

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
MARCH 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, March 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. R. Pamela Yeung, Chairman; Thomas C. Coen, Vice Chairman; Tinesha O. Allen (*arrived at 3:09 p.m.*); Meg Bohmke; Darrell E. English; Monica L. Gary; Crystal L. Vanuch;

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

CHAIRMAN'S COMMENTS

Dr. Yeung stated that in 2018, the County released its first Strategic Plan, and through the strategic vision, actionable initiatives were implemented from 2019 to date. She said that the County Administrator would disclose the Board's updated Strategic Plan for 2024 through 2029. She stated that information regarding the Strategic Plan was available at www.staffordcountyva.gov/2024.

Dr. Yeung stated that the OmniRide service had been discontinued due to an extreme shortage of bus operators. She said that OmniRide users were encouraged to use the Virginia Railway Express ferry instead.

PRESENTATIONS

Presentation of a Proclamation to Recognize March as Women's History Month.

Ms. Bohmke stated that the year's theme was celebrating women who told their stories. She invited Ms. Anita Dodd, Vice Chair of the Historical Commission, to join her at the dais.

Ms. Bohmke read the proclamation.

Ms. Anita Dodd accepted the proclamation. She stated that in 1650, Ms. Margaret Brent moved from Maryland to what would become Stafford County. She said that Ms. Brent was politically

active and owned property, unusual for a woman in the 17th century, and in 1648, she sought the right to vote. She continued that Ms. Brent was the first American woman to seek the right to vote.

Ms. Dodd noted that Ms. Clara Barton, founder of the Red Cross, visited Stafford County twice during the Civil War. She stated that Eugena Washington, the great-grand-niece of George Washington, born in 1838, lived in the County and worked as a clerk at the Washington, D.C. post office after the Civil War. She noted that Ms. Washington was a co-founder of the Daughters of the Revolution and the founder of the Daughters of the Founders and Patriots of America. She stated that Ms. Washington died in 1900, and she is buried at the family cemetery in Glencairne.

Ms. Dodd stated that Ms. Kate Waller-Barret was born in Widewater, Stafford, in 1858, and she was known for establishing rescue homes for unwed mothers and children. She said that the first rescue home opened in 1883 in Atlanta, Georgia, and 78 other homes would eventually be opened throughout the country.

Ms. Dodd stated that Ms. Fannie Roots lived in Falmouth until she died in 2004. She said that Ms. Roots and her family were notable Black residents of the County, and she was remembered for her battle against tax increases. She said that Ms. Roots was the president of the Stafford County Citizen's Alliance at the age of 16. She noted that many other women helped to shape Stafford's history.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Vosburg stated that Item 9, a letter of support for the Rappahannock Area Community Services Board related to funding for a behavioral healthcare and crisis receiving center, had been added to the Consent Agenda. He said that there were no deletions to the agenda. He said that additional information was provided for Agenda Item 15 and the resolution language was amended. He said that Agenda Item 25 included two new attachments related to the zoning matter.

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

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC - I (3 MINUTES EACH)

Mr. Coen read the rules for presentations by the public.

1. Mr. William Stewart, 108 Windsor Circle, said that Dominion nearly instituted rolling brownouts during the cold weather in December due to insufficient dispatchable power and overreliance on solar. He said that they needed to know about Dominion's nuclear program. He said that the Inflation Reduction Act incentivized small, modular nuclear reactors.

Mr. Stewart requested that the Board formally inquire to Dominion energy regarding when it anticipated contracting with GEH for one or more small modular reactors. He continued that the Board should ask when Dominion projected commercial power delivery of the first unit; how many units Dominion planned to purchase, over how long, where they would be located, and what the average dollar/MW/hr. rate would be.

2. Ms. Shannon Fingerholz, 19 Cardinal Forest Drive, stated that last year, the Virginia Lottery provided the state with about \$780M, and across the 144 school districts state-wide, that was about \$6M per district. She said that childcare and instruction were expensive.
3. Mr. Jeff Adams, 449 Kellogg Mill Road, stated that 100 six-acre lots could fit within a square-mile plot, and those lots would likely cost \$4M in a PDR program. He noted that 600 homes would generate about 150 students on average which would require about six teachers. He stated that the cost of hiring six teachers was about \$300K, and over seven years, the cost totaled \$2.1M. He stated that the program could be paid for quickly. He said that the PDR designation would be useless.
4. Mr. Howard Rudat, 10 Hayes Street, noted that the Potomac News website did not make an article regarding the Moncure school property and the previous Board meeting accessible without a site subscription. He noted that while Ms. Vanuch was chair, there were multiple closed meetings regarding the Moncure property. He suggested that the Board focus on providing amenities and services to residents that improved the quality of life in the County.
5. Ms. Kristin Maxson, 1816 Richmond Highway, stated that there was an Economic and Community Development meeting with Germanna, and there was an Infrastructure meeting. She noted that the meetings covered a lot of material. She said that she was unable to find information regarding a police response on Poplar Road. She said that the March 2 edition of a local paper informed the public of a Board meeting on February 28 after the meeting had been held.

REPORTS BY BOARD MEMBERS

Ms. Vanuch – expressed condolences to Donald Wedding’s family over Mr. Wedding's death. She said that the Jail Board voted on its budget at the previous meeting, and it adopted the proposed budget unanimously by all districts. She said that there was about a \$346K increase to the County budget needed to fund the jails.

Ms. Vanuch stated that she attended a Special Olympics basketball game. She said that she had sent a letter to the Attorney General regarding issues with GFL, and she included constituent issues which had been brought to her attention. She stated that the Attorney General's Office would look into the issue.

Ms. Vanuch requested that the County Administrator and staff provide an update to the FAB Committee at the next meeting. She noted that the County had applied for FEMA reimbursement for costs from the early January snowstorms, and the Board should have oversight of the funds.

Ms. Allen – remarked that she spent a day shadowing Medic 10. She said that she would be hosting a health fair on May 6 in partnership with an organization.

Ms. Bohmke – reported that FAMPO would be addressing the different river crossings for the Rappahannock River. She noted that there were five options being studied, and two options would likely be brought to the FAMPO Policy Committee. She stated that the bond sale for the high school and three additional 3R projects had occurred, and the interest rate came in under 3.52%. She said that the bonds were purchased by one institutional investor, and there were 16 different bidders.

Ms. Bohmke stated that Stafford Hospital was hosting a fun-run and children's walk. She said that there was a competition to see which districts would have the most walkers and runners in attendance. She noted that the Aquia district won the last time. She said that the event would be held on April 15, and the fun-run began at 8 a.m., and the adult run began at 8:30 a.m. She said that the money went to benefit Stafford Hospital.

Ms. Bohmke said that there was an Infrastructure meeting, and they discussed the Butler Road survey. She said that they voted to move forward and bring information before the Board. She said that there was a transportation discussion regarding all of the projects in the County. She said that the 2019 bond issue was a complicated process. She said that in addition to local funds, there were six other revenue sources that could be used for projects. She said that several project funds were underwater. She stated that she and Dr. Yeung decided to have a work session to consider the project portfolio, and Mr. Vosburg was working on scheduling.

Ms. Bohmke expressed her condolences to the Wedding family.

Mr. Coen – expressed his condolences to the family of Mr. Donnie Wedding. He said that he spoke to Ms. Roger's elementary school class. He said that he sent a letter to the Attorney General regarding issues with GFL. He said that he attended the social studies showcase. He said that he attended the FAMPO meeting. He said that he worked at the oyster roast.

Mr. English – remarked that he sent a letter to the Attorney General's Office regarding GFL. He said that he attended the Special Olympics basketball tournament which was hosted in the County annually by the state. He said that paving for Curtis Park was going out for bid. He said that the area would be paved by May.

Dr. Yeung – expressed her condolences to the family of Mr. Donnie Wedding. She said that she attended the breakfast in Washington, D.C. with Senator Tim Kaine, Senator Mark Warner, and Representative Jennifer McClellan. She said that she attended the regional MARCUS Alert meeting on March 1. She said that the MARCUS Alert crisis system related to comprehensive mental health, substance abuse, and developmental disability crisis services. She said that on March 3, she attended a meeting in Hampton Oaks.

Ms. Gary – reported that she attended the CPMT meeting. She stated that she attended the Joint Working Schools Committee. She said that she attended the school bonds work session. She said that there was a strike affecting OmniRide. She said that she had a new role on the Library Board of Trustees, and she attended the FAMPO meeting. She said that she attended the unveiling of the Civil Rights Trail at Mary Washington, and there was a desire to potentially expand the project to the Rowser Building. She said that she sent a letter to the Attorney General regarding GFL and its potential monopoly on waste management.

REPORT OF THE COUNTY ATTORNEY

There was no report.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg noted that the second community meeting on Musselman Park was on Thursday at 6:00 p.m.

Mr. English said that the meeting would have to be rescheduled because he did not know about it.

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

- February 7, 2023 Community and Economic Development Committee Action List
- February 7, 2023 Infrastructure Committee Action List
- February 21, 2023 Finance, Audit and Budget Management Committee Action List
- February 21, 2023 Public Safety Committee Action List

PRESENTATION OF BOARD OF SUPERVISORS' 2040 STRATEGIC PLAN

Mr. Vosburg noted that the first Strategic Plan was from 2019 to 2022, had 33 priorities, and 90% had been accomplished to date. He said that they produced a draft Strategic Plan with seven strategic priorities and 29 initiatives. He said that the topics were based on the Board's input and the first community survey released in 2022.

Mr. Vosburg said that the new draft Strategic Plan ran from 2024 to 2029. He said that there would be a transition year for staff to begin work on the projects needed to implement the initiatives. He said that the finalized draft of the Strategic Plan was before the Board.

PRESENTATION OF PROPOSED FY2024 BUDGET

Mr. Vosburg stated that the County reaffirmed its Triple-AAA bond rating with the Moody Investors Service, Standard and Poor's and Fitch. He stated that they had been working on VATI grants, and once they were completed, they would have between 95% and 97% of the County covered with broadband service. He noted that there was a pending VATI grant application, and they had not yet received an update.

Mr. Vosburg said that the County received two awards from the National Association of Counties (NACo)—one related to the Stafford Cares program to address mental health and assist restaurants and families in need, and one related to the color-coded wayfinding system at the Government Campus. He said that the median home market price was \$485K. He noted that as sales slowed, they had not seen any indication that prices were decreasing. He said that the median income was \$119,818, and the median assessed home value was \$386K.

Mr. Vosburg said that the County's population was 163,417, making it the 13th most populated jurisdiction in Virginia. He said that the County had an unemployment rate of 3.6%, and the veteran percentage of the population was 19.4%.

Mr. Vosburg stated that the community was experiencing healthy growth. He said that the median household income was higher than Prince William County, and it was higher than other comparable counties and jurisdictions. He said that the County was 19th in the country in terms of median household income, and it was 5th in the state. He said that in 2013, there were about 38,000 jobs in the County, and in 2022, it had grown to 50,402 jobs.

Mr. Vosburg said that the school population was slightly over 30,600. He said that they did not anticipate the growth to slow. He said that in terms of the percentage of school students per population, the County was higher than comparable districts, over 18.6%. He said that the Veterans' Tax Relief program made up 92% of the County's tax relief. He said that in FY2022, the tax relief equated to about \$9.7M, in FY2023, it equated to \$14.5M, and in FY2024 it was projected to equal \$16.2M, or \$0.073 on the tax rate.

Mr. Vosburg said that in 2013, there was \$13.3B in real property assessment accompanied by a \$01.07 per \$100 of assessed value tax rate. He said that by 2022, assessed values had reached \$24.1B, and the tax rate had been reduced by \$0.85. He said that the County had seen a 44% increase in gas prices since 2021, a 13% cumulative inflation increase for utility operations, and some increases as high as 32%. He said that energy and food were two of the largest drivers in the community.

Mr. Vosburg said that the process began with the community needs and expectations survey performed in 2022 and done bi-annually. He said that the Comprehensive Plan was updated every five years, and the Strategic Plan had been added to the process. He said that it all culminated in the Five-Year Financial Plan.

Mr. Vosburg said that they were approaching \$1B in all funds as a government entity. He said that 64.5% of the all-funds expenditures went to SCPS, debt service, and capital. He said that 30.5% of revenues came from property tax, and 27.9% came from state revenue. He said that 47.5% of general fund expenditures went to education and 23.9% went to public safety. He said that public safety received a 17% increase from the previous fiscal year. He said that the largest increase in revenue was from federal ARPA funding. He said that property taxes made up the majority of general fund revenues at about 67.8%.

Mr. Vosburg said that the FY23 tax rate was \$0.85, and the proposed tax rate was \$0.94 for FY24. He said that an FY24 Fire Levy was proposed of \$0.03. He noted that there was a 3.1% increase in assessments, and all the changes equated to a 13.1% property tax revenue increase. He said that veterans' tax relief had increased by 11.2%, and it included an increase in the senior exemption from \$3K to \$3.5K. He said that there was a 2.7% increase in the consumption tax, and the median assessed home value put the average tax bill at \$3,628.

Mr. Vosburg said that there had been an increase of 10.5% in general fund expenditures, and 1.5% was for receiving additional ARPA funding. He said that the budget contained an 8.3% overall school funding increase. He said that for education funding, a \$17.5M increase was proposed, for public safety support, a \$13M increase was proposed, for general government, a \$7.1M increase was proposed, and for transportation, a \$4.2M increase was proposed.

Mr. Vosburg said that education was the largest driver in expenditure increases with over 52% of all new revenue going to the schools. He said that the County had to address commitments and decisions that were made during FY23 from mid-year allocations. He said that there were several public safety positions and general government positions which had been funded at 6 months, and they now had to budget for a full 12-month position. He said that the total increase was about \$2.6M to address the mid-year allocations.

Mr. Vosburg stated that in terms of Sheriff pay, there was a mid-year increase of 15%, and that was indicated in the 17.75% which included the step increase. He said that there were challenges created in terms of compression and the raise. He said that the 15% raise targeted First Sergeants and below. He said that for Sheriff uniformed lieutenant and above, there was an 8% increase in addition to the step increase of 2.75%. He said that there were civilian employees who were non-uniformed, and they were given an 8% raise.

Mr. Vosburg said that an 8% increase was proposed for Fire and Rescue non-uniformed staff. He said that Fire and Rescue uniformed staff received an 8% raise in addition to a 2.75% step increase. He said that an 8% increase was proposed for general government employees. He said that the 8% was determined by reviewing neighboring jurisdictions, the school decisions, and the state funding. He said that the SCPS had a 7.72% increase for non-instructional staff and an average of 8.5% for instructional staff.

Mr. Vosburg said that they had identified \$570K in direct operational costs due to inflation. He said that the overtime impacts for Fire and Rescue and the Sheriff's Office was about a \$1.2M increase, and Social Services had a \$50K increase. He said that the Jail had a \$372K increase, and the regional juvenile center cost an additional \$174K. He said that participation in the Central Rappahannock Library System cost an additional \$462K.

