said along with everybody else, if at all possible, to please hire them back. She said she had met all the custodial workers who were wonderful people who advocated for themselves, did not think of themselves as victims and were willing to sit down with ABM to work things out.

Ms. Snyder said it seemed ABM had no interest in doing so; it not only cheated them but cheated the taxpayers, the Board of Supervisors, and the school system. She said her daughter went through K-12 school in Stafford and her granddaughter went from K-3. She said when her daughter was in school, the custodians were a part of the community. She said they still were, but the idea that they had done this, there had to be another way. She said it was a new century and they should find a new way to give people justice. She said they had worked through the pandemic and were essential workers who deserved to be treated as such.

4. Ms. Alane Callander, 622 Lancaster Street in the Falmouth District. She said she was present for the public-school custodians. She said in recent years, they had been hired by a large, international corporation as a cost-saving measure for the schools. She said she had followed their plight for several months now; they had described inconsistent pay and extreme work requirements. She said she had heard employees tell of being responsible for cleaning an entire school alone when extra cleaning was required due to the pandemic. She said without paid leave, others reported having to work while ill or injured from moving heavy furniture or equipment without sufficient help. She said low-wage employees had to purchase masks and sanitation products out of pocket to keep themselves safe.

   Ms. Callander said thanks to Virginia Organizing, these employees learned how to raise their voices. She said it took much courage and some had faced unjust repercussions, but the word got out to the School Board and superintendent as well as to the Board of Supervisors, which funded the schools. She said recently, Stafford County Public Schools had sought applicants for a new cleaning services contract. She said that was good, but better would be for the custodians to be hired by the school system itself. She said for those who worried about cost, this would be an excellent way to find out the true cost of properly maintaining their schools while ensuring that employees were treated equitably and fairly.

   Ms. Callander said the current contractor made a profit but said there was not enough money to provide a living wage, the needed days off, the sanitation equipment required, and appropriate employee benefits. She asked where the accounting was for these expenditures that they had. She said contracting out custodial services had taken advantage of vulnerable community members and put the safety of their schools at risk. She said the school system should hire their custodial staff, including dedicated and experienced contracted employees, ensuring safer schools for teachers and all school employees, the students, and their families. She said as the funding body, she hoped they would support hiring the custodians.

5. Mr. Milton Bratton stated he was a resident of the Griffiths-Widewater District and had lived in Stafford since 1999. He said his kids went to Brooke Point. He said he wanted to discuss the situations with the custodial workers in Stafford who were hired by ABM. He said ABM was a $6.5 billion international corporation that won the funding in Stafford County. He said he had a copy of the statement of work that was provided for them to get the contract, and what would be heard from some of the members was that some of the responsibilities that ABM was supposed to do were absolutely not being done. He read that, for example, "the contract shall furnish all personnel and provide services under the contract, retaining employment, supervision, compensation, promotion, training" was part of the contract, and employees could state that not only were they working at the schools that should have four to five people, but they were working alone.

   Mr. Bratton said they worked during COVID-19 and were hard workers who really liked being a part of this community. He asked what the problem was and why Stafford was not and had not held ABM accountable for the misuses of this particular contract. He said a particular statement of work provided the number of custodial workers provided for each one of the school systems, for example, for an elementary school, they had one day worker and a minimum of three night workers, which was written directly in the statement of work. He said for middle schools, there were two day custodians and three night custodians. He said that was not happening. He said for high schools, there were three day custodians and eight night custodians.

   Mr. Bratton asked if ABM was charging for the full amount or if they were charging for what was actually being done. He asked how they found out where that money was going. He said he would like to understand where the money was going if they were not providing. He said they would hear from some people that they were not being fully staffed and were buying their own equipment, so if they were giving them money, where was the money going?

6. Mr. Dwayne Edwards said he was a resident of Spotsylvania, 520 Pleasants Drive. He said his children attended Dixon-Smith and Conway. He said when he heard about the situation of the cleaning of Stafford County Schools, both of his children were at Conway, and it was alarming because he heard that during the pandemic there was one person cleaning a school. He said he wanted to meet with some of those people, and when he found out that not only was there one person cleaning the schools during the pandemic for children, staff, and teachers, but the company was also not treating them properly and was doing so with public funds.

Mr. Edwards said public funds and taxpayer dollars were meant to be used, and if he was giving $5.9 million, he would want $5.9 million of cleaning, which was not being done. He said if the humanitarian part of this did not make sense to the Board to look into, then the financial side of it should be what made them investigate this. He said with the $5.9 million paid to them, they did not have enough staff. He said if anyone had been a teacher or talked to a teacher, they complained their classroom was not clean and the building was not clean so they had to clean, but they were paying a company to do this.

Mr. Edwards said he wanted the Board to look into this, talk to the School Board, talk to the principals, and talk to some of the parents who volunteered at the schools to see what they said about when they came after school to help out in the community. He said their buildings must be kept safe for children, visitors, and workers. He said this was something that the Board should not take likely and should be looked into. He said the public needed their help because he was across town from his children in Stafford schools and he wanted them to be as safe as possible.

7. Mr. Adams introduced himself as Angry Farmer Jeff from the Pigheaded District. He said they knew they were in noncompliance with the DEQ and Chesapeake Bay Act. He said they were discussing this at the meeting he attended on Friday where they said they would send a letter to homeowners, and he would tell them to pound sand and that they were not going to come onto his property to check for anything. He said they were going to send him a letter saying he was in noncompliance, but there was no possible way they could know that he was in noncompliance when he did not give them access to his property.

