BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
REGULAR MEETING
NOVEMBER 15, 2022

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Crystal Vanuch, Chairman, at 3:02 p.m. on Tuesday, November 15, 2022 in 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 E. English; Monica L. Gary

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

CHAIRMAN'S COMMENTS
Ms. Vanuch said that today, their thoughts and prayers went out to the families and friends of the three football players who were shot at the University of Virginia. She said that the families of D'Sean Perry, Lavel Davis, and Devin Chandler, who was from Virginia Beach, were dealing with the unspeakable loss of the three highly-achieving young men with bright lives ahead of them. She said their thoughts and prayers went out for the recovery of the recovering injured two students. She said that it was an unimaginable tragedy, and their hearts were breaking for the families and the entire UVA community.

Ms. Vanuch said that she encouraged anyone who saw something suspicious to dial 911 or call the Stafford County Sheriff's Office non-emergency line so that tragedies could be prevented. She said, if someone was struggling with mental illness, Stafford had made mental health a priority by partnering with the RACSB to promote its 24-hour crisis hotline, for which the phone number was 540-373-6876. She said that the National Suicide and Crisis Lifelines could be contacted by dialing 988. She said to please hold one's family closer tonight and pray for the UVA family and victims as well. She said that all Board members were wearing ribbons to show their condolences.

Ms. Vanuch thanked everyone who attended the Veterans Day ceremony. She said it was a beautiful day to celebrate veterans, and subsequently, the Marine Corps birthday. She said that Sgt. Major Jacqueline Townsel from Quantico gave an inspiring speech, and if anyone missed it, it could be viewed on the County's Facebook page. She said that she also wanted to mention that they had their second annual Christmas tree lighting event, which would be held on December 2, 2022, in front of the George L. Gordon, Jr. Government Center, 1300 Courthouse Road, from 6 p.m. to 9 p.m. She said that this year would be bigger and better than last year, with a European Christmas market, Santa Claus, and lots of food and fun. She said that the tree lighting would take place promptly at 7:30 p.m. and she encouraged people to not be late. She said that it was an exceptional event for the community and they looked forward to seeing them all there.

Ms. Vanuch said that there would only be one meeting in December. She said that the next Board meeting would take place on December 13 and that would be the only full Board meeting in December. She said that there would be no meetings on the December 6 date, but there was a joint meeting with the School Board about the CIP at 4:00 p.m. She said they would hold the annual Delegate dinner on Thursday, December 8, at 5:00 p.m. in the ABC conference room.

Ms. Vanuch said that they were in the process of creating Stafford County's first Transportation Master Plan to guide future County transportation projects and investment decisions to improve County roads. She said they sought the community's input on which projects to implement and build in the coming years and invited the public to take the transportation survey. She said that the survey started earlier in the month, and was available until November 20. She asked people to please take time to visit staffordcountyva.gov/transportationplan and give their input.

PRESENTATIONS

Presentation of Proclamation Recognizing Stafford County Winning a VGFOA Award for Innovations in Government Finance.

Ms. Vanuch invited the entire Budget and Management Department and others to the dais. She said that Stafford won an Innovations in Government Finance Award from the Virginia Government Finance Officers Association, an award that recognized their staff's efforts to transition their enormous budget book into a digital, searchable online offering. She said that their Capital Improvement Plan was also incorporated to help everyone better understand budgeting decisions in the context of future plans. She said that this honor was indeed significant, and on behalf of the Board, she congratulated all of them for what she knew to be an incredibly giant project.

Ms. Vanuch read the proclamation and presented the award to Ms. Andrea Light.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Ms. Vanuch asked if there were any additions or deletions to the agenda.

Mr. Vosburg said that there was one addition, which was the item from the Treasurer considering temporarily setting penalties to zero for real estate and personal property taxes due on December 5 until December 20.

Ms. Vanuch thanked Mr. Vosburg. She asked if there was a motion.

Mr. Coen motioned, seconded by Mr. English, 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 (3 MINUTES EACH)

Ms. Vanuch read the protocol for public presentations.

1. Ms. Shannon Fingerholz thanked the Board for their time answering her emails, calls, and listening to her at meetings, as serving the public was difficult and heavy. She said that she was new to involvement in local government and was learning a lot. She said that she felt strongly that neither the School Board nor the Board of Supervisors wanted to see the school system fail, but communication and trust between the School Board and the Board of Supervisors were not great yet. She said that practice made progress, which was something her daughter learned from a teacher in Stafford County.

   Ms. Fingerholz said that the lack of keeping up with the growth of the community had happened for many reasons, some of which had created an undertone of distrust between both Boards. She said now they were busting at the seams with a decent amount of finger-pointing from both sides. She said that the reasons could be important; however, they did not need to continue to live there.

   Ms. Fingerholz said that area was filled with drama and was inefficient, so what was more important was improving now and going forward. She said that some of the Supervisors were new, which was true of some of the School Board as well, and members of staff on both sides were new. She said that her point of view on progress today was that it was progressing, which was promising. She said to please keep asking questions and to truly hear the responses given, and if it did not make sense, to ask for clarifications from the experts who knew every day with the School Board, teachers, and principals.

   Ms. Fingerholz said that most of what the School Board said did not make sense to her for the last year, but it did more now because she had asked questions when she did not understand. She said to please keep looking for opportunities to build a relationship with both Boards and fund the construction of the new schools that were needed. She said that the current elementary kids and ones coming up needed schools 18 and 19 soon, along with the Hartwood reconstruction. She said they now needed to get land and keep schools as the best thing about the County.

2. Mr. Clay Murray said that he resided at 18 Marshall Place, 22405. He said that after the long-awaited Chatham Bridge opened and the intersection with Ferry Farm was widened, they eagerly awaited the Ferry Farm Trail to safely allow a walkable or bikeable connection from their neighborhood to downtown Fredericksburg. He said that it was a gut-punch to learn that the Board had decided to remove the Ferry Farm Trail from the CIP last year, and he was present today to ask for it to be added back. He said that he had talked to people around Chatham Landing who wanted it in a workable way, he had talked to many neighbors in Ferry Farm who wanted it, and many others in nearby neighborhoods assumed that it was still being worked on.

3. Mr. Murray said that he did not have the time to list the numerous benefits of a safe trail, but it would link many Stafford neighborhoods, including Woodlawn, Leeland Station, Grafton Village, Ferry Farm, and Stratford Place to downtown and fully utilize their biking and walking section of the bridge—as originally intended. He said that there were bike lanes on Cool Springs Road and Deacon Road that connected to nothing. He said that there was a crosswalk on Ferry Road and Route 3 that went nowhere. He said that his family's current attempts at walking or riding bikes downtown from Ferry Farm were simply unsafe.

   Mr. Murray said that it was an example of poor planning; the new bridge was complete, but they could not get to it safely from Ferry Farm and these other neighborhoods. He said that on the other hand, the trail that led to Chatham and Brooks Park was an example of good planning, where the trail and the bridge complemented one another and seemed to have it timed correctly for the actual usage. He said that he was asking this Board to find a solution that worked for all Stafford County residents and would benefit the rest of them who simply wanted to enjoy a safe trail to and from downtown. He said that he planned to see the Board again in December and wished them a happy Thanksgiving.

4. Mr. Daniel Cortez stated that he lived at 19 Hidden Springs Lane in the Aquia District. He said that the recent election was over and gave congratulations to all candidates who stepped into the political arena. He said to the new congressional representative, Abigail Spanberger, that he hoped they could all wish her well and encourage all citizens to respect her office regardless of party affiliation, and he thanked her for her outreach and courtesy to the Cortez family. He said that independent voters, veterans, and a very large segment of the Hispanic community sent a message on election night, and exit polls indicated a rise in Hispanic voting by 1/3 to almost 40%, which compared from 2018 to 2022 and was a rise 1% nationally, with 11% of the vote being Latino.

Mr. Cortez said that minority margins affected a lot of close races for turnout; Hispanic-assisted victories in Florida, Texas, Georgia, and Wisconsin were significant. He said that the Hispanic vote was in significant support of his good friend, 1st District congressman Rob Wittman, who received the largest vote margins of all communities in Virginia. He said that for the 2nd District congresswoman-elect Jen Higgins, who ran a remarkable campaign of integrity and outreach, demonstrating her experience and outreach.

Mr. Cortez said in the 7th District, the majority-minority vote was clearly for Congresswoman Spanberger for a reason. He said that even when the number one issue was inflation and the economy, candidate quality was the issue. He said that in the case of Virginia's women and men, candidates now and in the future was the realization that experience and cognitive presentation were more important than cosmetics or machismo.

Mr. Cortez said that their great governor, Glenn Youngkin, did everything he could to help candidates, but some candidates simply lacked experience, and experience and integrity did count. He said that now, ambitious political wannabes were chomping at the bit because they could not wait for the next election, but not all would be worthy. He said that political integrity must prevail, not candidates long on mouth and short on integrity and experience. He said that at the request of a number of independent voting citizens, he had been asked to request how much funding was actually generated for the new Christmas tree program discussed today, who donated the funds, how much was donated, and who promised to donate. He said that he hoped transparency would continue on this Board. He thanked the Board.

REPORTS BY BOARD MEMBERS

Ms. Allen - wished a happy Veterans Day to all the people who had served, and to please not forget to donate to S.E.R.V.E for the holidays. She said that on the County website was a video that Community Engagement did with herself and Supervisor Gary, and she asked that people donate so that more families could have a nice holiday. She wished everyone a happy Thanksgiving and stated that she was glad to be a part of Stafford County.

Ms. Bohmke - reminded everyone that there was an R-Board meeting tomorrow at 8:30 a.m. in the Board Chambers. She said that there was an advisory committee for the landfill, and they were in the process of discussing composting and yard waste. She said that they were doing a tour in Prince William because of the success of their program. She said that they were looking to some of their colleagues to the north and their programs related to the landfill. She said that they could not continue to bury all of the trash that was being buried, but if anyone was interested in the landfill, they should attend the meeting tomorrow morning.

Ms. Bohmke said that being celebrated tomorrow at 1:00 p.m. was the 30th anniversary of Porter Library being open. She said that they would have a short program and programs for the young children to celebrate the anniversary. She said that she had been at the Virginia Association of Counties Annual Conference in Richmond for the last couple of days, and VACo represented the 95 counties in the Commonwealth. She said that the legislative platform was approved this morning and they would be giving it to the General Assembly. She said that something specific on the Education Steering Committee that she sat on was that they moved the entire component regarding the workforce as one of their priorities. She said that Secretary Slater spoke to them regarding the workforce, which was one of the biggest issues and challenges in the Commonwealth as it was in other states.

Ms. Bohmke said that there was a new relationship with the Virginia School Boards Association, which happened during her presidency of VACo. She said that they had a breakout session with the Virginia School Boards Association and discussed how they would be working together. She said that their legislative aid and their lobbyist from VACo were there and it was a productive session. She said that she appreciated Ms. Fingerholz's comments, but she would add that they had a lot more conversations with their School Board than many others in the state, and she thought of it as a marriage, in which they had to communicate all of the time, even if there were disagreements. She said the saying at VACo was that the state talked about all of their excess revenues, but in reality, they had not paid all of their bills, so it was unclear as to whether they were excess or not. She said that there was a lot of lack of funding for education.

Ms. Bohmke said that her last comment was that she had now turned the presidency of the Virginia Association of Counties to Jason Bellows, a colleague on the Lancaster County Board, who would lead the Commonwealth for the year to come.

Mr. Coen - thanked Ms. Bohmke for her participation on the VACo Board, as she had been very instrumental and it was a good service for the County. He said that the events at UVA were touching, and his heart and prayers went out to the families who were involved, as well as all of the students. He said that many of his students who were graduating, some of whom would be attending UVA, were touched by the stress. He thanked his constituents and Laura Rudy, as well as Mr. Vosburg and his staff for quickly addressing the delay in property billing. He gave praise to Registrar Anna Hash and her team. who worked on the election and did a great job with all of the new polling places. He said that many residents expressed concerns to him about Melchers, which he would continue to work on.

Mr. Coen said that he attended the Veterans Day ceremony, which was meaningful, solemn, and wonderful, so he wanted to thank staff for their work on that. He said that he had the honor of being invited to the Marine Corps Ball to celebrate 247 years by the commander at Quantico, and it was a great experience to interact with different members of the Corps and to honor a major element of the community and country. He said along the same lines, the Marine Corps was doing its 75th anniversary of Toys for Tots, so he encouraged everyone to bring an unwrapped toy to one of the drop-off centers. He said that there was a box in the County building, and their headquarters was located at 411 Chatham Heights Road, where donations would be accepted until December 15. He said that there were many other drop-off locations in the County, and Mr. Spence had put this information on the website.

Mr. Coen said that this was a season when they counted their blessings and helped people in need. He said that it had been a trying and difficult year for many people's health, families, the economy, Covid-19, and other things. He said that when taking stock of where one's life was, he hoped they found time to give to Toys for Tots, the Salvation Army, Serve, a house of worship, or another entity, and to please show kindness to those in need.

