BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
SEPTEMBER 5, 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, September 5, 2023, in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

CHAIRMAN'S REMARKS

Dr. Yeung said that today their hearts were heavy as they remembered Mia Etheridge, who tragically lost her life in a devastating apparatus crash back in July when she was selflessly serving as a firefighter EMT for the Louisa County Department of Fire EMS in Louisa County, Virginia. She said that Ms. Etheridge also volunteered her time as a firefighter in Stafford County.

Dr. Yeung said they were profoundly grateful to the volunteers from Stafford and Louisa Fire Departments who steadfastly stood by Ms. Etheridge's side during her difficult journey. She continued that Ms. Etheridge's legacy of service lives on as her family has chosen to honor her memory by giving the precious gift of life through organ donation. She asked that Ms. Etheridge find internal peace and that the colors they wore today serve as a tribute to her remarkable spirit and unwavering dedication.

Dr. Yeung said that she hoped everyone had a safe Labor Day weekend. She said that on August the 16th, she was privileged to speak at the VDOT Express Lanes Fredericksburg Extension ribbon cutting, and other speakers such as Governor Youngkin, Senator Tim Kaine, and Congresswoman Spanberger shared their I-95 experiences. She said she also wanted to thank VDOT and Transurban for their diligent efforts in its completion, providing a new option for drivers, alleviating traffic congestion in Stafford County, and enhancing residents' quality of life by reducing commute times.

She said on August the 29th, the County staff held a data center community meeting, providing general information related to data centers and listening to her constituents for input. She stated that the Board wants to ensure transparency and dialogue.

Dr. Yeung said that the community was invited to attend their annual 9/11 ceremony on Monday, September 11th at 10 a.m. at the entrance of their government center. She explained that this event was a solemn occasion dedicated to honoring the memory of the nearly 3,000 lives lost on September 11, 2001. She explained that the bell ringing ritual symbolized a safe home for the firefighters returning to their stations after battling fires, and Sheriff David Decatur and Fire Chief Joseph Cardello would join her in addressing this event.

Dr. Yeung said that that their thoughts were with the victims of the Maui fires and Hurricane Idalia. She said that both of these back-to-back disasters devastated communities and have a long way to go to recover. She added that hurricanes, tornadoes, fires, and other climate changes were intensifying and she asked people to help by donating.

PRESENTATIONS

There were none.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Vosburg stated that he had nothing else to add, but there was an additional handout related to Item 22, which was a public hearing, in the folder.

Mr. Coen motioned, seconded by Ms. Vanuch, to approve the agenda as presented.

The Voting Board tally was:

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

PRESENTATIONS BY THE PUBLIC – I

Dr. Yeung read the protocol for public presentations.

1. Ms. Jo Knight stated that she lived at 103 Nautical Cove. She said that she believed she was experiencing one of the saddest times she had ever known. She said that she had resided in that location for her entire life. She added that she had celebrated her 80th birthday on Sunday, but acknowledged that it was over the hill now, and that it was not the

main issue. She said that throughout her years, she had dedicated herself to working in Stafford and had put forth great effort.

Ms. Knight said that she was born and raised there, and her grandfather owned a large farm and was involved in the timber business in the Garrisonville area, which meant she had strong ties to that region. She said she had always been asked to be on the Board of Supervisors or Planning Commission due to her interest in the area of Stafford Courthouse, but she never wanted to be deemed to have conflict of interest and be making those decisions.

Ms. Knight said that despite this, she has always participated and been on so many boards and committees and has been involved with everything. She said that her father was on the first Planning Commission, which was an interesting situation when they started telling people what they had to do with their property. She said that her granddad had always done what he wanted and that is what he would do, but there were many subdivisions on it now.

Ms. Knight said that it was sad after all the hype about the growth area in downtown Stafford. She said that she did not like everything but understood that it had been a threat for so long. She said that they had experienced a situation where she had not been served properly, and her time was almost up, and it was something that they could not do anything about with their frontage or anything else. She said that they were dealing with a terrible situation, especially for those who wanted to sell their property.

Ms. Knight said that she brought them in and they said everything had gone to Garrisonville. She said that was fine, but the lack of continuity and the fact that it was just dropped was horrible because it had been announced and put so much effort into everything. She said that there were lots of grants and it was supposed to be a model throughout the country, but now everything had washed away, and it was not clear where anything stood. She said that being in the heart of it all, she can see the Stafford Information Center in shambles with their banks gone. She added that they have been on her property taking down trees but she has not been served, and it was sad to see it such a mess.

2. Shannon Fingerholz stated that she was a resident of the Hartwood District. She said that she wanted to talk about schools. She said that it had been a while since they last met and she took a break from them over the summer. She said that she went to the CIP meeting for the school and unfortunately, it sounded much like it did last year. She said that at the end of the meeting, she was not excited and still felt frustrated. She said that about 10 years ago, there was an issue between the Board of Supervisors and the School Board, and they all got mad and took their ball and went home.

Ms. Fingerholz said that due to the delay in funding for the school renovation project, they were now facing serious consequences. She said that the students are forced to attend classes in trailers that fill an entire school, and the arts wing at one of their high schools will not be renovated for another 20 years. This is because the school needs to be rebuilt, and the administration was questioning why they should spend money on it when it will be rebuilt soon anyway. She said that this decision will affect an entire generation of children who will not have access to equitable art opportunities until after they graduate.

Ms. Fingerholz said that the same things were happening at Drew Middle School, where they were short on supplies and the students could not experience certain activities like chorus that they needed to in order to prepare for the high school level. She said that when she pulled into their parking lot, it was filled with potholes, however, Rocky Run, where her daughter attended, was scheduled to have their parking lot resurfaced.

Ms. Fingerholz said that Drew Middle School was not even on the list for resurfacing. She said that those kids would continue to suffer as they had to deal with the situation at hand. She reminded everyone present that whether or not the School Board was focused on addressing the issue, it remained a concern for them. She said that the split down party lines in approving Embrey Mill and Elementary School #19 was disappointing, but they had to work together for their children's sake.

3. Jose Colunga stated that he was a resident of 38 Kelly Way in the Eastern View community. He came to them to request support and to curb the traffic violations that were occurring daily in the Eastern View community. He said these incidents occurred between 7:00 a.m. in the morning to 7:30 a.m. as children were utilizing their roadways to get to North Stafford High School and while residents were exercising and walking their dogs in the morning. He said that the traffic violations of which he spoke were traffic Code 46.2-833.1, evasion of a traffic device, primarily being the left turn lane into North Stafford High School.

   Mr. Colunga said that those persons evading the traffic device are turning onto the Eastern View community and immediately violated the second law which is Article 46.2-845, limitations on U-turns. He said this law stipulated that no one shall conduct a U-turn where there was less than 500 feet of visibility in either direction of traffic, whether that was in an intersection or in the direction of travel, and stated that no U-turn shall be conducted on or near the crest of a hill. He said that also stated that no U-turns shall occur on a curve. He said that all of those violations, the stipulations in that law, occur on the intersection between Joyce Street and 610 and Kelly Way, and Joyce Street is only 1,500 feet.

Mr. Colunga said that the only safe place according to this law to conduct a U-turn is directly in the center of Owen and Princess Street on Joyce. Today he witnessed 16 violations. All of them were in violation of rule number one, and the majority were in violation of rule number two. Today culminated in one of those parents seeing him document this violation and he returned to accost him on the road, violating rule number three, which is operating his vehicle in the wrong lane, article 46.2-806. He said that at which point the parent drove his car at him, parked in front of him, and asked him if he was a Karen. He said that he believed he was using this as a slur to confront him on his willingness to confront violations of the law.

Mr. Colunga said that he requested assistance mainly in three things, and he had researched them according to VDOT and was asking for passive measures to be taken to curb these violations. He said that one was signage, no through traffic at the entrance of Eastern View and Joyce and 610 and one also at the B View entrance. He said that he was requesting that no U-turns be clearly posted at the entrance of 610 and Joyce, in between Joyce and Kelly Way and at the intersection of Joyce and Kelly Way. He said that additionally, he requested that the North Stafford High School principal and vice principal address with the parents who are using their community to turn around. He said that as a veteran of the United States military, he had dodged bullets in Afghanistan and he asked that their children not be dodging traffic.

4. Lisa Kuca stated that her address was 50 Hamlin Drive, Fredericksburg, Virginia. She said she was present to discuss the Woodlawn Shopping Center and had been there the previous month for the same purpose. She said that she would stay as long as necessary to talk about the Woodlawn Shopping Center until it was resolved. She said her remarks were not extensively prepared, but she did have bullet points, however, what she heard from the people present who were discussing various topics other than her own was a decline in community values in Stafford County. She said that she hears people struggling with their properties, struggling with driving.

