BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
FEBRUARY 7, 2023

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Dr. Pamela Yeung, Chairman, at 3:00 p.m. on Tuesday, February 7, 2023, in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

CHAIRMAN'S REMARKS

Dr. Yeung expressed support for the people who were affected by the earthquake in Turkey and Syria. She noted that this month was Black History Month, and it marked the month to celebrate and recognize the many contributions of Black people in the country. She said the Black History Month theme was "Black Resistance and explored how African Americans historically fought against racism and continued to resist oppression in all forms. She said that a video of the Rowser Building was filmed to symbolize how the Black community refused to accept lesser education in the 1930s and worked to purchase land for a school.

Dr. Yeung said that in the video, Frank White told a history of the school's namesake, Ella Rowser. She said that the video would debut later in the month, and it would be posted on the County website and social media. She invited the public to a special Black History Month Trivia evening at the Rowser Building on February 21. She said that there would be refreshments and opportunities to tour the historic building.

Ms. Yeung noted that the state had ranked the projects to receive SMART Scale funding. She said that the Fredericksburg district received the most funds since the inception of the program. She said that there would be a road widening project on Garrisonville Road. She said the project was a total of $70M, and it would utilize $30M in matching funds from the 2019 Road Bond referendum approved by the County voters.

PRESENTATIONS

Presentation of A Proclamation to Declare January as National Human Trafficking Prevention Month in Stafford County.

Ms. Gary invited Kathryn Head to the dais. She said Ms. Head was an education and care specialist for the Rappahannock Council Against Sexual Assault (RCASA). She said RCASA's mission was to provide support, treatment, and advocacy to persons whose lives had been affected by sexual violence and to reduce sexual violence in the community through education and awareness.

Ms. Gary said that Ms. Head was present to accept the National Slavery and Human Trafficking Prevention Month Proclamation. She said that the theme for National Slavery and Human Trafficking Prevention Month was "Partner to Protect." She said that people should educate themselves on the signs of human trafficking and work together to eradicate it. She said more information was available at <www.humantraffickinghotline.org>. She said that the Hotline number was 1-888-373-7888, and text messages could be sent to BEFREE, or 233733.

Ms. Gary read the proclamation.

Ms. Bohmke recognized Ms. Nadia Casey, Director of the local RCASA. She said that she had been a board member of RCASA for six years. She said that they had received a grant award from Mary Washington Hospital to cover the near-total cost of a forensic nurse.

Ms. Head said that human trafficking had no bias regarding age, race, ethnicity, economic status, or region. She said that the work was important because Virginia was centrally located, and the I-95 corridor was a trafficking corridor. She said that the organization was available to provide support 24/7.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Vosburg said that there was an addition to the Consent Agenda to consider the appointment of Mr. Earl Cornish, Jr. to the Telecommunications Commission to represent the Falmouth District for a term ending December 31, 2023.

Mr. Vosburg said that there were two deletions. He said that the first was Item 16, under Unfinished Business, the discussion on data centers. He said that Item 22, under New Business, had been deleted, and it was related to the discussion on Senate Bill 1137 and the Regional Transportation Authority.

Ms. Vanuch requested to keep Item 16 on the agenda. She said that they had not come to a conclusive decision on how to move forward with a joint meeting at the previous meeting. She requested to keep the item on the agenda for a brief discussion to provide clarity.

Ms. Gary motioned, seconded by Ms. Vanuch, to approve the agenda as amended.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC - I (3 MINUTES EACH)

Mr. Coen read the protocol for public presentations.

1. Ms. Shannon Fingerholz, 19 Cardinal Forest Drive, thanked the Board for expediting the construction of Elementary School #18. She said that they needed to look at installing utilities out to the Hartwood area. She said that utilities were a hurdle to the reconstruction of Hartwood Elementary. She noted that many Board members had attended the School Board meetings and townhalls.

   Ms. Fingerholz said that the new high school was built near a section of Route 17 with no sidewalk—a section between Cardinal Forest Drive and Royal Farms. She said that it was about 600 feet of property without a sidewalk, and the property was unlikely to install one. She noted that children in the surrounding area would be attending the new high school and would have to navigate the portion of the road without a sidewalk.

2. Ms. Adela Bertoldi, 10 Kingsley Court, said she was speaking from her position as one of the Electoral Board members of the County. She said that the Electoral Board submitted a letter to the County Administrator on February 1, and in the letter, they disagreed with moving the early voting site from the Government Center to the Courthouse Community Center.

   Ms. Bertoldi said that there was an issue with parking. She said that each of the Electoral Board members went at different times of the day to look at the facilities and the parking—in the morning, at lunch, and at late-afternoon. She said that around 10 a.m., there was virtually no parking around the community center, on the side, the back, or across the street. She said that there was only one parking spot toward the back row, and there was parking at the utility building. She said that it was an issue if voters were unable to park. She said that curbside voting would not help because there would only be two curbside voting locations.

Ms. Bertoldi said that there was an issue with the roads. She noted that there was an elementary school, middle school, and high school, each with different start times and dismissal times. She explained that early voting would be held for all elections, not just primaries—presidential elections, primaries, local elections, and special elections.

Ms. Bertoldi requested that the Board consider the bigger issue, which was that the Registrar's Office was too small. She said that during the 2020 Presidential election, they were climbing over each other in the office because it was too small. She requested that the County find office space to lease for the Registrar's Office that was large enough.

3. Ms. Alane Callander, 622 Lancaster Street, said she supported the previous speaker's comments regarding the Registrar's Office. She said she was wearing an affordable housing pin on her jacket that she received over 20 years ago. She said that the Board had to take action in terms of affordable housing. She said that about 2/3 of the Amazon delivery vehicles drove too fast and were dangerous on the road.

   Ms. Callander said that she read an article related to data centers with information from the Piedmont Environmental Council. She said that the data centers used a tremendous amount of electricity and water. She said that while data centers would generate revenue for the County, they would also cost the County money. She said that Loudon County was having issues with data centers. She said she supported M-1.

4. Mr. Mathew Shilts, 37 Serene Hills Drive, said that the intersection of Route 17 and Hartwood Road was near and dear to him, and it was the main intersection he took to Route 17. He said that people who lived in the southwest of the County were aware of the intersection because vehicles would speed through the corridor and run the traffic lights. He said that vehicles treated the route as an interstate. He said that he wanted to bring the issue to light. He said that he had ideas for potential solutions. He requested an increased police presence in the corridor. He said that he planned to request the Sheriff's Department to put out speed monitors.

5. Ms. Nancy Rueter, 42 Boulder Drive, suggested the Board pause its exploration into data centers. She said that data centers would impact the County, and they required large amounts of energy to operate. She said that Loudon County was struggling with data centers.

6. Mr. Howard Rudaut, 10 Hayes Street, said at the prior meeting, the four applicants before the Board received differing treatment for each of their applications. He said that there appeared to be bias, a lack of preparation and due diligence, and smoke and mirrors.

   Mr. Rudaut said that two national franchises presented applications to the Board at the previous meeting—Dogtopia and Chick-fil-a. He said that when requested information about capacity, Dogtopia's answers were not accepted by the supervisors, and County employees were tasked with counting the number of dogs in the County shelter. He said that the supervisors accepted Chick-fil-a's responses related to the efficiency of double-staked drive-through lanes, and no County employees were sent to Chick-fil-a locations in Fredericksburg or Spotsylvania to validate the claims.

   Mr. Rudaut said that representatives met with property owners to address concerns about the proposed North Fleet facility prior to the public hearing. He said that the supervisor of the district did not schedule a townhall meeting for the item until after the same meeting. He said that there appeared to be a lack of preparation and due diligence, and the applicant suffered from the delay.

   Mr. Rudaut said that a storage facility applicant in Celebrate had a current proposal from VDOT to provide a solution to safely enter and exit the property. He said that the Chick-fil-a representatives presented a traffic study that was more than a decade old and was not relevant to a restaurant use. He said that a supervisor requested a $25K proffer for public safety support in front of the applicant, and the County Attorney stated that it was not appropriate for the County to make such a request.

7. Ms. Kristin Maxson, 1816 Richmond Highway, said that she recently looked at a satellite view of the County and observed the teardown of the land in the area. She said that the ground was bare, but there was a voting promise to preserve the land. She said that she was placed on the transfer development rights list without her knowledge.

   Ms. Maxson said that SB 1137 should be reviewed. She said that the Board should review the public right to know laws and support the public. She said she was seeking more information regarding Item 29 from the December 13, 2020 agenda. She said that no identification was provided. She said that from 2019 to the present, there had been no ARB. She said that one person was assigned to the ARB, and every other member was at large. She said that no agenda or minutes had been posted.

Ms. Maxson said that the agenda and the minutes should be separate documents. She encouraged public outreach for solar facilities. She said there were parcels near her property that were designated for utility usage.

REPORTS BY BOARD MEMBERS

Mr. Coen – reported that he attended a townhall, a ribbon cutting at the Riverside Performing Arts Center to celebrate its 25th anniversary, and the fire graduation. He said that Fire and Rescue provided O+ blood to treat critically ill individuals in the field. He said that the ability to provide blood on the scene had been shown to improve patient outcomes. He said that the County was only one of 20 localities that carried blood out into the field.

Mr. Coen said that there would be a blood drive in April at the Lutheran Church by the courthouse. He said that the goal was to host blood drives in other parts of the County. He reported that Student Government Day was on March 31, and seniors from each of the five high schools would tour different elements of the County government.

Mr. English – reported that they received an email from Mr. Chip Boyles from the GWRC thanking the County HR department. He said that at Hartwood Elementary at 6 p.m. on February 13, there would be a townhall on North Fleet.

Ms. Gary – remarked that she attended the VaCO Government Day in Richmond along with Ms. Bohmke. She said that they were briefed on the status of bills related to VACo's legislative agenda. She said that she attended the regular VRE Operations Board meeting on January 20, and the following Monday, she attended the FAMPO meeting where they discussed an additional river crossing. She noted that citizens shared their concerns at the FAMPO meeting.

Ms. Gary said that she attended an event for local government officials in D.C. with Congresswoman Spanberger. She said that the Chair and Vice Chair had ideas on ways to access additional funding. She said that she attended a School Board townhall in the Aquia District.

Ms. Vanuch - stated that Mr. Kyle Bates from VDOT was present at the meeting, and he would provide an update on the traffic work going on across the County. She noted that there would be updates to improvements for Rockhill Church Road and a permanent fix for the bridge. She said that the Shelton Shop Road widening project would begin in 2026.

Ms. Vanuch said that the Winding Creek intersection work was underway and would continue after the wedge-widening project. She said that there was a Garrisonville Road widening project from Eustace Road to Shelton Shop. She said that they had secured SMART Scale and FAMPO funding to achieve the projects. She stated that there would be work on Kellogg Mill Road, Poplar Road, Mountain View Road, and Ramoth Church Road.

Ms. Allen – congratulated the new fire graduates. She said that her uncle was a fire captain in New York. She said she would be unable to attend the joint school budget meeting because she would be attending a PRTC meeting. She noted that she attended the event held by Rep. Spanberger. She requested Mr. Chris Edwards, Utilities, provide a brief update from the infrastructure meeting concerning pro-rata information for utilities. She requested an update on the Decatur Traffic Study.

Mr. Chris Edwards reported that in the Infrastructure meeting, they discussed the pro-rata program, which was meant to share the cost of development and building the master plan and CIP projects. He said that they were experiencing issues. He said that they received back revenue from costs that were estimated during the master planning process. He said that they had experienced record inflation which had set some of the cost estimates back. He said that they had completed an update of the cost estimates, and they planned to bring the figures before the Board during the budget cycle.

Ms. Allen said that she attended the opening of the James Clapper Cybersecurity Program at the new Germanna Campus. She said she looked forward to training a local cyber-force to work in the County.

Ms. Allen requested an update on the Decatur Traffic Study.

Mr. Matt Lehane said that a speed and traffic study was performed on Decatur Road in January at the request of a citizen. He said that they were working with VDOT to review the results of the study and decide on the next steps.

Ms. Bohmke – reported that the entire Board met with Representative Spanberger, and they took the VRE and two Metro stops. She said that they had a productive meeting. She noted that the County had missed community grants from Ms. Spanberger's office. She noted that the House may change how the community grants work.

Ms. Bohmke said that she held a townhall meeting for the 5 megawatt solar project proposed on Truslow Road at the I-95 interchange. She said that four constituents attended the townhall. She noted that the townhall was held at the Howell Library from 6 p.m. to 8 p.m. She said that the applicant explained the project and provided a rendered overhead view of the completed project. She said that the project would likely come before the Planning Commission in March or April.

Ms. Bohmke noted that GWRC stood for the George Washington Regional Commission, one of the mandated state planning districts. She said that the County was the fiscal agent for the GWRC. She read the email that Mr. Chip Boyle sent to the Board regarding the HR staff.

Ms. Bohmke reported that there was an R-Board Committee meeting the following day at noon at 473 Eskimo Hill Road, the administration offices. She mentioned that over the next six months, the R-Board would be installing a new entrance. She said that they were working with VDOT. She noted that there was a wheel wash station on site, but debris still fell on Eskimo Hill Road. She said that improvements were forthcoming by the end of the year.