   Mr. Adams said at least three Supervisors had been on his farm, countless staff members had been on his farm, and no one had ever mentioned a deficiency. He said they were putting workers in a bind for another organization he represented. He said he had been in meetings with DEQ, County staff, and his Board, and County staff would only look at properties of a certain size of agricultural properties and would not look at the farmer who had three horses on five acres. He showed a book that he said he taught in high school. He said he did not know a lot but he was a farmer and knew bullshit when he saw it. He said one bag he was holding was not, and they were telling him they would inspect the animals that produced just as much of one as the other. He said somehow when it rained, one did not end up in the bay but one did. He said the statement was B.S.

   Mr. Adams said to inspect people fairly or not inspect anyone. He said he already recommended they cancel the MOU with Stafford County. He said they would not put anyone in a situation where they would tell the Board they were not in compliance. He said if they wanted to know what was going on with the Bay Act, they should hire their own qualified people. He said they were not doing the dirty work. He said one caused as much pollution as the other. He said he was not allowed to direct at anyone specifically, but some people had animals that produced one and knew what it was and knew it was just as toxic as the other, so the two bags should be together.

Ms. Vanuch asked if there were any other speakers. Seeing no more speakers, she closed the presentations from the public.

PUBLIC HEARINGS

Item 26. Capital Projects Transportation; Consider an Ordinance to Amend and Reordai Stafford County Code Sec. 15-56, "Designation of Restricted Parking Areas, "to Include Certain Streets Within Whitson Ridge Subdivision.

Mr. Alex Owsiak, Transportation Program Director, said he was present to discuss the designation of certain streets within the Whitson Ridge Subdivision as restricted parking areas. He said in February of 2022, the County received a signed resolution from the Whitson Ridge HOA requesting the establishment of a restricted parking area along several streets within the community. He said all those requested streets were located within the subdivision, were currently state maintained, and met the definition of a public highway as defined in the County code.

Mr. Owsiak said the Board authorized this item for a public hearing at the August 16 meeting, an advertisement for this evening's public hearing was advertised for two successive weeks in the Free Lance-Star newspaper on September 6 and September 16. He said if approved by the Board, County Code Sec. 15-56 by adding the requested streets within the County's list of restricted parking areas.

Mr. Owsiak showed a map with the streets identified for restricted parking in red. He said those were for Whitson Ridge Drive, Asmead Place, Burwell Place, Daventry Place, Crosswood Place, Fieldstone Court, Hunter Trail, and was only for a distance extending for an intersection with Whiston Ridge to approximately 370 feet from that intersection. He said Greystone Place, Hawthorn Court, Idlewild Place, John Quill Place, North Edge Court, and a portion of Knollside Court, mainly along the north side of Knollside Court, was not to exceed 410 feet from the intersection with Whitson Ridge Drive.

Ms. Vanuch asked if Ms. Yeung had any questions about this item as it was in her district.

Ms. Yeung said no. She said she talked to the Homeowner's Association on several occasions and they also had a town hall and Board meeting and were all in agreement. She said they also sent out letters to all residents from the area. She said she knocked on doors and talked to people who were all in agreement. She said they took pictures and there were a lot of obstacles in the road and when students were driving those roads, and it was dangerous to have objects on that main Whitson Ridge Road. She said she was okay with this ordinance.

Ms. Vanuch said she would now open the public hearing for the Whitston Ridge Subdivision Ordinance to Designate Restricted Parking Areas. She asked if anyone wanted to come forward and speak on this item. Seeing none, she closed the public hearing for the item and brought it back before the Board. She asked if anyone had additional questions or if there was a motion.

Ms. Yeung motioned, seconded by Mr. Coen, to approve proposed O22-21.

The Voting Board tally was:

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

Ordinance O22-21 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SEC. 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS," TO INCLUDE CERTAIN STREETS WITHIN WHITSON RIDGE SUBDIVISION, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

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

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

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

WHEREAS, the Whitson Ridge Homeowners Association, Inc. (Association) submitted a letter with a policy resolution requesting the establishment of a restricted parking area within Whitson Ridge subdivision (Subdivision) and the resolution satisfies the requirements of Stafford County Code Sec. 15-56; andWHEREAS, the requested streets within the Subdivision meet the established criteria to be designated as a restricted parking area; and

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

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

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 20th day of September, 2022, that Stafford County Code Sec. 15-56, entitled "Designation of restricted parking areas," be and it hereby is amended and reordained as follows, all other portions remain unchanged:

Sec. 15-56 - Designation of restricted parking areas.

(f) The following constitute the restricted parking areas within Stafford County where the provisions of this section are in full force and effect:

<u>(29) Whitson Ridge Subdivision on the following named streets:</u>
<u>(A) Whitson Ridge Drive;</u>
<u>(B) Asmead Place;</u>
<u>(C) Burwell Place;</u>
<u>(D) Daventry Place;</u>
<u>(E) Crosswood Place;</u>
<u>(F) Fieldstone Court;</u>
<u>(G) Hunter Trail (for a distance not to exceed three hundred seventy (370) feet from the intersection with Whitson Ridge Drive);</u>
<u>(H) Greystone Place;</u>
<u>(I) Hawthorne Court;</u>
<u>(J) Idylwood Place;</u>
<u>(K) Jonquil Place;</u>
<u>(L) Northedge Court;</u>
<u>(M) Knollside Court (along the north side of Knollside Court for a distance not to exceed four hundred ten (410) feet from the intersection with Whitson Ridge Drive).</u>

<u>ADJOURNMENT</u>

At 7:34 p.m., Chairman Vanuch adjourned the September 20, 2022 Stafford County Board of Supervisors meeting.

Randal E. Vosburg
County Administrator

Crystal L. Vanuch
Chairman