   Ms. Kuca said she did not understand what was happening in the County right now. She said that she moved to Stafford from Fort Lauderdale in 1996 to raise a family, to have values, to have a sense of community, and to have a good education that she did not have to pay for. She said that all of that was diminishing, and a lack of attention that she cannot truly appreciate coming from its leadership, not only at this body but at the state level. She said that she was astonished at the silence about the concept of the impact of children on this clinic, because there was precedence in criminal law about drug dealers' proximity to schools, gun-toting individuals' proximity to schools, yet they could not contemplate the impact of a clinic dispensing opioids, whether it be legal or not, in a proximity to a school.

Ms. Kuca said she did not understand where the priorities were. She said that 600 patients a day, 6 days a week, resulted in 124,800 patients or clients per year. She said that was not the representation of the people that put them there to advocate for them. She said some of those people were out-of-towners and some would be residents and colleagues. She said that this was a business that has gone double to $1 billion from last year to this year and was on track to go to $6 billion by 2030.

Ms. Kuca said that she was not present to badmouth people who wanted to get help, nor was she there to badmouth people who wanted to provide help as long as it was provided in the way that it had been described to all of the Board through the healthcare professionals and doctors they brought them. But they needed to understand there were predatory clinics out there and they needed to do their homework before they made decisions like this.

5. Kitty Colville said that she had lived in Stafford County for 36 years, worked for Stafford County Public Schools for 19 years as a licensed clinical social worker, and was there solely for the children of Stafford County. She expressed her concern about the current methadone treatment center being located literally across the street from the daycare center that provided before school care for their school-aged children, as well as being near several other schools. She said that school protection and support were part of the County's strategic plan, which the zoning department adhered to.

   Ms. Colville said that the proposed location for the methadone treatment center would violate the County's strategic plan and its vision for safety and support for children. She said that there was a way to protect both the children and the rights of folks dealing with addictions. She said that requiring all clinics to apply for conditional use permits instead of it being by-right would solve some of these issues. She mentioned that these clinics see increases in drug related crimes, violent crimes, assaults.

   Ms. Colville said she drove by the methadone treatment clinic south of Fredericksburg in the Bowman Center. She pulled in, parked, and was backing out, and was not in the parking lot for more than two minutes when a drug buy went down right in front of her face. She said the individuals involved were not worried at all, and this incident occurred in a location where students on the buses may pass by. She emphasized the importance of addressing the issue and asked if Stafford County wants its children to be exposed to such environments.

   Ms. Colville said that there were other areas in the County with better medical infrastructure for methadone treatment clinics. She said that it would be challenging for parents who have had the freedom to walk down to the center and get a loaf of bread or 14-

year-olds can ride their bikes. She said that even worse, there would be some kids recruited. She said that there were dealers who waited in these parking lot for people who were trying to battle these addictions, and they did not need more drugs in their schools.

Ms. Colville said that if they end up with what they are looking at, it was very possible to see cascading consequences in the lives of children and families in their County. She said she knew this from her work in the schools. She said that as they work to address the problems associated with addiction, she urged them to plan carefully so that they do not inadvertently create a whole host of other problems. She asked if they want Stafford County to be a great place for families and implored them to do their duty as the last line for them.

6. Timothy King said that he resided at 28 Woodlawn Terrace, which was located behind the Woodlawn Center. He expressed his concern about how the body would make decisions to support the people who voted for them and put them in place. He said it was important to have trust and not having to review everything constantly. He said that as a property owner in Stafford, they loved it there and wanted to stay there. He said they bought another place and rented it to a family who was raising their son there. He said that he had six children, their oldest being married now, and they hoped that they would be raising their grandkids soon in the area.

   Mr. King said that he hoped they would look in the area but understood if they decided to move away. He said that he could send his kids to the grocery store without any issues as they trusted the place and knew the neighbors. He said that nothing was perfect but they have a level of confidence that it was a good neighborhood and people were watching out for them. He said that he appreciated that they were watching their kids for the good purpose and not to try to drag them into some type of lifestyle that will ruin their lives and wreck their families. He said that if there was something he could do to help them take care of their community, their families, and their neighborhoods, he was all for it.

   Mr. King said that they did not need to leave gaps where bad elements come in, and he had no problem with trying to get people the help that they need, and he could not imagine trying to come out of that. He said that however, having that in the wrong place without the services right there to help them and manage that and to make sure that they have a safe community for their families to grow up in, was of concern to him. He asked if they needed to have a whole bunch of spending for more police officers in the area or surveillance type of things, and said that he did not want to live in a surveillance state. He said that he hoped that it was not just about money but rather something more significant like family and community.

7. Linda Wymans said that she lives at 5 Shepherd Court and said her concern was not only for the children but also for the other things that people have brought up. She said that there was a VRE station right down the road on Leland Road, and many people go up Deacon to get to the VRE. However, there were no sidewalks on Deacon Road, and if people needed to walk to the clinic, they must walk on a grassy strip with no street lights. She said that when it was raining or snowy, people did not walk on a grassy strip but rather on the bike lane, which puts them one paint stripe away from cars driving in the dark to get to their job early in the morning.

   Ms. Wymans said that those who drive or have friends drive may not be familiar with the area, while those who have driven for years to reach the VRE knew the traffic patterns. She said that introducing more cars that were not familiar with it was a recipe for traffic disasters, traffic deaths, and traffic injuries. She said she thought that before anything else goes on, one really needed to take a good look at how many people's safety are being put at risk because of this methadone treatment center that was basically being put in the wrong area.

8. Melissa Cook said that she lived at 10 Steeplechase Road in the Woodlawn neighborhood. She said that the current issue they faced was something that will would an impact on every single Stafford County resident, not just those in one or two districts like hers in Falmouth. She said she was recently shocked to learn more about the lack of supervision that goes into opening any type of medical treatment center. She said that health care was at the core of their wellbeing as a community, and the location of their healthcare providers greatly impacted the success of the treatment they provided.

   Ms. Cook said that she was a resident of the Falmouth district and her son attended swim team practice at the Rouser Center five days a week along with all of the other high school swim teams. She said that she would have a problem with an abortion clinic operating in the shopping center directly across the street from the Rouse Center, as many families from the County and nearby neighborhoods frequented this center. said added that it was a terrible location for patients seeking treatment, but she believed it to be a needed service in Stafford County. She said that these types of facilities have an increased number of threats of violence, protesters, bomb threats, and increased public shaming of patients seeking treatment.

   Ms. Cook said that she would not want her kids exposed daily to these types of scenarios where their safety is potentially at risk, but she would also have a great concern for patients and employees of this type of medical facility, so it was a lose-lose situation. She said that healthcare facilities needed to be in a location that benefited the patients and respected their privacy and safety. She said that putting a treatment center in an appropriate location made it more accessible for community members, however, her personal concern was as a parent whose son has a bus stop right outside the doors of the methadone treatment center. She said her son was in high school and she feared for his safety due to potential recruitment by individuals associated with the center.

9. Kristin Maxson stated her address as 1816 Richmond Highway. She said that she appreciated the individuals who come out to speak in front of the Board and trusted that the Board would listen. She said agreed with speaker number one, stating that people were frozen before COVID-19 and there were many changes happening with ordinances and restrictions for good reason. She said that the Stafford people had asked the Board to slow down with all the changes that they have to adjust to.

   Ms. Maxson said the first speaker was talking about an event, the condemnation of over two dozen homes and properties that was announced right around May 2019. She said that was a very difficult time for Stafford, for the staff, for the people, and for their freedoms. She said this was when they were getting the COVID placed upon them shortly after, so there was a lot of adjustment that they had to do. She said that currently, when she logged in to the Stafford website, it said events list filtered applied two times and she found that there was some information missing.

   Ms. Maxson said that the August 15th minutes for the public were not reflecting what the people said, and it was actually the opposite. She said that she knew errors happened, but if that was going to happen, it was best not to even write anything. She said the cemetery's agenda, July 19th, was missing from the calendar and then all of a sudden the agenda for the cemeteries completely were gone. She said there were no agendas in the past, and she could not scroll up or down to even see anything. She said that the affordable housing was missing factual data this past week, lots of text but no body content.

10. Edward Hill stated that he lived on Claremont Drive 118. He said that, at the state level, the requirement for a methadone clinic to be greater than a half mile away from daycare centers and school was rescinded and voted unanimously by the House and the Senate in the state. He added that it was left up to the counties and the cities to handle that regulation, not terribly different than the Supreme Court with Roe v. Wade left up to the state to decide what to do about it.