Ms. Bohmke reported that she attended the Bay Consortium Workforce Development Board meeting in Warsaw. She reported that 350 new people used the career center in Massaponax since July 2022. She stated that last year, the County sent a letter to FAMPO requesting a river crossing study. She said that the East-West Mobility Study had been completed, and a consultant was studying the options for a potential new river crossing.

Ms. Bohmke said that FAMPO anticipated presenting the information at the March 20 meeting, and FAMPO Director of Transportation Ian Ollis was willing to present the options to the Board at the April meeting. She said that two projects were approved in the Falmouth District under the SMART Scale program—Layhill Road/Route 1 pedestrian improvements totaling nearly $7M, and the American Legion Road project totaling $4M. She said that two projects were on the backup list and had not been funded.

Ms. Yeung – reported that she attended the Representative Spanberger event. She said that on January 21, she attended the promotion and graduation ceremony for Fire and Rescue. She said that she attended the FAMPO and GWRC meeting as an audience member. She said that on January 31, she attended a school budget meeting, and they discussed the Superintendent's budget. She said that the School Board discussed increased needs, and they would refine their budget before submitting it to the Board for review. She said that there was a Planning Strategic Meeting, and they had begun to review the budget needs.

REPORT OF THE COUNTY ATTORNEY

There was no report.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg informed the Board that the following items were included in the agenda packet and were for information only:

- January 17, 2023 Finance, Audit and Budget Management Committee Action List
- January 17, 2023 Public Safety Committee Action List
- Capital Projects Quarterly Report

Mr. Vosburg stated Mr. Kyle Bates would present the VDOT Quarterly Report.

Virginia Department of Transportation Quarterly Report

Mr. Kyle Bates, Residency Administrator, said that the I-95 Northbound Rappahannock River Crossing bridge was open to traffic. He said that demolition of the existing northbound CD bridge over Route 17 was scheduled for completion by the end of the month. He said that there would be maintenance over the next several months on the original northbound bridge over the Rappahannock, including deck repairs, beam repairs, and various other items. He said that the project was on target for on-time delivery in the summer of 2024.

Mr. Bates said that the Fred Ex I-95 express lane extension project intended to extend the express lanes by 10 miles to the Route 17 area. He said that Transurban anticipated project completion in late 2023. He said that the American Legion overpass opened on time on January 5, 2023. He reported that the new SMART Scale recommendations had been released for the awards. He said that there were four projects.

Mr. Bates mentioned the US 1/American Legion Road/Eskimo Hill Road turn lane to Route 1 project, the US 1/Layhill Road roadway and pedestrian improvements project, the Garrisonville Road widening/Shelton Shop to Eustace and multimodal improvements, and a commuter project providing a bus stop and service to Dahlgren. He noted that the SMART Scale request for 9030 was listed incorrectly on the slide, and it was actually $6,964.521.

Mr. Bates said that the Route 644 bridge replacement over Aquia Creek was anticipated to be complete by 2026. He said that they looked to close down the road, and they anticipated $1M in savings on the project. He said that while the road would be closed during construction, the detour would be kept out of the subdivisions. He said that they worked to get the temporary signal and bridge installed.

Mr. Bates reported that the Leeland Road widening had to be altered in terms of the shared-use path. He said that he had met with the Leeland Estates HOA, and he had an upcoming meeting with County zoning officials to discuss how to designate the existing path on Leeland Estates for public use. He said that they would be installing a crosswalk outside of the project for the crossing at Walnut Farms and Perth Drive.

Mr. Bates said that the Route 648/Shelton Shop Road widening would widen and reconstruct Shelton Shop Road between Garrisonville and Winding Creek. He said that a shared-use path would be provided. He said that they were reviewing three intersections to install roundabouts—Winding Creek, Courthouse Road, and Mountain View Road. He said that the projects were set to begin in the fall of 2026, and completion was anticipated in the summer of 2028.

Mr. Bates said that several shoulder wedge-widening projects had been completed. He said that the plan had evolved to widen existing roads with County funds and then VDOT would resurface the roads. He said that Hartwood Road, Mountain View Road, and Winding Creek Road had been completed within the past two years. He said that Kellogg Mill Road was on the upcoming schedule. He said that Brent Point Road and Decatur Road were on the 2024 schedule. He said that they were drafting the 2025 list with County staff.

Mr. Bates said that they were reviewing whether to install a modular roundabout. He said that they were going through the final steps of finalization. He said that once they received funding, they would be able to begin design. He said that the project would be completed quickly. He noted that he had done three similar projects in Chesterfield County. He said that they hoped to begin construction by the fall of 2023, but they were currently behind schedule. He said the Board would be updated on the schedule.

Mr. Bates said that the Forbes Street/Harrell Road intersection improvement project had several utilities to address. He said that the project would improve the intersection by widening the radius and realigning the approach from Harrell onto Forbes Street. He said that they anticipated construction to begin in the summer of 2024. He said that the Onville Road shoulder improvements were completed a year ago. He said that they finished the Garrison Woods Drive crosswalks.

Mr. Bates said that they finished one of the rural-rustic projects prioritized by the County. He said that they utilized secondary six-year plan funds to improve Brent Point Road from a gravel road to a hard-surface surface-treated road. He said that the project covered a length of 1.78 miles between Arkendale Road and Decatur Road.

Mr. Bates said that the next project was Route 605/New Hope Church Road. He said that they would utilize secondary six-year plan funds to improve 1.38 miles of gravel road to hard-surface surface-treated roadway. He said that the road would continue to be maintained, so issues should be reported. He said that the project was anticipated to be complete by the summer of 2023.

Mr. Bates said that the Shelton Shop/Winding Creek intersection project had been prioritized by the County. He said that the project was a secondary six-year plan project. He explained that the roundabout would be constructed at a later date. He said that there were concerns about the site distance. He said that several trees and small brush would be removed in the area to lay back the slope. He said the project would be completed that month.

Mr. Bates said that the cross pipe at Brooke Road had been replaced about a year ago. He said that there were instances where the creek would crest over the roadway, and there were few things the County could do. He said that the day-to-day flooding had been mitigated in the lower part of the S-curve. He said that they continued to monitor the area.
Ms. Gary noted that there had been concerns about crumbling on the road. She asked for more information to respond to the concerns.

Mr. Bates noted that there was an area with water past the S-curve and an area where water was sitting on the road. He said that they were doing ditching in the area, but they were awaiting the environmental permits. He said that there was a crack in the road where the slope appeared to be deteriorating, but it was not a concern at the moment. He said that they were seeking estimates for slope repairs.

Mr. Bates said that they were in the freeze-thaw of the year, so there were several potholes. He said several crews were working on potholes. He said that constituents should use the 1-800-FOR-ROAD system to report potholes. He said that there was a resurfacing schedule, and they had completed the routes that had been given to the Board in previous years. He said that over $6.9M was planned to be spent in Stafford County. He said that resurfacing Route 610 composed a sizable portion of the budget. He said that in they were seeking to go from Joshua Road to Mine Road. He said that Settlers Landing would receive slurry seal treatment.

Mr. Bates said that they performed some slurry seals in Stafford Lakes in 2022. He said that the construction of slurry seals was messy, but the end product was nice. He said that it was a cost-efficient way to ensure the pavement lasted for years. He said that treatments cost about $40K to $60K per lane mile. He said that asphalt lane mile prices were over $300K.

Mr. Bates said that they recently performed patching at the Poplar and Mountain View intersection. He said that they had completed two sections of shoulder improvements on Mountain View Road. He said that Engleside potholes had been repaired. He said that they were reviewing traffic calming measures for Pendleton.

Ms. Allen noted that the VDOT project for Onville was not typical. She asked if there was an update on the safety calming measures she requested for North Stafford High School.

Mr. Bates said that they had a meeting a month ago, and the next step was to set up a meeting with the North Stafford principal. He said that they provided alternatives for pedestrian accommodations that may hinder the operation of the signal. He said that they discussed protective measures for pedestrians. He said they discussed the options with the County Administrator and the Sheriff's Department. He said that the Sheriff's Department was working to setup a median, but it had not happened. He said that operations at the high school would be hindered.

Ms. Vanuch said that she had received positive feedback for the Garrisonville Road repaving. She said that residents had complaints about the Lake Arrowhead project.

Mr. Bates said that they had several conversations about door tags and making sure that residents were informed. He said that education was half the battle to make sure people had the right expectations through the construction.

Ms. Vanuch asked how long they planned to close the Rockhill Bridge.

Mr. Bates said he would send Ms. Vanuch the schedule for when they were planning to close and reopen the bridge.

Ms. Vanuch asked if the detour route avoided Longwood Drive and Windsor Forest.

Mr. Bates responded that the detour would be through Joshua/Mountain View/Route 610, and it would not go through any subdivisions.

Ms. Bohmke asked why there were cones still on Truslow Bridge.

Mr. Bates said that he did not know, and he would follow up later.

Ms. Bohmke said that there was an area with a one-foot drop off by Butler Road and Winterberry.

Mr. Bates said that they scheduled a whole area of Butler Road for night work. He said that some parts had been improved.

Ms. Bohmke said that the portion had been missed and that it was westbound. She said that she had a staff meeting regarding the crosswalk at Leeland and Primmer House Road. She said that when they looked at the curvature of the road, there were sight distance issues. She said that there was an HOA with indentations throughout the development as the road had collapsed. She said that they needed to determine a resolution and way forward to address the road.

Mr. Bates clarified that the HOA road was in Clearview Heights. He said that they discussed setting up measurables to monitor it. He said that they would know at a later date whether the road was getting worse.

Mr. English asked if wedge-widening could be performed on Richard's Ferry Road. He said that the road was narrow.

Mr. Bates said that they were looking at secondary six-year plan funds to correct the road outside of the wedge-widening program. He said that the County was looking to prioritize secondary funds to expedite the project.

Mr. English asked if the rumble strips on Route 17 had worn down.

Mr. Bates said that the rumble strips were redone within the past two years. He said that he would review if they had been done.

Mr. English suggested extending the school zone between Hartwood Elementary and Hartwood Road. He noted that the school was responsible.

Mr. Bates said that they were looking into the matter. He said that the traffic engineering section was reviewing it to determine whether the signs were in the appropriate location.

Ms. Yeung hoped that they come to a solution for North Stafford High School. She said that there was a pothole behind Wawa and near Truist and the Holiday Inn that was constantly reopened and patched. She said it was the same hole every year.

Mr. Bates said that he would address it.

DISCUSSION ON SUPPORT ITEMS

Mr. Vosburg said that at the Board retreat, they discussed a COCA item and the Disabled Veteran Tax item.

Ms. Vanuch said that she and Ms. Yeung sat on the Board's legislative committee, and Delegate Durant had included a budget amendment for COCA to receive a matching 50% for the County, but it did not leave committee. She said that a budget amendment had been submitted, but over the weekend, the amendment was dropped. She said that Sen. Stuart was able to put in a budget amendment for 50% of the veterans tax relief, which would provide $7M to offset it. She said that they were not hopeful that the budget amendment would succeed.

Ms. Vanuch said that for COCA, they were able to still send a letter to the conference committee. She explained that COCA was the cost to compete adjustment for education. She said that Stafford County was considered a southern county in terms of state funds, and the cost to compete adjustment was to offset salaries, wages, and funding for the schools for being considered a northern Virginia jurisdiction. She explained that northern Virginia counties received a higher percent of cost to compete than the County. She said that the Virginia State Police put the County in the northern Virginia category of cost to compete in terms of deputy raises.

Ms. Vanuch said that they were requesting to be considered a northern Virginia county in terms of education, and that would provide the County with $20M to $40M depending on the percentages. She said that they had requested to go from 20% to 50% in 2023. She said that there was a conference committee that met on the budget, and the Governor had an appeal to the budget. She requested that the Board prepare a letter with a request to the conference committee and the Governor's Office to include the 50% amendment for cost to compete for the County and explain why it was important. She said that they should address retention and salary challenges.

Ms. Vanuch recommended that the Chair be approved to send the letter by a motion. She said that the letter should be sent immediately within the next 24 hours. She requested that the Chair and staff provide the Board with a draft of the letter.

Ms. Gary motioned, seconded by Mr. Coen, to authorize the Chair to send a letter to the conference committee and Governor's Office related to the cost to compete education funding.

Ms. Bohmke said she was in favor of the letter, but more research had to be done. She said that in order to compete for COCA, it had to be reviewed under Planning District 16, so they would have to include Spotsylvania County, Caroline County, and King George County.

Ms. Gary mentioned the adjustment with the pay increases for the Sheriff's Department. She said that the County was competing at the level of northern Virginia counties in terms of jobs, and that should be included in the letter.

Mr. Coen said that he was interested in whether the planning district was an element in the decision. He said that they had been working to get the County treated equally to the northern Virginia counties, so he supported sending the letter as soon as possible.

The Voting Board tally was:

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

Ms. Vanuch said that the second item was the veterans tax relief. She said that in 2010, there was an amendment to the Virginia Constitution to allow 100% service-connected veterans tax relief with no caps to their real estate and one car for personal property. She said that the program cost the County millions of dollars per year, and the most recent estimate from the prior year was $14M. She said that the program impacted about 1.5% of the County residents.