Mr. Vosburg said that a \$17.5M increase was proposed for educational investments, an 8.3% increase over the prior year's budget. He said that there would be a \$12.7M transfer to increase funds for teacher pay and school programs. He said that there was a \$4.5M increase for debt service, an additional \$274K for the public day school, and an increase of \$376 for per-pupil costs.

Mr. Vosburg said that there were increases of \$325K for body camera operational expenditures. He said that two of the six Sheriff deputies added were as a result of the MARCUS Alert law. He said that there would be eight additional officers for elementary school protection, a Sheriff's Investigator I, and Sheriff's Deputy II for the juvenile services unit. He said that a new engine company was proposed for Fire and Rescue along with additional safety officers and a lieutenant position. He said that the Board invested significant amounts of ARPA funding into public safety, such as body-worn-cameras, radios, and a portion of the mid-year raise.

Mr. Vosburg said that a market and compensation study was ongoing, and they had earmarked funding in anticipation of the results of the funding. He said that they had funded mid-year raises for the Board in the budget, provided for seven support administrative staff for the Board, and proposed an additional \$10K per district to increase communication with constituents and for outreach within each district.

Mr. Vosburg noted that social service positions were reimbursed by about 85% by the federal and state government. He noted that there had been significant issues with workload and caseload in Social Services. He said that 41 positions were requested for general government, and three positions were proposed—a long-range planner, a building maintenance mechanic, and a clerk of the court. He said that two IT positions were also proposed.

Mr. Vosburg said that for transportation, \$8.8M was proposed for many of the projects on the bond-funded list. He said that there was \$4.4M for new and continuing road projects. He said that transportation was rated highly on the community survey. He said that they proposed to increase the personal property tax rate from \$4.49 to \$4.99, and the effective rate would be \$2.50. He said that the increase would generate an additional \$4.2M for transportation projects.

Mr. Vosburg said that the largest capital program project was High School #6 with a project cost of \$129M. He said that the Embrey Mill Fire Station rebuild was in the design stages with a project cost of \$10.9M. He said that \$75K was proposed for the beginning of Phase II at Patawomeck Park.

Mr. Vosburg said that for the utility fund, the operational costs were \$83.5M, and the capital plan was \$237M for FY24 through FY29. He said that a safety officer, network and tech specialist, and a customer service representative were proposed. He said that inflationary pressures precipitated a proposed 6.5% increase to utilities. He noted that the County had a healthy economy and community, and it was experiencing tremendous growth. He said that to address inflation, they tried to focus on the essentials.

Mr. Vosburg said that public participation was encouraged at the April 4th 7:00 p.m. meeting. He said that on March 21, the Board would advertise the FY24 budget, CIP, VPSA, and the Calendar Year tax rates. He said that on April 18, the Board was expected to adopt the budget and tax rate. He said that the proposed budget would allow the County to address increasing external pressures.

Ms. Bohmke stated that it was important to change the COCA. She suggested that County residents go to Richmond to express the need to change COCA.

Dr. Yeung noted that they planned to use a different strategy to change COCA.

CONSENT AGENDA

Ms. Vanuch motioned, seconded by Mr. Coen, to approve the Consent Agenda with the additions as presented by staff.

The Voting Board tally was:

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

ITEM 1. COUNTY ADMINISTRATION; APPROVE FEBRUARY 21, 2023 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; ADOPT THE STAFFORD COUNTY BOARD OF SUPERVISORS' FIVE-YEAR STRATEGIC PLAN ENTITLED, "STAFFORD COUNTY 2040 VISION"

ITEM 3. FINANCE; RATIFY THE REQUEST FOR PUBLIC ASSISTANCE AND ACCEPT ASSOCIATED FUNDS, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE PUBLIC ASSISTANCE GRANT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR COSTS INCURRED IN THE DISASTER RELIEF EFFORTS ASSOCIATED WITH THE JANUARY 2022 SNOWSTORM.

Resolution R23-83 reads as follows:

A RESOLUTION TO RATIFY AND ACCEPT THE REQUEST FOR PUBLIC ASSISTANCE AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE PUBLIC ASSISTANCE GRANT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR COSTS INCURRED IN THE DISASTER RELIEF EFFORTS ASSOCIATED WITH THE JANUARY 2022 SNOWSTORM

WHEREAS, the County incurred expenses related to the January 2-4, 2022 Severe Winter Storm and Snowstorm disaster efforts including labor to remove snow and clear emergency tree and debris damage, labor associated with the County's Emergency Operation Center (EOC), and damage to County vehicles, property and supplies; and

WHEREAS, the Department of Finance submitted a Request for Public Assistance to the Federal Emergency Management Agency (FEMA) on April 4, 2022 after the disaster declaration made by the President of the United States on March 11, 2022 which declared the Virginia Severe Winter Storm and Snowstorm, DR-4644-VA; and

WHEREAS, the County incurred eligible expenses which were categorized into seven FEMA projects, with an estimated total eligible amount of \$1,445,000; and

WHEREAS, FEMA has awarded seven project worksheets and obligated funds through the Public Assistance Grant Program and passed them to the Virginia Department of Emergency Management (VDEM) to administer reimbursements on behalf of FEMA; and

WHEREAS, VDEM will start processing reimbursements in an amount up to \$1,100,085 from FEMA, with a state obligation of \$196,020 and a local share of \$148,896, following receipt of the executed sub-recipient grant agreement and proper closeout reporting requirements;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the request for Public Assistance Award from FEMA and administered by VDEM for the Severe Winter Storm and Snowstorm which occurred in January 2022 be and it hereby is ratified and associated grant funds be and they hereby are accepted; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute the grant agreement and any documents deemed necessary and appropriate to accept the Public Assistance Award.

ITEM 4. FINANCE; RATIFY THE REQUEST FOR PUBLIC ASSISTANCE AND ACCEPT ASSOCIATED FUNDS, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE PUBLIC ASSISTANCE GRANT AGREEMENT WITH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR COSTS INCURRED IN THE DISASTER RELIEF EFFORTS ASSOCIATED WITH THE JANUARY 2022 SNOWSTORM.

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BE IT FURTHER RESOLVED that the County Administrator is authorized to execute the grant agreement and any documents deemed necessary and appropriate to accept the Public Assistance Award.

ITEM 5. FIRE AND RESCUE; AUTHORIZE MASTER LEASE FINANCING AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS, ALL FOR THE PURCHASE OF FOUR ENGINES.

Resolution R23-90 reads as follows:

A RESOLUTION APPROVING MASTER LEASE FINANCING AND
AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE
CONTRACTS, ALL FOR THE PURCHASE OF FOUR FIRE ENGINES

WHEREAS, the County's Department of Fire, Rescue, and Emergency Services (Department) operates emergency response apparatus as part of its all-hazards approach to emergency, fire and medical response; and

WHEREAS, the Department has evaluated its existing fleet resources and amended the planned purchase of two engines and two engine tankers to a purchase of four engines; and

WHEREAS, the Department desires to cooperatively procure two Rosenbauer engines and two Pierce engines through Houston-Galveston Area Council (H-GAC) contract number FS12-19, with Laake Enterprises, Inc., doing business as FESCO Emergency Sales, and Atlantic Emergency Solutions Inc., respectively; and

WHEREAS, the purchase of additional emergency apparatus equipment not under the cooperative contracts has been approved by the County's Director of Finance as sole source purchases through each vendor in accordance with the County's Procurement Policy; and

WHEREAS, the Department evaluated the prices for the emergency response apparatus and associated equipment, and find them to be reasonable for the equipment desired; and

WHEREAS, Master Lease funding in the amount of \$1,858,000 is available for the purchase of two replacement emergency response apparatus through the Fiscal Year (FY) 2022 Capital Improvement Program (CIP), approved pursuant to Resolution R21-104 and Resolution R22-66(R); and

WHEREAS, Master Lease funding in the amount of \$1,783,677 and current revenue of \$206,323 is available for the purchase an additional two replacement emergency response apparatus through the FY2023 CIP, approved pursuant to Resolution R22-67;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that it be and it hereby does authorize financing through the Master Lease, in an amount not to exceed One Million Eight Hundred Fifty-Eight Thousand Dollars (\$1,858,000), for the purchase of two Rosenbauer fire engines, and to cover change orders not to exceed 25% of the total contract amount; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute a contract with Laake Enterprises, Inc., doing business as FESCO Emergency Sales, for the purchase of two Rosenbauer engines for a total contract amount of One Million Five Hundred Fifty-Six Thousand Eight Hundred Fifty-Four Dollars (\$1,556,854), unless amended by a duly authorized contract amendment; and

BE IT FURTHER RESOLVED that the Board hereby does authorize financing through the Master Lease in an amount not to exceed One Million Seven Hundred Eighty-Three Thousand Six Hundred Seventy-Seven Dollars (\$1,783,677), for the purchase of two Pierce fire engines, and to cover change orders not to exceed 25% of the total contract amount; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute a contract with Atlantic Emergency Solutions, Inc. for the purchase of two Pierce fire engines for a

total contract amount of One Million Seven Hundred Seventy-Six Thousand Five Hundred Sixty-Six Dollars (\$1,776,566), unless amended by a duly authorized contract amendment.

ITEM 6. PLANNING AND ZONING; REFER PROPOSED AMENDMENTS TO THE FLOODPLAIN ORDINANCE, PURSUANT TO PROPOSED ORDINANCE O23-09, TO THE PLANNING COMMISSION.

Resolution R23-88 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION A PROPOSED ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-57, "FLOOD HAZARD OVERLAY DISTRICT (FH)"

WHEREAS, the National Flood Insurance Program (NFIP) offers flood insurance to homeowners, renters, and business owners in participating localities; and

WHEREAS, the County currently participates in the NFIP and to continue participating, the County must update the Zoning Ordinance regarding floodplains and adopt and amend the effective flood insurance rate maps (FIRM) and a Flood Insurance Study (FIS) report; and

WHEREAS, communities that fail to adopt the necessary floodplain management regulations will be suspended from participation in the NFIP, and subjected to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973; and

WHEREAS, the Board desires to consider amending County Code Sec. 28-57, "Flood Hazard Overlay District (FH)" in order to continue participating in the NFIP; and

WHEREAS, the Board desires to forward the proposed amendments, pursuant to proposed Ordinance O23-09, to the Planning Commission for its review, to hold a public hearing, and provide its recommendations to the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that proposed amendments to Stafford County Code Sec. 28-57, "Flood Hazard Overlay District (FH)," pursuant to proposed Ordinance O23-09, be and they hereby are referred to the Planning Commission for its review, to hold a public hearing, and to provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that the Board requests the Planning Commission to hold its public hearing and provide its recommendation to the Board no later than May 10, 2023, to allow consideration and possible adoption by the Board before National Flood Insurance Program (NFIP) compliance deadlines.

ITEM 7. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER INCREASING WATER AND SEWER USER FEE RATES.

Resolution R23-85 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
ADVERTISE A PUBLIC HEARING TO CONSIDER INCREASING WATER
AND SEWER USER FEE RATES

WHEREAS, the Board is authorized, pursuant to the Virginia Code §§ 15.2-2100 *et seq.*, to provide public water and sewer services and to set reasonable fees and charges for those services; and

WHEREAS, the Board desires to set the fees for these services commensurate with the services provided by the County; and

WHEREAS, the Board desires to consider a 6.5% increase in user fee rates for providing public water and sewer services in Fiscal Years 2024, 2025, and 2026, as described in proposed Ordinance O23-03; and

WHEREAS, pursuant to Virginia Code §§ 15.2-107 and 15.2-1427, the Board is required and desires to conduct a public hearing to consider amending the fee structure;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and hereby does authorized to advertise a public hearing to consider a user fee rate increases for providing public water and sewer services in Fiscal Years 2024, 2025, and 2026, pursuant to proposed Ordinance O23-03.

ITEM 8. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING WATER AND SEWER PRO- RATA FEES TO SUPPORT PROPOSED UPDATES TO THE GENERAL WATER AND SEWER IMPROVEMENT PROGRAM.

Resolution R23-97 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDMENTS TO
WATER AND SEWER PRO-RATA FEES TO SUPPORT PROPOSED
CHANGES TO THE GENERAL WATER AND SEWER PROGRAM

WHEREAS, pursuant to Virginia Code § 15.2-2243, County Code Secs. 25-72.1 and 25-72.2 require subdividers and developers to pay a pro-rata share of water and sewer infrastructure costs needed to serve their development; and

WHEREAS, the pro-rata costs must be commensurate with the cost of providing water and/or sewer infrastructure as provided in the General Water and Sewer Improvement Program; and

WHEREAS, the General Water and Sewer Improvement Program is proposed for amendment to reflect current estimates of costs to construct water and sewer infrastructure in the service areas, necessitating changes to the water and sewer pro-rata fees; and

WHEREAS, the Board desires and is required to hold a public hearing to consider updating water and sewer pro-rata fees;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending and readopting water and sewer pro-rata fees to support updates to the General Water and Sewer Program, all pursuant to proposed Ordinance O23-07.

ADD-ON: COUNTY ADMINISTRATION; ENDORSES A LETTER OF SUPPORT FOR THE RAPPAHANNOCK AREA COMMUNITY SERVICES BOARD'S (RACSB) FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY DIRECTED SPENDING APPLICATION FOR THE COMPREHENSIVE BEHAVIORAL HEALTH CARE AND CRISIS RECEIVING CENTER CONSTRUCTION PROJECT.

UNFINISHED BUSINESS

ITEM 9. PLANNING AND ZONING; CONSIDER A REQUEST TO APPROVE A TIME EXTENSION FOR THE REHABILITATION OF THE HISTORIC COUNTING HOUSE.

Ms. Kathy Baker, Assistant Director of Planning and Zoning, stated that the property was located within the Falmouth Historic District and the George Washington electoral district. She said that the County transferred the ownership to Rock River in 2017 in exchange for the rehabilitation of the property for office use.

Ms. Baker said that the original MOU specified that the work would be completed by March 2022. She said that an extension was requested and granted until March 2023. She said that an additional extension was requested to 2024. She said that information had been provided as to the progress that had been completed. She noted that a project manager contract had been submitted.

Mr. Coen asked for clarification about what action the Board could take.

Ms. McClendon responded that the Board had three options: it could approve the resolution to extend the timeframe; it could let the MOU expire; or it could deny the MOU.

Mr. English asked how long rehabilitations had been ongoing.

Mr. Coen noted that they had been going on for several years. He said that in 2016, it had been extended for a year.

Mr. English said that he had concerns, and he would support dropping the contract.

Mr. Coen suggested that the Board take no action and let the contract expire.

Ms. Gary asked for information regarding the project manager.

Mr. Bronston stated that he had a project manager, and they were planning on how to finish the project within the year. He said that he did not have a full-time subcontractor on the project. He said that there was painting preparation work on the siding. He said that he had worked on planning the project timeline.