    Mr. Hill asked if the Board acknowledged that or agreed with the way Stafford County handled that situation. He said that he wanted to know if they would make a statement about it, and he understood there were legal aspects involved in litigation regarding this matter, but he believed that the County did not do their job properly. He asked whether the Board would make a legal statement supporting what happened or opposing the zoning situation.

REPORTS BY BOARD MEMBERS

Ms. Bohmke stated that she attended the Empower House pie event this year, which was a great fundraiser for people impacted by sexual assault and domestic violence. She said that Empower House was one of their great partners and it was nice to see people in the community. She said that Dr. Yeung stated at the beginning of the meeting that they did have a data center information meeting for the public, and they had a good turnout; both applicants attended and set up their displays in each corner of the Board chambers, showing the design of their project and the buffers, and they were there to answer any questions that any constituents had.

Ms. Bohmke said that the presentation was well delivered and all Board members were present during the meeting, so if anyone had any questions regarding data centers, they should reach out to any member of the Board. She said that Mrs. Fingerholz raised a valid point about Drew Middle School and the potholes. She said that it was just basic maintenance that needed to be addressed regardless of whether the school was being rebuilt or not. She said that she would send an email to Dr. Chase, her Falmouth District School Board member, and request her to fix the issue as it was unacceptable. She said she appreciated Mrs. Fingerholz for bringing this matter to their attention. She requested that Item 10 be removed from the consent agenda.

Mr. Coen stated that it was hot outside and they were enjoying the air conditioning, but a few weeks ago, he noticed the utilities crew working in the heat and realized that they did not receive enough attention for their hard work. He said that they were out there 365 days a year to ensure that they had water. He said that often they had to stand in holes taller than he was just to provide them with what they needed. He said that he swung by a store and bought some iced tea and cups for the crew to stay hydrated. He said that he wanted them to know that their efforts were appreciated. He said that treescapes were necessary for various reasons such as providing shade over sidewalks, parking lots, and larger buffers.

Mr. Coen said that his mother's 90th birthday was on September 2nd and to honor her, he decided to make a monthly donation to an animal shelter because she cared deeply for animals which brought her comfort. He said that he found out yesterday that after she passed away and he had mentioned that people could make donations, some of the shelters never told him about it, so if they did not hear from him, it was because he did not know about it and he sincerely thanked them.

Mr. Coen said that as the Chairman mentioned, the Fire and Rescue family has gone through several losses in the last month and a half. He said that these professionals, both the career and volunteers, were there for them 24/7 and did a great service to everyone in the community, and they should know that this community appreciated them 24/7 as well.

Mr. English stated that he hoped everyone had a safe Labor Day. He said that Westlake was starting to make their move now on 17, where they were getting ready to do the extended water and sewer line, and he would just ask that they keep an eye on the areas up there near Richards Ferry on their water and their wells because of concerns that the development would affect the water. He said he had received some complaints about Holly Corner Road, so he would like to see if they could get Holly Corner Road on improvements. He suggested that when they were doing the Westlake extension, they could do an extension of water and sewer to Hartwood Elementary School because it would be a big help.

Mr. English said that they had their three-on-three on August 30th, but they still could not give him a cost on what High School #6 was going to cost them, and every time he asked, they were still working on it, but he knew it was going up and assumed it would be sticker shock. He said that the proposal for a joint project between the Stafford Board of Supervisors and the School Board up at Hampton Oaks Elementary School was also brought up during the three-on-three meeting. He said that they have a piece of property to the left, which is an acre and a half, and they want to make a dog park out of it.

Mr. English said that he had suggested instead of investing in a dog park, they should sell the property and put the money toward the schools on a debt or something else that would benefit the school system more. He said that he knew they needed the dog park, and he was not a hater or anything like that, but he did not think it was a good part of what they should be discussing. He said that that there were parking lots that needed to be filled and an acre and a half piece of property next to Hampton Oaks could be used for something else instead of a dog park.

Ms. Gary said that she was grateful every time she heard someone come up and speak about school funding. She said that they were terribly behind, and she had her own opinions on what was going on at the School Board, but it was not relevant as they had been elected to do their jobs and she trusted them to figure it out. She said that she hoped it would happen quickly, especially with this elementary school, but they absolutely needed funding. She further stated that she had a lot of children, four of whom were still at home, and this year her youngest was in a trailer.

Ms. Gary said that she knew that even if they changed the budget last year or the year before, it would not have affected her child, however, this will affect someone else's child later and later and later. She said that her own children would all be out of school by the time things would be done that would ease the overcrowding She said that she would continue to work for additional school funding, and hopefully they had some things on the horizon with economic development that would help them to get what they need sooner.

Ms. Gary said that she wanted to acknowledge those who were still going through the situation with the clinic, and said she empathized and understood their struggles. She said she promised to do anything in her power to help resolve the messy and difficult situation and acknowledged the stress it had caused many people. She thanked them for coming out and continuing to communicate with her. She said that she attended the Express Lanes Extension ribbon cutting, acknowledging that it might not be helpful for everyone, especially those who cannot afford to use them, but was still grateful and happy for those who could benefit from it. She noted that in the future she would not like for County money to be used for such projects.

Ms. Gary said that she attended their quarterly Board meeting, where they had something on the agenda that she believed would bring positive revenues if it moves forward. She said she attended the Workforce and Affordable Housing Committee meeting, as well as the first responders breakfast put on by the Chamber of Commerce, which was an annual event and always very nice. She said that she went to the Empower House Night of 1000 Pies as well, and it was her first time there. She said that the event to be beautiful and close to her heart, and she expressed gratitude for everyone who continued to invest in that organization.

Ms. Gary said that she attended the Clinical Save Awards with Supervisor Vanuch, where they visited a couple of clinics, one in her district and one in the supervisor's district. She said that she also attended the data center community meeting, and that she was still working on the library issue. She said that it was finally starting to work out, which was fantastic. She requested to pull item three from the consent agenda.

<u>Ms. Vanuch</u> said that she had a quick business update. She said that Corgi Clay, which was right next to Barley Naked on Garrisonville Road, was slated to have their ribbon-cutting ceremony on September 23rd at 3 p.m., so she hoped to see Rock Hill residents there. She said that another new business that opened up was TeeGo, which replaced the Warrior Coffee at the intersection of Walpole and Courthouse across from the Augustine neighborhood.

Ms. Vanuch said that there were transportation updates for the Rock Hill District, specifically transportation projects that had been worked on over the last couple of years that would start to move forward. She said that the first was the Shelton Shop Road Widening, which would begin in the fall of 2026. She said that the next was the Roundabout at Stefanigan and Lightfoot, which was currently under design and would go under construction in 2028. Lynnhaven Lane was fully funded and construction would start in the next couple of years with a service district for those residents.

Ms. Vanuch said that the next project was the Rock Hill Church and Aquia Creek, where the bridge goes over Aquia Creek. She said that construction for permanent fix, because was down to a one-lane temporary fix, would be started in 2026 and VDOT has been gracious enough not to route traffic through the Windsor Forest subdivision on Longwood Drive. She said that she worked with the Sheriff's Office to increase enforcement efforts of the speeding on Longwood Drive, and she also talked to Deputy McAllister so they were working with First Sergeant Johnson to deal with the Eastern View U-turns from North Stafford. She said that she knew she would have the support of Supervisor Allen as well since a lot of her students also went to North Stafford.

Ms. Vanuch said that there was good news regarding the Rock Hill Fire Station as land acquisition was now underway for its construction. She said that the project had been fought for back in 2020 and would result in a joint fire and joint medic rescue station located in the western portion of the County. She said that the County was getting its very first park, which would break ground in the next couple of months at the intersection of Choptank and Mountain View right near Mountain View High School. She said that residents were encouraged to keep an eye out for more information regarding this project.

Ms. Vanuch said that there were two completed bond referendum projects, which were the Winding Creek wedge-widening which was finished in 2022, and the sight distance work at Shelton Shop and Winding Creek that had improved visibility for drivers pulling out of Winding Creek. She said that the wedge-widening at Ramoth Church and Kellogg’s Mill had also been completed in the last couple of years, so lots of road work had been done in Rock Hill. She said that they were repaving Garrisonville Road from Eustis to Wawa, all the way out to Joshua Road, and that construction started at 9 p.m., with partial shutdowns.

Ms. Vanuch said that she wanted to thank the Chairman for being amenable to wearing the ribbons today and acknowledged the loss of a wonderful, bright young firefighter here in Stafford County. She said that she learned that the color of the ribbon was Ms. Etheridge’s favorite color when they were getting pinned, and their thoughts and prayers were with her family, her friends, and the Fire Department. She encouraged everyone to check on their firefighters in Stafford County as it had been a really difficult week.