Ms. Vanuch said that Sen. Stuart carried a bill that did not move forward, but they worked on a budget amendment to help the County with the veterans tax relief. She said that it would be capped at 50% cost-sharing for the locality. She said that she brought forward the item in the legislative committee because there were multiple counties across Virginia that had a high proportion of veterans tax relief.

Ms. Vanuch said that she brought forward a request for the Board to amend its legislative strategy to cap the benefit at 1.5% of the general population. She explained that under her proposal, if 1.5% of the population qualified for the veterans tax relief, then the state would contribute 50% of the cost-sharing for the locality. She said her proposal would narrow the qualifying counties to Stafford, Arlington, and Prince George. She said that originally, the cost would have been $65M, and her proposal would reduce it.

Ms. Vanuch said because the budget amendment was still in debate in the Senate, she would like to reach out to Senate Finance and the Governor's Office to ensure there is a budget amendment which is viable for 50% of the veterans tax relief. She said that the letter should mention how the County was disproportionately impacted. She noted that $14M was a $0.07 impact on the tax rate. She said that the average person who qualified for the tax program received between $5K to $7K of tax relief.

Ms. Gary motioned, seconded by Mr. Coen, to authorize the Chair to send a letter to Senate Finance and the Governor's Office advocating support for the 50% cost-sharing amendment for veterans tax relief.

Ms. Vanuch noted that there was no co-patron in the House, so they could send the letter to House Appropriations and the conference committee. She said that they could leave the recipient list open to be determined. She noted that the County legislators should be included in the letter.

Ms. Gary moved to amend her motion to draft the letter and allow the County lobbyist to determine the recipient list. Ms. Bohmke seconded the motion.

The Voting Board tally was:

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

APPROVAL OF THE CONSENT AGENDA

Mr. Coen motioned, seconded by Ms. Allen, 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 JANUARY 17, 2023 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPOINTMENT MS. JOANNA BERGER TO REPRESENT THE GARRISONVILLE ELECTION DISTRICT ON THE AGRICULTURAL AND LAND CONSERVATION COMMITTEE FOR A TERM EXPIRING ON DECEMBER 31, 2025.

ITEM 3. COUNTY ADMINISTRATION; RECOMMEND MR. CLAY MURRAY AS AN AT-LARGE MEMBER TO THE FREDERICKSBURG AREA METROPOLITAN PLANNING ORGANIZATION BICYCLE & PEDESTRIAN ADVISORY COMMITTEE (BPAC).

ITEM 4. COUNTY ADMINISTRATION; APPOINT MR. TIM O'LEARY TO THE TELECOMMUNICATIONS COMMISSION (TCC) REPRESENTING THE GEORGE WASHINGTON DISTRICT FOR A TERM ENDING DECEMBER 31, 2023.

ITEM 5. CAPITAL PROJECTS TRANSPORTATION; PETITION VDOT TO INCLUDE REGENTS LANE, PRESTIGE WAY, HEIRLOOM WAY, HEATHCOTE PLACE, AND COURTHOUSE MANOR DRIVE WITHIN COURTHOUSE MANOR SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

Resolution R23-43 (Courthouse Manor Subdivision) reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR COURTHOUSE MANOR SUBDIVISION, LOCATED WITHIN THE AQUIA ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Regents Lane, Prestige Way, Heirloom Way, Heathcote Place, and Courthouse Manor Drive within Courthouse Manor 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 7th day of February, 2023, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Regents Lane, Prestige Way, Heirloom Way, Heathcote Place, and Courthouse Manor Drive within Courthouse Manor 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, Courthouse Manor, recorded among the land records of Stafford County, Virginia at Plat Map No. PM160000183 with Instrument No. LR160020262 on October 31, 2016; 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 TRANSPORTATION; PETITION VDOT TO INCLUDE BAYSIDE DRIVE, MELBOURNE LANE, CLEAR SPRING LANE, MOSSY CREEK LANE, PORT VIEW DRIVE, AND VALIANT COURT WITHIN SOUTHGATE AND SOUTHGATE HILLS SUBDIVISIONS INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

Resolution R23-44 (Southgate And Southgate Hills Subdivisions) reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR SOUTHGATE AND SOUTHGATE HILLS SUBDIVISIONS, 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 Bayside Drive, Melbourne Lane, Clear Spring Lane, Mossy Creek Lane, Port View Drive, and Valiant Court within Southgate and Southgate Hills subdivisions, 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 7th day of February, 2023, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Bayside Drive, Melbourne Lane, Clear Spring Lane, Mossy Creek Lane, Port View Drive, and Valiant Court within the Southgate and Southgate Hills subdivisions, 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, Southgate, recorded among the land records of Stafford County, Virginia at Plat Map No. PM150000116 with Instrument No. LR150015127 on August 28, 2015; and Plat of Record entitled, Southgate Hills, recorded among the land records of Stafford County, Virginia at Plat Map No. PM140000012 with Instrument No. LR140001759 on February 4, 2014; 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 7. CAPITAL PROJECTS UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE CLAIBORNE RUN FORCE MAIN PROJECT.

Resolution R23-48 reads as follows:

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

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

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

WHEREAS, Tax Map Parcel No. 58-5H (Property) consists of approximately 1.7360 acres of land owned by Realty Income Properties 13, LLC (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 5,561 square feet of permanent sanitary sewer easement on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the parcel is Thirteen Thousand Three Hundred Forty-Seven Dollars ($13,347), based upon the 2022 tax assessment value; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, that the County Administrator be and he here by is authorized to advertise a public hearing to consider the condemnation and use of the County's quick-take powers to acquire a permanent sanitary sewer easement on the property of Realty Income Properties 13, LLC, Tax Map Parcel No. 58-5H, in connection with the Claiborne Run Parallel Force Main sewer line upgrades, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

<u>ITEM 8. COMMUNITY ENGAGEMENT; A PROCLAMATION HONORING AND RECOGNIZING BLACK HISTORY MONTH.</u>

<u>Proclamation P23-01 reads as follows:</u>

A PROCLAMATION HONORING AND RECOGNIZING BLACK HISTORY MONTH

WHEREAS, Black history and Black culture are the history and culture of both America and Stafford County; and;

WHEREAS, African Americans have made significant contributions in all phases of Stafford's economic, social, cultural and political life; and

WHEREAS, each year, Americans observe Black History Month by celebrating the histories, cultures and contributions of American citizens whose ancestors came from Africa and other countries abroad; and

WHEREAS, during America's worst period, the Civil War, Stafford County served as a beacon of hope to thousands of enslaved persons who made their way to freedom in Stafford County and points north; and

WHEREAS, African Americans helped establish the very pillars of our community, establishing churches and a system of schools for African American children. As well, African Americans led the fight for equity in education, which led to the eventual desegregation of schools in Stafford County and the area; and

WHEREAS, the work of our African American community has contributed to the great diversity and unity of Stafford County, with a rich history of different cultures and ethnic impact, and they contribute to every level of our community through business, civic organizations and in communities; and

WHEREAS, today, Stafford is proud to have the first Black Chairman of the Board, Dr. Pamela Yeung; and

WHEREAS, the theme for the 2023 Black History Month is "Black Resistance," which explores how African Americans have resisted historic and ongoing oppression, in all forms. Stafford is grateful for the residents who helped fight and defeat segregation in Stafford County, particularly in integrating Stafford's public schools;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that it be and hereby does declare and recognize February 2023 as Black History Month and honor all African Americans and their many contributions to Stafford, Virginia and our country.

ITEM 9. COMMUNITY ENGAGEMENT; A PROCLAMATION TO DECLARE JANUARY AS NATIONAL HUMAN TRAFFICKING PREVENTION MONTH IN STAFFORD COUNTY.

Proclamation P23-15 reads as follows:

A PROCLAMATION TO DECLARE JANUARY AS SLAVERY AND HUMAN TRAFFICKING PREVENTION AND AWARENESS MONTH IN STAFFORD COUNTY

WHEREAS, the United States was founded upon the principle that all people are created with the inalienable right to freedom, and the 13th Amendment was added to the Constitution, making slavery illegal; and

WHEREAS, human trafficking is modern-day slavery, claiming nearly 40 million victims worldwide, and found in the United States most often in the form of sexual exploitation, forced labor, involuntary servitude, and debt bondage; and

WHEREAS, this horrific crime, which denies human dignity and freedom, and fuels organized crime, exists in our nation, our state, and our community; and

WHEREAS, even though awareness of this crime is growing, human trafficking continues to go unreported due to its isolating nature, the misunderstanding of its definition, and the lack of awareness about its indicators; and

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

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

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

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors, on this the 7th day of February, 2023, that it be and hereby does proclaim the month of January as Slavery and Human Trafficking Prevention and Awareness month and encourages all our citizens to become more informed on this growing problem, to be vigilant and report suspicious activity, and to work towards solutions to end trafficking in all its forms in our community. If you see something that doesn't look right, take action and call the National Human Trafficking Hotline at 1-888-373-7888.

ITEM 10. FIRE AND RESCUE; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) THROUGH THE DEPARTMENT OF HOMELAND SECURITY FOR HEALTH AND WELLNESS SERVICES.

Resolution R23-59 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT THROUGH THE DEPARTMENT OF HOMELAND SECURITY FOR HEALTH AND WELLNESS SERVICES

WHEREAS, the Department of Fire and Rescue (Department) desires to apply for the Fiscal Year 2022 Assistance to Firefighters Grant Program (Grant) provided by the Department of Homeland Security, Federal Emergency Management Agency; and

WHEREAS, firefighting is a physically demanding profession and the fitness of the Department's members is a top priority; and

WHEREAS, the Grant funding would be used for training and education services to improve the health, wellness, and operational readiness of the Department's members; and

WHEREAS, if awarded and accepted, the Grant requires a ten percent local match of $88,200; and

WHEREAS, if awarded, the local match amount is available in the Department's operating budget and may be used for this purpose; and

WHEREAS, applications for the Grant are currently being accepted through February 10, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that the County Administrator, or his designee, be and he hereby is authorized to apply to the Department of Homeland Security for the Assistance to Firefighters Grant Program to provide health and wellness services in an amount not to exceed Eight Hundred Eighty-Two Thousand Dollars ($882,000).

ITEM 11. PLANNING AND ZONING; AUTHORIZE THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT REGARDING GRANT FUNDS FROM VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO SUPPORT THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM.

Resolution R23-45 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT REGARDING GRANT FUNDS FROM VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO SUPPORT THE PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

WHEREAS, Stafford County seeks to acquire conservation easements on properties through its Purchase of Development Rights Program (PDR Program); and

WHEREAS, the Virginia Department of Agriculture and Consumer Services (VDACS), through the Office of Farmland Preservation, has developed methods and sources of revenue for allocating matching funds to localities to purchase agricultural conservation easements, and to distribute such funds to localities; and

WHEREAS, the County applied for matching grant funds and may be eligible to receive reimbursements from an allocation award (VDACS Grant) of One Hundred Seventy-Five Thousand Dollars ($175,000); and

WHEREAS, in order to receive the VDACS Grant, the County and VDACS must enter into an agreement which establishes the terms and conditions of the grant funds; and

WHEREAS, the PDR Program has $1,322,545 available in FY2023 funds for the purchase of development rights on properties located in the County; and

WHEREAS, the Board desires to seek reimbursements from the state-matching fund allocation through VDACS to leverage the County's PDR allocation by entering into the agreement entitled "Intergovernmental Agreement Between Virginia Department of Agriculture and Consumer Services and Stafford County" (Agreement) in substantially the same form as the draft Agreement included with this Resolution; and

WHEREAS, the Agreement provides that VDACS will restrict One Hundred Seventy-Five Thousand Dollars ($175,000) from which the County may seek reimbursement for fifty percent (50%) of the County's actual costs incurred in purchasing an agricultural conservation easement as part of the PDR Program, excluding other grants or contributions made to the County or the landowner for a particular transaction;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that the County Administrator be and he hereby is authorized to execute the Agreement with the Virginia Department of Agriculture and Consumer Services, which shall be in substantially the same form as the draft Agreement included with this Resolution, and any other documents which he deems necessary and appropriate to effectuate this Resolution.

UNFINISHED BUSINESS

ITEM 12. COUNTY ADMINISTRATION; CONSIDER APPOINTING MR. STEVEN HERMAN TO THE TELECOMMUNICATIONS COMMISSION (TCC) REPRESENTING THE GRIFFIS-WIDEWATER DISTRICT FOR A TERM ENDING DECEMBER 31, 2023.

Ms. Allen motioned, seconded by Mr. Coen, to appoint Mr. Steven Herman to the TCC representing the Griffis-Widewater district for a term ending December 31, 2023.

The Voting Board tally was:

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

ITEM 13. COUNTY ADMINISTRATION; DESIGNATE ADDITIONAL HOLIDAYS FOR CALENDAR YEAR 2023 FOR COUNTY EMPLOYEES.

Ms. Bohmke motioned, seconded by Ms. Vanuch, to approve proposed Resolution R23-42.

Mr. English clarified that the holiday would be a floating holiday and that the County was no longer recognizing Good Friday as a holiday.