Mr. English - thanked Hartwood Elementary School for inviting him to their Veterans Day event, where they took care of students' family members who were veterans with cards and a flag raising. He said that Mark Doyle with Mountain View Fire Department, Stafford Fire and Rescue, and the school system, would be sorting and distributing nearly 1200 coats to the Stafford schools on November 16, from 8:00 a.m. to 11:00 a.m. at Mountain View Fire Department, 924 Kellogg Mill Road. He said on November 17, at the Board chambers would be Hartwood Winery Memories, where a PowerPoint presentation would be given about the first Stafford County winery at 7:30 p.m.

Mr. English said that Post 290 of the American Legion was looking for community services that were rewarding and needed on December 16 and 17 from 8:00 a.m. to 6:00 p.m. at the old American Legion on American Legion Road to help sort food baskets, which was one of their largest events done through the schools. He said that Social Services' demand for assistance had doubled from the previous year, so any donations would be helpful.

Mr. English said that he would like for there to be better communication with the public about the logging taking place on Truslow Road so that citizens were informed. He said that constituents had called him to complain that no one had been informed of the logging taking place, and they had only found out a few weeks before that. He said that he would like for the School Board to give a mid-year update on financing and where they were in the budget. He said that Ms. Light had done so for the Board, and he believed they needed to know where the schools were as far as finances were concerned. He said that he was unsure if there was an update on the donations for the Christmas tree, but he would like to receive one.

Ms. Gary asked if she could go after the next Supervisor.

Ms. Yeung – remarked that on November 1, they had a Board meeting, but she was still able to go to the Food for Hunger Drive at Mountain View High School and drop off some canned goods. She said on November 2, she attended an affordable housing meeting to gather more information on this issue pertaining to the problem across Virginia and the United States. She said that on November 8, she attended Austin Ridge HOA annual meeting to answer constituents' questions and took away a list of questions that still needed answers. She said that she could not do this without staff input to help respond to inquiries from communities across Stafford County.

Ms. Yeung said on November 9, she had attended the Grace Health Services ribbon-cutting event. She said that Grace Health was bringing health services to the community, assisting not only veterans but the entire community with scars that they could not see with the naked eye, which was psychiatric help. She said that it was important for individuals with mental health issues to be supported. She said that she and the staff had met with a constituent who had stormwater issues, which were common in the community, but this issue was significant, so they were working on resolving this issue.

Ms. Yeung said on November 10, she attended the Marine Ball with some of her colleagues and listened to some motivating speeches from Colonel Brooks and Greg Crenshaw. She said that this past weekend, they attended VACo, and she was proud of Ms. Bohmke working the event the entire year and the event held in Stafford County. She said that they met several public servants in Richmond who were from other counties in Virginia.

She said that she also attended an EDA meeting, and she was impressed with the work that they did to sustain the Board and to help through other projects. She said as some of them knew, two of her sons graduated from UVA, and she sent prayers and comfort to all UVA families. She said they would pray for the loss of some and those who were still receiving medical care. She said she hoped everyone had a peaceful Thanksgiving with their families.

Ms. Gary – remarked that on November 3, she attended her normal PRTC meeting. She said she also attended the Veterans Day celebration and a few others. She said that she attended the Marine Corps Ball in Arlington with her husband, as well as the annual VACo Conference this past weekend. She said that today they would be reviewing the status of Brooke Road and the emergency access road, which was on the agenda.

Ms. Gary said that she would be holding her monthly town hall on November 17 at 7:00 p.m. in the Activities Room at the County Building. She said that she continued to receive many questions regarding Aquia Town Center, and at this point, she would like the Board to consider purchasing Aquia Town Center so that they could finally build the Aquia Fire Station, which was already budgeted and developed for the remaining acreage, and she would like to have public meetings with the full Board regarding this matter as well as to invite the public to participate and share ideas and feedback.

Ms. Gary said that regarding the UVA tragedy, she was tired of the violence and grieving associated with tragedies, and violence was not just physical but began in people's hearts and minds, and the symptoms were violence, actions, words, and even the way they looked at and spoke to one another. She said that in light of this tragedy, she would ask that they all examine their hearts and minds to honor the young men who were taken from this world too soon.

Ms. Vanuch - thanked Commander Brooks and his wife, Star Brooks, for inviting the Board of Supervisors to the Marine Corps Ball in Arlington last week. She said that Supervisor Gary and Coen joined her and had a fabulous time dancing, and it was great to spend so much time with the Marines who were based in Quantico. She said that the communication with Quantico had never been better since Commander Brooks had been there and engaged with the Board of Supervisors, and she was incredibly impressed with his leadership.

Ms. Vanuch said that she would like to thank Supervisor Meg Bohmke, who had led the Virginia Association of Counties this year as Chair, which was a lot of work and a tremendous commitment that she did very well, representing the County proudly. She said she wanted to publicly thank her for her commitment to not only Stafford County but the entire state of Virginia.

Ms. Vanuch thanked the Economic Development Authority. She said that at the last meeting, the Christmas tree lighting was a hot topic as to how they were going to fund that, and she had to buy a shirt that said "in a world full of grinches, be a Griswold" and their community had stepped up. She said that in 24 hours, they were able to raise $35,000 to pay for the tree, in 48 hours they had raised $45,000, and in the last week they had raised $50,200 from only seven different sponsors. She said it would be a festive event that the taxpayers would not foot the bill for, and their community partners had stepped up.

Ms. Vanuch stated that the Economic Development Authority had stepped in to help collect as a pass-through the donations to serve the community with the Christmas tree lighting. She thanked Howard Owen at Stafford Printing who sits on the EDA and was the point-person. She said that the seven sponsors who had pledged a total of $50,200 had all been invoiced, and as soon as their checks were in hand, they would be publicizing them and putting up special thank-you signs at the event for their community partnership and help pulling off the event.

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

REPORT OF THE COUNTY ADMINISTRATOR
Mr. Vosburg said that the information-only reports included one for the Economic Development Committee meeting action list, the Infrastructure Committee meeting action list, and the monthly expenditure listing report. He said that the last item he had was a brief presentation if the Chair would accept bringing up Sue Henderson, Executive Director of the Stafford Museum.

Ms. Henderson thanked the Board for having her today to give the annual report to the Board. She said that the Board had provided money to them in the past and in return, they had promised to give an annual report, traditionally given around this time of year. She said that she would skip the past timeline but had copies of the slideshow available for the Board to review. She stated that the 2022 accomplishments were worthy of mention. She said that they had been moving forward, but still did not have a physical structure, and were working that way and building an extremely strong infrastructure to do that.

Ms. Henderson said that among the things they had done was the completion of a financial documents merger with the Stafford Historical Society, so they spoke as one voice for the community. She said that they had developed their five-year business plan and she believed they had all seen that before. She said that they had developed a collections policy and standards policy of how they were going to address diversity and other topics. She said that they had continued a series of all-volunteer committees to navigate the design of museum structure and management, with six active committees, and encouraged anyone in the public or in the government to join them.

Ms. Henderson said that they had partnered with many regional non-profits to create high-impact programs that had engaged over 14,000 individuals in 2022 in Stafford County. She said that they had created social media outreach that had affected over 80,000 individual impressions, and had partnered with museum and cultural experts to further develop community relationships for programming and funding museum operations.

Ms. Henderson said that for the future, they were in the process of a website redesign to combine both websites, and they had begun the collections assessment and formal committee. She said that many people asked what they had, and they would see toward the end of the year that they would roll out through social media the specifics about the collection, but for many years, the Historical Society had been collecting items, and they were starting to catalog that professionally. She said that they would be engaging in a full-scale fundraising campaign by the end of 2023, which the Board would hear more about. She said that they would be working with space needs planners from the County to continue the conversation about where they should locate when they were ready.

Ms. Henderson said that the major goal this year involved directly all of the Supervisors, and was that they wanted to identify their dedicated funding source, which was a common goal of the Board and the museum, so they looked forward to making that happen in FY24. She said that 2026 was their intention to break ground, and they would do so as they had been waiting more than 50 years. She said that they needed to work together to figure out how and where, but their business plans gave some indication of how they wished to move forward. She said that they would expand their existing programs and community engagement in 2023 so that they were viable, visible, and out in the community.

Ms. Henderson showed a slide that was a list of some of the community partnerships currently held in place, including Stafford County Public Schools, Stafford County Education Foundation, North Stafford and Stafford Rotary Clubs, Central Rappahannock Regional Library, Stafford NAACP, Fredericksburg Regional Museums Council, Stafford County Tourism/Economic Development, and local area businesses. She said that they would continue to build partnerships to bring the importance of Stafford's history and culture to this community.

Ms. Henderson said that there was a series of slides that would show pictures of some of the activities. She said that Via Colori Stafford finished its second year with between 6,000 and 8,000 attendees, with the number of artists participating doubled and a 10-year agreement with the Rotary Club partners to continue running the program. She said that the Stafford Art Fair was rescheduled because of Hurricane Ian and happened last weekend at Embrey. She said that they were actively involved in last year's Juneteenth program and were currently working with the NAACP not only on an expanded involvement in Juneteenth but to work on programs that were new and original with several potential cultural activities engaged in that direction.

Ms. Henderson said that Langley Aerodrome #5 had been heavily discussed in the past, and they planned to be actively involved in the interpretation of that project until such time that there was a museum to put that aerodrome in. She said that the school mural project was ongoing, with 11 total completed murals at Stafford High School, Widewater Elementary, Margaret Brent Elementary, Colonial Forge High School, Grafton Village Elementary, Rocky Run Elementary, Drew Middle School, and Anthony Burns High School. She said four were in progress now and the program would continue for as long as there were schools that wanted to have them there.

Ms. Henderson said that for 2023 and beyond, they planned to, in addition to the existing programs, continue to grow them in terms of public awareness of the unique culture and history, grow signature fundraising events, create an oral history podcast series, work in conjunction with the Virginia Smart Community Test Bed to create a virtual reality museum, support the Social Studies Showcase through the school system, create an award honoring a teacher who best supported Stafford history, who did not necessarily have to be a history teacher, a youth-oriented digital scavenger hunt, which was beginning on March 1 and based on the historic markers in the County, and the Stafford Film Festival, which began the past weekend and would continue with the first large one in January, based on "Houseboat," with Carrie Grant and Sophia Loren, which was filmed in Widewater.

Ms. Henderson said that last was historic libations, a program that would actually be called "Cheers to Stafford," with different area businesses unveiled for specific and different eras in history. She said the first was to be based on the Marlboro Brewery, which was created in advertising in Williamsburg in the early 1700s, selling beer in Stafford County.

Ms. Henderson said that the next steps were to identify a dedicated funding source, which was the number one goal. She said that they were continuing to work with the County to identify a site, initiating the collections committee starting in January, implementing their fundraising campaign, continuing with their business plan, and working on upcoming discussions about internship programs, social media, and membership.

Ms. Bohmke asked if there was a typo on the final slide in Ms. Henderson's phone number.
Ms. Henderson said that the correct number was 540-842-4995.

Ms. Yeung asked if Ms. Henderson had mentioned that they were involved with Juneteenth last year.

Ms. Henderson said yes.

Ms. Yeung asked how they were involved.

Ms. Henderson said that they were major funders of the program, providing a large grant to organize the event and working to physically be present to talk about Stafford's history in different ways. She said that their Chair, Mr. Mayausky, was the one who made the proclamation announcement at the event.

Ms. Yeung said that she was unsure of which Juneteenth event was being referred to.
Ms. Henderson said that it was the Juneteenth event for Stafford that was held last year.

Ms. Yeung asked if it was last year or this year.

Ms. Henderson said that she was referring to June 2022.

Ms. Yeung said that she did not recall working with them last year.

Ms. Henderson said that was correct. She said that the event was in 2022.

Ms. Yeung said that in terms of the NAACP, they were not the sole voice for all Black and brown people, so she would like to know if there were any additional groups they were working with. She said that a good start would be Nicole Moore from Parks and Rec.

Ms. Henderson said that would be great.

Ms. Yeung said that she wanted to ensure that the Rowser wall was incorporated.

Ms. Henderson said certainly. She said that she helped create that in 2014 and was very familiar with that program.

Ms. Yeung said that Ms. Henderson mentioned "diversity," which was often used as a stock word. Ms. Henderson said that was true.

Ms. Yeung asked if it was possible to expand on that phrase in the future to detail exactly what was meant.

Ms. Henderson said that she was happy to say that they meant the entire community and every person of all backgrounds.

Ms. Yeung thanked Ms. Henderson.

Ms. Gary thanked Ms. Henderson and everyone who had been working on this. She said that several organizations across the region were collaborating for the next Juneteenth and were already speaking with Nicole Moore and perhaps the EDA. She asked if the museum would be working with them moving forward.

Ms. Henderson said absolutely.

Ms. Gary asked if feedback on content was included with the all-volunteer committees navigating the design and structure.

Ms. Henderson said yes.