Ms. Allen stated that she thought it was great that the Public Safety Committee was working on a volunteer memorial for firefighters like Ms. Etheridge who had done so much for the County in their volunteer capacity. She said it was only right to honor them, and she looked forward to seeing the project move forward. She said that most of the Board attended the prayer breakfast to recognize and appreciate first responders, not just for their service but also for the sacrifices made by their families. She expressed gratitude on behalf of herself and her colleagues for those sacrifices.

Ms. Allen said that VDOT had started paving 610 and asked the public to keep mind of the pavement schedule mentioned by Ms. Vanuch. She said that she attended the Widewater State Park's new paddle launch and informed the audience that it was a great place to explore Aquia Creek, with the new paddle launch site to the right of the welcome center. She said that one could even reach Aquia Beach on their paddle boats from there. She said that the boat ramp was officially open for summer, allowing people to explore the Potomac area.

Ms. Allen said that the North Stafford issues that a gentleman spoke about were discussed a couple of months ago when the County Administrator and she got engaged with Sheriff Decatur's office to talk about people not being good stewards to the community and to their students. She said that it was really sad that three months later, the issue still persisted. She said that everyone knew that it was a high traffic area not just for cars going in and out of North Stafford but also for pedestrians who went there, so it was mind-boggling that people were still not respectful of the rules of the road.

Ms. Allen said that if it were them or their family, they would not want someone to do stuff like that. She said that when people continuously disregard the laws of the road, she wondered where the community aspect of being a good neighbor and steward was.. She said that it was not only about pedestrian safety but also personal safety. She said that she and Supervisor Vanuch would follow up to ensure that issues are continuously addressed to guarantee school and road safety in the area.

Ms. Allen said that she wanted to thank National Parks and DCR for their work in getting the paddle launch and starting in the boat ramp, as they had done tremendous work in amplifying the state park and bringing more resource. She said that regarding the I-95 expansion, she noticed that over the weekend, there had been far less traffic buildup, so she was very grateful that the expansion had allowed the flow of traffic to be less bottlenecking and more free-flowing, and she hoped they would continue to see the long-term benefits of the expansion.

Dr. Yeung stated that the majority of Garrisonville goes to North Stafford, and a few of her colleagues attend Colonial Forge. She attended the Empower House, and some of her friends attended this event. The funds are to help those victims of domestic violence and abuse. She is going to still mention the resurfacing for the secondary roads that has begun. She has been on Kyle Bates for a while to move up the schedule, and he did. She was so excited when she saw one side, so she still needs to call him because she wants to make sure that the opposite side is going to be surfaced, and not just that area that it is very badly damaged.

Dr. Yeung said that on Tuesday, September the 12th, the Virginia Department of Transportation (VDOT) would surface the park and ride commuters, so for those who use it as a cut through, it would be closed for 15 consecutive days, starting September the 12th, weather permitting. She said that the right-turn lane for northbound Mine Road traffic to enter the commuter lot would also be closed, so one cannot get in. She said that in terms of the North Stafford High School, she and Mr. Vosburg received an email from a constituent and staff was working with VDOT, the Sheriff's Office, and North Stafford School Administration to make improvements to pedestrian safety.

Dr. Yeung said that this issue had been present even when she was on the School Board and had personal conversations with the then-principal, but it would have to be addressed again. She also thanked Mr. DeCenza and Ms. Baxter for Transurban contributions to the VDOT Fredericksburg team, and her colleagues that were there in the opening of that 10-mile express lane on August 16.

Dr. Yeung gave her sincere appreciation to the State of Virginia and the federal government for investing more than $1 billion in transportation infrastructure within their region. She said that on August 17, they had the Workforce Affordable Housing Ad Hoc Committee where she discussed the draft executive report capturing the work they have done so far. She said that on August 23, Fredericksburg Chamber of Commerce sponsored the First Responders Breakfast Award event where she heard of heroic work protecting their County and their constituents.

Dr. Yeung said that on August 28, she had a meeting about the Christmas tree lightning, and as Chair, one of her duties was to oversee and advise on the event and raise money for the event. She said that they were raising funds to enhance the event, such as the music, choirs, and vendors, and they already bought the tree. She said that on August 29, she and her colleagues had the community data center meeting. She said that this was important to provide transparency to what the staff has completed so far in discussing the current permits.

Dr. Yeung said that on August 30th, there was a joint school committee meeting where they discussed High School #6 and the RFP. She said that many of the VDOT transportation improvement recommendations were included in the discussion. She said that the School Board deemed some improvements outside the direct impact of the high school and these improvements needed to be talked about in the context of the transportation master plan. She said that the Board adopted the CIP, so they would have to prioritize these improvements in terms of planning and funding to time them with the projected opening of High School #6.

Dr. Yeung said that they had discussed and agreed to consider joint projects to make school property available to community use for the enjoyment of individuals that live in the community. She said that it was a small plot of land where dogs had already used for the past 30 years that she had been living in Hampton Oaks. She said she thought was a good idea because proffers from the schools were going to be used, and it was a good pilot program to see how they could embark on other events or collaborative efforts.

Dr. Yeung said that the next topic they discussed was traffic impacts on schools, cost of road improvements, design plans, which were questions that Supervisor Bohmke and Supervisor English had, as well as non-property tax revenue streams. She thanked Supervisor Bohmke for sending the JLARC report. She said that in terms of the JLARC study, there were legal requirements for K-12, and K-12 funding compared to key benchmarks, and the SOQ's formula for staffing and cost calculations.

Dr. Yeung said that this was deemed less funding for K-12, while many of the SOQ formulas and assumptions lack a clear rationale and do not reflect prevailing practice in the school divisions. She said that she knew that some of her constituents talked about funding the school. She said that one of the topics that she brought up at the joint School Board meeting was that they need to have a benchmark, because every time the School Board presents for more funds, they also need to see a benchmark of what it is that they were doing.

Dr. Yeung said that the percentage of students graduating every year was an important factor to consider when funding schools. She emphasized that it was not enough for them to only report on negative aspects but also on positive ones. She said that she had a meeting with the GWRC committee on August 31 as a work session to understand their work on workforce housing, which they were also discussing here.

REPORT OF THE COUNTY ATTORNEY

There was none.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said that he had a couple of items he would like to go over. The first item on the agenda was to introduce the new Economic Development Director Kyle Alwine. He welcomed him to the team and mentioned that it was his first day on the job.

Ms. Vanuch asked when they would be getting a movie theater.

Mr. Vosburg said that it would hopefully be in due time. He said the next item was that they were still trying to fill a few of their key roles within different departments, and they had some vacancies in planning as well. He said that the Berkeley Group was now on board, which was a private consulting group that would provide 64 hours per month of support to the County's planning and zoning department.

Mr. Vosburg said that they were a team of professional planners that would assist with day-to-day workload, headquartered in Bridgewater, Virginia, and worked exclusively on public projects such as theirs. He welcomed them to the team and noted that they could get some more resources in their planning department that way. He said the last item that he had was the presentation related to the summer camp plastic litter awareness update, on which Mr. Brian Southall and Ms. Erin Brown would present.

SUMMER CAMP PLASTIC LITTER AWARENESS UPDATE

Mr. Brion Southall, Director of Parks, Recreation, Facilities, and Tourism said that since 1984, Stafford County Parks and Recreation had been providing summer camps to the youth of Stafford. He said that there were traditionally five camps that held roughly 1,000 children this past year, held at Rouser Courthouse Community Center and Curtis Park. He said that a few years ago, Ms. Brown came to us about adding signs to their trash cans at Brooks Park and Historic Port of Fountain, and that had developed into her program in which she created a lesson plan and presented it to our youth at our Curtis Park the 22nd of June, 4th of August to approximately 233 campers.

Ms. Brown said that she would speak about the lesson she presented to the campers. She said that displayed on the slide was local art created by Leslie Carlilli in downtown Fredericksburg, at her behest. She said that the art depicted a stunted turtle with a six-pack soda, plastic ring, and a plastic spoon stuck in its nose. She explained that the idea was inspired by two real pictures - one of a river turtle and one of a sea turtle. She said that her main message to the campers was not to leave anything on the ground.

Ms. Brown that they had split the class into three groups during a lesson on littering, and each group was instructed to say "stop," "turn around," or "do not leave anything on the ground" at different times throughout the lesson. She said that this allowed the students to release some energy while she explained a complicated problem about how all litter eventually ends up in the ocean, no matter how long it takes.

Ms. Brown said that everything went downhill by way of water, and the kids really attached to the lesson and learned a lot. She said that she encouraged them to love nature and interact with it during the session. She said she asked them to tell her about if they have gone to the beach this year, to describe the beach that they went to, or if they had turtles or frogs in their backyard. She said that she was trying to be interactive the entire time because she did most of the talking. She said that they had activity books that showed the turtle, and they were asked to color the turtle and name the turtle. She said that some of the facts about this problem are that approximately 8 million pieces of plastic make their way into the ocean every day.