Ms. Gary requested a copy of the contract with the project manager or other evidence of the agreement.

Ms. Baker said that it should be an attachment in the Board packet.

Ms. Allen asked why a project manager had not been hired earlier in the process.

Mr. Bronston said that he started a relationship with a man who did project management. He said that he wanted to act as a general contractor, but he had not been able to devote the time. He said that there was timber framing in the building which was labor intensive.

Ms. Vanuch called the question.

The Voting Board tally was:

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

ITEM 10. UTILITIES; CONSIDER REQUESTS TO REFUND SEWER CONNECTION FEES PAID BY GRANDFATHERED PUMP AND HAUL CUSTOMERS.

Mr. Chris Edwards, Director of Utilities, stated that there were 23 existing pump-and-haul customers who paid a connection fee to connect to public water and sewer. He said that the subsidy had expired except for qualify customers. He said that the County was unable to provide public sewer services since the 23 pump and haul customers were not near sewer lines.

Mr. Edwards stated that the department wanted to reimburse the connection fee because they were unable to provide public sewer service. He said that the reimbursement would go to the most current property owner. He said that the proposal would eliminate the subsidy and the loan program. He said that connection fees totaled about \$98K. He said that if they provided water and sewer in the area, a new connection fee would have to be paid.

Mr. English clarified that if a property owner moved, they would not receive the reimbursement.

Mr. Edwards responded that the new owner paid for the pump and haul service, and the connection fee followed the ownership.

Ms. Vanuch noted that some homeowners may have purchased their homes unaware that the program was ending. She noted that there were concerns from homeowners.

Mr. Edwards stated that it would be a new service agreement, so customers would have to enter into the agreement for it to take effect. He said that customers would still receive the subsidy if they qualified and did not sign the new agreement. He said that there was only one qualifying customer, and the other 22 properties were not eligible for a subsidy.

Ms. Bohmke motioned, seconded by Ms. Vanuch, to approve proposed Resolution R23-51.

Ms. Bohmke said that they had worked on pump and haul since 2013. She said that the proposed resolution was the best solution.

Ms. Allen said that the connecting fee services could help pay for the pump and haul.

The Voting Board tally was:

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

Resolution R23-51 reads as follows:

A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF SEWER
CONNECTION FEES TO GRANDFATHERED PUMP AND HAUL
CUSTOMERS

WHEREAS, the Stafford County pump and haul program began in 1998, by providing subsidized and unsubsidized pump and haul services to homes with failing or failed septic systems (Program); and

WHEREAS, subsidized services were provided to customers approved for the Program prior to the adoption of Resolution R15-106 on June 16, 2015 (Grandfathered Customers), and customers that were approved for the Program after the adoption of Resolution R15-106 paid a prorated portion of the hauling costs (Prorated Customers); and

WHEREAS, in June 2022, the subsidy for 23 Grandfather Customers expired and of these, only one Grandfathered Customer qualifies as a Prorated Customer; and

WHEREAS, the Program required all applicants to pay connection fees for the future connection to public sewer; and

WHEREAS, public sewer service will not be extended to the properties of the Grandfathered Customers in the near future; therefore, several customers have requested reimbursement of the connection fees paid; and

WHEREAS, the County desires to reimburse the Grandfathered Customers for the connection fees paid and in exchange, the Grandfathered Customers not able to qualify as Prorated Customers must agree to be added to the pump and haul list for unsubsidized customers and pay for their own pump and haul services; and

WHEREAS, by signing the agreement, the formerly Grandfathered Customers will not be eligible for any subsidy or the pump and haul loan program; and

WHEREAS, funds are available in the Utilities Fund for the reimbursement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that it be and hereby does authorize the reimbursement of sewer connection fees paid by customers approved for the Subsidized Pump and Haul Program prior to June 16, 2015, from the Utilities Fund; and

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

ITEM 11. 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, Director of Planning and Zoning, stated that the item was related to a County-owned property and potentially selling it to a business. He said that the property was located on RV Parkway in the George Washington District. He noted that the site had previously been used as a landfill and shooting range. He said that the property was zoned for single-family residential use, and the request was to rezone it to M2 heavy industrial.

Mr. Harvey said that the property was in the targeted development area for the Warrenton Road corridor, and the specific area was dedicated for mixed-use, and there were several uses and zoning categories in the area. He said that at the last meeting, the Board requested information about the location of the property in relation to the mainline project, so he provided a map outlining the relationship. He said that neighboring activities included a multi-bay industrial building, truck and bus repair, and an industrial park.

Mr. Harvey stated that the EDA had worked to take County-owned properties which were non-taxable and help facilitate bringing businesses to the County. He said that the EDA had been working with First Line Technologies (FLT) in regard to the property. He said that FLT was a local business looking to expand. He said that a Phase I and Phase II environmental assessment were funded by the EDA and FLT. He said that environmental assessment included various soil borings. He noted that there were dilapidated buildings on the property along with the site of a former shooting range.

Mr. Harvey said there were some limitations to the County's future use of the property if the Board decided to use the property for other purposes. He explained that because it was a landfill, the site either had to be capped to be developed, or the site had to undergo environmental remediation.

Mr. Harvey said that the Board could convey the property to the EDA as-is with residential zoning, and the EDA could file an application to change the zoning. He said that the Board could convey the property to the EDA after rezoning the property. He continued that the Board could retain the property and explore other government uses on the property.

Mr. Harvey stated that staff recommended the Board consider initiating the rezoning process for the property for business use. He said that if the Board approved the resolution, staff would move forward with preparing the rezoning application and begin the rezoning process.

Ms. Bohmke asked whether FLT would be using equipment onsite that could cause environmental issues.

Mr. Harvey responded that the equipment utilized for chemical transformation was done in an enclosed chamber, and there were no gaseous releases or discharges that would natively impact the sewer system. He said that the business owner would be able to provide more specifics.

Mr. Kapur stated that they had an established location on Lendall Lane, and they created disinfectant and decontamination products. He said that one of the core ingredients was sourced from Germany, but they were working with the Department of Defense (DOD) to bring the manufacturing of that ingredient to the U.S. He said that the product was produced in a facility that did not cause air nuisances or cross-contamination outside of the facility.

Ms. Bohmke confirmed that no contaminants would come out of the process and impact employees or landowners.

Mr. Kapur explained that the system was built as a closed system, and the wastewater was contained and processed onsite before being discharged. He said that Germany had the same process.

Ms. Vanuch clarified that FLT had a DOD contract.

Mr. Kapur responded yes.

Ms. Vanuch asked whether the chemical was manufactured anywhere else in the U.S.

Mr. Kapur responded that it was not manufactured anywhere else. He noted that the chemical was used as a core disinfectant by the U.S. government.

Ms. Vanuch stated that she supported the proposal.

Mr. English asked if the Fire Chief was aware of the risks associated with the chemical operation and was prepared to respond if needed. He noted that his question was affirmed.

Dr. Yeung asked whether the compliance processes used in Germany, which were stricter, would be used in the U.S.

Mr. Kapur noted that the environmental regulations were much stricter in Germany. He said that they partnered with Solvay Chemical, an international corporation.

Dr. Yeung clarified that the requested zoning was more intensive.

Mr. Harvey explained that the request was for M2 heavy industrial zoning. He said that the chemical transformation of elements into a finished product required heavy industrial zoning and a Conditional Use Permit. He said that the Board would be initiating the rezoning of the property, and if the EDA sold the property to FLT, then it would come before the Board with a Conditional Use Permit application.

Dr. Yeung asked where the business was headquartered.

Mr. Kapur responded that operations had been moved to the Lendall Lane location.

Mr. Coen motioned, second by Ms. Gary, to approve R23-27.

The Voting Board tally was:

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

Resolution R23-27 reads as follows:

A RESOLUTION AUTHORIZING THE INITIATION OF AN APPLICATION FOR ZONING RECLASSIFICATION FROM THE R-1, SUBURBAN RESIDENTIAL ZONING DISTRICT TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 45-98, WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Stafford County owns Tax Map Parcel No. 45-98 (Property), zoned R-1, Suburban Residential; and

WHEREAS, Stafford Economic Development Authority (EDA) desires to acquire the Property for redevelopment as a potential business/industrial use; and

WHEREAS, the Board acknowledges that redevelopment of the Property could result in additional investments and jobs, and generate tax revenue; and

WHEREAS, the Board desires to authorize the initiation of a zoning reclassification application for the Property for the R-1 to M-2, Heavy Industrial Zoning District to facilitate business/industrial development;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that a reclassification application to reclassify Tax Map Parcel No. 45-98 from the R-1, Suburban Residential to the M-2, Heavy Industrial Zoning District be and it hereby is authorized for initiation; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to execute any documents that he deems necessary to effectuate the Board's desires expressed herein and this Resolution.

ITEM 12. DEVELOPMENT SERVICES; DISCUSS STORMWATER AD HOC COMMITTEE.

Mr. Paul Santay, Chief Director of Community Development, explained that the stormwater ad hoc committee had been created for the Board to review stormwater issues in the County and potentially provide a funding mechanism to help those issues. He said that two Board members currently served on the committee—Ms. Gary and Ms. Allen. He said that the charter of the committee appeared to be satisfied.

Mr. Santay said that they had finished the advertisement and closed an RFP for the environmental engineering contracts, and they were scoring the applications. He said that one or multiple consultants would be selected, and the first priority was to move forward with some scope of work for the County's resiliency plan. He said that they would come back before the Board with updates on the process.

Ms. Allen said that the committee was waiting to see if there was enthusiasm from the public to apply for funding and determine whether the funding was sufficient. She noted that the committee may not have completed its charter.

Mr. Santay said that the result of the ad hoc committee was creating the neighborhood stormwater grant program. He said that the Board had designated \$100K during the pilot program. He said that at the February 7 CEDC meeting, the results of the pilot program were presented. He said that it was up to the Board whether to change the requirements for the grant program through the ad hoc committee. He noted that the charter appeared to be satisfied, but the charter could be expanded.

Ms. Allen motioned, seconded by Ms. Gary, to continue the stormwater ad hoc committee and adjust the charter as necessary.

Ms. Allen asked how many stormwater issues were outstanding in the County.

Mr. Santay responded that funding had been an issue with resolving stormwater issues. He said that they had discussed a stormwater utility, but they had seemed to determine the grant program was the right approach.

Dr. Yeung asked if the committee could be stopped and restarted under the same charter if there were more issues with stormwater.

Ms. McClendon responded that the Board could establish a committee to address any community need at any point.

Ms. Gary noted that the County would continue to have stormwater issues, so it should continue to provide support to residents.

Ms. Bohmke clarified that they had established \$100K in the budget moving forward and that the amount would not be increasing. She said that she was not in a position to move forward with continuing the committee, and they were not in a position to offer additional stormwater support.

Ms. Allen stated that her district had stormwater issues, and it was important to continue the committee.

Ms. Vanuch said that she agreed with Ms. Bohmke that the committee had done its work. She said that the purpose of the committee was to establish guidelines for staff to follow. She said that changes to the process could be brought back before standing committees. She noted that ad hoc committees were strenuous on staff.

Dr. Yeung asked if staff brought the matter before the Board because they believed the committee was no longer needed.

Mr. Santay said that the question came up during the organizational meeting and Board committee appointments.

Ms. Gary requested that a vote not be taken to make a standing committee. She stated that the charter could be amended. She asked whether a vote was required to amend the charter. She stated that the purpose of the committee had been accomplished.

Ms. Vanuch clarified that a motion was on the floor to continue the ad hoc committee. She said that the item should be placed on the CEDC agenda to review an amended or updated charter. She said that a coastal stormwater ad hoc committee could be established.

Dr. Yeung asked for information regarding possible routes for the Board.

Ms. McClendon responded that if the Board desired the committee to continue, it would have to take action. She noted that the charge of the committee had a deadline of June 2021. She said that the Board had to provide some direction.

Ms. Vanuch made a substitute motion that the item come before the CEDC to determine a new charge and receive feedback from Supervisors as to what the committee would focus on. Dr. Yeung seconded the motion.

The Voting Board tally was:

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

ITEM 13. PARKS, RECREATION, FACILITIES & TOURISM; AUTHORIZE A PUBLIC HEARING TO CONSIDER AMENDING PARKING FEES AT THE HISTORIC PORT OF FALMOUTH.

Mr. Brion Southall stated that changes to the ordinance and parking fees and collection days at the Historic Port of Falmouth were discussed at the previous Board meeting, and he was today requesting authorization from the Board to hold a public hearing to consider amending the parking fees at the Historic Port of Falmouth.

Ms. Allen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution R23-94, a resolution authorizing a public hearing to consider amending parking fees at the Historic Port of Falmouth.

The Voting Board tally was:

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

Resolution R23-94 reads as follows:

A RESOLUTION AUTHORIZING ADVERTISEMENT OF A PUBLIC HEARING TO CONSIDER AMENDING PARKING FEES AT THE HISTORIC PORT OF FALMOUTH

WHEREAS, overcrowding and parking challenges exist at Historic Port of Falmouth on weekends and holidays; and

WHEREAS, Ordinance O22-19 established fees to be collected daily from non-residents of Stafford County and the City of Fredericksburg from Memorial Day through Labor Day at Historic Port of Falmouth and designated parking areas associated with this site; and

WHEREAS, end-of-season records indicate most residents of Stafford and the City of Fredericksburg visit during the week, and non-residents visit on weekends and holidays; and

WHEREAS, the Parks and Recreation Advisory Commission voted unanimously to recommend reducing the fee collection days and using funds collected for safety and river education; and

WHEREAS, the Board desires to consider amending the fee ordinance for collecting fees at the Historic Port of Falmouth;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider amending the parking fees charged at the Historic Port of Falmouth and associates parking areas for non-residents of Stafford County and the City of Fredericksburg, on Saturdays, Sundays and holidays from the Saturday prior to Memorial Day through Labor Day each year, as provided in proposed Ordinance O23-04.

ITEM 14. PLANNING AND ZONING; CONSIDER A REQUEST TO REDUCE THE FIVE-YEAR TIME LIMIT REQUIREMENT FOR A FAMILY SUBDIVISION ON TAX MAP PARCEL NO. 36-28A (MARSHALL & ENGLISH FAMILIES).

Mr. English motioned, seconded by Ms. Allen, to adopt proposed Resolution R23-56.