Mr. Vosburg responded that officially, it was a floating holiday.

Ms. Bohmke withdrew her motion.

Ms. Allen motioned, seconded by Mr. Coen, to approve proposed Resolution R23-42.

Ms. Bohmke said she was not in support of the calendar since it did not recognize Good Friday as a holiday, so she withdrew her motion.

Ms. Gary said that she celebrated Good Friday, but she supported having a floating holiday. She said that there were several holidays that people wanted to be recognized. She said that Christian holidays celebrated by a large portion of non-Christians should be recognized by the County, but otherwise, a floating holiday was acceptable.

Ms. Vanuch clarified that the County had recognized Good Friday as a holiday for the past two years. She requested that the Board be amiable in allowing Good Friday to be a holiday and allowing two floating holidays for other religions.

Ms. Allen said that she trusted the acumen of the County Administrator to know what staff needed. She said she assumed the proposal had received feedback from staff, so she trusted the staff proposal. She noted that not everyone celebrated Good Friday. She said that people would not be prevented from celebrating Good Friday if the County did not officially recognize it.

Ms. Bohmke said that it was appropriate to remember that the Board set the policy. She asked how the County had treated Good Friday for the past 15 years.

Mr. Vosburg said that he did not have a 15-year history, but they typically followed the state calendar. He said that the state calendar did not have a Good Friday holiday, but the Board had added the holiday the past year.

Ms. Donna Krauss clarified that they were not requesting a policy change, and they were requesting adoption of the calendar for the current year. She said that they would have to review the policy separately. She said that they followed the state calendar, which was part of the policy.

Mr. Vosburg said that it would require extra authorization for the Board to include Good Friday on the calendar, so they did not collect data as to who preferred the day off and who did not. He said that they proposed a floating holiday so that people who observed Good Friday would be able to, and those who wanted to use the day for other purposes could do so.

Ms. Gary noted that many Christians did not know what Good Friday was. She said that if they were to have County holidays for obscure religious holidays, then they should acknowledge other religions. She said she would support the inclusion of Good Friday if Eid was included as a County holiday as well. She said that it was about being even-handed.

Ms. Vanuch made a substitute motion, seconded by Mr. English, to approve an additional day off for staff, recognize Good Friday, and allow two floating holidays on the calendar.

Ms. McClendon noted that currently, there were no floating holidays on the County calendar. She clarified whether Ms. Vanuch was requesting two floating holidays as part of her motion.

Ms. Vanuch said she wanted to request the two floating holidays in the staff proposal.

Ms. McClendon said that there was one floating holiday in the resolution before the Board.

Mr. Vosburg said they had discussed two half-days, and there was one floating holiday.

Ms. Vanuch said she would keep with the staff proposal of one floating holiday with one additional holiday to recognize Good Friday.

Ms. Allen clarified that Ms. Vanuch requested an additional day off.

Ms. Vanuch responded yes.

Ms. Gary said that she did not support the substitute motion. She said that she had an issue with politicizing religion. She said that it was not fair to recognize an obscure Christian holiday while not recognizing the holidays of other religions.

The Voting Board tally for the substitute motion was:

Yea:	(3)	Bohmke, English, Vanuch
Nay:	(4)	Allen, Coen, Gary, Yeung

Ms. Yeung called the vote for R23-42.

The Voting Board tally for R23-42 was:

Yea:	(4)	Allen, Coen, Gary, Yeung
Nay:	(3)	Bohmke, English, Vanuch

Resolution R23-42 reads as follows:

A RESOLUTION TO DESIGNATE ADDITIONAL HOLIDAYS FOR CALENDAR YEAR 2023

WHEREAS, the Board desires to provide the same amount of paid holiday leave days to employees as were provided in 2022; and

WHEREAS, the County's Human Resources Leave Policy (Policy) provides paid holidays to employees based on the approved Commonwealth of Virginia holiday calendar as well as any additional days appointed as legal holidays by the Governor of Virginia; and

WHEREAS, the Policy also provides that the the Board of Supervisors may designate additional holidays;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that it be and hereby does designate additional paid holiday leave days for calendar year 2023, as described below; and

BE IT FURTHER RESOLVED that an additional ½ day of paid holiday leave time is added to the Wednesday prior to Thanksgiving, November 22, 2023 and Friday prior to Christmas, December 22, 2023, thereby proving a full day of paid holiday leave the business day before Thanksgiving and Christmas, respectively; and

BE IT STILL FURTHER RESOLVED that one floating holiday to be used anytime during calendar year 2023 is being provided to all current or new employees hired prior to October 1, 2023. The floating holiday is calculated as eight hours for full-time employees and six hours for regular part-time, and must be used in full-day increments with manager approval, and cannot be paid out or rolled over.

ITEM 14. TREASURER; CONSIDER A REQUEST TO INCREASE THE COUNTY'S AUTHORIZED STRENGTH TO CONVERT A REVENUE COLLECTION SPECIALIST II POSITION FROM PART-TIME TO FULL-TIME.

Ms. Laura Rudy, Treasurer, said that the resolution was presented under New Business at the January 17 meeting. She said that she requested in the FY23 budget approval process a full-time position to fulfill the responsibilities of processing the mailed-in payments for utilities and taxes, but the request did not move forward.

Ms. Rudy said that the utility and tax processing activity was previously serviced by the bank through the lockbox services, however, the bank underwent a lockbox modernization effort. She said in October 2021, the lockbox operations were moved to Philadelphia, and the transition resulted in multiple problems and processing errors. She said that she decommissioned the program and brought the payments in-house.

Ms. Rudy said that the salary and benefits to cover the request for half of the fiscal year were $15,999. She said that the current part-time salary was $31K. She said that in 2021, lockbox services cost approximately $50K annually, and now the costs with equipment maintenance were under $7K. She said that there was time spent administering the process, and that took about four to five hours per day for one person. She said that 10 years ago, there were about 12,000 mailed-in payments for utilities. She said that the office now received about 4,000 mailed-in payments.

Ms. Rudy said that in 2008, with a population of about 120K, prior to the recession and a reduction in the Treasury Office staff, the Treasury Office had 20 full-time positions and three part-time positions to perform the treasury work. She said that over the past three years, they had almost returned to 2008 staffing levels with 20 full-time and two part-time employees.

Ms. Allen asked what warranted the transition from part-time to full-time if more people were using online payments. She asked if the position was warranted for payment processing or if the employee would be able to perform other duties.

Ms. Rudy responded that they had attempted to streamline processing activities. She said that they were seeing good adoption of the online portal. She said that roughly 16K to 17K people had requested bills be emailed to them.

Ms. Rudy said that they decommissioned the program at the beginning of 2022 and brought the operations in-house. She said that they had been making it work, but it was difficult.

Ms. Bohmke said she was concerned because the County had a $55M deficit in the budget. She said she would like to address the item during the budget. She said she could not support the request at the time.

Ms. Allen asked whether the staffing issue was costing the County money or if they were missing payment collections. She said she would want the request to be part of the budget process, but if there was an impact on the County's ability to collect funds, then it was a problem that should be addressed.

Ms. Rudy said that they had gone through almost a whole year and had noticed the need for an increase in the workforce. She said that she had a full-time position advertised for one week, and she received 55 responses. She said she put out a part-time position for four weeks and received 58 responses. She said that it was harder to fill a part-time position because people wanted full-time.

Mr. English asked what the part-time salary was.

Ms. Rudy responded that the part-time salary was $31K.

Mr. English asked how much the full-time salary was.

Ms. Rudy said that the total salary would be about $65K annually.

Mr. English said that he agreed with Ms. Bohmke in terms of approving the position mid-year. He noted the deficit in the budget. He said that the item should be addressed during the budget cycle.

Ms. Yeung asked how many lockboxes the County operated.

Ms. Rudy responded that they had one lockbox service for utilities and one for taxes.

Ms. Yeung said she said that she did not support the item because it was coming to the Board mid-year.

Ms. Bohmke asked if they were able to use DMV funds to shore up the position.

Ms. Rudy explained that the funds which were typically set aside for administrative fees would be used for the position.

Ms. Bohmke asked if the DMV fees would be used.

Ms. Rudy responded that it was administrative fees that they budgeted for banking services.

Ms. Vanuch said she noted that banking fees changed from year to year. She said she would prefer to see the position approved through the budget process. She explained that if a motion was not made, then the Board was not required to take an action.

ITEM 15. PLANNING AND ZONING; CONSIDER AUTHORIZING THE INITIATION OF AN APPLICATION FOR ZONING RECLASSIFICATION FROM THE R-1, SUBURBAN RESIDENTIAL TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON COUNTY-OWNED TAX MAP PARCEL NO. 45-98.

Mr. Jeff Harvey said that the item was a continuation of the discussion to potentially change the zoning for County-owned property in the George Washington District. He said that in the background report, there was reference to changing the R-1 zoning to M-2 heavy industrial. He said that information was provided by a proponent who was interested in acquiring the property to expand the business. He said that in addition to a rezoning, the application may require a Condition Use Permit. He said that staff requested that the Board defer the item so they could come back at a future meeting to provide more options for how the item could move forward.

Mr. Coen motioned, seconded by Ms. Vanuch, to defer the item to the February 21 meeting.

The Voting Board tally was:

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

ITEM 16. DISCUSSION ON DATA CENTERS; REQUESTED BY SUPERVISOR MEG BOHMKE.

Ms. Bohmke said that it would be in the best interest of the Board to have a joint meeting with the Planning Commission regarding data centers. She said that there was a lot of information available on data centers. She said that the Board had to do research and understand the impacts on the community.

Ms. Vanuch said she agreed with Ms. Bohmke's comments. She said that the Board had not made a decision on how it felt about data centers. She said that data centers may be okay in some areas and not in others. She said that she was in favor of a joint work session as proposed by Ms. Bohmke. She requested that the Board allow Mr. Vosburg to schedule a joint meeting with the Planning Commission.

Ms. Gary said she agreed with Ms. Vanuch's request.

Ms. Yeung said she agreed with the request. She said that she wanted to be better informed on data centers before having the meeting. She said that she was unsure if the Commission had the necessary information to help the Board make the changes to the ordinance.

Mr. Coen said that he agreed with the request for a joint meeting. He said that updated information would facilitate a more intelligent presentation for the path forward.

Ms. Allen recommended that the public attend the meetings so that they were informed of the same information that the Board was receiving.

Ms. Yeung said that they should take the process slowly. She said she wanted information presented to the Board before the joint meeting was held.

Ms. Vanuch clarified that her proposal was to hold the meeting the same as the joint meeting on solar power where the Board did not receive an informational briefing before the meeting. She said that the joint meeting was helpful so that the Planning Commission could know the Board's goals. She said that the quicker they hold the meeting, the better set the County would be. She noted that Mr. Harvey was retiring soon.

Ms. Yeung asked whether they planned to have the Commission submit information for the ordinance. She questioned whether they were at the point to allow and implement ordinances for data centers.

Ms. Vanuch said that they would hold the meeting, then the Board would send an authorization to the Commission for them to draft a County code or ordinance. She said that the meeting would help the Commission better understand what the Board was requestioning. She noted that the Commission would follow its regular public hearing procedures and forward recommendations to the Board.
Mr. Vosburg said that he would schedule the joint meeting. He requested that the Board members send any research requests to be completed before the meeting.

ITEM 17. DISCUSS ESTABLISHING A COMMITTEE TO ADDRESS AFFORDABLE/VARIETY HOUSING; REQUESTED BY SUPERVISOR MONICA GARY.

Ms. Allen asked what kind of committee should be formed.

Ms. Yeung said that she was thinking about forming a subcommittee of stakeholders and individuals who were knowledgeable about affordable and workforce housing.

Ms. Gary said she agreed with the creation of a subcommittee. She said she agreed with having stakeholders be part of the committee to understand markets and the needs of the development community. She said that she would like to establish a subcommittee. She suggested a citizen advisory position be included. She said that she did not want to create Section 8 communities, but rather communities with diverse incomes.

Ms. Vanuch said that at the Board retreat, they did not define affordable housing. She asked whether there would be another full-time subcommittee or ad hoc committee. She requested to know what the charter would be. She explained that typically, the subcommittee will have a draft charter and background documents before they were approved by the Board, and the Board would discuss the goal and composure of the committee.

Ms. Vanuch said that there was typically a limit of three Board members for committees, and if more than three members attended, then it would be a work session of the full Board. She said that they had not received feedback on a charter for the committee, discussed the definition of affordable housing, finalized what the charge would be, and determined when the work of the committee would be finished.

Ms. Bohmke said that land use would be instrumental in affordable housing decisions. She said that she would support an ad hoc committee, but she would not be able to serve on the committee due to her workload. She noted that it would likely take three to six months to draft the charter and have it approved by the Board. She said she supported the formation of an affordable housing committee.

Ms. Gary said that she supported an ad hoc committee. She said she believed the committee would turn into an ongoing committee because it was an issue that they would have to continue to deal with. She said that they had addressed the issue at the retreat.

Ms. Vanuch clarified that they discussed the definition of affordable housing during the closed session which was not on the closed session agenda.