Ms. Brown said that living in a coastal state and in the Chesapeake Bay region, it was very important, especially since they were in Stafford. She said that at Curtis Memorial Park, where she did this lesson, they were right between two major rivers feeding into the ocean. She said that pictured on the slide were six of the 24 posters that she presented to the children, and the first one was two walking trips from Clearview Heights down to the Rappahannock River. She explained when vehicles ran over plastic or people stepped on it, it broke into smaller pieces, easily passing through a rain sewer, which was the third poster, down to the river and out to the ocean.

Ms. Brown said that there were five plastic swirling gyres in three oceans, three major oceans, 50 miles wide, 2 miles deep, filled with plastic. She said that most of this was coming from inland plastic litter, and 85 to 95% of all litter on the ground was plastic. She said that there were two more gyres forming, which were more oblong in both arctics right now. The next poster, poster number four, showed actual incidents of both river turtles and sea turtles, the top two pictures are pictures of sea turtles. She said that they showed this to the children, but Derek Karp encouraged her to make sure the children knew that the turtles end up surviving and they were okay, which in these pictures they were.

Ms. Brown said that sea turtles breathe in through their mouth to feed on plankton or jellyfish or fish, which they did for 30 seconds before breathing out through their nose. She said that straws and plastic utensils often get stuck in their nose, causing injury. She said that she shared a video of a turtle with a straw stuck in its nose, bleeding and crying, but it survived. She said that the other two turtles in the picture were river turtles, one stunted in growth by a six-pack soda ring, and the other by a milk plastic ring.

Ms. Brown said that the next poster displayed the actual North Atlantic gyre, where three major groups had been sending barges out to clean up the plastic waste. She said that it was difficult and expensive to get barges out there, and they have to wait for the weather to be just right. She said that other ocean currents wash some of this plastic up on different beaches throughout the world, with as many as 30 that she has found. She said that also displayed was a poster with pictures of some of the beaches where the plastic is washing up, including the big island of Hawaii, India, Bali, and Okinawa, Japan, with a picture of her and her daughter-in-law picking up garbage.

Ms. Brown said that her husband and two sons were by the ocean when they called her over to see a sea turtle swimming through plastic, and at that time, she did not realize it was coming from the Great Pacific garbage patch. She said that living in the Chesapeake Bay region, they had a responsibility to stop and look around, not leaving anything on the ground. She said that she encouraged the children to ask their parents if it was okay to pick up litter after soccer practice, as kids tend to leave bottles, straws, and candy wrappers on the field. She said she told them to pursue this effort if they were interested in the environment, biology, and science because they needed more voices since their generation had certainly failed.

Ms. Brown said that when she was a child, they had two successful campaigns, one was Keep America Beautiful, funded by the National Container Corporation, which was funded by PepsiCo and Coca-Cola, and the other was Give a Hoot, Don't Pollute, which was funded by the federal government. She said that she asked the children if it was a good use of corporate money and federal government money, and they all thought yes. She said that displayed on the slide was where the five main gyres were located so that they could see it. She said that the children had lots of questions, enjoyed the lesson, and it was very successful. She said that she gave kudos to Stafford County Parks and Recreation because this type of lesson was groundbreaking and it would be nice if this caught on and went elsewhere.

Dr. Yeung said that she did not believe their generation had failed, but rather that there was a lack of sufficient state and federal support for environmental efforts. She asked how the parents were getting involved in the issue.

Ms. Brown said that the first thing she asked was for the children to go home and talk to their parents about it. She said that she asked them to color the picture and put it on the refrigerator, show it to their parents, hang it in their bedroom so they could educate them. She said that she hoped that he would be able to educate parents because they remembered the two successful campaigns. She said that many people who remembered those campaigns were ingrained.

Ms. Brown that they had activities in the schools such as making posters. She said that the Woodsy Owl was something she thought was cool, and she and her friends were normal kids who got into mischief like most kids tend to do occasionally. She said that they were not perfect children but took a lot of pride in picking up after themselves and running to the trash can and thought Woodsy Owl was cool.

Dr. Yeung said they needed to find something for people who did not have any children.

Ms. Bohmke thanked Ms. Brown for the presentation and for executing the program with Mr. Southall. She said that she visited the camp one day and the kids were having a blast. She asked if it was possible to expand the program to a possible regional program. She said that Ms. Brown had mentioned the idea of teaching kids how to pick up trash. She added that she had seen Phil Hathcock from their landfill, and they might be able to get a grant for some trash pickers.

Ms. Bohmke said that it would be beneficial to teach people how to pick up trash properly. She said that some people did not want to pick it up with their bare hands, but they all must do their part in keeping the environment clean. She said that they could collaborate with sports programs in Stafford County and look into expanding the initiative with GWRC as well. She asked Mr. Southall for his opinion on the matter.

Mr. Southall said that they could definitely look into expanding the program through their own initiatives and summer camps.

Ms. Gary said that Dr. Yeung was correct that they did not get enough support, for example when thinking of the three green recycling arrows and how that came to be. She said that the plastics industry was a whole other animal, and for them to invest in trying to mitigate that on a local level, she knew it felt impossible, but it was very impactful. She said that it was good that they were teaching their children and making sure that they were being responsible with what they had and the impact that they had. She thanked Ms. Brown for that. She said that it was a big problem, and while they could not solve the problems of the ocean in Stafford, they could help.

Mr. Coen asked Ms. Brown and Mr. Southall to let him know how they would like him to tie in their program with the schools since their science classes did a great deal on this topic. He said he could help facilitate communication between them because it is an important way to address the issue. He said that he agreed with Ms. Bohmke's suggestion that they should recycle their program into other programs that they offer in the school systems and other parts of the community. He said that if they were able to create a 21st century Woodsy app, it could be something that would help parents remember that this was a global issue.

Mr. Coen said that he knew that the Chesapeake Bay Act kept morphing and changing as far as what the federal government kept doing, but he had to think that some of this tied into how they met different requirements with the Chesapeake Bay Act. He said that if they could look at that as well, because he knew a lot of that was hitting farmers, but the problem was not really the farmers, it was other issues. So maybe that could help them in doing something different if they tried to tag into that program as well.

CONSENT AGENDA

Dr. Yeung said that it was requested to pull items 10 and 3 from the consent agenda, and Items 16, 17, and 18 required closed session for discussion before acting upon. She asked if the Board would rather continue onto unfinished business and hold the closed session after that or hold the closed session now.

Ms. Bohmke proposed that they approve the consent and then reschedule the agenda to have the closed session following item 15.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve the consent agenda as amended.

The Voting Board tally was:

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

ITEM 1. COUNTY ADMINISTRATION; APPROVE AUGUST 15, 2023 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPROVE AUGUST 15, 2023 BOARD OF SUPERVISORS WORK SESSION MINUTES.

ITEM 3. COUNTY ADMINISTRATION; APPROVE AUGUST 8, 2023 BOARD OF SUPERVISORS SPECIAL MEETING MINUTES.

Ms. Gary said that she needed to review the minutes from the special meetings as there were some things that were not quite right.

Mr. Vosburg said that they were happy to remove the item and bring it back, and they would check the records.

Ms. Vanuch asked what the changes were.

Ms. Gary said that one specific record stood out among the rest, as all four present had voted for Chair and there was an extension in there, so the record was not accurate. She said that she wanted to go through it again to ensure that there were no other discrepancies.

Ms. Bohmke asked if there were any other issues.

Ms. Gary said that they should take a look at the entire thing.

Ms. Bohmke asked if they would defer the matter.

Ms. Gary said that they could possibly defer the matter and revisit it later, provided that the County Administrator was agreeable.

Ms. Gary motioned, seconded by Mr. Coen, to defer approval of the minutes from the August 8, 2023 special meeting.

The Voting Board tally was:

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

ITEM 4. COUNTY ADMINISTRATION; APPROVE AUGUST 2, 2023 BOARD OF SUPERVISORS TRANSPORTATION AND INFRASTRUCTURE ROUNDTABLE MEETING MINUTES.

ITEM 5. COUNTY ADMINISTRATION; ACCEPT A VIRGINIA OPIOID ABATEMENT AUTHORITY INDIVIDUAL GRANT PROGRAM AWARD FOR THE PURCHASE OF DATA ANALYTICS SOFTWARE FOR OPIOID ABATEMENT AND BUDGET AND APPROPRIATE AWARDED GRANT FUNDS.