Ms. Gary asked if one of the groups was the Diversity Coalition that the County had created, and if not, whether they could be included.

Ms. Henderson said that one of their Board members was included on that committee, and they regularly communicated about ways that they could engage in different ways. She said that one of the ways that they were trying to intentionally expand not only the volunteer force but the involvement in all areas of the community was by adding them to important committees who got to be at the table and have conversations, and the place that was starting at was their collections committee in January.

Ms. Gary thanked Ms. Henderson for her work.

Ms. Allen asked if they were utilizing the living historians such as the White family.

Ms. Henderson said there was also a member of that family on the Board and actively engaged.

Ms. Allen thanked Ms. Henderson.

Ms. Bohmke said that when they developed the Rouse Center and the Mark Lindsey Wall at the back of the Rouse Center, a high school student at each school was invited to help do all of the pixels that created the entire wall, which was unbelievable. She said where the Lindsey Wall was, they could stand close to see certain images and stand back and see other different images, which was done by high school students and coordinated by the art teacher at Stafford High School. She said that she wanted to include the students.

Ms. Henderson said she agreed completely.

Ms. Gary said that they had discussed last year potentially using 1% from the Transient Occupancy Tax.

Ms. Henderson said that was correct.

[Ms. Yeung remarks inaudible]

Ms. Gary said that last year, they had discussed dedicating 1% from the Transient Occupancy Tax. She asked Ms. Henderson if that would still be sufficient.

Ms. Henderson said that was absolutely their goal and they hoped to have that conversation as the Board progressed through the budget cycle.

CONSENT AGENDA

Ms. Allen motioned, seconded by Ms. Bohmke, to approve the Consent Agenda as presented.

The Voting Board tally was:

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

Item 1. County Administration; Approve November 1, 2022 Board of Supervisors Meeting Minutes

Item 2. Capital Projects Transportation; Petition VDOT to Include Robert's Run Road, Eli Court, and Priscilla Court Within Robert's Run Subdivision into the Secondary System of State Highways.

Resolution R22-293 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR ROBERT'S RUN SUBDIVISION, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Robert's Run Road, Eli Court, and Priscilla Court within Robert's Run subdivision, as described on the attached Additions Form AM-4.3, into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Robert's Run Road, Eli Court, and Priscilla Court within Robert's Run subdivision as described on the attached Additions Form AM 4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Robert's Run, recorded among the land records of Stafford County, Virginia in Plat Map No. PM200000052 with Instrument No. LR200010214 on May 11, 2020; and

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

Item 3. Capital Projects Transportation; Petition VDOT To Include Southern View Drive and Granville Drive Within Granville Estates Subdivision into The Secondary System of State Highways.

Resolution R22-294 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR GRANVILLE ESTATES SUBDIVISION, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Southern View Drive and Granville Drive within Granville Estates subdivision, as described on the attached Additions Form AM-4.3, into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Southern View Drive and Granville Drive within Granville Estates subdivision as described on the attached Additions Form AM 4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Granville Estates, recorded among the land records of Stafford County, Virginia as Plat Map No. PM190000104 with Instrument No. LR190016528 on September 19, 2019; and

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

Item 4. Capital Projects Transportation; Petition VDOT To Include Lightning Maple Lane Within Washington Gardens Subdivision into The Secondary System of State Highways;

Proposed Resolution R22-295 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR WASHINGTON GARDENS SUBDIVISION IN THE FALMOUTH ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Lightning Maple Lane within Washington Gardens subdivision as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Lightning Maple Lane within Washington Gardens subdivision, as described on the attached VDOT Additions Form AM 4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Washington Gardens, recorded among the land records of Stafford County, Virginia as Plat Map No. PM070000004 with Instrument No. LR070000572 on January 11, 2007; and

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

Item 5. Capital Projects Transportation; Petition the Virginia Department of Transportation to Abandon Portions of Fleet Road and Portion of Berea Church Road and Accept Portion of Berea Church Road into The Secondary System of State Highways for VDOT Project (FO) 0017-089-118-C501, Located in Hartwood Election District.

Resolution R22-296 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ABANDON FLEET ROAD AND A PORTION OF BEREA CHURCH ROAD AND ACCEPT A PORTION OF BEREA CHURCH ROAD INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR VDOT PROJECT (FO) 0017-089-118, C501 LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Virginia Department of Transportation (VDOT) Project (FO) 0017-089-118 widened Warrenton Road (US-17) between McLane Drive and Stafford Lakes Parkway to a six lane divided roadway, located within the Hartwood Election District (Project); and

WHEREAS, during construction of this Project, a portion of Berea Church Road (SR-654) was relocated onto a new alignment and a portion of Fleet Road (SR-750) was demolished the completion of the Project resulting in adjustments to the existing
roadway alignment; and

WHEREAS, the completion of the Project has resulted in adjustments to the existing roadway alignment, abandonments and additions to the State Secondary System of State Highways (Secondary System), however not all affected streets have been addressed; and

WHEREAS, the new road serves the same citizens as those portions of old road
identified to be abandoned and those segments no longer serve a public need; and

WHEREAS, pursuant to Virginia Code § 33.2-912, the Board desires to petition VDOT to abandon sections of Fleet Road (SR-750) and Berea Church Road (SR-654) as detailed below from the Secondary System; and

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the VDOT to include portions of Berea Church Road (SR-654) as described on the attached VDOT Additions Form AM-4.3 into the Secondary System; and

WHEREAS, VDOT inspected the applicable sections of Berea Church Road (SR-
654) and found it satisfactory for acceptance into the Secondary System;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to abandon portions of Fleet Road (SR-750) and Berea Church Road (SR-654), as described on the attached VDOT Additions Form AM-4.3 from the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that VDOT is petitioned to include the portions of Berea Church Road (SR-654), as described on the attached Additions Form AM 4.3, into the Secondary System of State Highways, and an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed; and

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

Item 6. Capital Projects Public Construction; Authorize the County Administrator to Execute a Contract with Marion Enterprises, Inc. for Courthouse Annex Renovation.

Resolution R22-304 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MARION ENTERPRISES, INC. FOR COURTHOUSE ANNEX RENOVATION

WHEREAS, the Courts and County Administration determined a need to address the shortage of available space in the existing courthouse to meet the needs of the judicial processes of the County; and

WHEREAS, County staff identified space available for renovations to accommodate an additional courtroom and support space in the building previously known as the Chichester House located at 1275 Courthouse Road; and

WHEREAS, an architectural design, engineered plans, and specifications were prepared and approved by Moseley Architects of Americas, LLC, for issuance of the necessary construction permits; and

WHEREAS, the County solicited competitively sealed bids, pursuant to Invitation for Bids (IFB) #23-004-9401-SB for construction of the Courthouse Annex Renovation; and

WHEREAS, Marion Enterprises, Inc. was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funds are available and have been appropriated in the Fiscal Year 2023 Capital Improvement Program budget for this project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to execute a contract with Marion Enterprises, Inc., for renovation of the Courthouse Annex, in an amount not to exceed Two Million One Hundred Forty-Nine Thousand Five Hundred Eighty-Seven Dollars ($2,149,587), unless modified by a duly-authorized change order.

Item 7. Capital Projects Transportation; Support and Endorse Fampos Congestion Mitigation & Air Quality Improvement Program (Cmaq) And Surface Transportation Block Grant Program (Stbg) Applications for Fy28-Fy29 Funding.

Resolution R22-306 reads as follows:

A RESOLUTION OF SUPPORT FOR FAMPO'S CONGESTION MITIGATION AND AIR QUALITY (CMAQ) AND SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMS APPLICATIONS FOR FY28-FY29 FUNDING

WHEREAS, the Fredericksburg Area Metropolitan Planning Organization (FAMPO) has issued a call for projects for Fiscal Year 2028 (FY28) and Fiscal Year 2029 (FY29) funding; and

WHEREAS, funding is available for FY28-FY29 from the Congestion Mitigation and Air Quality (CMAQ) program as well as the Surface Transportation Block Grant (STBG) program for allocation to eligible projects; and

WHEREAS, applications for CMAQ and STBG funding are due to FAMPO by November 18, 2022; and

WHEREAS, a resolution ensuring local support for the funding applications is required as part of the application process; and

WHEREAS, the Board supports and authorizes County staff to submit FAMPO CMAQ and STBG funding applications contained herein below;

NOW THEREFORE BE IT RESOLVED by the Stafford County Board of Supervisors on this 15th day of November, 2022, that it be and hereby does endorse and support the following Fredericksburg Area Metropolitan Planning Organization (FAMPO) project applications:

- Garrisonville Road Multimodal Study
- Enon Road & US-1 Improvements
- Onville Road Widening
- Garrisonville Road Widening
- Staffordboro Boulevard Sidewalk
- US-1 & Layhill Road Improvements
- Leeland Road Widening
- Route 624 Improvements
- US-17 Business Sidewalk

; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to submit FY28-FY29 FAMPO project applications for the above listed projects and to submit and execute all other documents necessary to secure funding from FAMPO though the Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) programs.

<u>Item 8. Commissioner of The Revenue; Ratify an Application for Grant Funds from The Virginia Forest Sustainability Fund Through the Virginia Department of Forestry.</u>

<u>Resolution R22-312 reads as follows:</u>

A RESOLUTION TO RATIFY AN APPLICATION FOR GRANT FUNDS FROM THE VIRGINIA FOREST SUSTAINABILITY FUND THROUGH THE VIRGINIA DEPARTMENT OF FORESTRY

WHEREAS, the Virginia General Assembly created the Forest Sustainability Fund in 2022, in Virginia Code § 58.1-3242.1, in order to help eligible localities offset the costs of foregone revenues resulting from the use value assessment of forest land; and

WHEREAS, Stafford has adopted a use value assessment in Stafford County Code Section 23-36, et seq. for forest land and is eligible for funding from the Forest Sustainability Fund; and

WHEREAS, the grant application deadline is November 15, 2022, prior to or during the Board's regularly scheduled meeting on November 15, 2022; and

WHEREAS, the Commissioner of the Revenue's Office has applied for an award from the Forest Sustainability Fund equal to foregone Fiscal Year (FY) 2022 revenues; and

WHEREAS, if awarded, Stafford must use its award for the purpose of either public education, outdoor recreation, or forest conservation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the application for grant funds from the Virginia Forest Sustainability Fund be and it hereby is ratified and approved.

Item 9. Community Engagement; Proclamation Recognizing November As Native American Heritage Month.

Proclamation P22-16 reads as follows:

A PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH.

WHEREAS, Native Americans have inhabited the land now known as the Commonwealth of Virginia for thousands of years; and

WHEREAS, Virginia is home to 11 state-recognized Indian tribes: the Cheroenhaka (Nottoway), Chickahominy, Eastern Chickahominy, Mattaponi, Monacan Nation, Nansemond, Nottoway of Virginia, Pamunkey, Patawomeck, Rappahannock, and the Upper Mattaponi Tribe, with the Patawomeck tribe being located in Stafford County; and

WHEREAS, thousands of Native Americans from other tribes across the country have moved to Virginia and call both the Commonwealth and Stafford county their homes; and

WHEREAS, Virginia's Native American community enriches the with its culture and traditions, while also serving as a significant contributor to Virginia through their commitment to environmental stewardship; and

WHEREAS, American Indian Day was established in Virginia in 1987; the General Assembly expanded to a week in 1988; the General Assembly revised the recognition to "Native American Indian Month" in 1996 proclaimed the Wednesday immediately preceding Thanksgiving as a Day of Appreciation for American Indians in the Commonwealth of Virginia of each year; and

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

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 15th day of November 2022, that it be and hereby recognizes the month of November 2022 as Native American Heritage Month, in honor of the contributions of all indigenous peoples to Stafford County

Item 10. Community Engagement; Proclamation Recognizing Stafford County Winning a VGFOA Award for Innovations in Government Finance.

Proclamation P22-37 reads as follows:

A PROCLAMATION IN RECOGNITION OF STAFFORD BEING AWARDED THE VGFOA AWARD FOR INNOVATIONS IN GOVERNMENT FINANCE

WHEREAS, the Virginia Government Finance Officers' Association (VGFOA) grants awards at its annual conference for Innovations in Government Finance; and

WHEREAS, the Innovations in Government Finance awards are for jurisdictions that have recently implemented a project or program to better the world of government finance; and

WHEREAS, Stafford implemented the OpenGov platform and replaced a 600-page budget book with a concise digital offering, with pictures and links, and also includes the Capital Improvement Plan. It is a valuable digital document for elected officials, staff and the public; and

WHEREAS, it was a true example of teamwork by the entire Budget and Management Department, two budget analysts from Utilities, the staff from Community Engagement, and at least one staff member from each department;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 15th day of November 2022, that it be and hereby recognize Stafford's being awarded the 2022 VGFOA Innovations in Government Finance Award.

Item 11. Development Services; Authorize the County Administrator to Execute a Contract for The St. Clair Brooks Park Stream Restoration Project.