The Voting Board tally was:

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

Resolution R23-56 reads as follows:

A RESOLUTION AUTHORIZING THE REDUCTION OF THE FIVE-YEAR PROPERTY OWNERSHIP REQUIREMENT OF STAFFORD COUNTY CODE SEC. 22-5, "FAMILY AND MINOR SUBDIVISIONS," FOR TAX MAP PARCEL NO. 36-28A, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Lukas Jamal Marshall and Brittany Marie Marshall (Marshalls) are the current owners of Tax Map Parcel No. 36-28A (Property); and

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

WHEREAS, Stafford County Code Sec. 22-5(a)(2) requires that property used for a family subdivision be owned for at least five consecutive years by the current owner prior to the transfer; and

WHEREAS, County Code Sec. 22-5(a)(14) allows the Board upon finding that an extraordinary hardship exists, to reduce the five-year time restriction, and that the hardship provision shall be noted on the plat or in the deed; and

WHEREAS, the Board finds that the imposition of the five-year ownership requirement as applied to the Marshalls is an extraordinary hardship pursuant to County Code Sec. 22-5(a)(14) and that granting a reduction of such time period is appropriate and in the best interest of the County;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that it be and hereby does grant a reduction of the requirement that property be owned for at least five consecutive years by the current owner or member of the immediate family, pursuant to Stafford County Code Sec. 22-5(a)(2), to Lukas Jamal Marshall and Brittany Marie Marshall such that the family subdivision of Tax Map Parcel No. 36-28A for the purpose of sale or gift to a member of the immediate family, pursuant to County Code Sec. 22-5 (Family Subdivision), is permitted as of the date of this Resolution; and

BE IT FURTHER RESOLVED that both the plat and deed effectuating the Family Subdivision permitted by this Resolution shall contain a note referencing this Resolution number and Stafford County Code Sec. 22-5(a)(14); and

BE IT STILL FURTHER RESOLVED that this approval is non-transferable and the Property shall still be required to meet all other applicable requirements of the subdivision and zoning ordinances.

ITEM 15. COUNTY ADMINISTRATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO RANK AND TO SUBMIT CONGRESSIONALLY DIRECTED SPENDING APPLICATIONS TO THE UNITED STATES SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD COUNTY FOR THE FOLLOWING PROJECTS FOR FEDERAL FISCAL YEAR 2024.

Ms. Donna Krauss said that this information was a follow-up from the work session held on February 28, when several projects were presented to fulfill a grant request to the Senate. She said that staff requested action from the Board on the 10 projects they selected. She noted that the completed ranking tool was attached with the folder materials to allow for further understanding and points of discussion.

Ms. Krauss stated that a request was received from the offices of Senators Kaine and Warren to rank the projects, so the Board must give their desired ranking and direction to staff so the application could be fulfilled. She said that notification had been received from Representative Spanberger that the House application process was open.

Dr. Yeung asked if the Board members were voting again or if the past rankings would be presented.

Ms. Krauss clarified that the Board had not yet voted. She said that she would not go through the ranking poll, which was in the materials given to the Board.

Ms. Allen noted that there was one item with eight votes, but there were only seven Board members.

Mr. Toigo, Intergovernmental Affairs Manager, said that the House of Representatives released its community projects or congressionally directed spending guidelines a few days ago, and this afternoon, a meeting with Representative Spanberger's office relayed the information that the accounts that had been looked at for the Senate were the same for the House.

Mr. Toigo said that before the Board were 10 amended resolutions, and each individual resolution was important for community support and fulfilling the requirement. He stated that the House submissions were due on March 17 and the Senate submissions were due on March 10, and he was currently working with associated departments to complete and submit those applications.

Mr. Toigo explained that there were a few reasons for recommendations for submitting projects to both chambers, one being that it sent a message to the federal legislators as well, helped legislators to understand where other grant opportunities may exist for their locality, helped to aid in future budget conference negotiations at the federal level, and enabled their entire federal delegation to work on these projects.

Ms. Vanuch asked if all 10 resolutions could be passed without them being ranked.

Mr. Toigo said that the Board was requested to rank the items.

Ms. Vanuch stated that the House and Senate wanted the Board to rank the items so that they knew where to distribute their political capital. She asked if any discussions with their staff were held about the possible budgetary constraints that would affect these items. She said that she wondered if an item on the list may need to be escalated because a particular available fund allowed for a more expensive project to move forward.

Mr. Toigo said that the answer was that the offices wanted the submission of the rankings now and that they would determine the likelihood of passage after that due to timing.

Ms. Allen asked if the rankings should differ between the applications to the House and the Senate because one body favored certain projects.

Mr. Toigo said that there was not a lot of difference between the chambers, but each congressional representative was capped at 15 requests that they were allowed to submit. He said that the main difference in the guidelines noted was that there was no new funding for any museum, memorial, or commemorative being named after someone, and there was specific language in law enforcement programs about having nothing submitted that was perceived as "anti-law enforcement."

Ms. Allen asked if there were projects that were more likely to pass in one body or the other.

Mr. Toigo said that it was difficult to tell at this time. He said that Representative Spanberger's staff delivered a consistent message that they were working with a new majority, so they were trying to figure it out themselves.

Ms. Vanuch said that the Senate was more likely to allocate funding because the Republican majority was unlikely to give a Democratic congressional member the funding.

Ms. Krauss stated that the Board should vote on each item separately, and vote in priority order.

Mr. Coen asked if they should vote in the order that was written as ranked.

Ms. Krauss said that she would defer to the County Attorney.

Ms. McClendon stated that because they did not have a resolution that provided priority order, it must be recorded as a separate vote.

Mr. Coen motioned, seconded by Ms. Gary, to adopt proposed Resolution R23-98.

The Voting Board tally was:

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

Resolution R23-98 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR AN EMERGENCY POLICE DISPATCH SYSTEM FOR THE
STAFFORD COUNTY SHERIFF'S OFFICE

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Emergency Police Dispatch System project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Emergency Police Dispatch System project would assist the Stafford County Sheriff's Office's Emergency Communications Officers with dispatching law-enforcement type calls to ensure the highest quality of information is being obtained and relayed; and

WHEREAS, the Board is requesting \$245,865 in federal funds for this project from the DOJ COPS Law Enforcement Technology and Equipment CDS account; and

WHEREAS, the Emergency Police Dispatch System project is eligible under the DOJ COPS Law Enforcement Technology and Equipment CDS account as a technological system which would assist the Stafford County Sheriff's Office with investigating, responding to, and investigating crime;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for the Emergency Police Dispatch System project for the Stafford County Sheriff's Office in an amount not to exceed \$245,865.

Ms. Allen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution R23-99.

The Voting Board tally was:

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

Resolution R23-99 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR A SCANNER REPLACEMENT PROGRAM FOR THE
STAFFORD COUNTY SHERIFF'S OFFICE

WHEREAS, the United States Congress is accepting local project applications under the
Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by
allocating federal funding to local projects of genuine need within States and Congressional
Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered
for federal funding awards which could facilitate the delivery of local projects and decrease the
amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS
program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Scanner Replacement Program project and
desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Scanner Replacement Program project would provide the Stafford County
Sheriff's Office with equipment to reconstruct crime scenes; and

WHEREAS, the Board is requesting \$129,513 in federal funds for this project from the
DOJ COPS Law Enforcement Technology and Equipment CDS account; and

WHEREAS, the Scanner Replacement Program project is eligible under the DOJ COPS
Law Enforcement Technology and Equipment CDS account as a technological system which
would assist the Stafford County Sheriff's Office with investigating, responding to, and
investigating crime;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for the Scanner Replacement Program project for the Stafford County Sheriff's Office in an amount not to exceed \$129,513.

Ms. Allen motioned, seconded by Mr. Coen, to adopt proposed Resolution R23-100.

The Voting Board tally was:

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

Resolution R23-100 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR LITTLE FALLS RUN TREATMENT FACILITY PLANT
UPGRADES

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Little Falls Run Treatment Facility Plant Upgrades project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Little Falls Run Treatment Facility Plant Upgrades project would include on-going concrete repairs to processing units, a headworks upgrade, updates to the effluent filters, sludge storage system improvements, and biological treatment and chemical systems improvements; and

WHEREAS, the Little Falls Run Treatment Facility provide services to Stafford County residents residing in the southern portion of the County, approximately half of Stafford's total population; and

WHEREAS, the Little Falls Run Treatment Facility Plant Upgrades project is identified in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Board is requesting \$500,000 in federal funds for this project from the Interior and Environment State and Tribal Assistance Grant (STAG) CDS account; and

WHEREAS, if awarded, the Board intends to meet the STAG CDS program's non-federal, cost-share requirement of 20%; and

WHEREAS, the Little Falls Run Treatment Facility Plant Upgrades project is eligible under the STAG CDS account as the project is meant to upgrade a water treatment facility;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Little Falls Run Treatment Facility Plant Upgrades project in an amount not to exceed \$500,000.

Ms. Allen motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R23-101.

The Voting Board tally was:

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

Resolution R23-101 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE LAKE MOONEY WATER TREATMENT PLANT
MEMBRANE CASSETTE ADDITION

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Lake Mooney Water Treatment Plant Membrane Cassette Addition project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Lake Mooney Water Treatment Plant Membrane Cassette Addition project would provide for the purchase and installation of six-million gallons per day of water treatment membranes at the Lake Mooney Water Treatment Plant; and

WHEREAS, a portion of the membranes would be used for replacement while the remainder would be used to increase the capacity of the Lake Mooney Water Treatment Plant; and

WHEREAS, the Lake Mooney Water Treatment Plant serves all residents of Stafford County; and

WHEREAS, the Board is requesting \$1,362,750 in federal funds for this project from the Interior and Environment State and Tribal Assistance Grant (STAG) program CDS account; and

WHEREAS, if awarded, the Board intends to meet the STAG CDS program's non-federal, cost-share requirement of 20%; and

WHEREAS, the Lake Mooney Water Treatment Plant Membrane Cassette Addition project is eligible under the STAG CDS account as the project is meant to upgrade a water treatment facility;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Lake Mooney Water Treatment Plant Membrane Cassette Addition project in an amount not to exceed \$1,362,750.

Ms. Allen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution R23-102.

The Voting Board tally was:

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

Resolution R23-102 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR ROWSER COMPLEX REPAIRS

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Rowser Complex Repairs project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Rowser Complex Repairs project would provide mold mitigation measures at the County's Rowser Complex; and

WHEREAS, the Rowser Complex is a recreational facility used for recreational and educational programming by the County's Department of Parks, Recreation, Community Facilities, & Tourism (PRCFT); and

WHEREAS, the Rowser Complex Repairs project is identified in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Board is requesting \$535,422 in federal funds for this project from the Transportation, Housing, & Urban Development Economic Development Initiatives (EDI) CDS account; and

WHEREAS, the Rowser Complex Repairs project is eligible under the EDI CDS account as the project addresses a community development need having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, the County Administrator be and he hereby is authorized to

submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Rowser Complex Repairs project in an amount not to exceed \$535,422.

Mr. Coen motioned, seconded by Ms. Gary, to adopt proposed Resolution R23-103.

The Voting Board tally was:

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

Resolution R23-103 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE CARL LEWIS COMMUNITY CENTER REBUILD

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Carl Lewis Community Center Rebuild project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Carl Lewis Community Center Rebuild project would reconstruct the Carl Lewis Community Center, destroyed by a fire on July 25, 2022; and

WHEREAS, the Carl Lewis Community Center served as a community center for residents of the Griffis-Widewater Election District and the northern Stafford County community; and

WHEREAS, the Carl Lewis Community Center Rebuild project is identified in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Board is requesting \$2,000,000 in federal funds for this project from the Transportation, Housing, & Urban Development Economic Development Initiatives (EDI) CDS account; and

WHEREAS, the Carl Lewis Community Center Rebuild project is eligible under the EDI CDS account as the project addresses a community development need having a particular urgency because existing conditions pose a serious and immediate threat to the health and welfare of the community;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Carl Lewis Community Center Rebuild project in an amount not to exceed \$2,000,000.

Ms. Gary motioned, seconded by Ms. Allen, to adopt proposed Resolution R23-104.

The Voting Board tally was:

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

Resolution R23-104 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE COURTHOUSE AREA ROUTE 1 IMPROVEMENTS

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Courthouse Area Route 1 Improvements project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Courthouse Area Route 1 Improvements project will widen approximately 0.65 miles of U.S. Route 1 to a four-lane, divided highway; add dedicated turning lanes at U.S. Route 1's intersections with Bells Hill Road (Route 631)/Hope Road (Route 687) and with Courthouse Road (Route 630); and construct an eight-foot sidewalk along both sides of U.S. Route 1; and

WHEREAS, the project is intended to alleviate congestion, improve traffic signal function, and reduce intersection delays; and

WHEREAS, the Courthouse Area Route 1 Improvements project is identified in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Courthouse Area Route 1 Improvement project is included on the Fredericksburg Area Metropolitan Planning Organization's (FAMPO) list of adopted projects for Virginia's 2024-2027 State Transportation Improvement Plan (STIP); and

WHEREAS, the Board is requesting \$3,271,465 in federal funds for this project from the Transportation, Housing, & Urban Development Highway Improvement Program (HIP) CDS account; and

WHEREAS, if awarded, the Board intends to meet the HIP CDS program's non-federal, cost-share requirements; and

WHEREAS, the Courthouse Area Route 1 Improvements project is eligible under the HIP CDS account as it is a highway construction project identified Virginia's State Transportation Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for the Courthouse Area Route 1 Improvements project in an amount not to exceed \$3,271,465.

Ms. Bohmke, seconded by Ms. Allen, to adopt proposed Resolution R23-105.

The Voting Board tally was:

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

Resolution R23-105 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE ENON ROAD RT. 1 IMPROVEMENTS

WHEREAS, the United States Congress is accepting local project applications under the
Congressional-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by
allocating federal funding to local projects of genuine need within States and Congressional
Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered
for federal funding awards which could facilitate the delivery of local projects and decrease the
amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS
program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Enon Road Rt. 1 Improvements project and
desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Enon Road Rt. 1 Improvements project will widen approximately 0.63
miles of Enon Road (Rt. 753) from 0.02 miles west of the intersection with Beauregard Drive to
its intersection with U.S. Route 1, add dedicated turning lanes at Enon Road's intersections with
Stafford Indians Lane and U.S. Route 1, and construct a five-foot sidewalk along Enon Road; and

WHEREAS, the project is intended to alleviate congestion, improve traffic signal function,
and reduce intersection delays; and

WHEREAS, the Enon Road Rt. 1 Improvements project is identified in Stafford County's
FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Enon Road Rt. 1 Improvement project is included on the Fredericksburg
Area Metropolitan Planning Organization's (FAMPO) list of adopted projects for Virginia's 2024-
2027 State Transportation Improvement Plan (STIP); and

WHEREAS, the Board is requesting \$6,000,000 in federal funds for this project from the
Transportation, Housing, & Urban Development Highway Improvement Program (HIP) CDS
account; and

WHEREAS, if awarded, the Board intends to meet the HIP CDS program's non-federal, cost-share requirements; and

WHEREAS, the Enon Road Rt. 1 Improvements project is eligible under the HIP CDS account as it is a highway construction project identified Virginia's State Transportation Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Enon Road Rt. 1 Improvements project in an amount not to exceed \$6,000,000.

Ms. Allen motioned, seconded by Ms. Gary, to adopt proposed Resolution R23-106.