Resolution R23-256 reads as follows:

A RESOLUTION TO ACCEPT A VIRGINIA OPIOID ABATEMENT AUTHORITY INDIVIDUAL GRANT PROGRAM AWARD FOR THE PURCHASE OF DATA ANALYTICS SOFTWARE FOR OPIOID ABATEMENT AND TO BUDGET AND APPROPRIATE AWARDED GRANT FUNDS

WHEREAS, the Virginia General Assembly established the Virginia Opioid Abatement Authority (OAA) as an independent body with the purpose of abating and remediating the opioid epidemic in the Commonwealth of Virginia through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA's Individual Grant program reserves a portion of state-allocated opioid settlement funds for city and county projects in the form of a non-competitive grant program; and

WHEREAS, the OAA invited each city and county in Virginia to submit proposals for grants to support efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in the Commonwealth; and

WHEREAS, the Board adopted Resolution R23-122 on April 18, 2023, authorizing staff to apply for an OAA Individual Grant program application for the purchase of data analytics software; and

WHEREAS, the Board adopted Resolution R23-123 on April 18, 2023, opting into the OAA's Gold Standard initiative; and

WHEREAS, Stafford County was awarded $124,755 in grant funds from the OAA Individual Grant program; and

WHEREAS, the OAA Individual Grant program has a performance period of June 1, 2023 to June 30, 2024, with a report due on or before September 1, 2024;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that it be and hereby does authorize the County Administrator to execute the Virginia Opioid Abatement Authority Grant Award Acceptance Form and any other documents necessary to accept the Opioid Abatement Authority Individual Grant Award; and

BE IT FURTHER RESOLVED that the Opioid Abatement Authority Individual Grant Program funds are budgeted and appropriated as follows:

Fund	**Purpose**	**Amount**
Grants Fund	For Fire and Rescue to purchase data analytics software for opioid abatement	$124,775

ITEM 6. CAPITAL PROJECTS UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE AUTUMN RIDGE PUMP STATION PROJECT.

Resolution R23-242 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE AUTUMN RIDGE PUMP STATION PROJECT, LOCATED WITHIN THE GARRISONVILLE MAGISTERIAL DISTRICT

WHEREAS, the Board identified completion of the Autumn Ridge Pump Station project (Project) and sanitary sewer as a critical part of the County's Water and Sewer Master Plan; and

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

WHEREAS, Tax Map Parcel No. 29D-8-L consists of approximately 3.0586 acres of land (herein referred to as Property), owned by Autumn Ridge Homeowners' Association (Property Owner); and

WHEREAS, due to the design of the Project, the Board must acquire 2,116 square feet of exclusive permanent sanitary sewer easement, and 888 square feet of temporary construction easement; 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 One Thousand Dollars ($1,000), based upon a 2023 appraisal; 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 County's staff was unsuccessful in negotiating a final settlement with the Property Owner, but will continue to work with the Property Owner to attempt to reach an acceptable settlement; and

WHEREAS, to determine the necessity for condemnation and exercise of its quick-take powers to acquire the easements for the construction of the sanitary sewer related to the Autumn Ridge Pump Station project, the Board desires and is required to hold a public hearing, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, that the County Administrator be and he hereby is authorized to advertise a public hearing to consider the condemnation and use of the County's quick-take powers to acquire a permanent sanitary sewer easement and temporary construction easement on the property of Autumn Ridge Homeowner's Association, Tax Map Parcel No. 29D-8-L, in connection with the Autumn Ridge Pump Station project and sanitary sewer, under Virginia Code §§ 15.2-1903(B) and 15.2-1905(C).

ITEM 7. CAPITAL PROJECTS TRANSPORTATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER APPLICATIONS TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP).

Resolution R23-262 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER GRANT APPLICATIONS FOR THE VIRGINIA DEPARTMENT OF

TRANSPORTATION (VDOT) TRANSPORTATION ALTERNATIVE PROGRAM

WHEREAS, the Virginia Department of Transportation (VDOT) has opened the application cycle for the FY25-FY26 Transportation Alternatives Program (TAP); and

WHEREAS, on June 27, 2023 the Board approved three pre-applications for the following projects:

1. Mine Road/Greenspring Dr Sidewalk
2. Foreston Woods Drive Sidewalk
3. Chatham Heights/Kings Highway Sidewalk

;and

WHEREAS, VDOT requires and the Board desires to hold a public hearing prior to submitting the TAP applications;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administer be and he herby is authorized to advertise a public hearing for consideration of the aforementioned projects for the FY25-FY26 Transportation Alternatives Program (TAP) applications.

ITEM 8. COMMUNITY ENGAGEMENT; PROCLAMATION RECOGNIZING STAFFORD COUNTY FIRE AND RESCUE PERSONNEL AND STAFFORD COUNTY RESIDENTS FOR THEIR HEROIC ACTIONS.

Resolution P23-23 reads as follows:

A PROCLAMATION RECOGNIZING STAFFORD COUNTY FIRE AND RESCUE PERSONNEL AND STAFFORD COUNTY RESIDENTS FOR THEIR HEROIC ACTIONS

WHEREAS, on May 27, 2023, Justin Fagala witnessed a female lying on the sidewalk on Buck Road. He began to assess the patient, recognized that she was in cardiac arrest, called 911, and immediately began performing cardiopulmonary resuscitation (CPR); and

WHEREAS, as Fagala started performing CPR, Wesley Gavitt was driving by and stopped to assist; and

WHEREAS, both men took turns performing CPR until Stafford County Fire and Rescue Engine 14 arrived alongside Fire and Rescue volunteers; and

WHEREAS, Engine 14 personnel continued CPR and performed advanced life support interventions. A return of spontaneous circulation was achieved and the patient was quickly transported to the hospital, where she was released home after a few weeks with no deficits; and

WHEREAS, the actions of Stafford County Fire and Rescue personnel, volunteers and local residents directly contributed to the successful outcome for this patient; and

WHEREAS, these heroic actions in saving the life of Dorene Hudson are to be commended and recognized;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that it be and hereby does honor and commend Stafford County Fire and Rescue personnel and volunteers alongside local residents for their heroic actions in saving the life of a neighbor in need.

ITEM 9. DEVELOPMENT SERVICES; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE A CONTRACT CHANGE ORDER WITH TIMMONS GROUP FOR ADDITIONAL DESIGN SERVICES FOR STAIRS FOR THE ST. CLAIR BROOKS PARK STREAM RESTORATION PROJECT.

Resolution R23-248 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AMENDMENT FOR ADDITIONAL DESIGN SERVICES FOR STAIRS FOR THE ST. CLAIR BROOKS STREAM RESTORATION PROJECT, LOCATED IN THE GEORGE WASHINGTON ELECTION DISTRICT

WHEREAS, the St. Clair Brooks Park Stream Restoration Project (Project) is in the fiscal year (FY) 2024 Capital Improvement Program (CIP) and meets the County's one hundred percent Chesapeake Bay Total Maximum Daily Load (TMDL) obligations through FY2028 to remove nitrogen, phosphorus, and sediment from the Rappahannock River watershed; and

WHEREAS, on August 23, 2017, the County contracted with Timmons Group, Inc. (Timmons), Contract Number 16-4111-P102-TIM, to provide the design for the development of the project in the amount of $83,588.80; and

WHEREAS, pursuant to Resolution R21-266, the Board approved a one-time expenditure of $69,120 to provide additional services for the design of the Project; however, a total contract value of $152,709 was not approved at this time; and

WHEREAS, during Project construction activities, Department of Development Services staff observed the need for additional engineering assistance to replace existing stairs from the Project area to other pedestrian accessways to protect sensitive side slopes and promote safer ingress/egress across steep terrain; and

WHEREAS, Timmons prepared a proposal to provide these additional services, which include designing an adequate accessway with stairs that fit into the natural setting of the Project and ensure the success of the sensitive environmental stream restoration; and

WHEREAS, the cost for the proposed work accumulated with previous contract amendments exceeds 25% and $50,000.00 of the original contract sum and requires Board approval pursuant to the Virginia Code § 2.2-4309; and

WHEREAS, funds are available in the Project budget through a reimbursable grant from the Virginia Department of Environmental Quality Stormwater Local Assistance Fund award;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administrator be and he hereby is authorized to execute a contract amendment with the Timmons Group, Inc. in an amount not to exceed Thirteen Thousand Six Hundred Eleven Dollars ($13,611), for a total contract amount of $166,320, for additional design services for the St. Clair Brooks Stream Restoration Project.

ITEM 10. FINANCE; BUDGET AND APPROPRIATE A TRANSFER OF FUNDS TO THE R-BOARD FOR A PORTION OF THE PUBLIC ASSISTANCE GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY THROUGH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR COSTS INCURRED IN THE DISASTER RELIEF EFFORTS ASSOCIATED TO THE JANUARY 2-4, 2022 SEVERE WINTER STORM AND SNOWSTORM.