Resolution R22-300 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH KBS EARTHWORKS, INC. FOR THE CONSTRUCTION OF THE ST. CLAIR BROOKS STREAM RESTORATION PROJECT

WHEREAS, the Department of Development Services has designed and received Virginia Department of Environmental Quality approval of construction plans for the St. Clair Brooks Park Stream Restoration project (Project); and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bids (IFB) No. 22-029-9401-SB to construct, repair, and restore approximately 1,500 linear feet of stream channel in the St. Clair Brooks Park to comply with the State-mandated Chesapeake Bay Total Maximum Daily Load for nitrogen, phosphorus, and sediment; and

WHEREAS, KBS Earthworks, Inc. was determined by staff to be the lowest responsive and responsible bidder; and

WHEREAS, funds for the Project are available in the CCMS4 Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to execute a contract with KBS Earthworks, Inc. for the St. Clair Brooks Park Stream Restoration project in an amount not to exceed Seven Hundred Eighty-Four Thousand Seven Hundred Twenty-Three Dollars ($784,723), unless modified by a duly authorized change order.

Item 12. Development Services; Authorize the County Administrator to Advertise A Public Hearing to Consider Amendments to County Code Chapter 11 – Erosion and Sediment Control;

Resolution R22-307 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING STAFFORD COUNTY CODE CHAPTER 11 "EROSION AND SEDIMENT CONTROL"

WHEREAS, Stafford County has experienced substantial growth over the past several decades, which has resulted in erosion of soils and depositing sediment in streams and rivers; and

WHEREAS, the County's existing ordinance for erosion and sediment control needs to be updated to comply with current standards and practices for the protection of streams and rivers; and

WHEREAS, the proposed amendment is adapted from the Commonwealth of Virginia model ordinance for erosion and sediment control, but would retain portions of the County's pre-2012 Ordinance that contained more stringent provisions than are provided in Article 2.4 of Chapter 3.1, Title 62.1 of the Code of Virginia, as authorized by Virginia Code § 62.1-44.15:65 (B); and

WHEREAS, the proposed amendment would bring the County's Erosion and Sediment Control Ordinance into conformance with State regulations, as required by the 2021 Corrective

Action Agreement between the County and the Virginia Department of Environmental Quality and incorporated by reference, the current Virginia Erosion and Sediment Control and Virginia Stormwater Management Program regulations; and

WHEREAS, the proposed amendments will provide stronger enforcement mechanisms to discourage and stop land disturbance activities that occur without a permit; and

WHEREAS, at its meeting on November 1, 2022, the Board's Infrastructure Committee, recommended sending the proposed amendments to the Board to authorize a public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amendments to Stafford County Code Chapter 11, "Erosion and Sediment Control," pursuant to proposed Ordinance O22-26.

Item 13. Finance: Authorize Application, Acceptance, And Budget for The American Rescue Plan Act Local Assistance and Tribal Consistency (LATCF) Grant Funds.

Resolution R22-279 reads as follows:

A RESOLUTION TO AUTHORIZE AN APPLICATION FOR AND ACCEPTANCE OF THE AMERICAN RESCUE PLAN ACT LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND (LATCF) GRANT FUNDS, AND TO BUDGET THE SAME

WHEREAS, Section 605 of the Social Security Act, added by Section 9901 of the American Rescue Plan Act (ARPA), established the Local Assistance and Tribal Consistency Fund (LATCF), which provides for the U.S. Department of the Treasury (Treasury) to pay \$2billion to eligible revenue sharing counties and eligible Tribal governments; and

WHEREAS, award funds may be used to cover any cost incurred on or after March 15, 2021, for any governmental purpose other than a lobbying activity; and

WHEREAS, the County is an eligible revenue sharing county under the statute; and

WHEREAS, Treasury has allocated a total of \$100,000 to Stafford County, which will be disbursed in two tranches of \$50,000 each, with one anticipated to be distributed in calendar year 2022 and the other in 2023; and

WHEREAS, the grant application deadline is January 31, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to submit a grant application for the County's allocation of the Local Assistance and Tribal Consistency Fund (LATCF) grant funds; and

BE IT FURTHER RESOLVED that the LATCF grant funds are accepted; and

BE IT STILL FURTHER RESOLVED that LATCF grant funds received in 2022 are budgeted as follows:

FUND	PURPOSE	AMOUNT
ARPA Grant Fund	LATCF grant revenue	$50,000

Item 14. Fire and Rescue; Authorize the County Administrator to Execute a Lease Agreement for a Fire and Rescue Station Located at 250 Butler Road, and to Budget and Appropriate Reserve Funds for the Lease Payment.

Resolution R22-305 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT FOR A FIRE AND RESCUE STATION LOCATED AT 250 BUTLER ROAD AND BUDGETING AND APPROPRIATING GENERAL FUND RESERVE FUNDS

WHEREAS; Stafford County Tax Map Parcel No. 54F-12-2, located at 250 Butler Road (Property), is a fire and rescue station, known as Fire Station 1, owned by the Falmouth Volunteer Firefighter's Association, Inc.; and

WHEREAS; the Board desires to continue providing fire and rescue services from the Property; and

WHEREAS; the Fire and Rescue Department and Falmouth Firefighter's Association, Inc. have negotiated a lease for the Property for twenty-five years with two optional five-year renewal terms at a base rental rate of $1.00 per year; and

WHEREAS; the annual cost for the Property will be budgeted into the Fire and Rescue Department budget and be subject to annual appropriation from the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to execute a lease agreement for twenty-five years with two optional five-year renewal terms with Falmouth Volunteer Firefighter's Association, Inc. to occupy Fire Station 1, located at 250 Butler Road; and

BE IT FURTHER RESOLVED that General Fund reserve funds set aside for future use are budgeted and appropriated for the lease payment as follows:

FUND	DEPARTMENT	AMOUNT
General Fund	Fire and Rescue Department	$1

Item 15. Fire and Rescue; Authorize the County Administrator to Execute A Work Order for Facility Repairs to the Falmouth Volunteer Fire and Rescue Station, and Budget and Appropriate Prior Year-End-Unspent Volunteer Fire and Rescue Funds.

Resolution R22-290 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A WORK ORDER FOR FACILITY REPAIRS TO THE FALMOUTH VOLUNTEER FIRE STATION AND BUDGETING AND APPROPRIATING PRIOR YEAR-END FUND BALANCE

WHEREAS, Stafford County Tax Map Parcel No. 54-12-2F, located at 250 Butler Road ("Falmouth Station"), is a fire and rescue station owned by Falmouth Volunteer Fireman's Association, Inc.; and

WHEREAS, the Department of Fire and Rescue (Department) has determined a significant need for paving improvements at Falmouth Station; and

WHEREAS, to ensure functionality of the facility for emergency response to the community 24-hours a day, seven days a week, 365 days a year, the Department desires to repair the concrete and asphalt of the back and side sections of the Falmouth Station first and complete the remaining repairs next year; and

WHEREAS, the Department has completed a scope of work and FHP Tectonics Corp. provided a quote utilizing the County's Job Order Contract, Contract No. 20-1210-SP134.3FHP to perform Work Order No. SC-FHP-024; and

WHEREAS, the Board desires to assist with improving the conditions at Falmouth Station, however a property interest in the property should be obtained prior to the investment of public funds for these improvements; and

WHEREAS, commencement of the paving project is contingent upon the negotiation of and execution of a lease agreement between the County and Falmouth Station; and

WHEREAS, funding is available through Fiscal Year 2021 prior year-end fund balance as Volunteer Fire and Rescue year end balances are set aside for future one-time capital uses;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to execute a work order with FHP Tectonics Corp., in an amount not to exceed Two Hundred Eighty-One Thousand One Hundred Forty-Five Dollars ($281,145) for pavement replacement and concrete repairs to the back and side sections of Falmouth Volunteer Fire and Rescue Station, unless amended by a duly-executed change order; and

BE IT FURTHER RESOLVED that Fiscal Year 2021 prior year-end fund balance from Volunteer Fire and Rescue reserves are budgeted and appropriated as follows to repair the Falmouth Volunteer Fire Station as follows:

Fund	**Purpose**	**Amount**
General Fund	Falmouth Volunteer Fire Station Repairs	$281,145

Item 16. Human Resources; Approve Revision to The County's Retirement Policy to Remove the Age Requirement to Receive Subsidized Retiree Health Insurance.

Resolution R22-303 reads as follows:

A RESOLUTION TO ADOPT REVISIONS TO THE STAFFORD COUNTY DEPARTMENT OF HUMAN RESOURCES RETIREMENT POLICY

WHEREAS, the Stafford County Department of Human Resources Retirement Policy, as last revised December 14, 2021 pursuant to Resolution R21-406, (Policy) provides provisions for eligible employees to continue receive health insurance coverage through the County; and

WHEREAS, the Policy requires employees to reach the age of 50 combined with 15 years of service to be eligible to continue to receive health insurance at a subsidized rate; and

WHEREAS, the only employees who qualify to retire prior to age 50 is an employee who is eligible and approved for either disability retirement from VRS or long-term disability; and

WHEREAS, the Board desires to amend the Policy to provide additional support through subsidized health insurance to employees who become disabled, and who have served 15 or more years, by removing the age requirement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that amendments to the Stafford County Department of Human Resources Retirement Policy, as last revised December 14, 2021, be and they hereby are approved to remove the age requirement and provide subsidized health insurance to eligible employees, as provided in the included amended policy.

Item 17. Planning and Zoning; Authorize Applications for Grant Funds Through Various State and Federal Agencies in Support of the County's Purchase of Development Rights Program.

Resolution R22-299 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPLY FOR MATCHING FUNDS THROUGH VARIOUS STATE AND FEDERAL AGENCIES TO SUPPORT THE STAFFORD COUNTY PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

WHEREAS, in 2007, the Board established the County's Purchase of Development Rights program (PDR Program); and

WHEREAS, in September 2022, eight new applications were submitted to the County for potential easement acquisition under the PDR Program; and

WHEREAS, the PDR Program has $1,322,545 available in fiscal year (FY) 2023 funds for the purchase of development rights on properties located within the County; and

WHEREAS, the Virginia Department of Agriculture and Consumer Services (VDACS) has $875,000 available in FY2023 state-matching funds for localities with certified purchase of development rights programs; and

WHEREAS, the Board desires to apply for state-matching funds through VDACS by the November 18, 2022 deadline; and

WHEREAS, additional matching funds through Virginia Land Conservation Foundation, U.S. Department of Agriculture, and U.S. Department of Defense will be available in 2023; and

WHEREAS, the Board desires to apply for additional matching funds as they become available;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator, or his designee, be and he hereby is authorized to apply for matching funds through Virginia Department of Agriculture and Consumer Services, Virginia Land Conservation Foundation, U.S. Department of Agriculture, and U.S. Department of Defense in an amount not to exceed One Million Three Hundred Twenty-Two Thousand Five Hundred Forty-Five Dollars ($1,322,545) for the acquisition of conservation easements under the County's Purchase of Development Rights Program.

Item 18. Planning and Zoning; Authorize Staff to Send Letters to Property Owners Association (POA) That Have Subdivision Street Extension Signs to Advise the POA Of Their Maintenance Responsibilities as Required by County Code Sec. 22-216

Item 19. Planning and Zoning; Establish An *Ad Hoc* Committee of The Board to Review, Amend, And Make Recommendations Regarding the Zoning Ordinance Recodification and Appoint Tom Coen, Darrell English, And Crystal Vanuch as Members of The Committee.

Item 20. Utilities; Authorize the County Administrator to Approve Additional Expenditures with Visu-Sewer East LLC For Manhole and Lateral Rehabilitation.

Resolution R22-301 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR. TO APPROVE ADDITIONAL EXPENDITURES WITH VISU-SEWER EAST LLC FOR MANHOLE AND LATERAL REHABILITATION

WHEREAS, the monolithic lining system extends the service life of the existing manholes that are being compromised by the presence of hydrogen sulfide; and

WHEREAS, each manhole rehabilitation process will pressure wash the interior to remove all debris, pressure grout all leaks to stop infiltration, rebuild the interior of the manhole, apply Raven 405 Epoxy to the walls and bench of each manhole; and

WHEREAS, pursuant to Resolution R21-280, the Board ratified the County's contract with Visu-Sewer East LLC for the manhole and lateral rehabilitation services, Rider Agreement No. 21-008-5080CI, which rides Frederick Water Contract #MA 12-18, the contract term ending February 26, 2023 with one additional one-year renewal term through February 26, 2024; and

WHEREAS, the contract value is anticipated to exceed $500,000 in total cost, necessitating further Board action to approve additional expenditures; and

WHEREAS, funds are available in the Utilities Capital Improvement Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to approve additional expenditures with Visu-Sewer East LLC for manhole and lateral rehabilitation in an amount not to exceed Seven Hundred Fifty Thousand Dollars ($750,000), for a total contract amount of One Million Two Hundred Fifty Thousand Dollars ($1,250,000), unless modified by a duly executed contract amendment.