The Voting Board tally was:

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

Resolution R23-106 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE ONVILLE ROAD WIDENING PROJECT

WHEREAS, the United States Congress is accepting local project applications under the Congressionally-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by allocating federal funding to local projects of genuine need within States and Congressional Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered for federal funding awards which could facilitate the delivery of local projects and decrease the amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Onville Road Widening Project and desires to submit it as a CDS request to its U.S. Senators and Congresswoman; and

WHEREAS, the Onville Road Widening Project will widen approximately 0.45 miles of Onville Road (Rt. 641) to provide 12-foot travel lanes with curb and gutter, a two-way left turn lane down the center of the roadway, dedicated left turn lanes at Onville Road's intersections with Barrett Heights Road (Rt. 642) and Garrison Woods Drive (Rt. 1877), and five-foot sidewalks along both sides of Onville Road; and

WHEREAS, the project is intended to alleviate congestion, improve traffic signal function, and reduce intersection delays; and

WHEREAS, Onville Road serves as an access route to United States Marine Corps Base Quantico (MCBQ); and

WHEREAS, the Onville Road Widening project is identified in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Onville Road Widening project is included on the Fredericksburg Area Metropolitan Planning Organization's (FAMPO) list of adopted projects for Virginia's 2024-2027 State Transportation Improvement Plan (STIP); and

WHEREAS, the Board is requesting \$3,852,827 in federal funds for this project from the Transportation, Housing, & Urban Development Highway Improvement Program (HIP) CDS account; and

WHEREAS, if awarded, the Board intends to meet the HIP CDS program's non-federal, cost-share requirements; and

WHEREAS, the Onville Road Widening project is eligible under the HIP CDS account as it is a highway construction project identified Virginia's State Transportation Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Onville Road Widening project in an amount not to exceed \$3,852,827.

Ms. Vanuch motioned, seconded by Ms. Allen, to adopt Resolution R23-107.

The Voting Board tally was:

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

Resolution R23-107 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO
SUBMIT A FEDERAL FISCAL YEAR 2024 CONGRESSIONALLY-
DIRECTED SPENDING APPLICATION TO THE UNITED STATES
SENATORS AND CONGRESSWOMAN REPRESENTING STAFFORD
COUNTY FOR THE STEFANIGA/MOUNTAIN VIEW INTERSECTION
IMPROVEMENTS

WHEREAS, the United States Congress is accepting local project applications under the
Congressional-Directed Spending (CDS) program; and

WHEREAS, the CDS program is intended to increase federal-local collaboration by
allocating federal funding to local projects of genuine need within States and Congressional
Districts; and

WHEREAS, the CDS program affords Stafford County the opportunity to be considered
for federal funding awards which could facilitate the delivery of local projects and decrease the
amount of local funding contributions; and

WHEREAS, all selected projects are subject to Congressional rules governing the CDS
program to ensure quality control, accountability, and transparency for all projects; and

WHEREAS, the Board has identified the Stefaniga/Mountain View Intersection
Improvements project and desires to submit it as a CDS request to its U.S. Senators and
Congresswoman; and

WHEREAS, the Stefaniga/Mountain View Intersection Improvements project will realign
Stefaniga Road (Rt. 648) with the intersection of Mountain View Road (Rt. 627) at Lightfoot Drive
(Rt. 2055) and convert the intersection into a roundabout; and

WHEREAS, the project is intended to improve motorist safety, alleviate congestion, and
reduce intersection delays; and

WHEREAS, the Stefaniga/Mountain View Intersection Improvements project is identified
in Stafford County's FY 2023-2032 Capital Improvement Program; and

WHEREAS, the Stefaniga/Mountain View Intersection Improvements project is included
on the Fredericksburg Area Metropolitan Planning Organization's (FAMPO) list of adopted
projects for Virginia's 2024-2027 State Transportation Improvement Plan (STIP); and

WHEREAS, the Board is requesting \$1,592,300 in federal funds for this project from the
Transportation, Housing, & Urban Development Highway Improvement Program (HIP) CDS
account; and

WHEREAS, if awarded, the Board intends to meet the HIP CDS program's non-federal, cost-share requirements upon award; and

WHEREAS, the Stefaniga/Mountain View Intersection Improvements project is eligible under the HIP CDS account as it is a highway construction project identified in Virginia's State Transportation Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that the County Administrator be and he hereby is authorized to submit a federal Fiscal Year 2024 Congressionally-Directed Spending program application to the United States Senators and Congresswoman representing Stafford County for Stefaniga/Mountain View Intersection Improvements project in an amount not to exceed \$1,592,300.

Ms. Vanuch motioned, seconded by Ms. Gary, to approve the order of items noted in the blue chart in the materials.

The Voting Board tally was:

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

NEW BUSINESS

ITEM 16. PLANNING AND ZONING; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER GRANTING ACCESS TO AND USE OF UNIMPROVED PUBLIC RIGHT-OF-WAY OFF OF COOL BROOK LANE FOR A PROJECT KNOWN AS SOUTHGATE SELF-STORAGE; PROPOSED RESOLUTION R23-79

Mr. Brian Geouge of the Planning and Zoning Department stated that this item was a request to authorize the County Administrator to advertise a public hearing for the use of unimproved County-owned right-of-way, in accordance with §15.2-1800(B) of the Code of Virginia. He stated that this property was located in the Falmouth District, the applicant was Peter Pasanti with Leming & Healy, and the owner was Little Falls Run LC. He displayed an aerial map of the property, outlined in yellow, and noted that it was located on the west side of Cambridge Street at the front of the Southgate community.

Mr. Geouge said that in February 2022, the Board approved a proffer amendment and a Conditional Use Permit to allow a mini-storage facility on this property. He said that the property was split into two sections by unimproved right-of-way, which was highlighted on the map in red, which was intended for the extension of Cool Brook Lane out to Cambridge Street to align with

Manning Drive. He said that currently, a manufactured home park was located between the unimproved right-of-way and Cambridge Street, with no current plans to extend the roadway.

Mr. Geouge said that the site plan was currently under review for the storage facility, which was referred to as Southgate Self-Storage, and an exhibit from the site plan was shown on the screen. He said that the configuration of the access shown on the site plan was consistent with the Generalized Development Plan from both the proffer amendment and the Conditional Use Permit.

Mr. Geouge said that the plan depicted gated access at Cool Brook Lane, which was intended only to allow for emergency vehicles through Queensland Drive and Cool Brook Lane, in an effort to keep traffic to and from the storage facility off the internal neighborhood streets. He said that there were two internal gated access points for the storage facility on either side of the unimproved right-of-way, with an internal connection that would provide access to the northern portion of the property and allow for it to be developed.

Mr. Geouge said that at the time of the reclassification and Conditional Use Permit hearings, it was noted that the Board must authorize access through this unimproved right-of-way as a future action; the use agreement between the County and the developer must be approved and recorded as part of this authorization, and the terms of the use agreement had now been established and were provided as Attachment 2 in the packet, and the owner had agreed to sign the agreement associated with granting the access.

Mr. Geouge said that the terms of the agreement were established by the County after consultation with departments such as Transportation and Engineering and Fire and Rescue, and the agreement included conditions on the limit of the use of the right-of-way, the owner's obligations and responsibilities for that use, and also outlined the owner's responsibilities in the event that the public road was extended through this public area in the future.

Mr. Geouge said that the configuration shown in the site plan exhibit was consistent with the proffers and the Conditional Use Permit conditions established for this development. He reiterated that a public hearing must be held to authorize use of this County-owned property, and final approval by the Board and recordation of the access agreement would be required prior to site plan approval.

Ms. Bohmke asked to see the site plan slide. She said that she wanted to ensure the entrance and exit on Route 1 were not obstructed. She asked if Mr. Geouge could indicate that on the screen.

Mr. Geouge indicated the access on the slide.

Ms. Bohmke said that she wanted to ensure it still existed.

ITEM 17. PLANNING AND ZONING; CONSIDER AUTHORIZING THE PURCHASE OF DEVELOPMENT RIGHTS (PDR) ADMINISTRATOR TO PROCEED WITH DEED NEGOTIATIONS AND ACQUISITIONS OF CONSERVATION EASEMENTS FOR THE 2022 PDR APPLICATION PROPERTIES.

Ms. Vanuch said that CEDC recently provided guidance to staff to gather more information on some of the parcels related to this item, so a presentation would not be necessary until the next meeting when the item returned for action.

Dr. Yeung said that the Board would move to the next item.

ITEM 18. FIRE AND RESCUE; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR THE FY2022 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT THROUGH THE DEPARTMENT OF HOMELAND SECURITY'S FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).

Mr. Joe Cardello, Stafford County Fire Chief, said that he would discuss the Staffing for Adequate Fire and Emergency Response (SAFER) Grant, a federal grant administered by FEMA to provide funding directly to fire departments to maintain or increase a number of frontline-trained personnel available in their communities. He said that the goals of SAFER were to enhance a local fire department's ability to comply with staffing, response, and operational standards established by the National Fire Protection Association to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments.

Mr. Cardello said that this grant opportunity assisted fire departments by paying salaries and benefits of SAFER-funded positions for three years. He stated that the Department of Homeland Security recently published a notice of funding opportunity for federal FY2022, with the application period from February 13, 2023 through March 17, 2023. He said that there was \$360M available, and the DHS expected to award about 300 recipients.

Mr. Cardello said that SAFER provided grants to fire departments by paying 100% of the salary and benefits of the SAFER-funded positions for three years, and the localities began paying the salary and benefits in year four. He said that one set of personal protective equipment (PPE) and self-contained breathing apparatus for each firefighter hired were included in the grant and both were funded in year one. He said that NFPA medical physicals were also included in the grant. He stated that there was no local match for the SAFER Grant under the performance period, which was 36 months.

Mr. Cardello said that SAFER would allow for staffing of up to three engine companies focused in the eastern, rural areas of Stafford County, including Widewater, Brooke, and White Oak, with 12 personnel signed to each shift or four firefighters for each of the three shifts. He said that the lack of dedicated fire suppression staff in those areas impacted the entire system, as fire engines from farther away had to respond to handle emergencies, and those secondary stations, which were Aquia Harbor Station 9, Stafford Station 2, and Falmouth Station 1, some of the busiest stations, and when they had to go to more rural areas, different stations had to cover those calls, causing a domino effect.

Mr. Cardello said that the addition of full-time firefighters at Widewater, Brooke, and White Oak, would significantly increase operational capacity, decrease overall response times, and take the burden off of the other busy fire companies by no longer making them the primary fire suppression force for those areas. He said that provided in the materials for the Board were three options to allow them to apply for these funds, broken down into 12, 24, and 36 new positions.

Mr. Cardello noted that one item not included was that for 12 new positions, after 36 months the cost would be \$1.4M annually, for 24 new positions, after 36 months would be \$2.8M annually, and for 36 new positions, after 36 months the cost would be \$4.2M annually, based on the current public safety pay scale. He said that hiring firefighters to staff three stations in the eastern, rural area of the County would have the obvious benefit of providing fire protection to those areas, and would positively impact the entire department by increasing their capacity. He said that establishing dedicated staffing in the Widewater, Brooke, and White Oak areas was something they needed to do, and they felt that using SAFER to accomplish this was a great opportunity to make their communities and their firefighters safer.

Dr. Yeung said that this would need a vote to be considered a time-sensitive matter. She asked how the funding for the positions would be secured after the 36 months.

Mr. Cardello answered that the County would fund the positions at that time.

Ms. Vanuch motioned to make the matter time-sensitive.

Ms. Vanuch said that she also supported adopting proposed Resolution R23-87, option 1, because if this grant were secured, the federal government would pay \$12,896,000 for three years of firefighters. She said that she had previously discussed the necessity of hiring 12 firefighters per year in the County, and this grant gave the opportunity to accelerate that hiring at the cost of the federal government. She said that the County had the potential to save funds to use for those positions when the grant funding ran out, so funding the maximum number would allow more firefighters to be brought at a much lower cost to the County.

Ms. Bohmke seconded the motion.

The Voting Board tally was:

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

Ms. Vanuch motioned, seconded by Ms. Allen, to adopt proposed Resolution R23-87, Option 1 to provide 36 positions for Widewater, Brooke, and White Oak.

Ms. Allen said that there was ample justification for why moving up the timeline for hiring firefighters for the Widewater area was important. She asked if Mr. Cardello had any information regarding response time and resources used for responding to a fire in Widewater.

Mr. Cardello said that he did not have the information currently available.

Ms. Allen said that to her knowledge, the response time was about 20 minutes to Widewater Beach for an EMT, and fire response times were likely longer. She said that she was also interested to know if there would be any salary savings or how much overtime had been spent responding to rural parts of the County that lacked infrastructure. She stated that if certain expenses could be identified and budgeted, when federal funding ran out for those positions, the general fund would be less impacted.

Mr. Cardello said that their request was for four positions on every shift and every engine, and the minimum was three, so one would be to cover someone who was off that day.

Ms. Bohmke asked Chief Cardello if \$4.8M was expected at the end of 36 months.

Mr. Cardello said yes.

Ms. Bohmke asked if the number included the expected increase in the existing public safety staffing and increase in raises.

Mr. Cardello said that they used the current public safety pay scale for Fire and Rescue, and the formulas that the budget office used for calculating positions.

Ms. Bohmke asked if they would be eligible for raises in addition to the pay scale.

Mr. Cardello said that once hired, the staff would go on the pay scale as regular employees and would receive regular raises every year.

Ms. Bohmke asked if that was included in the numbers for the new positions.

Mr. Cardello said no.

Ms. Bohmke said that she wanted to acknowledge that would be an additional expense, and she wanted to confirm that if they went for the 36 positions and then experienced a recession, they had the ability to just take 12 of the positions.

Mr. Cardello said that the intent of the grant was that the locality maintains the positions after the 36 months, but there was no obligation to do so.

Ms. Bohmke asked when the grant would be awarded.

Mr. Cardello said that it would begin in June and end in September.

Ms. Bohmke asked if they had the ability to accept only 12 or 24, or if they applied for 36, they must hire 36.

Mr. Cardello said that they would have to take 36 unless they requested FEMA to reconsider and only accept 12, but they would have to go back through the entire scoring process again.

Chair Yeung asked if there was any further discussion. Hearing none, she asked to call the vote.

The Voting Board tally was:

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

Resolution R23-87 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPLY FOR THE 2022 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO SUPPORT HIRING 36 ADDITIONAL CAREER FIREFIGHTERS

WHEREAS, the Board identified public safety as one of the County's top priorities; and

WHEREAS, the Department of Fire and Rescue (Department) desires to apply for the Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant (Grant) available through the Department of Homeland Security's Federal Emergency Management Agency (FEMA) to support the hiring of additional career firefighters; and

WHEREAS, applications for the Grant are currently being accepted through March 17, 2023; and

WHEREAS, the Board carefully considered the recommendations of its Public Safety Committee, the Department, and staff; and

WHEREAS, the Board finds that applying for the Grant promotes the health, safety, and welfare of the County and its citizens, and desires to apply for the grant;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that it be and hereby does authorize the County Administrator to apply, and execute a letter of support on behalf of the Board of Supervisors, for the 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in an amount not to exceed Twelve Million Eight Hundred Ninety-Six Thousand One Hundred Forty-Five Dollars (\$12,896,145), to provide salary, benefits, and personal protective gear for thirty-six (36) career firefighters.