Ms. Bohmke said that this was a reimbursement was for the snowstorm last year in January. She said that it covered January 2 through January 4, but the cleanup seemed to last ages. She said that it was not an insignificant task for County staff and Andrea Light, their CFO, and her department had to go back and ratify every expense. She expressed her gratitude for all the hard work done.

Ms. Bohmke motioned, seconded by Mr. Coen, to approve proposed Resolution, R23-257.

The Voting Board tally was:

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

Resolution R23- 257 reads as follows:

A RESOLUTION TO BUDGET AND APPROPRIATE A TRANSFER OF FUNDS TO THE RAPPAHANNOCK REGIONAL SOLID WASTE BOARD (R-BOARD) FOR A PORTION OF THE PUBLIC ASSISTANCE GRANT AWARD FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) THROUGH THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR COSTS INCURRED IN THE DISASTER RELIEF EFFORTS ASSOCIATED TO THE JANUARY 2-4, 2022 SEVERE WINTER STORM AND SNOWSTORM

WHEREAS, the County incurred expenses related to disaster efforts such as labor to remove snow, labor to clear emergency tree and debris damage, labor associated to our Emergency

Operation Center (EOC), damage to County vehicles, property and supplies, labor associated to administrative expenses to justify and document all expenses incurred, and expenses for equipment and services to grind a large backlog of tree and debris; and

WHEREAS, the Department of Finance submitted a Request for Public Assistance to FEMA on April 4, 2022, and pursuant to 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 cost of $1,445,000 and of which, $49,300 were eligible expenses incurred by the Rappahannock Regional Solid Waste Management Board (R-Board); and

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

WHEREAS, VDEM sent $1,230,764 of total reimbursement in June 2023, which is the total eligible expenses submitted not including County administrative expenses amounting to $65,340.05 and less a 10% local share; and

WHEREAS, of the total reimbursement amount, $44,370 was associated with the R-Board eligible expenses for equipment and services to grind a large backlog of tree and debris;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that Federal Emergency Management Agency (FEMA) Public Assistance Grant funds be and they hereby are budgeted and appropriated for eligible expenses incurred by the Rappahannock Regional Solid Waste Management Board (R-Board) during the January 2-4, 2022 Severe Winter Storm and Snowstorm in Virginia, as follows:

Fund	**Purpose**	**Amount**
General Fund	To provide FEMA funding for costs incurred by R-Board	$44,370

<u>ITEM 11. INFORMATION TECHNOLOGY; RATIFY A CONTRACT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH INFO-TECH RESEARCH GROUP INC. FOR INFORMATION TECHNOLOGY RESEARCH AND ADVISORY SERVICES.</u>

<u>Resolution R23-263 reads as follows:</u>

A RESOLUTION RATIFYING A CONTRACT AND AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH INFO-TECH RESEARCH GROUP INC. FOR INFORMATION TECHNOLOGY RESEARCH AND ADVISORY SERVICES

WHEREAS, the Department of Information Technology (Department) purchases subscriptions with access to published research reports, customized and individualized advisory services regarding information technology strategy and planning; and

WHEREAS, the Department is able to purchase these IT services through the Commonwealth of Virginia Information Technologies Agency (VITA) contract with Info-Tech Research Group Inc., Contract No. VA-180315-ITRG; and

WHEREAS, the Department has expended $143,179, and anticipates exceeding $200,000 in total costs through the remaining contract term, necessitating Board action; and

WHEREAS, funds are available in the FY2024 Department budget for this purpose, and funding for the subsequent renewal year is subject to annual budget and appropriation by the Board;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the contract with Info-Tech Research Group Inc. through Virginia Technologies Agency (VITA) Contract No. VA-180315-ITRG, with a current contract term through March 13, 2024, and one remaining one-year renewal term, for information technology research and advisory services be and hereby is ratified; and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to approve expenditures with Info-Tech Research Group Inc. in the amount of Three Hundred Twenty-Eight Thousand Five Hundred Fifty-Seven Dollars ($328,557), for a total contract amount not to exceed Four Hundred Seventy-One Thousand Seven-Hundred Thirty-Seven Dollars ($471,737), unless amended by a duly-authorized contract amendment.

ITEM 12. PARKS, RECREATION, FACILITIES & TOURISM; AUTHORIZE EXPENDITURES WITH CARTER MACHINERY COMPANY, INC., FOR GENERATORS, RELATED PARTS, AND EQUIPMENT AND SERVICES FOR VARIOUS COUNTY FACILITIES.

Resolution R23-261 reads as follows:

A RESOLUTION AUTHORIZING EXPENDITURES WITH CARTER MACHINERY COMPANY, INC., FOR GENERATORS, PARTS, AND EQUIPMENT AND SERVICES FOR VARIOUS COUNTY FACILITIES

WHEREAS, the Department of Parks, Recreation, Facilities & Tourism (PRFT) contracts for purchasing, installing, maintaining, servicing, and maintaining generators for various County facilities; and

WHEREAS, the generators, parts, and services may be purchased from an existing County contract with Carter Machinery Company, Incorporated, Stafford County Rider Agreement No.

23-037-5030CO, which rides Sourcewell Contract No. 092222-CAT, with a current contract term through November 22, 2026; and

WHEREAS, the Board authorized a total contract amount of $949,681 for the Department of Utilities on August 15, 2023 pursuant to Resolution R23-220; and

WHEREAS, PRFT anticipates its total contract cost will be up to $4,000,000 for the full term of the contract; and

WHEREAS, funds are available in PRFT's FY2024 operational and capital budgets, and funding for subsequent renewal years is subject to annual budget and appropriation by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administrator be and he hereby is authorized to approve additional expenditures with Carter Machinery Company, Inc., for generators, parts, and equipment and services for various County facilities in the amount of Four Million Dollars ($4,000,000), for a total contract amount not to exceed Four Million Nine Hundred Forty-Nine Thousand Six-Hundred Eighty-One Dollars ($4,949,681), unless amended by a duly-executed contract amendment.

ITEM 13. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH 72 HOUR LLC, DBA NATIONAL AUTO FLEET GROUP FOR THE PURCHASE OF VEHICLES.

Resolution R23-217 reads as follows:

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

WHEREAS, the Department of Utilities and the Department of Parks, Recreation, Facilities and Tourism (PRFT) operate a fleet of various types of vehicles, which include trucks, service body trucks, and crane trucks for daily maintenance and repair to infrastructure; and

WHEREAS, due to accidents, age, high mileage and expensive repairs, new vehicles and equipment are needed to provide reliable transportation for staff; and

WHEREAS, the County currently has a contract, Stafford County Rider Agreement #22-073-5030CO, which rides a contract awarded by a national cooperative, Sourcewell Contract #091521-NAF, with 72 Hour LLC doing business as National Auto Fleet Group, to furnish and deliver vehicles, related equipment, and accessories with an initial term from March 14, 2022 to November 8, 2025 with one optional one-year renewal term; and

WHEREAS, the Utilities Department anticipates expending $1,250,000 and PRFT anticipates expending $300,000 for a total expenditure of $1,550,000, and other departments historically expend $200,000; and

WHEREAS, funds are budgeted and appropriated for the purchase of service vehicles in the FY2024 Utilities Capital Improvement Program (CIP) Fund and Utilities Operations Budget and in the FY2024 PRFT Operating Budget;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administrator be and he hereby is authorized to approve expenditures with 72 Hour LLC, doing business as National Auto Fleet, for the purchase of vehicles, related equipment, and accessories on an as-needed basis in an amount not to exceed One Million Seven Hundred Fifty Thousand Dollars ($1,750,000), unless modified by a duly executed contract amendment.

ITEM 14. UTILITIES; RATIFY CONTRACTS AND AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE CONTRACT EXPENDITURES FOR ELECTRICAL AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SERVICES.