Ms. Gary said that they did not discuss it during the closed session. She clarified that they discussed the definition of affordable housing during Other Items.
Ms. Allen stated that she was in favor of an ad hoc committee. She clarified whether there was a timeline for setting the end date of an ad hoc committee or if it could be left open-ended. She said she wanted to ensure the ad hoc committee was given enough time to respond to decisions made by the state and relay information. She said that she did not want the ad hoc committee to only last a year.

Ms. Vanuch clarified that the bylaws required the committees to be reinstituted every year.

Ms. McClendon explained that ad hoc committees were set up to operate for a time period based on the topic being covered. She said that once the charge to the committee was complete, then the committee would be dissolved. She said that the committee could operate year to year, but membership was reappointed annually. She said that a standing committee was a different type of committee where the work did not conclude, and it had ongoing operations. She explained that an ad hoc committee would conclude at the completion of its work.

Ms. Allen clarified whether the committee would end every calendar year it was formed or if it could be given an end date.

Ms. McClendon responded that for ad hoc committees, membership was based on a calendar year schedule. She said that on January 1, new members would be appointed to any ad hoc committee that was formed.

Mr. Coen noted that the committee would not complete its work within a calendar year. He said that if it would go into the next calendar year, they would choose new members to serve on the committee. He noted that the committee may at one point transition to a standing committee.

Ms. Yeung clarified that they did not need a charter to approve an ad hoc committee if there were members who wanted to participate.

Ms. McClendon explained that it was at the discretion of the Board. She explained that the ad hoc would need a charge, whether through a charter or clearly stated in the motion, to understand the request of the Board and determine when the ad hoc committee's work would be complete.

Ms. Vanuch recommended that the item come back before the Board at the next meeting under Unfinished Business with a draft charge. She noted that a majority wanted the committee to be an ad hoc committee, so they should draft a charge, and then the committee would draft a charter based on the charge. She suggested that staff draft a charge for the ad hoc committee, and they should determine who would serve on the committee.

Ms. Gary said that she agreed.

Item 18. DISCUSS GFL TRASH SERVICE ISSUES; REQUESTED BY SUPERVISOR CRYSTAL VANUCH.

Ms. Yeung noted that previously, the discussion focused on options for sending a letter to the Attorney General.

Ms. Vanuch responded that at the end of comments on the topic at the last meeting, the Board had tasked staff to develop options for the Board to move forward.

Mr. Vosburg clarified that no action was taken at the last meeting. He said that they did not have a lot of options to present to the Board. He said that the main option would be to send a letter to the Attorney General, as suggested. He said that another alternative was to send a letter to GFL.

Ms. Bohmke said that they had a meeting with GFL, and she had requested a representative from the Minneapolis office come to the County. She asked if they had engaged with GFL Corporate.

Mr. Vosburg responded that he had interacted with GFL Corporate when he began working for the County. He said that in recent months, they had not engaged GFL Corporate.

Ms. Bohmke asked if it would be productive to reach out to GFL Corporate and notify them that they were considering going to the Attorney General. She suggested that they move forward with a letter to the Attorney General.

Ms. Allen said that she would like to reach out to the corporate offices and notify them that this was a serious matter and their options moving forward. She said that she was open to other options if GFL was not responsive.

Mr. English said that he supported sending a letter to the Attorney General. He said that he was still receiving email complaints about GFL.

Mr. English motioned, seconded by Ms. Vanuch, to send a letter to the Attorney General regarding issues with service from GFL.

Ms. Vanuch said that they continued to spend staff time on issues with GFL. She said that Mr. Vosburg would prefer staff not spend more time on the topic. She said that the Board and County staff did not have the means to validate claims of fraud. She said that it was the County's fiduciary responsibility to investigate the fraud allegations. She said that nobody had the money to sue a trash collection company over a $40 service bill. She said that they should send a letter to the Attorney General to request the office investigate the issues.

Ms. Allen said that she was unsure if GFL would be able to defraud thousands of people and still be operational. She said that she did not want to set a precedent regarding fraud claims. She said that they should engage the Commonwealth's Attorney and that she had engaged the Commonwealth's Attorney before regarding fraud. She said that she had not received complaints about fraud. She said that they should look to the Sheriff's Office to investigate.

Mr. Coen said that he expected to receive drafts of the options available to the Board, but there were none. He said he was having a difficult time making a decision because he did not know what would happen if a letter was sent.

Ms. Bohmke asked what the difference was between utilizing the Commonwealth Attorney's Office or the Attorney General's Office.

Ms. McClendon responded that there were two options. She said that investigations through the Commonwealth's Attorney's Office would focus on criminal matters. She said that the Attorney General's Office handled investigations related to consumer protections. She explained that ultimately, the Attorney General's Office was a clearinghouse for complaints regarding consumer protections. She said that the options were distinct and would investigate different matters.

Mr. English said that issues had been going on for longer than a year. He said that the Attorney General's Office would be able to handle an investigation.

Ms. Gary said that it was not an appropriate avenue to send a letter to the Attorney General. She said that she had spoken to constituents with complaints, and she had discussions with Mr. Danny Shifflett. She said that the issue seemed to be the corporate billing system. She said that an appropriate course of action would be to first contact GFL with a letter.

Ms. Gary said that it would be a waste of time to contact the Attorney General's Office. She noted that a bulk of the issues had been resolved over the summer. She said that the issue was personally affecting Board members, and there was now a request to escalate the issue to the Attorney General. She said that it was not an appropriate use of staff time.

Ms. Yeung said that she had not received complaints about fraud. She said that the party claiming fraud should open up an issue or seek guidance from an attorney. She said that if it became a bigger issue, then they should pursue it.

Ms. Vanuch requested whether Mr. English would amend his motion to allow Mr. Vosburg to contact the GFL Corporate offices to discuss the challenges and concerns of constituents. She said that a letter should be drafted, and Mr. Vosburg could return before the Board with an update. She said that the option to pursue the Attorney General's Office should not be taken off the table. She said that the draft of the letter could be reviewed at the next Board meeting.

Mr. Coen clarified that the new motion would be for the County Administrator to contact the GFL Corporate offices and explain the issues and concerns. He said that staff would draft a letter, and at the next meeting, they would receive an update from Mr. Vosburg. He continued that if they did not receive a response from GFL, then they would pursue the letter.

Mr. English said that he agreed to the amendment.

Ms. Vanuch amended her second.

Ms. Gary said that it was not appropriate to cite online comments when the public had been specifically asked and instructed to cause problems on social media and send emails related to the issue. She said that it was hard to determine the facts when there was an intentional action to drive chaos around the conversation. She said that she was not in favor of sending a letter to the Attorney General's Office because of those actions. She said that they should engage GFL, but she was not in support of drafting a letter.

Ms. Allen clarified that they would vote on whether to send the letter once the draft was presented to the Board.

Ms. Vanuch clarified that the motion was for staff to draft a letter and prepare it for the Board. She said that they would vote on whether or not they were satisfied with the letter.

Ms. Yeung asked what would be in the letter.

Ms. Vanuch said that they would direct staff to draft the letter based on the complaints that had been received. She said that staff had handled many more complaints.

Ms. Yeung said she had not received a fraud email. She said that she did not want to draft a letter stating GFL was committing fraud. She said that the letter should request that the subsisting complaints be investigated. She said that the letter should explain that constituents still had complaints and concerns. She said that it was not appropriate to discuss fraud when she had not received an email about fraud.

Ms. Bohmke said that Mr. Vosburg was being directed to engage GFL Corporate. She noted that the Attorney General handled consumer complaints.

The Voting Board tally was:

Yea:	(4)	Bohmke, Coen, English, Vanuch
Nay:	(3)	Allen, Gary, Yeung

ITEM 19. UPDATE ON MARY WASHINGTON HEALTHCARE; REQUESTED BY SUPERVISOR CRYSTAL VANUCH.

Mr. Vosburg said that staff participated in a virtual town hall meeting with Anthem. He said that they discussed the changed relationship with the Mary Washington Healthcare system. He said that he received an update from staff. He noted that Anthem indicated they would continue to work on the issue, but they were still substantially apart. He said that there was a meeting scheduled with the hospital in three weeks.

Ms. Vanuch clarified that in 23 days, people would lose access to their healthcare providers at Mary Washington. She asked if they had reached out to the partner localities to see if there was a joint meeting or joint letter to sign. She said that they needed to be engaged. She said that the issue impacted every employee who had insurance through the County and every federal employee with Blue Cross.

Mr. Vosburg said that the position so far was that the entities were working it out, but they were approaching the deadline.

Ms. Allen asked if HR had an alternative plan prepared if the deadline passed. She said she wanted to consider an alternative plan so that they can meet the employee's needs.

Mr. Vosburg responded that they should explain what services people would lose. He said that when the change occurs, they have to know what services will not be removed.

Ms. Vanuch asked whether Ms. Allen was referring to changing the health insurance plan.

Ms. Allen said that there should be a backup plan.

Ms. Vanuch said that there was not one.

Mr. Vosburg said that if they lost the facility, then the only other option was to use facilities that were further away. He said the alternate plan was to use other facilities.

Ms. Donna Krauss explained that they would be out of network.

Mr. Vosburg clarified that there would be services that would not be considered out of network.

Ms. Krauss responded that they were working on the policy every day to create communication between the community and employees so people were informed. She said that the town hall was not informative, and the response from the participants was that they were working on the issue. She said that a number of years ago, everyone was out of network for a month, but then service was restored. She said that they were awaiting a response.

Ms. Allen said that they did not have control over the situation. She asked if they could negotiate a plan with another carrier. She said that she did not know what the options were. She noted that it would be hard for people to get to the facilities in the north.

Ms. Vanuch said that they had already contracted with Blue Cross/Blue Shield and with SCPS. She said that they were contractually obligated to Blue Cross/Blue Shield, so they were not able to change carriers. She said that they should keep the item on the agenda until it was resolved. She said that the longer they talked about it, the more the public became aware. She suggested that they authorize Mr. Vosburg to reach out to the other localities with a list of talking points about the number of insured employees and federal government workers.

Ms. Vanuch said that they should form an advocacy group with partner agencies. She noted that the news had not significantly covered the topic. She suggested that additional strategies be brought back before the Board at the next meeting.

Ms. Yeung asked whether individuals had received notification from the insurance companies regarding the negotiations.

Ms. Allen suggested writing a joint letter of support that would be sent to both parties.

Mr. Vosburg said that they could draft the letter. He clarified that their intent was not to take sides but to push for a resolution.

Mr. English asked if the letter could be sent to each Board member before the February 21 meeting so that they could review it.

Ms. Vanuch suggested the Board grant Mr. Vosburg the authority to put the letter together and share it with Board members. She said that other counties could sign on to the letter.

Ms. Yeung said there was consensus from the Board to go with Ms. Vanuch's suggestion.

NEW BUSINESS

ITEM 20. PLANNING AND ZONING; CONSIDER A REQUEST TO APPROVE A TIME EXTENSION FOR THE REHABILITATION OF THE HISTORIC COUNTING HOUSE.

Assistant Planning and Zoning Director Kathy Baker said that in 2016, the Board authorized the conveyance of the parcel. She said that the parcel was in the Falmouth Historic District at the intersection of River Road and Gordon Street. She said that the structure was a locally significant structure within Falmouth.

Ms. Baker said that the structure had been vacant and was deteriorating. She said that the authorized a five-year process to complete the rehabilitation. She said that last year, the Board authorized a one-year extension for the project. She said that they were requesting another one-year extension.

Ms. Gary asked what work had been done to rehabilitate the structure.

Ms. Baker said no exterior work had been done other than to stabilize the structure. She said that they were working with contractors to assist with the rehabilitation.

Mr. David Bronston of Rock-River Builders stated that he had talked to several contractors, had done work on the interior, hauled debris, and organized the site. He said that he was doing background and preliminary work, but he had not seen any progress in regard to the actual construction and rehabilitation. He said that he had done personal documentation in preparation for the historic preservation application to the state and federal agencies.

Mr. Bronston said that Mary Washington had visited the site to perform documentation. He said that the COVID-19 pandemic had delayed their operations. He said that his engineering firm had kept him busy with the project. He said that he was in talks with a project manager and negotiating with contractors.

Ms. Gary asked whether the project manager would be a new position.

Mr. Bronston responded that he intended to be the project manager, but he no longer had time.

Ms. Gary asked if someone had been hired for the position.

Mr. Bronston said that he had not contracted the position yet, but a client of his was interested in the position. He said that they had come to an agreement but had not put it in writing.

Ms. Gary asked if any other changes were proposed from the previous extension.

Mr. Bronston responded no. He said that he had talked to several contractors, and the substantial change was to hire a project manager.

Ms. Bohmke said that she was on the Board when the application was originally granted. She noted that during that time period, growth in the County was rapid. She noted that costs had increased greatly. She said that the property was technically in the George Washington magisterial district. She said that she would be willing to grant an extension. She said that it would take about $500K to renovate the structure. She noted that the plan was to locate the applicant's engineering offices to the building. She said that she was willing to grant the extension.

Mr. Bronston said that he had several contractor clients, and they were often busy.

Mr. Coen requested that when the item returns before the Board to take action, the Board members be sent information regarding what would happen if it were not extended or if they did not take action at the next meeting.