ITEM 19. COUNTY ADMINISTRATION; CONSIDER ESTABLISHING THE STAFFORD COUNTY PUBLIC SAFETY MEMORIAL COMMITTEE AND APPOINTING ITS MEMBERS.

Ms. Donna Krauss said that this item was a follow-up from the Public Safety Committee meeting, where they made a recommendation to bring this item to the Board of Supervisors for consideration. She said that a committee was formed with two people appointed, one by the Sheriff and one by the Fire Chief, along with staff to develop a concept regarding a public safety memorial.

Ms. Krauss said that this information was provided to the Public Safety Committee, who reviewed the information, and their recommendation was to bring this to the Board to create a more formalized committee and to bring back additional information. She explained that there was conversation around what the memorial would be, the parameters of it, and the cost, so they would like to formalize the committee to spend time looking at concepts and then would bring that information back to the Board of Supervisors. She noted that the committee recommended that Supervisor Bohmke and English serve on the committee due to their noted interest.

Chair Yeung stated that Mr. Coen had also mentioned his interest in serving on the committee.

Ms. Krauss said that the committee could be comprised of however many members they decided was best, as long as there was a charter and a purpose to the committee that would bring the work back to the Board. She said that the Board had the discretion to develop this as they saw fit.

Ms. Vanuch asked if three Supervisors serving on the committee would necessitate a public hearing with notice, or if that was a requirement regardless of Board members.

Ms. Krauss said that she would refer to Ms. McClendon to answer that question.

Ms. McClendon stated that the creation of this committee was a BACC, which was doing a delegate function from the Board, so it would be a BACC and public body regardless. She said that however, no more than three Board members could serve on the committee because four members would be a quorum of the Board, which was not permissible under FOIA.

Ms. Vanuch said that she also was interested in serving on this committee, because she had interest in expanding the volunteer memorial that was brought forward by Mr. English to include all first responders who had fallen in the line of duty or served their community to be represented.

Mr. Coen said that when this matter was first raised by Mr. English, he had expressed interest in serving on it. He said that he had waited to be contacted about serving, but was told that staff was working on putting it together. He said that he discussed with a citizen who was interested in the committee that it would not be a BACC, but it was currently being discussed as a BACC. He asked if there were other BACCs that had Board members serving on them.

Ms. McClendon said that when this item was first presented to her, it was as an Ad Hoc committee of the Board, however, upon appointment of membership of citizen members, that would make it a BACC. She said that Board members could serve on BACCs with citizens, but there remained the limitation on having a quorum of the Board.

Mr. Coen clarified that what was being stated was the creation of a BACC that each Supervisor would appoint a citizen to.

Ms. Gary said that the only reason for making this committee a BACC and not an Ad Hoc was so that they could have members of the public on it. She asked if that was correct.

Mr. English said that the intent was to have two Supervisors and two members appointed by the Sheriff and by the Fire Chief to come up with criteria. He said that he would like to keep it with four people on the committee, and if it needed to go further, it could, but a BACC would stymie the process and he would not participate if it were structured as such.

Chair Yeung stated that the committee would have four members, with Supervisors English and Bohmke serving, and would be coming back before the Board at a later day.

Ms. Allen asked what the goal of having a standing committee was if this was an exploratory process, which seemed better suited to an Ad Hoc committee.

Ms. McClendon said that this was not a standing committee, but a committee that the Board was establishing for a certain purpose, which was to come up with a development proposal and criteria around the public safety memorial. She said that calling it a BACC did not mean that they had to appoint members from each district, but established it as a Board authority, committee, or commission that the Board established. She said that the membership could stay as it was discussed, or it could be changed, but it ultimately recognized that it would be a public body in which there would be meetings that must be noticed and have minutes of their actions provided to the Board.

Mr. Coen said that he would like more information about why this committee could not stay as it was and the questions could not be addressed to the entire Board so that none of them would be excluded from the process.

Ms. Krauss clarified that staff would take Board direction, and were happy to continue this work or to engage with Board members on the committee.

Ms. Gary said that it seemed that many people wanted to be involved with this, and she did not see a reason they could not attend these meetings.

Ms. Vanuch said that there could only be three Board members in attendance.

ITEM 20. DISCUSSION ON CRITERIA FOR CONSENT AGENDA ITEMS; REQUESTED BY CHAIRMAN DR. PAMELA YEUNG.

Chair Yeung said that this item was discussed at the Chair and Vice Chair meeting with staff. She said that recently, a \$3M item was listed on the Consent Agenda, but it was \$3M divided over five years, which was \$700,000, but someone else may be focused on the \$3M total. She asked if there should be consideration of criteria for dollar amounts on the Consent Agenda.

Ms. Bohmke said that the item was regarding the utility contract coming up, which was listed on the Consent Agenda, and gave her pause because it had not been heard in a committee. She said that the item was presented to the public but had yet to be seen, and they were not ready to approve a contract, so she did not think that it was appropriate. She said that today, it came back to the Infrastructure Committee, where many questions were asked and the item was thoroughly discussed, so they understood much more about what that agenda item was about.

Ms. Bohmke said that she felt that they would do a thorough job writing it up before it came back before the Board. She said that typically, that type of item would have appeared as new business

and old business, so why that item circumvented that and appeared on the Consent Agenda was unknown, and she did not approve of that.

Chair Yeung said that there was potential for the Board to further look into the items approved by committee and if they belonged on the Consent Agenda.

Ms. Bohmke said that having a dollar amount would protect the Board.

Chair Yeung said that she agreed. She said that this item should come to the Bylaws Committee for review.

Ms. Vanuch said that she agreed with this item going to the Bylaws Committee. She said that some high-dollar items had been previously approved by the Board through the Consent Agenda because they had been discussed in public work sessions, so as long as there was language that indicated the item had already been seen and discussed by the Board, it should still be allowed to go on Consent because those items were not controversial.

Ms. Gary asked if Ms. McClendon could take note of that information for the Bylaws Committee.

ITEM 21. DISCUSSION ON CRITERIA FOR FAMILY SUBDIVISION HARDSHIP;
REQUESTED BY CHAIRMAN DR. PAMELA YEUNG

Dr. Yeung said that there were currently no criteria for what constituted family hardship regarding family subdivisions, and the only process was that the applicant must submit an explanatory letter. She said that to protect the Board and its constituents, there should be criteria.

Mr. English said that they could not put criteria on hardships, because everyone's hardships were different, and when presented, they must be taken at face value. He said that he was sure that staff followed through with this as well, so he did not find any issue with the current process.

Ms. Vanuch said that she agreed with Mr. English. She said that it should be remembered that these were family subdivisions and not developer-purchased pieces of property. She said that the Family Subdivision Ordinance allowed families to receive waivers from the Board, which was meant to not put an undue burden on those families. She said that hardship could not be quantified and must be based on the individual coming forward, and she had not yet seen a family subdivision that came before the Board that did not deserve it and could not make the case for it.

Chair Yeung said that buyers should know what they were buying and do their due diligence.

Ms. Allen said that she agreed that hardship could not be quantified. She said that she would like to believe that the people in their community were decent, kind, and trustworthy people who were not trying to manipulate the Board. She said that all the cases previously seen by the Board seemed genuine, and she knew that staff had done their due diligence to validate the request. She said that these subdivisions were very minuscule in the number of homes they added. She asked if there was another jurisdiction that had criteria by which to judge family hardship.

Mr. Jeff Harvey said that State Code stipulated that family subdivisions had to have been owned by the family for 15 years before it could be subdivided, and the recipient had to hold onto it for 15 years. He said that the Code further said that the Board of Supervisors of the jurisdiction had the ability to waive that time limit, but did not speak to hardship, and he was unaware of hardship being mentioned by other jurisdictions, but knew that some had time limits less than 15 years, such as Stafford.

Mr. Harvey said that it was within the Board's purview to decide what constituted a hardship, but from a staff perspective, there were typically three or four family subdivision applications seen per year, and one or two requested a waiver from the Board in any given year. He said that it was not a development-related issue in his opinion.

Ms. Vanuch asked if this item was going to come back before the Board.

Chair Yeung said no.

RECESS

At 6:12 p.m., the Board recessed its meeting until the evening session.

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

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

Mr. Coen read the rules for public comment.

1. Mr. Tim Lewis stated that he lived at Cloverleaf Court in Fredericksburg, Virginia. He read "I stand by what I voted and why. Our country needs to heal from a difficult past and we don't need politicians who sowed division or companies that fund these types of candidates. This company profited from division purposefully, and I hope that they back up their statement about wanting to distance themselves from that kind of thing. There are ways to generate revenue without compromising integrity, and I have been doing just that since I took office in January. If free speech and the free market are threatened by my standing up for the health and unity of my community, then perhaps we need to reevaluate how we engage in these things."

Mr. Lewis said that these were public comments made by a member of the Board, and for six months he stood before the Board and informed them that this Board member violated their oath of office, constitutionally protected rights of Stafford County residents, and violated the law. He said that he cited specific things that this member said against community members, and how she told every citizen of the County that she was willing to use her office to stop people who said things that she did not like. He said that she told them that if they each wanted equal application of the law from her office, they must first censor their speech and shut their mouths.

Mr. Lewis said that he cited Supreme Court cases that applied directly to and reflected the actions of this Board member, where the Supreme Court said that these actions were unconstitutional, and the Board had done nothing with this knowledge for six months. He said that he implored them to take action, but they had done nothing. He said that the statements had not been recanted, there was no statement of censure against this member of the Board, nor had there been any action to state that constitutionally protected activity would not be used as a factor in determining whether or not a company could operate in Stafford County. He said that this was a violation of Title 18 USC §242 to use an office to quell free speech, and was a violation of §241, to be complicit to other members as they violated constitutionally protected rights. He said that he was unsure if he should take this to court or if the Board was willing to solve the matter here, and they should not tell Stafford residents to shut their mouths to receive fair treatment.

2. Mr. Bart Randall, stated that he lived at 7 Dorchester Court, Stafford, Virginia, in the Garrisonville District. He said that he taught nuclear power for 15 of his 25 years in the Navy, and supervised, operated, and maintained nuclear power plants. He said that they told all their students from the very beginning to trust their indications, or what they saw, because it was what was telling them what was going on. He said that they drove cars the same way, where they trusted the gauges for temperature, oil, and gas, and when something

went wrong, they immediately understood why, and they also knew what happened if they continued to operate and did not trust the indications.

Mr. Randall said that indications related to the schools were that they were failing. He said that over the last 20 years, the class sizes had gone up to the point where trailers were required, and he estimated that the current 26 trailers being used would become 100 trailers before a new elementary school was finally built. He said that they must pay attention to those indications because they meant that their schools were not where they needed to be. He said that companies talked about key indicators all the time as a metric of whether the company was working well, and were thoroughly analyzed and discussed.

Mr. Randall asked if one of the key indicators of the success of Stafford County was the schools. He said that it did not appear that it was. He asked how many unfunded mandates, the amount of unfunded maintenance, and other unfunded requirements were in their schools, and if there was a single school that did not require some sort of maintenance due to the lack of resources. He said that they should pay attention to indicators because they would not get better and would only get worse.

3. Ms. Melissa Kester stated that she lived at 580 Long Meadow Drive in the Hartwood District. She said that she lived in Stafford Estates, down the 2.6-mile, rural Richard's Ferry Road. She said that while the seclusion of the area was nice, the road had appeared to need maintenance from the onset of her arrival seven years ago, but she was now concerned about the road conditions partially because one of her two children received his driver's learning permit. She said that her primary concern about the road was that on a regular basis, vehicles would have to pull over to the side of the road to allow other vehicles to pass, or risk passing each other within an inch of each other.

Ms. Kester said that she had sustained \$500 in damage to her car when another driver would not yield and she swerved and hit a branch on the side of the road. She said that she did not know a neighbor in her community who had not sustained damage to their cars due to the road, and it was extremely dangerous and needed repair. She said that she was less concerned that it was a small country road that needed vehicles to pull off to let others pass, but that there were parts of the road in such poor condition that pulling to the side would get the vehicle stuck or damaged. She said that the risks to drivers were damage to their vehicle or causing an accident, and it seemed very unnecessary that the road to their house did not have basic shoulders to allow cars to pull over.

4. Ms. Molly Denham said that she lived in the Hartwood District. She said that she encouraged the Board members to approve the upcoming School Board budget for FY24.

She said that she had attended all of the School Board meetings, Supervisor meetings, listen-and-learns, online town halls, and other events over the past year. She said that their schools were in desperate need, and the funding request the School Board would be sending was what was needed to keep the schools afloat.

Ms. Denham said that as a parent, she was appalled at the way their schools had been allowed to atrophy, because she once was able to say that Stafford County Schools were amazing and the community took pride in the school system. She stated that she could no longer say that about the schools, or that the Stafford community was even responsible for any of the success of their schools, because they did not even fund half of the budget to keep their own lights on.

Ms. Denham said that the County community only accounted for 38% of the school's revenue, and 59% came from the state, so it appeared that they had put their schools on state welfare aid. She said that this trend had to stop, and as a constituent, she came to the County Board of Supervisors to fix it. She said that the School Board was not sending an extravagant wish list or end-of-year excess funds spending spree, but in the budget were bare-bones priorities that had no choice but to be funded.

Ms. Denham said that she knew each Supervisor realized this, and she was sure that they were all going to make a logical decision on the school funding request. She said that they had not been doing enough, and constituents were tired of it. She said that she was tired of hearing her daughter say that she had to leave the classroom because the room was too small and overcrowded, or that she had to go to math group and did not like it because they sat in the hallway and used her lap as her desktop because there was only a chair and no desk.

Ms. Denham said that she was tired of hearing that they had to purchase more trailers because they had no room, and names such as "learning cottages" did not change that they were trailers. She said that she offered a two-week challenge for each Board member to call someone to take them to the bathroom across the street at the courthouse any time they needed to use the bathroom, because that was what was being asked of the schoolchildren.

Ms. Denham said her plea to the Board this evening was to approve the budget priorities sent by the School Board, but also to look beyond that budget and increase the funding past what it took to keep the bills going. She said that Stafford County could do much better than it had been, and it must start with the Board as the elected leaders of the community.

5. Mr. Roland Hankey said that he lived at 1020 Timbermill Lane in the Hartwood District. He said that he was before the Board to discuss Richard's Ferry Road. He said that he was one of the few people in the neighborhood who had not sustained damage to his vehicle traveling the road, however, the amount of heavy construction equipment that traveled those roads, and particularly, school buses, required moving to the side of the road.