<u>Item 21. Utilities; Authorize the County Administrator to Advertise A Public Hearing to Consider a Real Property Deed of Lease Agreement with Milestone Tower Limited Partnership-IV-On-County-Owned Tax Map Parcel No. 30-2b, Located on a Portion of The Aquia Wastewater Treatment Facility.</u>

<u>Resolution R22-309 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A REAL PROPERTY DEED OF LEASE AGREEMENT WITH MILESTONE TOWER LIMITED PARTNERSHIP-IV ON STAFFORD COUNTY PARCEL NO. 30-3B LOCATED ON A PORTION OF THE AQUIA WASTEWATER TREATMENT FACILITY

WHEREAS, Milestone Tower Limited Partnership-IV (Milestone) desires to lease space to construct a free-standing monopole telecommunications tower (Monopole) and base station telecommunications facility on Stafford County Tax Map Parcel No. 30-3B, located on a portion of the Aquia Wastewater Treatment Facility at 71 Coal Landing Road, within in the Aquia Election District; and

WHEREAS, once constructed, Milestone proposes to lease space on the Monopole to telecommunication and wireless communication providers, and in exchange pay the County monthly rent in the amount of 40% of the gross revenues received from the providers, along with a one-time site fee payment of $25,000, and a $5,000 colocation fee per carrier, for up to three carriers that locate on the Monopole; and

WHEREAS, construction and use of the monopole will also require the grant of access, utility and temporary construction easements to Milestone; and

WHEREAS, the Board desires and is required to hold a public hearing to consider the proposed lease on the County-owned property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to advertise public hearing to consider leasing space to Milestone Tower Limited Partnership-IV to construct and operate a free-standing monopole telecommunications tower, base station telecommunications facility, and grant access, utility and temporary construction easements on County-owned Stafford County Tax Map Parcel No. 30-3B.

UNFINISHED BUSINESS

Item 22. Utilities; Consider Authorizing the County Administrator to Execute A Water Tower Lease Agreement with New Cingular Wireless Pcs, LLC For Placement of a Telecommunications Facility on A Portion of The County-Owned Embrey Mill Water Tower, Located on Tax Map Parcel No. 226-Bb.

Ms. Vanuch said that there had been a robust discussion on this issue when it came forward, and the follow-up was that there was going to be some sort of study performed to make sure it would not hurt children nearby, so if the focus could be on that, it would be preferable, and then they would be prepared for action.

Mr. Chris Edwards said that Mr. Len Forkas would give an overview of the results of that study.

Mr. Len Forkas stated that he was the founder and owner of Milestone Communications. He said that they represented the County, not only to allow for the co-location of wireless carriers' equipment on existing infrastructure but also building new towers on sites that were owned by the County. He said that the person who spoke last, Oswaldo Reyas, was one of his associates and had presented the AT&T application for the co-location of their equipment on the Embrey Mill tank. He said that there was discussion regarding the amount of radio energy emitted from the existing equipment, where Verizon currently occupied the tank, and the desire to know what additional radiofrequency energy would be generated from the additional equipment of AT&T.

Mr. Forkas said that they commissioned a study, and the results were effectively that Verizon had been on the tower since 2016; they had since amended the equipment and updated it, and upgraded the equipment in May 2020. He said that since they had been on the tower for many years, their rent had escalated to $3,400 per month. He said that AT&T had submitted an application in 2019, so they had been working on this for quite a while. He said that the current rate for AT&T was $2,850 with a 3% annual escalation. He said that the amount of equipment they would be installing would be slightly less than what Verizon had, which was why their rent was a little bit lower.

Mr. Forkas said that the question asked at the last Board meeting was "what was the amount of radio energy being transmitted from the existing equipment that Verizon had installed, and what would be the cumulative effect of adding AT&T onto the tower in terms of the total amount of radio energy?" He said that they hired a company called Waterford Consultants. He said that his company had built over 200 towers over 20 years, and half of them were placed on schools, so this was a best practice to study the amount of radio energy that was generated from the equipment to make sure that they complied with the FCC. He said that in Fairfax County, where they had built over 30 towers, they studied and tested every year, so Waterford was a familiar company to them.

Mr. Forkas said that they took their equipment to 89 different locations throughout the graphic on the slide shown and tested the amount of radiation shown from multiple locations, determining that the amount of radio energy being read from that existing transmitting equipment was less than 1% of the FCC standard. He said that the FCC knew what caused harm. He said that there was a distance from a radio panel that would cause harm to a person, and the FCC knew what that distance was, and their standards were 50 times that distance at the starting point. He said that the Verizon equipment was less than 1% of that standard. He said that unfortunately, Waterford could not turn over the study to study the AT&T equipment fast enough to get it back to the Board, so they hired another company called DBM, who they asked to simulate the amount of radio energy that would be transmitted from the AT&T antenna at their maximum point.

Mr. Forkas said that that study determined that the amount of radio energy would be less than 3.6% of the FCC standard level when working at the maximum level and combined with the Verizon equipment. He said that the testing they had done and the testing done over 22 years indicated that they were in complete compliance with the FCC standard. He said to give more background, they had worked to develop towers over five years in Stafford, and inside the packet was more information about their partnership and how they had worked together. He said that they had a site coming up in Aquia next month with a tower on one of the wastewater treatment plants. He said that more information was in the packet, but he would be happy to answer any questions from the Board.

Mr. English asked Mr. Edwards how much it cost to paint the tower, and how often they were painted.

Mr. Edwards said that the towers were painted once every 20 years.

Mr. English asked how much it cost.

Mr. Edwards said that the one they were working on right now was Amy Clay, and along with structural modifications made, it was about $750,000 every 20 years.

Mr. English said that they needed to look at the rent prices because it appeared to be costing the County money, so they should reevaluate what they were being charged for those towers.

Mr. Edwards said that one of the slides farther in Mr. Forkas' presentation was a review of one of the local journals where the average cell phone antenna was about $2,000 per month per carrier, and they were getting about $2,800 per month.

Mr. English said that they were not making any money if they were paying that kind of price to get the tower painted.

Mr. Edwards said that between the two carriers, they would be getting about $50,000 per year, and over 20 years it was about $1 million, plus the escalation there, so it should at least cover the cost of painting and maintaining the tank.

Mr. English asked if there was something that could be added to the rent agreement to include the rent plus another extra $5,000 a year toward paying for the tower. He said that they wanted the towers, so the County should have more say.

Mr. Edwards said that in the future, they could attempt a higher negotiation, but they wanted to make sure these structures were located on the water tanks because they were pre-existing structures, and there was an additional benefit of it providing cell coverage to the citizens of Stafford County.

Mr. English said that the companies approached the County and that the County did not approach them.

Ms. Vanuch asked Mr. Forkas to address the price, which previously was said to be market rate.

Mr. Forkas asked Mr. Edwards if there was any correlation between the equipment on the tower and the need to paint the tower.

Mr. Edwards said no.
Mr. Forkas said that the towers must be painted every 20 years with or without the cell tower.

Mr. English said that it cost citizens money to paint that tower, and if they were giving space to rent that tower, they needed to come to a wash.

Mr. Forkas said that he was trying to understand the correlation. He said that the wireless community would pay rent on a tank based on the market rate, and it was usually based on loading and how much equipment should be put on the tank, tower, or rooftop, or powerline, so there was a range of what was acceptable. He said that yes, they were the County's tanks and were owned by the County, and his company represented the County, so if they wanted more rent to be charged on those tanks, they could certainly do that, but they believed that if they met the market and effectively charged what the market would bear, it meant their wireless customers would want to be on their tanks instead of wanting to be on other sites and driving the revenue somewhere else. He said that for example, in Ann Arundel County, they charged $4,000 per month. He asked if Mr. English knew how many carriers were on Ann Arundel County tanks.

Mr. English said no.

Mr. Forkas said none.

Ms. Bohmke said that Mr. Forkas indicated in Fairfax County that they tested the sites annually. She asked Ms. McClendon if it was noted in the agreement that they would be tested annually.

Ms. McClendon said that they would have to look into it and get back to her. She said that these were pre-negotiated agreements based on form, so they could go back and look at that, but she did not currently have that information available.

Mr. Forkas said that he knew the answer was no, because those were on the towers that they built, owned, and maintained. He said that the tanks were towers that the County owned and maintained. He said that it was mostly at the schools where the sensitivity was highest.

Ms. Bohmke said that she understood. She asked if the report that was shown on the screen from the first and second companies could be shared with Mr. Edwards. She said that similar to proffers for land use, they liked to have those in place and in hand before they voted so that they ensured the document and report were the numbers being voted on.

Mr. Edwards said that they had provided a copy of the report and he uploaded everything for the Board to be able to review them.

Ms. Bohmke said that they had to protect their citizens and the Commonwealth.

Mr. Forkas said that those completed reports were submitted three weeks ago.

Ms. Yeung thanked Mr. Forkas for the study and for attending to her queries and meeting with staff and Mr. Vosburg. She said that she appreciated the comparisons of the school report and that they came forward with a report and study in addition to what had already been done. She thanked Mr. Forkas for the compliance and comparison given in terms of what children had in their backpacks, which was their phone, and how much energy came out of the phones compared to what came from the towers. She recalled that when driving through Embrey Mill, she did not have any connectivity, but this past Saturday, when at an arts festival in Embrey Mill, she talked to many customers, and one of the comments she received was to get it on the dam so that people could use computers.

Ms. Yeung motioned, seconded by Supervisor Allen, to approve proposed Resolution R22-211.

The Voting Board tally was:

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

Resolution R22-211 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A WATER TOWER LEASE AGREEMENT WITH NEW CINGULAR WIRELSS PCS, LLC FOR A SPACE ON THE EMBREY MILL WATER TANK, LOCATED ON COUNTY-OWNED TAX MAP PARCEL NO. 29G-BB, WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, New Cingular Wireless PCS LLC (Cingular Wireless) desires to lease space to locate a telecommunication facility on a portion of the County-owned Embrey Mill Water Tank (Tank), located on Tax Map No. 29G-BB, within the Garrisonville Election District; and

WHEREAS, Cingular Wireless proposes to install, maintain, and operate communications equipment and antennas within the leased area on the Tank; and

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

WHEREAS, the Board has determined that a telecommunications facility on the Tank will not adversely affect County operations and will provide an additional source of revenue for the Utilities Fund;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the County Administrator be and he hereby is authorized to execute a lease agreement with New Cingular Wireless PCS, LLC for placement of a telecommunications facility on a portion of the County-owned Embrey Mill Water Tank, located on Tax Map Parcel No. 29G-BB; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to execute any and all documents that he deems necessary and appropriate to effectuate this Resolution.

Item 23. Capital Projects Transportation; Update on Brooke Road Flooding.

Mr. Bryon Counsell said that he would first give a brief history of the statistics. He said that the first slide showed the location of the S-curves on Brooke Road. He said that the statistics of the number of road closures over the last few years were on the top of the next slide, followed by information on how many residents were typically affected and the current and future traffic counts. He said that the next slide showed pictures of what VDOT did earlier this year, the top two photographs of the asphalt overlay to raise the road 6-8 inches, and the bottom two photos of, on the left, where the residual water used to stand after the road was overtaken by water, and on the right, the dry-well that VDOT installed to pump out the residual water to keep the road almost always passable.

Mr. Counsell said that for comparative data, the table on the top lefthand corner of the slide was the only data they had with the rain amount and the last time the road was closed, and the table to the right was the data collected since the flood sensors were put in, and the road had been closed since the sensors were put in, but there was some rainfall activity that met closely or fell ahead of the last rain amount that fell when the road was last closed.

Ms. Yeung said that 14.4 was highlighted, but she did not hear what the minimum amount was that would close the road.

Mr. Counsell said that information was not exactly known. He said that it could be three or four inches in a short amount of time, or several inches over a longer period of time when the ground was saturated. He said that they did not have enough data using sensors and the time-lapse to understand what exactly the inch-per-day amount would be to close the road. He said that there were people who would watch those all the time and collect that data where they could probably provide a number like that sometime in the future but not today.

Ms. Yeung said that 14.4 was highlighted, so it appeared that that could have been close to the minimum had it not been for the work that was done.

Mr. Counsell said that it could be. He continued to say that one of the avenues they were trying to solve the problems with was the Brooke Road reconstruction, which was the raising of the road about five feet to get it above the 100-year floodplain, as well as smoothing out some of the curves. He said the slide had only some bullet points of information the Board had received in infrastructure recently.

Mr. Counsell said that a $7.5M budget project was planned to pull the road out of the 100-year floodplain, and they were working with VDOT, which was requiring them to put the speed limit at 45 miles per hour, which required a longer project and the project must move further away from the creek, which was eating into the hills and residences, and the further away from the road, the more expensive it would be. He said that right now if they did 45 mph with the alignment shown on the screen, they would have to build some large retaining walls and potentially a few houses.

Ms. Gary asked if Mr. Counsell was referring to actual houses or land.