Ms. Gary requested that pictures of the interior be presented to show any work that had been done. She said that it would be beneficial if the applicant secured a position for the project manager.

Mr. Bronston said that pictures may not be as helpful, but he could provide planning documentation.

ITEM 21. DISCUSSION ON EARLY VOTING; REQUESTED BY SUPERVISOR DARRELL ENGLISH.

Mr. English said that he had a concern about moving to the community center. He said that traffic was bad in the area. He said that they had to figure out where to hold the voting. He said that there were several issues. He said that the biggest problem was that voters got into conflicts. He requested that options be provided next month and suggested that they lease a space.

Ms. Vanuch said that when she joined the Board, the Registrar brought a proposal to lease a facility, but it was to be leased from a former Board member. She said that the proper protocol would be to issue an RFP to determine what leases were available. She said that in order to lease a building, they had to know building requirements and parking requirements.

Ms. Vanuch said that the Registrar's Office did not work for parking. She said that at the next meeting, staff should present the criteria needed for a building. She said that early voting should not be held at the Courthouse Community Center because parking was not available.

Ms. Gary said she agreed with the statements from Ms. Vanuch.

Mr. Coen said that there were many options. He said that the way people behaved in front of the early voting polling places was not acceptable.

Ms. Bohmke said that the community center could not be an option. She noted that the Electoral Board rented space on Potomac Creek Road. She said that they should consider moving out of the leases if they were seeking to rent additional space. She said that there would have to be a drop-dead date from Ms. Chittum and Ms. Hash for when the proposal would have to be in place.

Ms. Yeung suggested installing a trailer outside of the building for voting.

Ms. Bohmke remarked that was a good idea, but the locks could be picked.

ITEM 23. MENTAL HEALTH FACILITY DISCUSSION; REQUESTED BY SUPERVISOR MEG BOHMKE.

Item deferred to next meeting.

ITEM 25. GRANTS DISCUSSION; REQUESTED BY CHAIRMAN PAMELA YEUNG

Item deferred to next meeting.

RECESS

At 6:14 p.m., the Board recessed its meeting until the evening session.

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

PRESENTATIONS

PRESENTATION OF PROCLAMATION HONORING AND RECOGNIZING BLACK HISTORY MONTH.

Ms. Yeung stated that every year, leaders were invited to accept the Black History Month Proclamation on behalf of the Black community in Stafford County. She said that Mr. Mike Lovitt would accept the proclamation.

Ms. Yeung said that as a young man, Mr. Lovitt wanted to be a Boy Scout, but he was not allowed to become one because of the color of his skin. She said that despite the injustice, he had supported the Boy Scouts for years, and his dream was fulfilled in 2019 when he said his Scout Oath with

Troop 1882. She said that Mr. Lovitt served in the military and retired as a Lieutenant Colonel in the Army. She said that in 2014, Mr. Lovitt served on the County's 350th Anniversary Committee.

Ms. Yeung said that Mr. Lovitt held elected office in the County as the Tri-County/City Soil and Water Conservation District. She said that he currently served as the director of the Industrial Development Authority. She said that Mr. Lovitt was a supporter of the recognition of the Black community by chairing the commissioning of a mural that honored the contributions of African Americans, and he provided leadership to the Stafford chapter of the NAACP. She said that Mr. Lovitt was a leader within the Black community of the County.

Ms. Yeung read the proclamation.

Mr. Lovitt thanked the Board for allowing him the honor to accept the proclamation. He said that he had traveled to many countries, and there were problems in every country he had visited. He said that the U.S. was different in the way that it handled its issues. He said that there was a mural in the Rowser Building, also known as the segregated H.H. Poole School. He said that he hoped they would be able to deliver a copy of the mural to the African American National History Museum.

Ms. Yeung stated that before the recess, they discussed moving agenda items under New Business that they had not been able to discuss. She said that Item 23 was moved to the next meeting, February 21. She said that Item 25 would be moved to the February 21 meeting. She said that Item 24 would be discussed after the public hearing. She stated that there would be a closed meeting at the end of the meeting.

Ms. Vanuch noted that Ms. Allen had mentioned wanting to reconsider the vote for Item 18.

Ms. Vanuch motioned, seconded by Ms. Bohmke, to reconsider the vote for Item 18.

The Voting Board tally was:

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

Ms. Allen motioned, seconded by Ms. Vanuch, to approve the letter with the stipulation that a draft return before the Board.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC

Mr. Coen read the rules for public presentations.

1. Mr. Clayton Fobbs, 138 Coachman Circle, said that he had concerns regarding Dogtopia.

Ms. Yeung said that Mr. Fobbs would have to return during the public hearing to voice his comments.

2. Ms. Kristin Maxson, 1816 Richmond Highway, said that she would review the Annual Planning Meeting agenda. She said that the room was too small for the public and suggested that more room be provided for the next meeting. She suggested that the meeting be better publicized.

   Ms. Maxson noted that the current agenda had grown from 550 pages to 606 pages. She said that the strategic plan being reviewed by the Board went to 2040, and it was a public-private partnership to enhance Stafford's identity. She suggested that the public be able to provide input.

Ms. Yeung closed presentations from the public.

PUBLIC HEARING HELD OPEN FROM JANUARY 17, 2023 BOARD MEETING

Item 26. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A DOG DAYCARE CENTER, INCLUDING GROOMING AND OVERNIGHT BOARDING SERVICES, WITHIN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 21-50B (PROJECT KNOWN AS CUP22154480, AQUIA COMMERCIAL DOGTOPIA DOGGY DAYCARE).

Ms. Amy Taylor, Department of Planning and Zoning, said that the request was for a conditional use permit for a use not identified in the ordinance, a dog daycare facility offering grooming and overnight boarding services. She said that the property was located in the Griffis-Widewater district. She said that the property was located at the northern intersection of Coachman Circle and Richmond Highway.

Ms. Taylor said that during the public hearing, several concerns were expressed regarding the maximum number of dogs the facility could accommodate based on the size of the facility and how it had been addressed at other dog daycare facilities in the County. She said there were concerns about excessive noise from barking dogs, potential impacts to property values from noise, and concerns about the building design.

Ms. Taylor said that staff researched similar uses in the County and found that there were no other facilities where dog daycare was identified as the primary use. She said that several existing facilities, such as White Oak Animal Hospital, Calypso Kennels, and Colonial Canine offered daycare services as an ancillary use to the primary use of a veterinary clinic or commercial kennel. She said that each facility was permitted by right in the respective zoning district, so no proffers or conditions existed regarding the number of dogs permitted.

Ms. Taylor stated that staff found the County animal shelter had 7,500 square feet dedicated solely to the housing and care of dogs. She said that they were able to accommodate up to 76 dogs. She said that staff did not feel the comparison was fitting because dogs were housed in individual enclosures and were not permitted to intermingle freely, different from the proposed use.

Ms. Taylor explained that Chapter 16 of the County Code established maximum noise levels within each zoning district, and the noise ordinance prohibited loud noises, including any animal which created noise once a minute for 10 consecutive minutes at a distance of 50 feet or more. She said that the noise ordinance was not a zoning ordinance-related issue, and it would be enforced by the Sheriff's Office.

Ms. Taylor stated that the applicant provided an environmental noise impact study from another Dogtopia facility located in South Chandler, Arizona where the outdoor play area was next to a residential development. She said that staff was unable to independently verify the information.

Ms. Taylor said that the outdoor play area was approximately 550 to 590 feet from the closest homes along Coachman Circle in Sutton Court. She said that the distance to the closest homes was significantly greater than the example from Arizona, where homes were within 175 feet of the outdoor play area. She said that in regard to potential impacts on property values associated with excessive noise, the Sheriff's Office indicated there were no noise complaints on file for the three existing facilities previously referenced. She said that there was no data available from the Commissioner of Revenue regarding potential impacts on revenue values.

Ms. Taylor said that the applicant had indicated that the building's specific appearance was yet to be determined. She said that the applicant had provided photos of existing facilities. She said that the final building design would be reviewed by staff to ensure consistency with the proffers. She said that the review typically occurred at the time of building permits.

Ms. Taylor said that staff had not noted any negative impacts associated with the use. She said that staff and the Commission supported the request. She said that she was available to answer questions.

Ms. Allen clarified whether businesses could use Route 1 as a front entrance and exit.

Ms. Taylor said that the site was limited due to the existing proffers for the property. She explained that the proffers indicated that there was to be no direct access to Richmond Highway.

Ms. Allen asked if the proffers were present before the current applicant.

Ms. Taylor responded yes. She said that they were established in 2010 when the property was rezoned to B-2.

Ms. Allen asked how far the ingress and egress would be from the church access.

Ms. Taylor clarified that Ms. Allen was asking where the Dogtopia entrance was in relation to the access road for the church.

Ms. Allen said yes.

Ms. Taylor responded that it was aligned directly across the street. She said that it was typically VDOT's requirement, and they did not approve of offset entrances on a roadway.

Mr. Charlie Payne stated that he represented the applicant. He said that the business was looking to expand into the County. He said that the property was currently zoned B-2. He said that by right, several more intense uses were permitted. He said that a convenience center or funeral home could be built by right. He said that the business provided a service many County residents would utilize.

Mr. Payne said that the daycare had an extensive entry process, and clients had to be vaccinated and interviewed. He said that the dog had to get along with the other dogs. He said that the property had been zoned B-2 since 2010. He noted that the topography was challenging. He said that to the south of the site was a Nissan dealership. He said that the tree line would not be undisturbed. He said that 95% of the operational activities occurred indoors. He said that the play area was 1,750 square feet surrounded by a fence, and it was to the south of the site. He said that traffic generation was low, and there would be 25 employees at the business.

Mr. Payne said that the proffers prohibited access from Route 1. He said that VDOT required the proffer because they did not want direct access from the site to Route 1. He said that the noise issues had been addressed.

Ms. Bohmke asked whether the applicant would be willing to lower the number of dogs allowed at the facility.

Mr. Payne said that the number of dogs was relevant to the success of the business. He said that the average number of dogs at the location was about 70 to 80, and the peak time was during vacation season or the holidays. He said that the Dogtopia developer was a philanthropic organization, and they were willing to donate $20K to a local animal shelter as part of the process.

Ms. Allen noted the number of parking spaces had been a concern.

Mr. Payne noted that there would be 25 parking spaces.

Ms. Allen asked what the boarding capacity of the Spotsylvania facility was.

Mr. Payne responded that it was a smaller facility of about 5,700 square feet.

Ms. Allen asked what the proposed square footage was.

Mr. Payne responded that it was 69,500 square feet, and the maximum number of dogs was 150.

Ms. Allen asked what the typical capacity was of a Dogtopia facility of a similar size.

Mr. Payne said that it was the same, 150 dogs.

Ms. Vanuch clarified that the following uses were some of the allowed uses by-right for B-2 zoning: car wash; club, lounge, or fraternal order; dance studio; drug store; farmer's market; funeral home; hotel; motel; flea market; lumber facility; machinery, service, or sales facility; a pet store; a place of worship; a recreational enterprise; a restaurant; and a school.

Mr. Payne noted that mini-storage was a permitted use.

Ms. Bohmke asked why the use was not considered a kennel use.

Ms. Taylor explained that the zoning definition of a kennel included a component for breeding and training. She said that the commercial kennels included outdoor runs associated with the use for the dogs, and the proposed use did not have such a facility.

Ms. Bohmke asked whether a run for the dogs would be desired.

Ms. Taylor responded that the application indicated that the boarding was an ancillary component to the primary use of the dog daycare. She said that a condition was proposed to prohibit outdoor runs. She said that the applicant had indicated that the boarding of the dogs would be within individual kennels or crates within the playrooms of the building. She said that the dogs would not have outdoor access during overnight hours.

Ms. Gary clarified that for a kennel, they would board pets for long vacations. She said that the dog daycare had a more stringent process for accepting clients.

Ms. Taylor responded that the Zoning Administrator indicated that there was a prior discussion before the application with the applicant indicating that the application fell under the category of a use not identified in the ordinance. She said that it was not a commercial kennel.

Ms. Gary noted that a kennel may be a more intense use.

Ms. Taylor clarified that a commercial character had different associated requirements.

Ms. Allen noted that there was the opportunity for the County to revoke the CUP should the applicant be found noncompliant.

Ms. Taylor explained that if there was any violation of the CUP conditions, then the CUP could be placed in jeopardy and potentially revoked.

Ms. Allen said that they had the ability to inquire whether the use was in compliance with the requirements.

Ms. Taylor said that was correct.

Ms. Allen clarified that the Sheriff's Office would enforce the noise ordinance.

Ms. Taylor said that was correct.

Ms. Allen said that noise complaints could be used to justify revoking the CUP.

Ms. Taylor said that if there was a violation of the CUP conditions or any other federal, state, or County ordinance, then the CUP could be revoked.

Ms. Allen noted the sidewalk connection. She asked whether Dogtopia would install a sidewalk.

Ms. Taylor said that the existing proffers for the site required that when the site was developed, a sidewalk connection be provided along the frontage of Richmond Highway. She said that when the Dogtopia facility was developed, they would be required to comply with the proffers and construct the sidewalk segment along their frontage.

Ms. Allen asked how much square footage the sidewalk would be.