Mr. Hankey said that the speeds traveled down the road and the condition of the shoulders meant that it was not uncommon to see neighbors stuck on the side of the road, with their tires fallen eight inches off of the edge of the road surface. He said that the shoulders were not maintained well, and there definitely could be some short-term fixes in the interim to include graveling the sides of the road, but he was deeply concerned about the safety of that road. He said that he loved living in Stafford and in that part of the County, but it was sometimes a harrowing experience traveling into and out of the neighborhood.

6. Ms. Kristin Maxson stated that she lived at 1816 Richmond Highway. She said that in the 3:00 p.m. meeting, they were presented with the Women's History Month Proclamation, and Margaret Brent was inspiring to hear for a 19th-century woman who came forward to encourage voting and conforming changes when it was unpopular. She said that those changes likely caused things in her life that were bothersome.

Ms. Maxson said that she wanted to recognize the people who were recognized at 3 p.m. as people who were heroes. She said that they also supported all the men and women in different services and did not want to forget any individual. She said that they had a budget meeting with a figure of an 11.3% increase in food, which she thought was higher. She said that the rates were going up, but inflation and growth were not good unless they could absorb the infrastructure.

Ms. Maxson said that she would like to know where that document was located, because she looked at all of the documents for both of today's meetings and could not find it. She said that zoning and building east of South Campus Boulevard, there was an area of 8 to 10 acres, with 4.5 acres dedicated to utilities, and in the middle of the bowtie-shaped lot, there was a road going through.

Ms. Maxson said that if she or anyone in Stafford had that property, a road would not be allowed to be on private property, and this property was designated as-built ZNSITEASBL, typically when an engineer did not have to look at the plans and it was approved by someone hired such as a project manager. She said that these were big projects and she wished the staff and Board would look into them if they were interested.

7. Mr. Mark Ellis said that he resided at 80 Spring Lake Drive in the Rock Hill District, and was also a board member of the Stafford, Fredericksburg, and Spotsylvania Pickleball Club. He said that he wanted to bring the Board's attention to the Freelance Star article published on March 1, 2023, titled "Players long for more pickleball courts." He said that the article noted that pickleball-playing had increased in the United States, tripling in the past three years, with some estimates of 36.5M Americans playing pickleball.

Mr. Ellis said that as they knew in previous comments to the Board, they needed access, but the number of quality courts in the County was lacking at the moment. He said that Brion Southall, Director of Parks and Recreation, was quoted in the article as saying "There is about \$500,000 planned in the future for pickleball. People want it and we support it." He said that they appreciated that comment and the efforts made by County administration to program these, however, the proof came from the Board, because they were the ones who ultimately approved the plans and prioritized the funding for any initiatives in their County, which was a huge responsibility they thanked them for.

Mr. Ellis said that the fact of the matter was that what Mr. Southall outlined in the article would not come to fruition until 2028, which was 5 years from the present. He asked the Board to consider including a couple of things ahead of the discussion of the FY2024 budget's release later this evening, including the proposed Pratt Park resurfacing of the tennis courts to pickleball courts for \$145,000, formal approval of the master plan budget for the Muscleman Park for four to six courts, which was formally funded in phase one for over \$1M in proffers money in 2029, and details about the \$360,000 mentioned by Mr. Southall as planned for future improvements in the County at some time.

Mr. Ellis said that where the Board saw that equity could be applied for recreational activities that previously had not been known in the past, and they must put resources into the bond that was passed in 2009. He said that they could not wait until 2028 and he hoped the Board could help them out.

8. Ms. Alane Callander stated that she lived at 622 Lancaster Street, Falmouth District. She said that today she received a copy of the Sierra Club of Virginia newsletter, and she would read from an article called Virginia Has a Data Center Problem, written by Ivy Maine. She read:

"Northern Virginia hosts the largest concentration of data centers in the world. To drive through data center alley is to witness suburban sprawl on steroids, with its attendant deforestation, loss of farmland, and loss of wildlife habitat. The environmental construction continues offsite. A data center building can cover acres of land, causing massive rainwater

runoff, impacting the streams and drinking water resources miles downstream. A single data center consumes as much water as a city of 30,000 to 50,000 people. Giant fans make the buildings surprisingly noisy, day and night, and the average data center has so many backup diesel generators onsite that it requires a major air source permit from the Department of Environmental Quality. Moreover, data centers require astonishing amounts of energy to power their operations and cool their servers. The industry uses over 20% of Dominion Energy Virginia's total electricity supply, feeding evermore of these energy hogs requires utilities to build new electric generation and transmission lines with cost and impacts borne by taxpayers. In that regard, state subsidies draw data centers to Virginia, but state taxpayers have spent over \$1B since 2010 while returning little revenue."

PUBLIC HEARINGS

ITEM 25. PLANNING AND ZONING; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A WAREHOUSE, MINI-STORAGE FACILITY WITH A DWELLING FOR A WATCHMAN OR CARETAKER ON PREMISES, IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 44-76 (PROJECT KNOWN AS CUP21153939, CELEBRATE VIRGINIA SELF STORAGE.

Mr. Harvey stated that this item was a continuation of a public hearing for a mini-storage facility to be located on a B-2 Urban Commercial-zoned piece of property at Celebrate Virginia Parkway. He said that the public hearing was left open for the applicant to interact with Supervisor Coen to seek more community feedback, and the applicant had made a request for the Board to consider a deferral of this application until June.

Mr. Harvey said that the application was also asking that in doing so, the Board consider extending their time limit for action on this application. He said that their local ordinance required that applications be acted on by the Board within 18 months of filing, and there was also a State Code provision that referenced a year-long provision, and the applicant had already granted that extension, but the other extension for the 18-month timeline would be granted by the Board.

Mr. Harvey indicated the site on the map shown on the slide, which was outlined in blue and located at the intersection of Celebrate Virginia Parkway and Banks Ford Parkway. He said that the surrounding properties were generally commercial and industrial in zoning. He displayed the Generalized Development Plan and indicated the layout of the site proposed single-story buildings with a one-way directional flow area. He said that there was also proposed to be housing for a 24/7-hour watchman to occupy the property, and shown on the slide in green was an area for outdoor storage.

Mr. Harvey said that during the discussion with the Planning Commission and at the first public hearing, it was noted that there were concerns about access into and out of the site, specifically with U-turn movements of vehicles driving down Celebrate Virginia Parkway, where there was a raised median and no crossover at the location of the proposed entrance to the site. He said that this would create the potential for issues with U-turns at the closest crossover, and the vehicles currently would have the option to go to the next crossover to have enough swing room.

Mr. Harvey said that VDOT recognized during the review of this application that there existed two access alternatives, one was creation of a bump-out along the parkway at the first crossover, and the second was the creation of a protected left-turn-only lane into the site. He noted that these were offsite improvements and could not be conditioned as part of the permit, which was a concern raised by the Planning Commission during their review of the application.

Mr. Harvey said that there were a number of development conditions typically seen with these types of facilities that discussed hours of operation, design of the buildings, and location of various features in accordance with the journalized development plan. He said that as he had mentioned, there was a one-way directional pavement that was to ease vehicle flow within the site. He said that since the initial public hearing, the applicant had recommended the conditions be modified with regard to vehicles being stored outside in order to limit that activity.

Mr. Harvey said that staff findings included a number of positive aspects, including that it was consistent with the general suburban Comprehensive Plan designation, which was in the Comprehensive Plan as calling for single-family detached homes, or if it were to be developed for business, that it should be community-oriented businesses. He said that this storage facility would likely serve residents in the Celebrate Virginia neighborhood and in the nearby vicinity.

Mr. Harvey said that the uses were compatible with other retail and industrial uses of the site, and staff believed that the conditions helped ensure minimizing negative impacts. He said that the overall negative aspect of the application was the inadequate vehicular access of the U-turn movement. He said that staff recommended approval of the application of CUP21153939 with the conditions pursuant to Resolution R23-15.

Ms. Gary asked if staff and the Planning Commission recommended approval of the CUP.

Mr. Harvey said yes.

Ms. Gary asked if the traffic issue of the area was not considered by staff as a possible reason to not approve it.

Mr. Harvey said that staff's main perspective was that VDOT indicated comfort with the two alternatives presented, and it behooved the applicant to install those types of improvements to have a successful business.

Mr. Coen said that Mr. Harvey mentioned that the applicant had taken out vehicles, but when he read it, boats, RVs, and trailers were still listed. He asked if those were not considered vehicles.

Mr. Harvey said that the answer to that question was that those were vehicles, but not motor vehicles. He said that perhaps that exclusion should be clarified in the intent of the language, because the focus was meant to be on automobiles but not on RVs or boats.

Mr. Coen asked if there were no motors in those vehicles.

Mr. Harvey said that there were. He said that this was a Conditional Use Permit, so the Board of Supervisors imposed conditions, and if there was something the Board felt needed modification, it would be good to discuss it with the applicant, but it was the Board's prerogative as to what the limitations were to the site.

Ms. Vanuch asked if Mr. Harvey could go over the overall Comprehensive Plan and what was being called for in this particular zone.

Mr. Harvey said that this area was recommended for suburban use, including single-family detached homes, or if it were including nonresidential uses, that they be community-oriented uses.

Mr. Bruce Reese stated that he was with Legacy Engineering, a small business in southern Stafford County. He said that this was a piece of property that had been cut from access, because the southern crossover did not completely belong to the applicant, and part of it belonged to Stafford County. He said that also in that area was a resource protection area. He said that the applicant paid \$53,000 per year for that road as part of the CDA.

Mr. Reese said that they would like to see an extension because they recently found out that the plans provided to them by VDOT did not show the full extent of the width of the road, and there was likely road for a full left-turn lane at the location of the entrance, eliminating the need for U-turns. He said that also to be considered was that the applicant currently paid less than \$9,000 per year in taxes, and after development, an equivalent development to the mini-storage proposed would take the taxes up to \$95,000 per year, or enough to pay for one teacher in the County.

Mr. Reese said that it currently sat as vacant property that was important to the County. He said that Dr. Osahn was present, and they would like a little more time to see if they could work through

an official left-turn lane with VDOT at that location because there was enough room between the cross-overs, but not a full access median break.

Ms. Gary said that she would like to defer the motion if Mr. Coen was amenable to it.

Chair Yeung opened the public hearing.

Mr. Coen read the rules for public comment.

1. Ms. Alane Callander stated that she lived at 622 Lancaster Street in the Falmouth District. She said that the Celebrate Virginia Parkway in the Hartwood District was one of the few beautiful parts of their County, and they did not need a U-turn there, so it was a good idea to defer this. She said that she would like to bring up that the business owner should devote some resources to beautifying his property above and beyond what the County may require.

Mr. Coen said that he would like to hear from other Supervisors before making a motion.

Ms. Vanuch said that they discussed this turn lane issue with a former Supervisor Shelton of the Aquia District, who wanted a turn lane at another storage unit and intersection, and VDOT stated that even if they put in a condition that they must build a turn lane, VDOT would not make them build it, and it was an unenforceable condition. She said that they had no other choice but to turn it down based on the transportation impact challenges, because they could not set a condition that was not enforceable.

Ms. Vanuch stated that for that reason, she was unable to support it. She said that their community did not need any more houses or storage units. She said that the Comprehensive Plan stated that the use of the area was meant to serve the community, and there should be a better use identified to serve the constituents who were there, and who already had plenty of storage units.

Mr. English stated that he did not think that they could force the applicant to do something that was not required by VDOT, and agreed that storage units were unnecessary according to the Comprehensive Plan, so he was not supportive of this proposal.

Chair Yeung asked if the applicant had anything further to add before she closed the public hearing.

Mr. Hassanoor Abdirahman stated that he was a resident of Stafford County. He stated that he was proposing to develop the property, which had been filled with trash when he acquired it, and he actually had to install a gate to stop it from being used as a community dump site. He said that he had been keeping the area as clean as he could, including fixing the pond that drained all the water

from Celebrate Virginia and the shopping center across, which helped with the drainage of the entire area.

Mr. Abdirahman said that so far, 90% of the trees would remain in place, and only the center of the 14-acre property, an area of five acres, could be developed, because the rest of the land had the pond or the water protection reserve on the other side. He said that in regard to vehicle storage, he spoke to Mr. Coen, and they had proposed to eliminate cars because they leak oil, even though on their conditions, all cars had to be insured and in running order, they eliminated that to fit in with the community.

Dr. Yeung closed the public hearing.

Mr. Coen said that he usually was very supportive of putting more commercial development in to raise revenue other than raising citizen's taxes, but he would be supporting denial rather than deferral of this application.

Mr. Coen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution R23-16, to deny approval of CUP21153939.

Mr. Coen said that an argument made in the PowerPoint from staff in favor of the development was that the members of the community would use it, and heard the same from the applicant, but no one in that area needed the storage units, so it did not make sense. He said that he was concerned about the general welfare and zoning practices and public safety of that area. He

Mr. Coen said that they did not know where the bridge across Rappahannock would be, so having large vehicles down there was a question of public safety. He said that they had talked about the vehicles, and the main reason he was concerned about the cars dripping oil was that where they were located in the site plan was right on top of the protected resource area and the pond. He said that he did not know what deferral until June would do because of these unaddressed issues.

Ms. Gary said that there had been a lot of preparation done in cleaning up the property, and the applicant was trying to contribute to the community. She said that staff and the Planning Commission had recommended approval. She said that she did not know whether or not she supported it yet, which was why she would like to defer it.

Ms. Gary stated that she would not vote to deny the application, because it made more sense to give the applicant time for his efforts of giving back to the community. She said that there was documented demand for storage facilities, so the community was likely to use this one. She stated

that she thought that this was a good proposal, but she would have liked to have seen more time dedicated to what could be done.

The Voting Board tally was:

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

Resolution R23-16 reads as follows:

A RESOLUTION TO DENY A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A WAREHOUSE, MINI-STORAGE FACILITY WITH A DWELLING FOR A WATCHMAN OR CARETAKER ON PREMISES, IN THE B-2, URBAN COMMERCIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 44-76, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, Firehawk Property LLC submitted application CUP21153939 (Application), requesting a conditional use permit to allow a warehouse, mini-storage facility with a dwelling for a watchman or caretaker on premises, in the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 44-76, located within the George Washington Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits these uses within the B-2 Zoning District, after a CUP is issued by the Board; and

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

WHEREAS, the Board has considered the criteria in Stafford County Code Sec. 28-185 and finds that the request does not meet the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that a conditional use permit (CUP) pursuant to application CUP21153939 be and it hereby is denied.

ITEM 26. CAPITAL PROJECTS UTILITIES; CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE SANITARY SEWER EASEMENT IN CONNECTION WITH THE CLAIBORNE RUN FORCE MAIN PROJECT; PROPOSED RESOLUTION R23-49

Ms. Jamie Robinson, Land Acquisition Specialist in Capital Projects, stated that she would be presenting tonight's public hearing item, requesting authorization to use the County's quick-take

and eminent domain powers in connection with the Claiborne Run Force Main Project. She said that this project was currently under construction, and during site visits, it was determined by County staff and the County's contractor that there was a certain portion of the easement alignment that was unfavorable to the installation and maintenance of the force main due to some slope conditions.