Mr. Counsell clarified that they would encroach closer to some houses where the retaining walls may not provide enough yard for the citizens to still use their yard. He said that it was an ongoing process, but the more they moved away from the creek, the more they would encroach into the land to the north side of Brooke Road.

Ms. Vanuch said that the Supervisors specifically asked that question about encroachment when this came before the Board a few years ago. She said that the $7.5M in funding was aggressively given, and Supervisor Shelton at the time was very concerned about the encroachment, which was why she had issues with the access road and ultimately this avenue. She said that at the time, they were told that this particular avenue would not do that, so she would like to know what changed.

Mr. Counsell said that yes, the estimate and solution developed were based on keeping the speed limit at 35 mph and moving the road slightly to the north.

Ms. Vanuch asked why the speed must be increased.

Mr. Counsell said that they were still working with them and there had not been a decree issued that made it a type of requirement. He said that these were very strong suggestions they were receiving and they were trying to put together a resolution to show the impact to this. He said that the speed limit before and after the S-curves was about 40 to 45 mph, so their goal was to make it as smooth of a roadway transition through this area. He said that they would be making the case that if they had $15M or $20M, they could do this, but they did not, and if they did not do this, if the alternative was to do nothing or do 45 mph was a decision they would have to make.

Ms. Vanuch asked when they would have an answer on that.

Mr. Counsell said that it would be fairly soon.

Ms. Vanuch said that they should not do anything until they knew exactly what was required, because it was an entirely different story if they required the speed limit to change on what would happen there.

Ms. Gary said that she agreed.

Ms. Allen said that VDOT had done variable changes in certain areas, so she struggled to see why, for a project that was very crucial to road safety, this would be a sticking point. She said that this was not a sticking point, because it was almost doubling the scope of the project to go from $7M to $15M, and that did not factor in market inflation for labor and goods, so it may be $15M now but they did not know the final number. She said that she hoped they could have a variable speed change in that area and not create an issue, because for it to hold up the project, it was something that VDOT should be more amenable to.

Ms. Vanuch asked if they could write a letter to VDOT as a Board requesting the reasons why and to keep the speed limit the same.

Mr. Counsell said that that could be very helpful at the appropriate time.

Ms. Vanuch asked when the appropriate time was.

Mr. Counsell said that it would be very soon. He said that they continued to work with them.

Ms. Vanuch said that they did not have another meeting until December 13, so perhaps it could be part of a solution today that if they gave the go-ahead, the Board could vote today to send the letter before their next meeting.

Ms. Gary said that she would like to do so with the Board's support. She said that some of this was very new information to her, so they would have to defer and come back to it. She said that she hoped they would not have to do the access road—and this obviously complicated things—so they had to push it out now.

Ms. Allen said that she would suggest, because they did not know when VDOT would make a decision, that they had a letter waiting to send.

Ms. Vanuch said that when they were ready, Mr. Counsell could let the Board know when to send the letter.

Ms. Yeung asked if they had looked at having to close the road at all in the meantime of completion of the project.

Ms. Gary said that her understanding was that they would still be able to use the road as it was while the new portion was being constructed.

Mr. Counsell said that during construction, they would keep the road open as much as possible depending on the weather. He said that during this period, while they were still trying to figure out how to move forward, the road was always at risk of a rain event to close it.

Ms. Yeung suggested that there be a backup plan so that the constituents knew that they were working through everything.

Ms. Gary said that they could review the recent repairs made, which were holding up and people could safely travel, but it was not a permanent fix. She said that deferring this and sending a letter was the best course of action.

Ms. Bohmke said that she was in support of deferring this and that they needed to gather additional information. She said that she did not want to do anything to take Windemere off the table, but she thought they would be hard-pressed to put this in ARPA funds based on all the timelines. She said that while that was not being voted on today, she thought this needed to stay in the CIP.

Ms. Allen asked if there was a water level that triggered the pumps. She said that it appeared that the number of closures had decreased, and she did not know how much of it was related to the pumps being installed and sensors working.

Mr. Counsell said that since the sensors had been put in and VDOT's work had been put in, water had not overtaken the road from the Creekside, but it had come down from the housing side and ponded there, which could prevent the use of that lane on occasion. He said that the pump system that VDOT installed was automatic, so as soon as the water drained out of the ditch of the road into the dry-well, the pump kicked on to keep the water flowing. He said that to the best of their knowledge, no residual water had set in that lane and prevented the use of that lane since VDOT had made the repairs.

Ms. Allen asked how long the pumps would last before the County must make a financial decision.

Mr. Counsell said that it was too early to tell, but he believed they were on the right track with this. He said that it would get rid of a good number of potential closings but would not guarantee the road would not be closed.

Ms. Allen said she was wondering how many repairs could be made.

Mr. Counsell said that the pump was a minor cost, and even if something went wrong with the pump, they could replace a part or put a new pump out there. He said that it was negligible in the entire scheme, and the fact that this was working so far was good; it was a cheap temporary fix.

Ms. Allen asked how much quantifiable data they had on effective rain compared to previous years in order to analyze whether or not the pump can handle significant rainfall.

Mr. Counsell said that the chart shown on the slide with the most highlighted areas were the rain events from April through July. He said that they were seeing that if rain and the 14- to 16-inch level, the water would be able to be taken away without issue. He clarified that they were not getting 16 inches of rain in a matter of hours.

Mr. Counsell said that the rate of rainfall and running across the ground was dependent upon time and amount, so if there was a lot of rain in a short amount of time, it could flood the road, or if there was a little bit of rain over a short amount of time, a lot of rain over a long period of time, would determine what happened there. He said that they did not have enough data to pinpoint a rain amount that would guarantee a closed road. He said that the best they had was the elevation and to watch and collect the data to store and run an analysis of rain versus time, but they did not yet have that data.

Ms. Allen said that when Mr. Counsell showed comparisons of the closures over the last few years, she was interested in if they knew the number of inches that fell in 2020 compared to what had fallen so far so that they could see if the rainfall was on par for the last two years.

Ms. Vanuch said that was a good point.

Ms. Allen said that if there was a year with an anomaly, she would be interested to see how much fell in comparison to other years. She said that if they had to decide if they were going to potentially pay 50M, they might have to buy time for the CIP, and it would be good to know what water flow the pumps could handle, even if it was a miniscule replacement. She said that it was mentioned they were using flood maps, and she would like to know which flood maps were being used. She said that she knew that FEMA had not officially released new flood maps.

Mr. John Saunders said that the Board may recall that there had been an extensive study performed on the extent of the flooding and trying to understand the scope of the flooding, the current level of service of the road, and their desired level of service. He said that working in tandem with Mr. Counsell and his team on the transportation solutions to make sure that it was feasible. He said that part of the study was that they used FEMA's most up-to-date maps, which were preliminary and not official, but they had the model from FEMA that was very current and had been using it in terms of their analysis.

Mr. Saunders said that they had determined that when looking at different storm events for different conditions, considering undeveloped as if nothing had ever been developed there within the watershed, existing conditions, and future conditions based on the land use for the different sub-areas draining along the project area. He said that they were finding out that for a two-year storm, for undeveloped conditions, Brooke Road was flooding. He said that between zero feet and 1.2 feet were seen through the S-curve, all the way up to 4.6 feet for the 100-year storm under existing conditions.

Mr. Saunders said that they were finding that the two-year storm equated to about three inches of rainfall in a 24-hour period, and that amount triggered closures. He said that Emily Torrey had been very involved in gathering this information, and she pointed out that during the 2020 events, they were seeing 1-inch rainfall for those periods, so they were getting an inch of rainfall in short spans of time. He said that what was being seen on the flood sensors currently was that they were seeing smaller rainfall depths in 2022, and the depth shown on the chart was the depth over the flood sensor, not depth over the road, and the rainfall depth was the total precipitation. He said that there had been some improvement where some larger events, 1.81 inches and 1.83 inches, were still falling short of the two-year storm.

Mr. Saunders said that they wanted most roads to be passible for a ten-year storm, and in certain conditions with Brooke Road, which was a minor arterial collector, they wanted at least a 25-year storm level of service, and because it was the primary means of ingress/egress, they wanted to look at as high as a 100-year event. He said that this interim report was available on the website and he encouraged everyone to read the executive summary of the situation for flooding.

Ms. Gary said that she emailed the information shown on the screen to the Board. She said that it was a live survey, and it showed that people felt a lot safer and felt it had improved a lot. She said that she could attest to that, as she had heard many anecdotes from people who felt that the County would not actually do the full fix on the road, so there was still lingering hesitation, and those were in written form and could be emailed if the Board was interested. She said that overall, people felt safe and were not afraid of getting stuck and not being able to access emergency services or get children to their parents.

Ms. Gary motioned, seconded by Mr. English, to defer this topic and send a letter to VDOT to request they stay at 35 mph and that staff would let them know when that was needed.

Ms. Vanuch clarified with Ms. Gary that she wished to defer the item until they heard a response from VDOT.

Ms. Gary said that was correct.

Mr. Vosburg said that Kyle Bates had indicated there may not be a need for a letter, but if they had the authorization and the Board was okay with not having to send the letter, they could bring it up as needed.

Ms. Vanuch said that the biggest point was that they were deferring this until a response was received from VDOT.

The Voting Board tally was:

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

NEW BUSINESS

Ms. Vanuch asked for Item 27, an add-on item, to be addressed first.

Item 27. Treasurer; Consider Temporarily Setting Penalties to Zero for Real Estate and Personal Property Taxes Due on December 5, 2022 Until December 20, 2022.

Ms. Laura Rudy said that before the Board was Emergency Order 22-01 to allow the lowering of penalties to zero for real estate and personal property taxes due on December 5, 2022, which they wanted to lower through December 20. She said that she sent the Board an email last week, and there was anticipation that the tax bills would be delivered between Wednesday and Thursday of last week, and then some horrific issues happened with their printer with staff shortages and equipment.

Ms. Rudy said that she wanted to thank County Administrator, Mr. Vosburg, and County Attorney, Ms. McClendon for swiftly putting this together, and she hoped the Board would approve it. She said that citizens were very interested in receiving their tax bills because they had been calling for the last week. She said that this would give a little extra time in the normal month timeline. She said that they were obligated by the Code of Virginia 55.1-39(12) to do it 14 days prior to the due date, which they were in.

Ms. McClendon said that if the item was found to be time-sensitive, they did not have to waive their by-laws.

Supervisor Coen motioned, seconded by Supervisor Allen, to find the matter time-sensitive.

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Supervisor Allen, to approve proposed Emergency Ordinance EO22-01.

The Voting Board tally was:

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

Ms. Rudy congratulated Dr. Yeung.

<u>Emergency Ordinance EO22-01 reads as follows:</u>

AN EMERGENCY ORDINANCE TO TEMPORARILY LOWER PENALTIES TO ZERO FOR REAL ESTATE AND PERSONAL PROPERTY TAXES DUE ON DECEMBER 5, 2022

WHEREAS, pursuant to County Code Sec. 23-2 and County Code Sec. 23-3.1, real estate taxes and personal property taxes, respectively, are due and payable on or before December 5, 2022; and

WHEREAS, due to delays with the vendor printing and mailing tax bills, which coincided with local, state, and federal holidays, the Treasurer and Board are concerned with residents not receiving the normal notice of approximately one month before tax bills are due; and

WHEREAS, the Board desires to temporarily reduce the penalties for real estate and personal property taxes until December 20, 2022 to allow residents sufficient time to receive and pay their tax bills; and

WHEREAS, pursuant to Virginia Code § 15.2-1427, the Board may adopt an emergency ordinance for this purpose, which shall be effective for no longer than 60 days; and

WHEREAS, in consideration of the public's health, safety, and general welfare, the Board desires to adopt this Emergency Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY EMERGENCY by the Stafford County Board of Supervisors on this the 15th day of November, 2022, that the following County Code sections be and they hereby are temporarily amended with all other portions remaining unchanged:

Sec. 23-3. - Penalty on delinquent real estate taxes.

Any taxpayer failing to pay any real estate tax on or before ~~the fifth day of June or~~ the fifth day of December, as applicable, shall incur a penalty thereon of zero (0) percent until December 20, 2022 and then of ten (10) percent thereafter of the tax past due on such property or ten dollars ($10.00), whichever is greater, which penalty shall be added to the amount of taxes due from such taxpayer and which, when collected by the treasurer, shall be accounted for in his settlements.

Sec. 23-3.1. - Penalty on delinquent tangible personal property taxes.

Any taxpayer failing to pay any personal property tax on or before ~~the fifth day of June or~~ the fifth day of December, as applicable, shall incur a penalty thereon of zero (0) percent until December 20, 2022 and then of ten (10) percent thereafter of the tax past due on such property, which penalty shall be added to the amount of taxes due from such taxpayer and which, when collected by the treasurer, shall be accounted for in his settlements.

; and

BE IT FURTHER ORDAINED BY EMERGENCY that this Emergency Ordinance shall not be codified and shall not become a part of the Stafford County Code; and

BE IT STILL FURTHER ORDAINED BY EMERGENCY that this Emergency Ordinance shall expire on December 20, 2022, and penalties shall return to the prescribed rates starting December 21, 2022.