Ms. Taylor said she could provide the linear footage as an update.

Ms. Bohmke clarified that dogs boarded overnight would have access to the outside. She said she was confused about the differences between a kennel and a dog daycare. She asked whether boarded dogs would be allowed to go outside.

Mr. Harvey said that the ordinance Ms. Bohmke was referring to dealt with the A-1 agricultural zoning category. He said that commercial kennels were allowed in the M-1 light industrial and M-2 heavy industrial categories. He said that they were not permitted in B-2 zoning. He said that the use was not classified as a kennel based on the Zoning Administrator's determination. He noted that there would be a retail and grooming component.

Mr. Harvey said that it would operate similar to a daycare for people. He explained that kennels had outdoor runs where one dog would be outside unsupervised. He said that the proposed use would allow a group of dogs outside at once, and they would be supervised. He said that there would be no potential for dogs to bark at night because they were not permitted to be outside at night according to the conditions.

Ms. Taylor responded that the approximate linear distance of sidewalk on Richmond Highway was 425 feet.

Ms. Vanuch requested Mr. Payne explain the overnight dog boarding. She clarified that the use was not a typical commercial kennel design. She said that the facility would be similar to a dog hotel. She said that they received a letter from the Sheriff's Office. She said that Dogtopia applicants reached out to the Sheriff's Office to inquire about any noise complaints regarding the Dogtopia in Spotsylvania. She said that they received the letter prior to the hearing, and they had received zero complaints.

Ms. Lynn Konetschni said that the difference between a kennel and Dogtopia was that kennels had dog runs. She said that they were not similar to a kennel. She said that three or four playrooms were proposed, and each dog was in a playroom and separated by size and temperament. She said that once a dog was assigned a playroom, that was where they stayed. She said that for overnight stays, dogs stayed in the same playroom. She said that they had individual crates, and each dog slept in a crate overnight. She said that the dogs were always supervised by a certified canine coach.

Ms. Allen asked for more information about the certification requirements for the dog coaches.

Ms. Konetschni said that Dogtopia was a franchise. She said that they had online training that each of the coaches went through. She said that there were three different levels—canine coach one, two, and three. She explained that when they onboarded new employees, they shadowed for 10 shifts. She said that the canine coaches understood the dogs and dog behavior, and because the dogs were regular clients, they got to know the dogs.

Ms. Yeung opened the public hearing.

Mr. Coen read the rules for public comment.

1. Mr. Peter Richards, 34 Bradbury Way, said that he had submitted written remarks. He said that the proposed facility and the facility in Spotsylvania were not similar. He said that the Spotsylvania location was in a strip mall. He noted that the absence of noise complaints was to be expected based on the location.

   Mr. Richards said that the location was chosen strategically. He noted that it was located half a mile from I-95. He said that it was aimed at a target market of commuters, and traffic would occur at peak hours. He said that the facility would potentially host 175 dogs which would generate a lot of traffic.

2. Mr. Paul Ortiz, 5 Sutton Court, said he provided the Board a document with background on the site. He said that the presentation in January stated that negative impacts would be mitigated. He said during the present presentation, it was stated that there would be no impacts. He said that he spoke with various animal facilities around the County regarding their capacities. He said that the closest resident based on property lines was 50 to 60 yards. He said that there were significant concerns about noise.

   Mr. Ortiz said that there would be high levels of traffic generation. He said that there was a dangerous slope that would likely cause accidents. He asked for clarification regarding noise abatements. He said that 60 dogs could be heard from 50 yards away at other facilities. He said that if it were approved, it would be gracious to make the $20K donation.

3. Ms. Ruth Jimenez, 2 Darden Court, said she had the same concerns as the previous speakers. She said that the use met the threshold for a kennel in the state. She said she was concerned about the amount of urine and feces that the use would produce from 150 dogs per week. She said that the use would produce a high amount of biological waste. She questioned how the smell of dog urine, feces, dog food, and dander would be mitigated. She said that the smell would impact the resale value of properties. She noted that their homes were close to being worth $1M.

   Ms. Jimenez questioned how the waste would be disposed of. She said that runoff could negatively impact water quality and degrade the watershed. She said that bagging the waste would not mitigate the smell. She said that runoff had not been addressed. She noted that it was a public health and environmental issue. She requested that an environmental impact survey be performed. She asked what the fencing plan would be.

4. Mr. Clayton Fobbs, 138 Coachman Circle, said that he agreed with the previous comments. He said he had concerns about traffic. He said that traffic generation would be a problem. He said that there were other properties available along Route 1. He said that dogs had better hearing than people and reacted to smaller sounds. He said that the neighborhood dogs would react to the dogs at the facility. He suggested that the site location be moved.

Ms. Yeung closed the public hearing and brought the matter back before the Board.

Ms. Gary asked how many homes were in the Hills of Aquia neighborhood. She noted that there were 368 homes. She clarified that the HOA allowed dogs.

Mr. Payne noted the location of the proposed Dogtopia site. He said that the closest distance to the nearest residence was 543 feet. He said that between the site and the residences was dense tree and vegetation cover. He said that the tree cover could not be removed. He said that the Hills of Aquia would have a significant buffer between the proposed use and the closest home. He noted that the play area was to the south of the site and was surrounded by an eight-foot fence. He said that the location and planning were done with the intent of being a good neighbor.

Mr. Payne noted how close homes were to the Spotsylvania location. He said that the location was closer to a residential development than the proposed use—450 feet. He said that there had been zero noise complaints since 2014, and the site had no buffering. He noted that Route 1 was busy and loud. He said that the proposed location was responsible.

Mr. Payne said that the expected traffic generation was 95 trips in and 95 trips out. He noted that the site was located near Route 1 which reduced congestion. He said that by-right, a funeral home, a mini-storage facility, or a car wash could be built on the site. He said that rooms were not washed out, and there was no runoff from the operation of the facility. He said that there was rubber flooring and mopping, and feces was disposed of properly.

Ms. Bohmke said she was concerned about traffic. She said that the project did not require a traffic impact analysis. She asked why an analysis was not required.

Mr. Payne responded that the County required 1,000 daily trips as a minimum for a traffic impact analysis. He said that the proposed use generated 276 trips per day.

Ms. Vanuch noted that the property was zoned B-2 years ago. She said that under the proposed use, several conditions were proposed. She said that she had reviewed several land use applications, and several by-right uses would be far more detrimental to the community, and there would be zero conditions to offset the impacts. She said that she would support the project.

Ms. Gary said that a developer was opening the cul-de-sac at the end of her neighborhood to put more homes. She said that she would not want to see the by-right development. She noted that the CUP could be revoked. She said she supported the proposed project.

Mr. English asked if there would be overflow parking or if cars would have to circle the building.

Mr. Payne confirmed that they would circle the building.

Ms. Bohmke asked if traffic could back up on Route 1 waiting to turn on the road to the facility. She asked what the stacking distance was. She clarified that there would be a minimum of 15 spaces.

Mr. Payne responded that there would be 25 spaces. He said that the stacking distance was consistent with fast food uses.

Ms. Allen clarified that it was state law that the trees would not be removed. She said that the distance from the nearest residence was significant. She said that she would ensure the CUP was revoked if the use did not comply.

Ms. Allen motioned, seconded by Ms. Vanuch, to approve proposed Resolution R23-18.

The Voting Board tally was:

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

Resolution R23-18 reads as follows:

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A USE NOT IDENTIFIED IN THE ZONING ORDINANCE PURSUANT TO STAFFORD COUNTY CODE SEC. 28-37, SPECIFICALLY, A DOG DAYCARE CENTER, INCLUDING GROOMING AND OVERNIGHT BOARDING SERVICES, IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 21-50B, LOCATED WITHIN THE GRIFFIS-WIDEWATER ELECTION DISTRICT

WHEREAS, SecAct, Inc. submitted application CUP22154480 (Application), requesting a conditional use permit to allow a use not identified in the Zoning Ordinance pursuant to Stafford County Code Sec. 28-37, specifically a dog daycare center, including grooming and overnight boarding services, in the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 21-50B, located within the Griffis-Widewater Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-37 and Sec. 28-185, which permit uses not specifically identified in Table 3.1 of the Zoning Ordinance, after a CUP is issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that a conditional use permit pursuant to application CUP22154480 (CUP) be and it hereby is approved with the following conditions:

1. This CUP permits a dog daycare center, in the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 21-50B (Property), in the location identified on the Generalized Development Plan prepared by Fairbanks and Franklin, entitled, "Aquia Commercial – Dogtopia Doggy Daycare On TM 21-50B for Conditional Use Permit," dated April 12, 2022, as last revised and sealed October 19, 2022 (GDP).

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

3. Access to the Property shall be located along Coachman Circle, in the general location depicted on the GDP. No new driveway entrances onto Richmond Highway shall be permitted.

4. A sidewalk connection shall be provided between the building and the sidewalk along Richmond Highway, as generally depicted on the GDP.

5. The dumpster enclosure on the Property shall consist of masonry and/or brick materials, with type and color similar to that of the primary building.

6. Business hours shall be limited to 6:00 AM – 10:00 PM Monday through Saturday and 7:00 AM – 9:00 PM on Sunday.

7. A minimum of fifteen (15) parking spaces located closest to the building shall be identified and reserved for customer parking.

8. Dogs shall be leashed while in all parking areas on the Property.

9. Outdoor play areas shall be oriented away from Richmond Highway and Coachman Circle, and shall be enclosed by a fence at least six (6) feet high.

10. Outdoor play areas on the Property shall be surfaced with artificial grass or synthetic turf, and shall contain a minimum of one (1) deciduous tree or shade structure.

11. Landscaping shall be provided along the outside perimeter of all outdoor play areas and must consist of a minimum of forty-five (45) plant units per 100 linear feet. Such plantings shall consist of a mix of understory trees and small shrubs or ornamental grasses.

12. Any retaining walls on the Property shall be located a minimum of ten (10) feet outside the limits of any Critical Resource Protection Area (CRPA) buffer.

13. No individual outdoor runs are permitted and overnight boarding kennels shall be located within the building.

14. The number of dogs permitted at the facility shall be limited to a maximum of one hundred seventy five (175) at a time.

15. The building on the Property shall provide and maintain a working commercial fire sprinkler system for fire protection.

16. Staff shall be present on the premises or shall be on-call after normal business hours. Contact information and an emergency phone number shall be clearly posted on the building.

17. The facility shall be monitored by a security system twenty four (24) hours per day.

18. Kennels and outdoor play areas shall be cleaned daily. Removal of animal waste shall be in compliance with Virginia Department of Health and any other applicable regulations.

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

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

PUBLIC HEARINGS

ITEM 27. PLANNING AND ZONING; 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. Kathy Baker, Assistant Director of Planning and Zoning, said that the property would be added to the Crow's Nest Natural Area Preserve, and it would be jointly owned by the County and DCR. She said that the Board authorized the public hearing at the December meeting.

Ms. Baker said that there was a significant number of wetlands and marshland. She noted that there were other wetland habitats, streams, wetland buffers, and riparian areas. She said that there was over 2,300 acres of hardwood forest, and some had been declared globally rare. She said that there was significant habitat for flora and fauna, including some threatened and endangered species. She said that the full significance of the resources had not been fully identified.

Ms. Baker said that recreation at Crow's Nest included wildlife watching, canoeing, hiking, and guided tours. She noted that there was over 3,100 acres currently in the preserve. She said that the

County and DCR jointly owned about 1,770 acres. She noted that there were areas to the southwest owned by the Northern Virginia Conservation Trust, but the property had been dedicated as part of the preserve. She said that a total of 855 acres was owned by the County.

Ms. Baker said that there were two access points to the preserve. She said the access road was off Raven Road and extended to the interior parking lot. She said that there were over eight miles of trails through the preserve. She said that to the north, there was an access off Brooke Road that led to a parking lot and trail. She noted that there was access to the canoe and kayak launch.

Ms. Baker said that DCR had planned improvements. She said that there was a need for upgrades to handle a higher capacity of visitors. She said that improvements included new gravel parking lots and new trails to provide better connection to the trail system. She said that the resolution would authorize the conveyance of the property. She said that the property was adjacent to the preservation, and the addition of the property would comply with the goals of the comprehensive plan. She said that if the Board authorized the conveyance, then they would continue to work with the County Attorney to create the necessary documents.

Ms. Gary asked what the total acreage of Crow's Nest would be if the proposal were approved.

Ms. Baker said that it would be close to 4,000 acres.

Ms. Vanuch said she wanted to know how the County acquired the land, what it was currently used for, and what it could be used for.

Ms. Baker responded that the preserve was established in 2008, and it was a joint project to which the County and DCR contributed funding. She said that it was intended to be a national wildlife preserve. She said that the property was going to be developed into houses, but the Board decided to move forward with turning the land into a preserve. She said that the preserve did not open to the public until 2012. She said that it was a natural area preserve, unlike the state parks. She said that there would be no large buildings, cabins, or other structures.

Ms. Yeung asked how many years the legal contract between the County and DCR would last.

Ms. Baker said that those items would be determined after authorization was granted.

Ms. Yeung said that she did not want a data center to be built on the site.