Ms. Robinson said that at that time it was determined that a realignment was necessary on that certain portion, and the realignment necessitated three additional easements from three property owners. She said that two of those easements have been required; however, one easement interest remained, which was on Tax Map Parcel 585H, owned by Realty Income Properties 13, LLC.

Ms. Robinson said that staff had engaged in negotiations with the landowner for several months in order to acquire the easement; however, they requested that the County include some language in the easement documents that was not legally permissible. She said that they were firm in their position that they would not sign the documents without that language, therefore, the parties had reached an impasse in negotiations.

Ms. Robinson said that staff would continue to work with the landowner to obtain those signatures and work out an agreement, but in the meantime, it was recommended to approve R23-49, which would authorize the use of the County's quick-take powers to secure the easement and keep the project on schedule.

Dr. Yeung opened the public hearing. There were no speakers, the public hearing was closed and the matter was brought back before the Board.

Mr. Coen said that he loathed to use eminent domain, but it seemed that there had been a full-faith effort, and even after this, they would continue to try to work this out.

Mr. Coen motioned, seconded by Ms. Bohmke, to adopt proposed Resolution R23-49.

The Voting Board tally was:

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

Resolution R23-49 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A PERMANENT SANITARY SEWER EASEMENT ON TAX MAP PARCEL NO. 58-5H, LOCATED WITHIN THE GEORGE WASHINGTON MAGISTERIAL DISTRICT

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

WHEREAS, the Board approved the acquisition of the easements necessary for the completion of the Project; and

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, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on March 7, 2023, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

WHEREAS, the Board declares its intent to use its condemnation and quick-take powers to enter and take the above-referenced permanent sanitary sewer easement on the Property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7th day of March, 2023, that it be and hereby does find that public necessity exists for the Board's ownership of a permanent sanitary sewer easement on Tax Map Parcel No. 58-5H (Property) for construction of the sewer line upgrades for the Claiborne Run Parallel Force Main (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of Thirteen Thousand Three Hundred Forty-Seven Dollars (\$13,347) as just compensation for the permanent sanitary sewer easement, including damages, if any, to the remainder of the Property, that the Board and Realty Income Properties 13, LLC (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 5,561 square feet of permanent sanitary sewer easement on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator, or his designee, to sign the Certificate and to deposit Thirteen Thousand Three Hundred Forty-Seven Dollars (\$13,347) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the permanent sanitary sewer easement in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

ITEM 22. DISCUSS THE BOARD WAIVING CLOSED SESSION CONFIDENTIALITY TO DISCUSS A COMMERCIAL PROPOSAL THAT SOUGHT TO ACQUIRE THE FORMER ANNE E. MONCURE ELEMENTARY SCHOOL SITE, WHICH IS COUNTY-OWNED PROPERTY; REQUESTED BY SUPERVISOR CRYSTAL VANUCH.

ITEM 23. DISCUSS THE BOARD WAIVING CLOSED SESSION CONFIDENTIALITY TO DISCLOSE AND DISCUSS A PROPOSAL THE BOARD HELD A CLOSED SESSION ON FEBRUARY 21, 2023, THAT SOUGHT TO ACQUIRE THE FORMER ANNE E. MONCURE ELEMENTARY SCHOOL SITE, WHICH IS COUNTY-OWNED PROPERTY; REQUESTED BY SUPERVISOR MONICA GARY.

Ms. Vanuch said that she had brought forward a proposal to waive confidentiality for a closed session on a former commercial proposal brought to the Board of Supervisors in a closed session, and at the most recent past Board meeting, she made a motion to not go into closed session to talk about a residential development proposal, which was unsupported by a vote of 3-4.

Ms. Vanuch said that the most important reason she made that motion was that when the Board of Supervisors got a transfer of property back from the school system when they built the new Anne E. Moncure to get the property back from the old Anne E. Moncure property, the understanding was that it would turn into a commercial facility.

Ms. Vanuch said that all of the public conversation that had happened to date had been about that property being a commercial facility, which was why she had always supported going into a closed session to not jeopardize their negotiating power when it was going to be turned into a commercial site. She said that it came to her attention that some of the Board members had had conversations with a residential developer and recommended that only that developer submit a proposal on putting homes on that property.

Ms. Vanuch said that the proposal was received the same afternoon as when the Board was holding the closed session, and that had never happened before, so she was unsure if anyone else knew that it was going on, so she wanted the conversation to happen in public. She said that the Board was likely more supportive of discussing these items in public due to the previous backlash. She said that it concerned her to hear other Board members proposing to put residential development on that property, because the public had never heard that they as a Board planned to put residential development on that property.

Ms. Vanuch said that she was glad to see Item 24 as a result of their last meeting. She said that every offer received on this property should be made public so that they could go back out to the community. She said that she thought that it was wrong the way that this was handled, and her district had a concern about residential development. She supported making all the proposals public, and the item could potentially be opened up to a discussion about what they wanted to see there. She said that she did not want to go into a closed session to discuss Anne E. Moncure anymore.

Ms. Gary said that some of this was new information to her, and if there had been information presented at the last meeting, perhaps the course of events would have been different. She said that communications on this Board were beginning to improve after some recent frustrations, but she agreed that her constituents were concerned about the residential development, as they should be by the way it had happened. She said that she would appreciate the discussion being open, which would benefit the public and the Board.

Ms. Allen said that she was unsure of where the comments of Board members colluding came from. She stated that two years ago, she presented this Board with a valid offer to turn Anne E. Moncure into a community-based center that would involve training and other projects, which went into closed session.

Ms. Allen said that there was conversation about turning it into a fleet service and a conversation about utilizing Anne E. Moncure as an FBI training facility, but none of this had been heard, because when information on a property was disclosed to them, it was customary for the Board to discuss that information in closed session to evaluate the offer, and no action could be taken in closed session without the Board coming back out and discussing it in public.

Ms. Allen said that at no point did anyone go into a closed session and decide to turn Anne E. Moncure into a residential facility, but they had to evaluate what was best to do for the site. She said that she had always asked on record to talk about what to do with Anne E. Moncure, so she was dismayed when people said things that were untrue.

Mr. Coen said that he had no issue with making these items open session. He said that had he known that people had a matter of conscience of doing it in closed session, in some way to educate the Board members on something, perhaps he would have understood, but there was no communication thereof. He said that had anyone said that they had a matter of conscience that compelled them to refuse to participate in a closed session, he would have withdrawn the motion, since he was the one who read the motion for a closed session, but there was no comment to that effect. He asked Ms. McClendon if the next step was to allow the items to be discussed in open session.

Ms. Vanuch asked if Mr. Coen was talking about waiving the bylaws to make it time sensitive.

Ms. McClendon said that these were new business items, so they must be deemed time-sensitive to take a vote on actually waiving the closed session confidentiality.

Ms. Bohmke said that when the Board went into closed session, it was on business transactions, such as commercial types of businesses, and not residential issues. She asked if there was a difference between going into a closed session for these types of issues. She said there was a need for clarity.

Ms. McClendon said that the proposal was brought to the Board with the option of having it in closed session. She said that if the Board would like to handle it in an open session, they could; however, they would be dealing with the fact that they could be hurting their negotiating position because it was in a meeting, but the State Code gave the Board that right to go into closed session about that. She said that ultimately, whenever a proposal was received, regardless of the content, staff would bring it to the Board for feedback so that they could respond to the proposal, because staff did not have the authority to respond without the Board's direction.

Ms. Vanuch made a motion, seconded by Mr. English, to deem Items 22 and 23 time-sensitive.

The Voting Board tally was:

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

Ms. Vanuch made a motion, seconded by Ms. Gary, to bring Items 22 and 23 out of closed session, waiving their confidentiality.

The Voting Board tally was:

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

Ms. Vanuch said that the next step would be that the proposals were public, probably on the unfinished business agenda at the next meeting. She said that from the public's perspective, the issue was that the public had only ever known that the Anne E. Moncure site would be developed in some way as a commercial site, and the Board had never discussed this site as a residential development at all, yet they went into closed session to talk about it. She said that if four Board members decided to come out of closed session and open a public hearing on selling the property, they could approve a residential development because the land was already zoned R-1 Residential.

Dr. Yeung said that she voted against taking these items out of closed session because if a business could not trust the nondisclosure agreement, there was a question as to if they trusted the County to do business with them. She said that if the Board could not keep this information confidential while doing business, they lost their edge in the market.

Ms. Allen said that she liked when all the information was public and included all of the proposals that were not commercial, because she had brought forward many ideas for this site in the past.

Mr. Coen asked Ms. McClendon if they had only voted to make two items known to the public and not the history of this property.

Ms. McClendon said that the Board voted to waive the confidentiality on the commercial proposal, and on the last closed meeting, with regards to what the Board discussed in closed session. She said that it may not attach to all of the proposals and documents, because every proposal had been rejected and was no longer before the Board, and therefore no longer protected. She said that while the discussion may be limited to those two items, the documents were not.

Ms. Gary said that it was prudent to have this discussion publicly because the public had been so engaged. She said that it was also important that the public be able to trust the County and the business they were doing, which was for the good for the entire public. She said that she also would hope that her colleagues would agree that there are certain sensitivities to doing these things, and she did not want this to become a habitual process of pulling items out of closed session because Board members could not communicate with each other, so she hoped that they could rectify that, and that after these discussions they could move forward in a way that better enabled them to bargain with situations like this.

Mr. English said that the general public did not want any housing on this parcel. He asked if input from the public could be received on this item. He said that he was adamant about not putting any housing in this area until issues with schools and roads were fixed.

Ms. Bohmke said that she was aware of many of the things on Route 610, and perhaps a community survey could be taken, because she was certain that people did not want housing there, but there were many other needs in north Stafford, so the public could likely come up with something that would benefit the majority of the people.

ITEM 24. COUNTY ADMINISTRATION: DISCUSS AND SEEK BOARD DIRECTION ON THE FUTURE USE OF THE FORMER ANNE E. MONCURE ELEMENTARY SCHOOL PROPERTY.

Ms. Allen said that her suggestion was to repurpose the site for use as a community center, such as a YMCA-type facility or career training for students, professionals, and community members.

Deputy County Administrator Mike Morris said that he could summarize the proposals on the property since 2019.

Dr. Yeung said that would be helpful for transparency.

Mr. Morris said that in December 2019, the County put out a request for expression of interest, and they received two offers, one for \$80,000 for a potential eatery, and after that, a \$4.7M offer for commercial development, however, it was contingent upon being able to put a light at that facility, which the Virginia Department of Transportation was not in favor of, so the offer fell apart. He said that the County then explored it as a potential field house that could be hard surface and gymnastics, but the site was not large enough to accommodate the field house and the needed parking to accommodate it.

Mr. Morris said that in 2021, they received an offer of \$1.1M for a proposed workforce development center, and in 2022, they received a \$10M offer from a developer for commercial development for a grocery with additional retail, but when the applicant's preferred grocer could not be obtained, they backed the offer down to \$5M, and the Board did not opt for that offer. He said that most recently, at their last meeting, there was an offer from a development for workforce housing, offering \$2M for 60% AMI for Stafford County residents with a household income under \$85,000, for 150 units on the 10-acre parcel. He said that concluded all of the proposals received since 2019.

Mr. Coen said that the original theory of selling this property was to make enough money to pay for the construction of the rebuild of Moncure. He said that they had not yet received anything that would have built the school when they began this process 20 years ago, let alone the actual cost of when the school was built. He said that many ideas had been floated, but doing anything required tearing down the building, putting in new infrastructure, and maintaining it.

Mr. Coen said that he had not seen any idea that included an amount in taxes that was fair to incur for that project, but taxes were the logical way to pay for this. He said that if the building were going to be used, as it currently was by the Sheriff and the FBI, they should clean it up, which would cost money, which would mean raising taxes. He said that they had seen the impacts of development on Route 610, and the addition of anything would negatively impact the people who lived there in some way.

Mr. Coen said that if they were going to do a commercial development, the money should be used for their schools and the 3-R list, fixing the Drew elevator, or getting the Day School playground that was needed. He said that they could hold a public meeting to gather input on this project, focusing on the people who would be most impacted when driving on Route 610. He said that he was not opposed to any of the ideas that people had suggested if they were willing to pay higher taxes.

Mr. English said that it should be a commercial development, potentially through a public-private partnership. He said that the \$5M was the highest offer they had received in his tenure on the Board.

Ms. Vanuch said that \$5M could fix many of the issues in the schools. She said that she would like to see a proposal from the Board to do a Board-initiated rezoning to B-1, because it concerned her that it was currently zoned R-1 Residential. She said that if they were serious about putting something commercial on this property, they had to rezone it now, and would likely get better offers on commercial development if they did not have the variability of going through a zoning change. She said that it should be rezoned through the public hearing process and go to the Planning Commission, but should come back to the Board with her colleagues' support and give the initiation of rezoning to B-1.

Ms. Allen said that as it related to the \$5M project, the reason she did not support it was because on Route 610, there were numerous grocery stores, so it was not a good usage of the space, especially when the feedback she had received from the community indicated that support was to turn it into a community facility. She said that she had not necessarily thought about it as a park because Smith Lake was not far from there, approximately half a mile. She said that many people had requested an accessible community center for all age groups, where workforce training and vocational training were offered, and that was something that she was in favor of and she would not waver from that.

Ms. Gary said that she had not been in favor of housing for this location because it did not make sense, and the committee for affordable housing would allow for discussion about what was needed and how to get there, rather than the Board having to reject random proposals. She stated that the

\$5M project for the site was more of the same type of development and was not some sort of different grocery store that would help close their retail gap or anything that she perceived as helpful. She said that she would rather wait for the right proposals, and would accept a rezoning to B-1.

Ms. Bohmke said that she liked Ms. Vanuch's idea to rezone the land to B-1, because a rezoning was a hurdle that a developer's proposal would have to go through, and rezoning was not guaranteed. She said that this would eliminate that for them, so she would support it.

Ms. Vanuch asked if the item was going to be prepared by staff to send to the Planning Commission as a resolution to rezone to B-1.

Ms. McClendon said that if the Board wished to provide that direction, staff could accept that at the next meeting and put that together. She said that at this point, it would be potentially substantial staff work to put that together, so if that was the Board's direction after the next meeting as part of their unfinished business items, it could be brought back.

Ms. Allen asked if rezoning would impact the ability to turn the building into a community center.

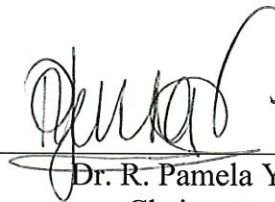
Ms. McClendon said that staff would research that information.

ADJOURNMENT

At 8:24 p.m., Chairman Yeung adjourned the March 7, 2023 Stafford County Board of Supervisor's meeting.



Randal E. Vosburg
County Administrator



Dr. R. Pamela Yeung
Chairman