Item 24. Planning and Zoning: Consider Authorizing the County Administrator to Advertise A Public Hearing to Consider Conveying an Undivided Interest in County-Owned Property to The Virginia Department of Conservation and Recreation for Addition to Crow's Nest Natural Area Preserve.

Ms. Baker said that the request would authorize a public hearing to consider the conveyance of County-owned property to the Virginia Department of Conservation and Recreation. She said that the area would be added to Crow's Nest Natural Area Preserve and would be managed by the Department of Conservation and Recreation. She said that what was proposed was joint ownership by the County and DCR, which was similar to other parcels in Crow's Nest. She showed a map, which she stated showed the Crow's Nest Preserve in green, approximately 3,100 acres at this time. She said that the County and DCR jointly owned 1,700 acres, and DCR owned the remaining area. She said that Northern Virginia Conservation Trust owned about 200 acres, including the Potomac Creek Heronry, and had dedicated those lands to the preserve.

Ms. Baker said that DCR managed the preserve with the primary goal of protecting the environmental features and wildlife habitat, as well as allowing public access, and the County provided office space for DCR staff and assistance in exchange. She said that to the left, it was platted with 353 lots and public rights-of-way back in the 1970s, but had never been developed due to the need for public water and sewer. She said that the County now owned 305 of these parcels, which were shown in pink on the map, and 299 of these lots were gifted to the County with the transfer of development rights restrictions. She said that there were restrictive covenants that limited the use to park, agricultural, or forestal uses.

Ms. Baker said that DCR requested three different options, which were joint ownership with the County, conveying full ownership to DCR, or the County could retain ownership and dedicate the properties for use as the preserve. She said that there were two areas for access to Crow's Nest, one to the main portion of the preserve, the 3,000 acres, which was an entrance off of Raven Road, with a gravel access point to a parking area, and the second access was located off of Raven Road and served the kayak and canoe launch.

Ms. Baker said that DCR proposed several improvements. She showed a close-up of the Crow's Nest Harbor. She said that visitation numbers had been increasing and they anticipated between 35,000 and 50,000 visitors to Crow's Nest for the year, by the end of 2022. She said that they were proposing improvements to address the increase in capacity and visitation by adding a new parking lot near the entrance at Raven Road and looking at trail extensions that would go through some of the Crow's Nest Harbor lot properties. She stated again that DCR had recommended three options, and that Resolution R22-274 authorized a public hearing for conveyance.

Ms. Vanuch asked if there were any questions for Ms. Baker. Hearing none, she moved to the next item.

<u>Item 25. County Administration; Budget Prior Year Children Services Act Set Aside Revenues to Fund a Playground at the Heather Empfield Public Day School.</u>

Deputy County Administrator Donna Krauss said that she was present today per request from the School Board on the 3-on-3 meeting held regarding a playground for the day school. She said that a quick history was that in 2008, the County established the thought that they needed to have a day school based on the fact that the state was pushing to do more community-based services, so they partnered with the schools and developed the day school model. She said that the day school opened in 2009, and at that point, they began to push legislation to get state funding for the day school, which had been ongoing ever since.

Ms. Krauss said that the model paralleled a private day solution, and private day school costs ran roughly $4M to $5M per year, and this model was similar but was run by the school division as a collaborative partnership outlined between them and the school with an MOA, which was included in their background as an example, and they were using their local resources to be able to provide an option for their students who needed those kinds of services in their community by their teachers and in their schools. She said that the Board had committed to continuing to invest in the public day school program ever since and had increased the amount of support over the years.

Ms. Krauss said that the mission of the day school was to be community-based, cost-effective, and keep children within the community. She said that it enhanced the resources for not only the school division but for their students who needed those types of settings, and they had had a changing student population for many years, with the past couple of years seeing a need for EBS, and they included that in the expansion of the day school a couple of years ago with the addition of a classroom.

Ms. Krauss said that it also provided more personalized instruction and had smaller class sizes. She said that she encouraged all those who had not been to the Heather Empfield Day School to take a visit and look at the model. She reiterated that this was a collaborative and shared partnership with the school, and they had worked very hard staff-to-staff to ensure that the collaboration and communication were flowing.

Ms. Krauss said that currently, CSA could not fund the day school. She said that from 2009-2011, they were billing CSA based on the state pushing them to do more community-based services. She said that the CSA said that they could not do that, so that was the evolution of why the MOA existed and why the County decided to help with their dollars to implement the day school model. She said that in their first year, they saw immediate savings, and she had data that was available if the Board was interested, and the school paid a portion of that and the County paid a portion, and as she mentioned, it was established to the MOA.

Ms. Krauss said that there was an estimated, documented cost-savings of about 40% per student versus private day placements, and on average, a child who went to their private day placement saved anywhere from $44,000 per year to $147,000 depending on the school. She said that they had a school this year that raised their rates tremendously, and the sunset period for rate-setting by the state was no longer, so their private day schools were increasing those rates. She said that they had continued to advocate for state funding, but had not gotten there yet.

Ms. Krauss said that the proposal that came through the 3-on-3 was that they wanted to design a playground that was inclusive for the students at the Heather Empfield site. She said that there was data provided to them from the school division about the area where it would be located. She said that it would have five inclusive pieces of equipment, and the estimated cost was $43,423 for the playground equipment and $50,000 for the cost of construction including grading and concrete. She said that in the background were the schematics for the playground, the quote provided by the school division from Game Time Recreation, which broke down the equipment pieces and other information for the Board as well. She said that this was new business, and she was glad to answer any questions.

Ms. Yeung thanked Ms. Krauss for the presentation. She said that her comment on the day school was the same comment she had when she was on the School Board and was no different because it was a different Board. She said that she knew more about the day school because of her time on the School Board, and sometimes the depth of information regarding the day school was not sufficiently addressed at the dais. She said that in terms of the MOU and the playground, with Drew in the state that it was and the choice of either upgrading Drew or rebuilding it, she was unsure if it was the best use of funds to spend the $93,000, but a caveat was that, as she had said to Dr. Hummer, if they did this, to ensure it was portable and could be moved to another site.

Ms. Krauss said that her understanding was that the equipment was portable.

Ms. Bohmke said that she too had been around the day school for a long time, and the person who created the day school, Heather Empfield, was a great woman who did not live long enough to enjoy the fruits of her labor, but she thanked Ms. Krauss for the history of the program. She said that it was a wonderful program to have in the County and they saved money. She said that Ms. Krauss sat on their Office on Youth State Commission when the General Assembly decided that they wanted to study their day school.

Ms. Bohmke said they attempted to tell the state that they would save money, but it was very complicated, and Ms. Krauss was on the State Commission and had served a long time. She said that she did not think the state had an answer, but they needed to build this playground, and she was glad that it was portable. She said that she hoped someday that the General Assembly would allow all the counties in Virginia to build their own day schools so that those children would not have long transportation to and from their private days.

Mr. English asked if the majority of the school population was composed of disabled children.

Ms. Krauss said that yes, the children had varying disabilities.

Mr. English asked if the MOU had been signed.

Ms. Krauss said no. She said that they could not put the contingency in the resolution about the signing of the MOU. She said that it had not been signed and they had asked it to be signed. She said that typically, the MOU was signed before July, but they were in transition, so it did not happen then, but they met with Dr. Taylor and his staff and discussed the MOA, where they believed there was consensus to move forward to get it signed, but it had not yet been signed.

Mr. English asked if a reason had been given about why it had not been signed.

Ms. Krauss said not to her knowledge.

Mr. English said that he would like to know why they were not signing the MOU.

Mr. Coen asked if they knew where the money would come from.

Ms. Krauss said that every year at the end of the budget, if CSA had any savings, a percentage of that went into a reserve, split among the CSA reserve, which the County had, and some sent to the schools for their CIP reserve.

Mr. Coen asked if it was coming from both sides or just the County's side.

Ms. Vanuch said that they explicitly said the money was coming from their side in the 3-on-3.

Ms. Krauss said that yes, they would take the money out of their reserve.

Mr. English asked if the County Administrator contacted the Superintendent and he refused to sign it, whether they would be able to ask him to come to the meeting and tell them why he was not signing it.

Ms. Vanuch said that they could ask him to do anything.

Mr. English said that he would like to hear why it was not signed.

Ms. Bohmke said that she agreed.

Ms. Yeung said that if they were planning on working together with the school, they needed to just call and ask him.

Ms. Vanuch said that he was trying to do that first.

Item 26. Update on The Garrison at Stafford Project.

Deputy County Administrator Mike Morris said that he would give a brief update on the Garrison at Stafford. He said the first slide showed the historical timeline, where they began working with the Planning Department in 2015, with a series of revisions to the plan, which he would not detail, but would mention the last one in February of 2022 was when they submitted a revised plan, which the County approved, pending approval from DEQ and the Corps of Engineers. He said that two streams went through the property, and six weeks ago they received approval from DEQ and were finally awaiting approval from the Corps of Engineers, both of whom had to review the property.

Mr. Morris said that based upon that, they planned to submit the plans back to the County to begin three pad sites along the front of the building and another building to the rear. He said that they were finalizing a lease with a national restaurant chain on one of the sites, and they were told that due to the pandemic, the movie theater industry had dropped significantly, so they had had numerous conversations with Regal, and Regal had told them that they want to keep the lease agreement in place and planned to come.

Ms. Vanuch asked what year they were planning to come.

Mr. Morris said that information he did not know, but he knew they had still planned to come, and the lease agreement was still in effect.

Ms. Vanuch said that last year, Supervisor Dudenhefer did a groundbreaking in October and promised they would break ground by the spring with development and dirt moving on the site in the spring of 2022. She asked if they actually committed to that last October or if it was an inaccurate statement.

Mr. Morris said that all he could say was that they had revised plans and he did not know the answer to that question.

Ms. Yeung asked if he could speculate.

Mr. Morris said that he could not, however, they had heard the same story that in the summer of 2023 they planned to break ground on the pad sites on the front along the road. He said the diagram showed with red dots what they said they planned to begin breaking ground on in the summer of 2023.

Ms. Vanuch asked if there were any questions about this topic.

Ms. Yeung said that she would like to know if there was something approved by the architects and zoning.

Mr. Morris said that the applicant had revised their plans multiple times.

Ms. Vanuch said that the Board had voted on it each time.

Mr. Morris said that the Board had approved it each time over the four- or five-year period.

Ms. Yeung said that she would be meeting with Mr. Pence on Friday, so she would have an update then.

Mr. Morris thanked the Board.

RECESS

At 4:56 p.m., the Board recessed its meeting until the evening session.

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

PRESENTATIONS

Presentation of Proclamation Recognizing November as Native American Heritage Month.
Ms. Vanuch said at this time she would like to invite up Ms. Martha Newton, the American Indians' Chapter Chairman of the Falls of the Rappahannock National Society of the Daughters of the American Revolution, and Donna Sayers of the NSDAR to the dais, who were present to accept a proclamation on behalf of Native American Heritage Month, a proclamation given yearly to recognize the contributions and impact of Native Americans to both their County and their Country.

Ms. Vanuch read the proclamation recognizing November as Native American Heritage Month.

Ms. Sayers thanked the Board for giving the proclamation. She said that it meant a great deal to them and the DAR had long been a supporter of Native Americans. She recognized Comb College and Chemewa Indian School, as well as the grants that the Virginia DAR was doing around the state.

PRESENTATIONS BY THE PUBLIC

Ms. Vanuch read the protocol for public presentations.

1. Ms. Molly Denim, a resident of the Hartwood District, said that her comments would be related to the Stafford County Schools and Capital Improvement Plan. She said that their schools were in desperate need of improvements and they really needed new schools now. She urged the Board to work more closely with the School Board and to listen to their needs and priorities, because they were the experts in this area and had done an amazing job researching and putting together the Capital Improvement Plan, as well as working and reworking their priority list. She said that the CIP did a great job of highlighting the immediate needs in the County for new schools, and she understood this was not lost on any of the Board members. She said that however, she firmly believed that their plan was not aggressive enough.

   Ms. Denim said that their schools had been left to languish for far too long, band-aid fixes seem to have been the norm with disregard for the rapid growth of Stafford County. She said that when they moved to this County 11 or 12 years ago, schools were not a priority for them, as their youngest at the time was in high school and was on his way out. She said that they then had another child who was now in elementary school at Hartwood Elementary School, and they loved the teachers and principal there, but the school was in desperate need of being replaced. She said that it was bursting at the seams, and next year, Hartwood Elementary would be more than 20 children over capacity, and it was not the only one in the Hartwood District that had that problem.

   Ms. Denim said that Rocky Run would be over capacity by 80 children, Conway would be over capacity by 50 children, and Falmouth would be over capacity by 80 kids. She said that that was over 220 students in the Hartwood District elementary schools alone who would be crammed into schools with no seat for them to sit in. She said that as the Board went back and forth to talk about money that may or may not be there over the next 10 years, kids would work in hallways, sitting in doorways, and teachers had to be extremely creative with their storage space.