Mr. Michael Lot, the Northern Regional Supervisor for the Virginia DCR, responded that if the County authorized the resolution, there would be a deed of dedication on the 855 acres to add them to the preserve. He explained that the deed of dedication would protect the land into perpetuity. He said that it would take an act of state legislature to change the deed of dedication.

Ms. Bohmke said that she wanted to ensure that the County was not giving up rights in the deed of dedication. She said that she wanted to ensure the County was not giving up purchasing power.

Ms. Baker said that they would have to vet the process. She said that the deed of dedication would be agreed to by both parties.

Ms. McClendon said that the Board was providing part of its interest in the property to share with DCR. She said that it would be a simple deed to provide DCR with half interest in the property. She said that an MOU with regard to property management had to be drafted, and such an item would come back before the Board.

Ms. McClendon said that managing the new property in addition to the property in which they already shared ownership was something that had to be brought back in MOU form. She explained that the Board was being asked to consider the 50% interest in the property. She clarified that the property was already encumbered by a restrictive covenant, and it could not be developed under the County's TDR ordinance. She said that the property had to be used for parkland.

Mr. Coen clarified that there had been attempts to extend water and sewer service to the area, but they had not succeeded, so it was not possible for large-scale development to occur.

Ms. Baker responded that there was no water or sewer within four miles.

Ms. Yeung opened the public hearing.

Mr. Coen read the rules for public comment.

1. Mr. Harold Wiggins, 13 Lavelle Drive, said that he did not reside in the County, but he had several family members who did. He said that he was an environmental scientist with the Army Corps of Engineers for 20 years. He said that he worked on Crow's Nest as a project. He said that Crow's Nest was the 54th natural preserve area in the state. He said that the transfer of the property was a good thing. He said that an entity like DCR was required to manage the property. He said that he hoped the property was forever preserved.

2. Mr. Alan Rowsome, 4022 A Hummer Road, said he was the Executive Director of the Northern Virginia Conservation Trust (NVCT) He said that he supported the proposal to convey the County-owned land. He said that NVCT began a formal partnership with the

County in 2023 as they actively looked to acquire land and conservation easements adjacent to and in Crow's Nest. He said that private landowners had considered conservation over the years, and opportunities would continue to create a connected landscape in Crow's Nest.

Mr. Rowsome said that acquiring the tracts and consolidating them under one professional manager was an efficient, cost-effective way to operate a preserve. He said that Crow's Nest should continue to grow and be managed by one plan. He said that NVCT had dedicated nearly all of the Crow's Nest parcels, which they had acquired to DCR. He said that the parcels included a 70-acre great blue heron nesting site, eight crow's nest harbor lots, 114-acre expansion of the heronry, and a 59-acre Accokeek bottomlands tract.

Mr. Rowsome said that conveying the land would enhance the ability to make the Crow's Nest preserve a first-class wildlife refuge. He said that NVCT was excited to be a formal partner with the County to enhance the natural areas and conserve lands. He said that they planned to have a new conservation specialist for the County in the next several weeks who would coordinate the annual work plan with County staff.

3. Ms. Kristin Maxson, 1816 Richmond Highway, said that in her case, when she acquired her land, the paperwork and the deed was annotated with a plat map number. She said that she did not review the plat map. She said that if there were items that did not belong on the deed, then it may be hard to reverse. She said that the deed should be reviewed.

Ms. Yeung closed the public hearing and brought the matter back before the Board.

Ms. Gary motioned, seconded by Mr. Coen, to approve proposed Resolution R23-20.

Mr. Coen said that DCR had been meticulous in handling the parcels. He said that he had started working on the park 20 years ago. He said that preserving land made the County better.

Ms. Gary noted that people had concerns about how the preservation impacted the roads.

The Voting Board tally was:

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

<u>Resolution R23-20 reads as follows:</u>

A RESOLUTION AUTHORIZING THE CONVEYANCE OF AN UNDIVIDED INTEREST IN COUNTY-OWNED PROPERTY TO VIRGINIA DEPARTMENT

OF CONSERVATION AND RECREATION FOR ADDITION TO CROW'S NEST NATURAL AREA PRESERVE

WHEREAS, Stafford County and Virginia Department of Conservation and Recreation (DCR) jointly own portions of Crow's Nest Natural Area Preserve (Preserve); and

WHEREAS, DCR's Natural Heritage Division is responsible for management of the Preserve, which includes protection of ecologically important lands while allowing public outdoor recreational access; and

WHEREAS, the County owns 305 parcels of land totaling approximately 770 acres and right-of-way totaling approximately 84 acres located within the Crow's Nest Harbour subdivision and located adjacent to the Preserve, all as more particularly described in Exhibit A to this Resolution (Property); and

WHEREAS, the Property qualifies as a natural area preserve and DCR has expressed its interest in obtaining the Property to incorporate into the Preserve; and

WHEREAS, the Board desires to add the Property to the Preserve; and

WHEREAS, the Stafford County Comprehensive Plan (Comprehensive Plan) recommends the area of Crow's Nest Harbour as Parkland and the addition of the Property to the Preserve complies with the goals and recommendations of the Comprehensive Plan; and

WHEREAS, pursuant to Virginia Code § 15.2-1800, a public hearing was held to consider the disposition of County-owned property, at which the Board carefully considered the recommendation of staff and the public testimony, if any; and

WHEREAS, the Board recognizes the benefit to the County and its citizens through the addition of the Property to the Preserve;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that it be and hereby does authorize the conveyance of an undivided interest in 305 parcels of land totaling approximately 770 acres and right-of-way totaling approximately 84 acres of County-owned land located within the Crow's Nest Harbour subdivision, as fully described in Exhibit A to this Resolution, to Virginia Department of Conservation and Recreation for addition to the Crow's Nest Natural Area Preserve; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute any documents which he deems necessary and appropriate to effectuate the transaction contemplated herein.

NEW BUSINESS CONTINUED

ITEM 24. DISCUSSION ON PARTNERING WITH CITY OF FREDERICKSBURG TO REVAMP OUR CAD SYSTEM; REQUESTED BY SUPERVISOR TINESHA ALLEN.

Ms. Allen said that they attended a meet-and-greet with Representative Spanberger. She said that they discussed the goals and plans for the district. She said that funding was available through community grants. She said she wanted to explore partnering with the City to acquire grants for the CAD system.

Ms. Vanuch said that she agreed that the County should pursue opportunities to get federal funding to offset local costs. She said that they were waiting on the House rules to determine which funds were available to apply for. She suggested that they draft a list of projects that were important to the County that could meet funding requirements. She said that they should develop a comprehensive list of different items to see what may qualify. She said that they should include public safety costs, such as the radio systems for Fire and Rescue.

Ms. Allen said that it was important to get the process started. She said she was not against exploring other avenues for federal aid. She said she wanted to begin the CAD process sooner in the event the process opened sooner than others.

Ms. Vanuch said a next step would be for the County Administrator to reach out to the Sheriff and inquire where they were in the system and if there were contractual obligations

Ms. Allen said she agreed. She said that they should ensure that the City wanted to be a partner. She said that when a project had bigger regional impacts, there was a greater likelihood of the grant being awarded.

Mr. Coen suggested that staff review the potential projects and determine which would take more resources and time. He noted that there was a short turn around between when the grants were announced and when applications were due.

Ms. Allen clarified that they received an email that some of the funding would be released soon. She said that they should be prepared to apply for and utilize the funding.

Ms. Vanuch suggested that Mr. Toigo send the Board a summary of the conversations with Representative Spanberger's office and send estimates on when the funding would be made available. She noted that there was the possibility that there would be less funding. She said that staff should provide a comprehensive summary. She noted that the grants were often dependent on federal bills passing. She said that they needed a full report, but it could be presented via email or at a Board meeting.

Ms. Yeung noted that there were federal and state grants that they were trying to receive. She said that the County was leaving a lot of money on the table. She said that they needed to have a consultant help streamline the funding avenues.

Mr. Vosburg responded that the discussion was timely. He said that a grant consultant had returned dividends. He said that they were looking at about $110K for the federal grant consultant. He said that a grant consultant was proposed in the budget. He said that there was a discussion on community projects. He said that Representative Spanberger's staff felt that the County did not need additional staff for community projects.

CLOSED MEETING

At 8:57 p.m., Mr. Coen motioned, seconded by Ms. Allen, to adopt proposed Resolution CM23-05 to authorize closed session.

The Voting Board tally was:

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

Resolution CM23-05 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for discussion and consideration of the acquisition of real property for fire and rescue purposes and of the disposition of a publicly held interest in real property, where discussion in an open meeting would adversely affect the bargaining positions or negotiating strategies of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of February, 2023, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING - SEC. 2.2-3711 (A)

At 9:31 p.m., Mr. Coen motioned, seconded by Ms. Allen to adopt Resolution CM23-05 (C) to certify the Closed Meeting.

The Voting Board tally was:

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

Resolution CM23-05 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON FEBRUARY 7, 2023

WHEREAS, the Board has, on this the 7th day of February, 2023, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 7th day of February, 2023, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

ADJOURNMENT

At 9:33 p.m., Chairman Yeung adjourned the February 7, 2023 Stafford County Board of Supervisor's meeting.

Randal E. Vosburg
County Administrator

Dr. R. Pamela Yeung
Chairman

Hills at Aquia Residences;

Dogtopia Discussion TUESDAY 7pm, Feb23- Stafford Cty Board of Supervisor mtg

The DOGTOPIA request as displayed in the County's Jan 2023 Presentation is as follows:

"**Conditional Use Permit to allow a use not identified in the Zoning Ordinance pursuant to County Code Sec 28-37, specifically for a dog daycare including grooming & overnight boarding services within the B-2, Urban Commercial Zoning District".**

Background:

- ✓ **2009 Hills at Aquia (HAA) - Stafford Board of Supervisors Issues of SAME property off Coachman**
- ✓ **Board of Supervisor (BOS) agreed with HAA and voted AGAINST property utilization**
- ✓ **2010 Stafford County quietly later support a change but had parameters for the property**
- ✓ **2010 Board of Zoning Appeals voted on violation of building location at 711 & Hotel on Coachman**

HAA CONCERNS & DISCUSSION noted below:

HAA CONCERNS:

Concern 1: DOGTOPIA claims to mitigate any negative impacts in their presentation; however in the same slides they also state that there are **NO NEGATIVE impacts**.

Discussion: Not accurate and frankly irresponsible, there are impacts and local concerns

Concern 2: Did not perform or provide any **NOISE or TRAFFIC Analysis** or assessments

Discussion: Arbitrary Max Capacity of 175 dogs is EXCESSIVE for the Community

- Dogtopia plans to accommodate up to 175 dogs
- Dogtopia's capacity at Woodbridge/Fredericksburg/Herndon @100 dogs
- Capacity at Colonial K9 (Stafford) is 6o dogs
- Capacity at Stafford Animal Shelter is approximately 75 dogs
- William of York School Traffic morning/afternoon cars waiting as far back as Coachman
- Colonial K9 stated the **biggest issue will be NOISE** – thus they were turn down many times

Concern 3: Conditional Use Permit requests OVERNIGHT boarding but claims NOT a Kennel

Discussion:

- Noise of 20-40 dogs during Dogtopia outside play session will exceed **County Ordnances Decibel (dB) levels (outline during the Jan23 BOS session).**
- **Dogs LOCATED less that 50 yards from the closest residence**
- Asking an individual to control up to 40 dogs during an outside play session is unrealistic
- Identifying excessive noise to authorities is impractical
- Definition of a Kennel is: a "boarding establishment for dogs or cats"

Concern 4: The physical location and lack of details of the facility

Discussion: Dogtopia locations

- Woodbridge, Fredericksburg, Herndon locations all in COMMERCIAL areas **not close** to homes
- Stafford Planned DOGTOPIA will be in less than 50 yards of HAA residence
- Colonial K9 located in a wooded area not in a residential area
- Dogtopia representative (Jan23 mtg) stated they **don't have drawings/outline of facility**
- **Dogtopia rendition in slides was a 2 story building…need specifics & accurate answers**
- How can the BOS **make a decision prior to knowing specifics** and NOT general comments
- Dogtopia commented to build a **wall facing Nissan**, no comments for the HAA residences

Concern 5: Need to provide specifics as to approach to meeting county regulations, noise abatement details to both outdoor and indoor areas and NOT accept general responses with NO specifics or written guarantees.

- It's **easier for business to ask for "FOREGIVENESS" than request for PERMISSION** i.e., 711/Hotel.
- Specifics, guarantees, methodology's to meet regulations and noise concerns etc… must be provided prior to a decision of this type.

Comment 1: Potential effect to the values of HAA homes

Comment 2: The community supports smart business development;

Discussion:

- Smart Business such as medical office, barber shop, etc.
- **REQUEST NOT to change or modify the existing ordnance**
- Not a NOISE generating business opened 7 days a week until 10pm
- There is a reason why it's NOT in the current ordnance

Request the BOS adhere to the existing zoning ordinance and respect Hill at Aquia residence considerations & DISAPPROVE this request.

Paul Ortiz
HAA Resident since 2008
Former member of the Board of Zoning Appeals
Prior Candidate 2009 for BOS
Prior Treasurer of HAA
Colonel USMC (ret)