Ms. Denim said that the went to her daughter's school for Veterans Day and talked to her class, and she was surprised at how little space they had in their classroom. She said that they were 8 and 9 years old and did not have room to breathe, create, and grow. She urged the Board of Supervisors to work with the School Board and make the CIP a top priority for the County, and to be as aggressive as possible in building the schools that they needed today.

PUBLIC HEARINGS

Item 27. Finance; Consider the Issuance of Up To $100 Million in General Obligation School Bonds to be Sold to The Virginia Public School Authority to Support the Construction of High School #6.

Mr. Jon Munch said he would give a quick rundown of where they stood. He said that back in April, as part of the budget process, the Board had a public hearing on the 5th, and considering school debt issuances in support of the CIP, and after that, on the 19th, the Board adopted Resolution R22-68, which authorized the issuance of $6,760,000 in direct support of the schools' FY23 3R projects. He said that they had also talked recently about the schools' High School #6 project and the desire to move up the debt issuance schedule to try and get the lowest rate possible. He said that this particular resolution combined the two with a not-to-exceed amount of $106,640,000, which was to save on issuance costs and to try to issue the 3R money earlier than waiting until the VPSA spring pool. He said that last Tuesday evening, the School Board adopted a resolution requesting a general obligation school bond to be issued by the County.

Ms. Vanuch asked if it was correct that the Board had heard about this information during a work session.

Mr. Munch said that was correct.

Ms. Vanuch asked if there were any questions.

Ms. Bohmke said that the $6M in March had already been issued. She asked if that was correct.

Mr. Munch said that they had not.

Ms. Bohmke asked why it said on the public hearing report $100M instead of $106M.

Mr. Munch said that was because they were only required to do the public hearing this evening for the $100M for which they had not yet conducted a public hearing.

Ms. Bohmke said that she understood.

Ms. Yeung said that she had mentioned before that to look at creative ways in which they could add the two elementary schools here per the request from the schools. She said while this was about the high school, they knew that they had to do the other elementary schools, and she wondered if they could find creative ways to put them all together.

Mr. Munch said that the primary issue with the elementary schools was based on where they were in terms of timeline. He said that they had to abide by the arbitrage of rebate rules where they had to spend the money they got on the debt proceeds within about 24 months to avoid having a negative arbitrage issue, and they had been talking about other ways they could hopefully finance portions of the elementary schools when the direction was provided by both Boards.

Ms. Vanuch opened the public hearing. Seeing no one, she closed the public hearing and brought the item before the Board for action.

Mr. Coen motioned, seconded by Ms. Bohmke, to approve proposed Resolution R22-278.

The Voting Board tally was:

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

Resolution R22-278 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED $106,640,000 GENERAL OBLIGATION SCHOOL BOND OF STAFFORD COUNTY, VIRGINIA, TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF

WHEREAS, the Board has received a request from the Stafford County School Board (the "School Board") to contract a debt and issue general obligation school bonds (the "Bonds") of the County in an amount not to exceed $106,640,000 to finance (a) capital school improvement projects for public school purposes that are included in the County's Capital Improvement Program, as it may be amended from time to time (collectively, the "Projects"), and (b) costs of issuing the Bonds; and

WHEREAS, the Board has determined that it is necessary and expedient to issue the Bonds to finance the Projects; and

WHEREAS, the Board held public hearings on April 5, 2022, and November 15, 2022, on the issuance of the Bonds in accordance with the requirements of Section 15.2-2606, Code of

Virginia of 1950, as amended (the "Virginia Code"), and no Bonds that relate to these public hearings have previously been issued; and

WHEREAS, the Board has now determined that it is necessary and expedient to borrow an amount not to exceed the amount specified in paragraph 1 below and to issue from the authorization under this Resolution its general obligation school bond (as more specifically defined below, the "Local School Bond") for the purpose of financing a portion of the Projects, and to authorize and set forth the details thereof, as required by this Resolution; and

WHEREAS, the School Board has, by resolution, requested the Board to authorize the issuance of the Local School Bond and consented to the issuance of the Local School Bond; and

WHEREAS, the Virginia Public School Authority ("VPSA") has offered to purchase the Local School Bond with a portion of the proceeds of certain bonds to be issued by VPSA as a part of its "stand alone" bond financing program (the "VPSA Bonds"); and

WHEREAS, the Bond Sale Agreement (as defined below) shall indicate that $106,460,000 is the amount of proceeds requested by the County (the "Proceeds Requested") from VPSA in connection with the sale of the Local School Bond; and

WHEREAS, VPSA's objective is to pay the County a purchase price for the Local School Bond which, in VPSA's judgment, reflects the Local School Bond's market value (the "VPSA Purchase Price Objective"), taking into consideration such factors as the amortization schedule the County has requested for the Local School Bond, the purchase price to be received by VPSA from the sale of the VPSA Bonds, and other market conditions relating to the sale of the VPSA Bonds; and

WHEREAS, such factors may result in the Local School Bond having a purchase price other than par and consequently (i) the County may have to issue the Local School Bond in a principal amount that is greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested, or (ii) if the maximum authorized principal amount of the Local School Bond set forth in paragraph 1 below does not exceed the Proceeds Requested by at least the amount of any discount, the purchase price to be paid to the County, given the VPSA Purchase Price Objective and market conditions, will be less than the Proceeds Requested;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA:

Authorization of Local School Bond and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bond in an aggregate principal amount not to exceed $106,460,000 (the "Local School Bond") for the purpose of financing a portion of the Projects. The Board hereby authorizes the issuance and sale of the Local School Bond in the form and upon the terms established pursuant to this Resolution.

Sale of the Local School Bond. The sale of the Local School Bond, within the parameters set forth in paragraph 4 of this Resolution, to VPSA is authorized. Given the VPSA Purchase Price

Objective and market conditions, the County acknowledges that the limitation on the maximum principal amount of the Local School Bond set forth in paragraph 1 of this Resolution restricts VPSA's ability to generate the Proceeds Requested, however, the Local School Bond may be sold for a purchase price not lower than 95% of the Proceeds Requested. The Chairman of the Board, the County Administrator, or either of them (each a "Delegate"), and such other officer or officers of the County as either may designate are hereby authorized and directed to enter into an agreement with VPSA providing for the sale of the Local School Bond to VPSA (the "Bond Sale Agreement"). The Bond Sale Agreement shall be in substantially the form required by VPSA, which form is hereby approved, with such completions, insertions, omissions and changes not inconsistent with this Resolution as may be approved by the County officer executing the Bond Sale Agreement.

Details of the Local School Bond. The Local School Bond shall be dated the date of its issuance and delivery or such other date designated by VPSA; shall be designated "General Obligation School Bond, Series 2023"; shall bear interest from its dated date payable semi-annually on interest payment dates determined by a Delegate (each an "Interest Payment Date"), at the rates established in accordance with paragraph 4 of this Resolution; and shall mature on principal payment dates determined by a Delegate in the years (each a "Principal Payment Date") and in the amounts acceptable to a Delegate (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

Interest Rates and Principal Installments. Each Delegate is hereby authorized and directed to accept the interest rates on the Local School Bond established by VPSA, provided that the true interest cost of the Local School Bond does not exceed five and fifty one-hundredths percent (5.50%) per annum. The principal amount of the Local School Bond shall not exceed the amount authorized by this Resolution and the final maturity of the Local School Bond shall not be later than the end of the fiscal year that is 21 years after the date of the issuance and delivery of the Local School Bond. The execution and delivery of the Local School Bond as described in paragraph 8 hereof shall conclusively evidence the approval and acceptance of all of the details of the Local School Bond by the Delegate as authorized by this Resolution.

Form of the Local School Bond. The Local School Bond shall be initially in the form of a single, temporary typewritten bond substantially in the form attached hereto as Exhibit A.

Payment; Paying Agent and Bond Registrar. The following provisions shall apply to the Local School Bond:

For as long as VPSA is the registered owner of the Local School Bond, all payments of principal, premium, if any, and interest on the Local School Bond shall be made in immediately available funds to VPSA at, or before 11:00 a.m. on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for banks in the Commonwealth of Virginia (the "Commonwealth") or for the Commonwealth, then at or before 11:00 a.m. on the business day next succeeding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

All overdue payments of principal and, to the extent permitted by law, interest shall bear interest at the applicable interest rate or rates on the Local School Bond.

U.S. Bank Trust Company, National Association, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Local School Bond. The County may, in its sole discretion, replace at any time the Bond Registrar with another qualified bank or trust company as successor Bond Registrar and Paying Agent for the Local School Bond. The County shall give prompt notice to VPSA of the appointment of any successor Bond Registrar and Paying Agent.

Prepayment or Redemption. Each Delegate is hereby authorized and directed to determine the final prepayment and redemption provisions of the Local School Bond, as long as such terms are otherwise consistent with the parameters established in this Resolution, provided, however, that the Principal Installments of the Local School Bond shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of VPSA or other registered owner of the Local School Bond. Notice of any such prepayment or redemption shall be given by the Bond Registrar to VPSA or other registered owner in by registered mail not more than ninety (90) and not less than sixty (60) days before the date fixed for prepayment or redemption.

Execution of the Local School Bond. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Local School Bond and to affix the seal of the County thereto.

Pledge of Full Faith and Credit. For the prompt payment of the principal of, premium, if any, and the interest on the Local School Bond as the same shall become due, the full faith and credit of the County are hereby irrevocably pledged, and in each year while any portion of the Local School Bond shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Local School Bond as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

Use of Proceeds Certificate and Tax Compliance Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County or the School Board as either may designate are hereby authorized and directed to execute and deliver on behalf of the County a Use of Proceeds Certificate and Tax Compliance Agreement (the "Tax Compliance Agreement") setting forth the expected use and investment of the proceeds of the Local School Bond and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the VPSA Bonds. The Board covenants on behalf of the County that (i) the proceeds from the issuance and sale of the Local School Bond will be invested and expended as set forth in such Tax Compliance Agreement and that the County shall comply with the other covenants and representations contained therein and (ii) the County shall comply with the provisions of the Code so that interest on the VPSA Bonds will remain excludable from gross income for federal income tax purposes.

State Non-Arbitrage Program. The Board hereby determines that it is in the best interests of the County to authorize and direct the County Treasurer to participate in the State Non-Arbitrage Program ("SNAP") in connection with the Local School Bond. Each Delegate, the County Treasurer and such officer or officers of the County as a Delegate or the County Treasurer may designate are each hereby authorized and directed to create an account with SNAP for the receipt of the proceeds of the Local School Bond

Continuing Disclosure Agreement. The Chairman of the Board, the County Administrator and such other officer or officers of the County as either may designate are hereby authorized and directed to execute a Continuing Disclosure Agreement, as set forth in Appendix D to the Bond Sale Agreement, setting forth the reports and notices to be filed by the County and containing such covenants as may be necessary in order to show compliance with the provisions of the Securities and Exchange Commission Rule 15c2-12, under the Securities Exchange Act of 1934, as amended, and directed to make all filings required by Section 4 of the Bond Sale Agreement should the County be determined by VPSA to be a MOP (as defined in the Bond Sale Agreement).

Disclosure of County Information. The County approves the inclusion of information regarding the County (including financial, economic and demographic information) in the preliminary official statement (including the appendices thereto) to be used in connection with the marketing of the VPSA Bonds and approves the distribution of such preliminary official statement by VPSA. The County also consents to the distribution by VPSA of a final official statement (the preliminary official statement marked to include information regarding the pricing of the VPSA Bonds) including such County information.

Filing of Resolution. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

Election to Proceed under Public Finance Act. In accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Local School Bond pursuant to the provisions of the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Virginia Code.

Further Actions. The members of the Board and all officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Local School Bond and otherwise in furtherance of this Resolution and any such action previously taken is hereby ratified and confirmed.

Effective Date. This Resolution shall take effect immediately.

* * *

The undersigned Clerk of the Board of Supervisors of Stafford County, Virginia (the "Board"), hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a meeting of the Board held on Tuesday, November 15, 2022, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present. Members present at the meeting were: Crystal L. Vanuch, Chairman; R. Pamela Yeung, Vice Chairman. Members absent from the meeting were: none. Members voting in favor of the foregoing resolution were: Crystal L. Vanuch, Chairman; R. Pamela Yeung, Vice Chairman; Tinesha O. Allen; Meg Bohmke; Thomas Coen; Darrell E. English, Monica L. Gary. Members voting against the foregoing resolution were: none. Members abstaining from voting on the foregoing resolution were: none.

WITNESS MY HAND and the seal of the Board of Supervisors of Stafford County, Virginia, as of November 15, 2022.

ADJOURNMENT

At 8:02 p.m., Chairman Vanuch adjourned the November 15, 2022 Stafford County Board of Supervisors meeting.

Randal E. Vosburg
County Administrator

Crystal L. Vanuch
Chairman