Resolution R23-178 reads as follows:

A RESOLUTION RATIFYING CONTRACTS AND AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES FOR ELECTRICAL AND SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SERVICES

WHEREAS, the Department of Utilities requires professional services for the installation, repair, and implementation of electrical and supervisory control and data acquisition (SCADA) systems; and

WHEREAS, electrical and SCADA systems are interconnected fields that play crucial roles in maintaining and monitoring water and sewer treatment operations required to meet the permitting regulations established and monitored by the Virginia Department of Health (VDH) and Virginia Department of Environmental Quality (DEQ); and

WHEREAS, pursuant to Request for Proposal (RFP) #23-007-5001-SP, the County solicited competitive proposals from qualified firms for the following categories of electrical and SCADA systems services:

Category	**Project Types**
A	Electrical and Networking Services
B	Budgeting and Project Development Assistance
C	SCADA Services
D	Alternative Energy, Networking Practices, and Support

; and

WHEREAS, staff evaluated the proposals and determined the most qualified firms with the knowledge and specialization of each category; and

WHEREAS, funds for these services in Fiscal Year (FY) 2024 have been budgeted and appropriated in the Utilities Capital Improvement Fund (CIP) and Utilities Enterprise Fund, Operation Budget, and future renewal years are subject to Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the following contracts for one year with four optional one-year renewal terms be and they hereby are ratified and approved:

Vendor	**Contract Number**	**Contract Date**	**Awarded Services**
Bowser Electric Inc.	23-007-5001-SP-BOW	August 7, 2023	Category A: Electrical and Networking Services
Delta Systems Environmental, LLC	23-007-5001-SP-DEL	August 7, 2023	Category C: SCADA Services
E-Merge Systems, LLC	23-007-5001-SP-EMER	August 9, 2023	Category C: SCADA Services
Instrumentation and Control Systems Engineering, Inc.	23-007-5001-SP-ICSE	August 15, 2023	Category A: Electrical and Networking Services Category B: Budgeting and Project Development
Lord & Company, Inc.	23-007-5001-SP-L&C	August 15, 2023	Category C: SCADA Services

; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve expenditures with the following vendors to provide electrical and SCADA services:

Vendor	**Contract Number**	**Expenditures**
Bowser Electric Inc.	23-007-5001-SP-BOW	$1,000,000
Delta Systems Environmental, LLC	23-007-5001-SP-DEL	$750,000
E-Merge Systems, LLC	23-007-5001-SP-EMER	$1,000,000
Instrumentation and Control Systems Engineering, Inc.	23-007-5001-SP-ICSE	$1,000,000
Lord & Company, Inc.	23-007-5001-SP-L&C	$750,000

UNFINISHED BUSINESS

ITEM 15. PLANNING AND ZONING; CONSIDER REFERRING PROPOSED COMPREHENSIVE PLAN AND ZONING ORDINANCE AMENDMENTS REGARDING STANDARDS FOR DATA CENTERS TO THE PLANNING COMMISSION FOR PUBLIC HEARINGS AND TO PROVIDE ITS RECOMMENDATION.

Ms. Kathy Baker said that on April the 4th, 2023, the Board referred the issue of data centers to the Planning Commission to develop amendments to the Comprehensive Plan and to the County Code. She said that on March the 29th, the Board had a joint Board Planning Commission work session, and on June the 27th, the Planning Commission committee that was formed presented the newly created recommendations. She said that the request today was to consider the draft amendments for referral back to the Planning Commission for a public hearing. She said that the deferment on August the 15th was deferred to today for public hearing.

Ms. Vanuch said that she would like to make a recommendation before proceeding. She said that based on public feedback, she went back to her original comments that data centers should be their own classification zone, which they can maybe name D1. She said she also recommended that data centers come in under a D1 use. She said that finally, she would like to remove data centers as by-right uses under B1 and B2 zoning categories.

Ms. Vanuch said that she would like to amend the proposal to include both options so they could discuss it further during a joint meeting with the Planning Commission. She said that if they only sent the current version, they would not be able to make any changes without going through another public hearing process.

Dr. Yeung asked for more details.

Ms. Vanuch said that they should create a specific zoning category for data centers and remove them as by-right uses under B1 and B2 categories. She said that it would still be by-right under M1, so the Board needed to decide on that. She said that they should involve the County Attorney to work out any conflicts and possibly create a D1 zoning category for data centers if they leave it as by-right in M1.

Ms. Vanuch said that she did not think there was a big risk in M1 zoning categories because it is industrial land, so it made more sense that it would go there. She said her recommendation was to have them as by-right in M1 and also a zoning category for D1. She asked Ms. McClendon if that was acceptable.

Ms. McClendon said that it was new information tonight, so she would need to look into that and get back with the Board.

Ms. Vanuch said that the information was not actually new, as she had brought it up multiple times over the past several months. She said that there are two options, either they can have a zoning use by-right in one category and have it required to go through a reclassification in another, or they cannot.

Dr. Yeung that she wanted to ensure that if they received a recommendation, they could review it before it went directly to the planning and zoning.

Ms. Bohmke said that she agreed with Ms. Vanuch but did not agree a couple of months ago when they all hashed this out and talked about by-right versus CUPs. She said that however, after their information meeting on data centers the other night, it became clear that the big conversation was about by-right. She said that staff had confirmed that a particular site would be by-right during the meeting and therefore, she did not think they should restrict themselves when sending it down to the Planning Commission or if they do a joint meeting with them. She said that they should include the option for either by-right or CUP so they can make it less restrictive.

Dr. Yeung said that she wanted to believe that what was presented was correct, but without reviewing all of it, she could not confirm the accuracy.

Mr. Coen said that he was hesitant to create a new zoning category for this at the current time. He said that his personal preference was to have a joint public hearing with the Planning Commission on the language of the ordinance itself on October 17th, as he believed they could address the concerns about the by-right aspect in a reasonable manner without going through the lengthy process of creating a new zoning category.

Mr. Coen said that he did not think it was sensible for them to be dragging the issue out when there did not seem to be an issue. He said that the issue was the by-right versus not by-right aspect, and he suggested they make that clear. He said that if it was just a matter of making a new category, he recalled from being on the Planning Commission that it could take a long time.

Ms. Gary said she appreciated the information provided but felt that this may not be the best course of action at the moment. She requested further clarification from legal regarding any new statements made and suggested that there may be additional points to consider.

Ms. Allen said that every time they go through ordinance changes, she always asked what other counties and jurisdictions in the state that have data centers are doing. She said that she needed to be able to look at all of that to determine the best course of action, they did not necessarily need a new zoning category unless they were doing some type of overlay district, which they were not, because they did not have that dedicated area to do something like that where they can say, in this region only they are going to create the overlay, and therefore, all data centers can go there, and then they can create a new category.

Ms. Allen said that if they were not doing an overlay, she would rather figure out what they could do with their existing ordinances instead of creating a new one. She said that she did not think she would be in favor of D1 as proposed by Ms. Vanuch. She said that she may change her mind after getting more information back, but currently, she did not see it because of how they are dispersed. She said that she wanted to make sure that it was equitable and figure out how the others had done it that were in different areas in the state.

Dr. Yeung asked if one of the data center proposals was going to be located in the hospital area.

Ms. Gary said that there was one not too far away.

Ms. Baker said that one of their applications, which was currently undergoing the review process and would soon be presented before the Planning Commission, was situated just south of Stafford Hospital on Old Potomac Church Road. She said that it was also going through a proffer amendment process at present.

Dr. Yeung said that when discussing clinics and their proximity to hospitals, it was essential to consider all aspects of the situation and think outside the box. She emphasized the need to look at the bigger picture of Stafford County and its goals, rather than focusing on individual issues such as data centers or clinics. She expressed her concern that the discussion was becoming fragmented and urged everyone to consider the broader context.

Ms. Vanuch stated that she was on page 196 of 697 in their Board packet, and she was looking at the definitions and uses. She said there were a couple of ways they could slice the apple. She continued that they could create data centers under a new zoning category by creating a new zoning chapter in the ordinance book. She noted that it would not take any longer than it would to go through the normal process. She stated the Planning Commission had already recommended to remove data centers as by-right uses under B2 and utilize them as conditional use permits. She said they had also requested to remove it as a by-right use under RBC recreational, which impacted the entire Celebrate Virginia Parkway area.

Ms. Vanuch stated that they had recommended under M1 industrial light to remove it as a by-right use and put it as a conditional use permit. She added that they changed industrial-heavy and left data centers as a by-right use there. She noted they left it as a by-right use in the ICTP (Integrated Corporate and Technology Park) overlay. She mentioned she would be amenable because she does not think they have many M2 industrial uses as by-right, so then it would force anybody who had M1, RBC, or B2 to come forward with an M2 rezoning, as long as all the special regulations were adopted under the data center special regulations. She said they can work through them with the Planning Commission.

Ms. Vanuch stated that the conditional use permits in question were not acceptable to her, as they did not adequately address the potential impacts of the development on the surrounding area. According to her recollection of the guidance provided by the attorney, conditional use permits could only be granted if there were no significant negative effects on the site itself, and any conditions attached to such a permit would be difficult to enforce. She said that the only viable option was to force the project through a rezoning process, which would allow for the collection of proffers, road improvement requirements, and other necessary infrastructure upgrades. She stated that this approach would also provide additional funding for public safety services such as fire and rescue, water and utilities.

Ms. Vanuch stated that they cannot require certain conditions under a conditional use permit. She said that they were short-sighting taxpayers and residents by not requiring it to be a rezoning instead of just a conditional use permit. She suggested sending this one to the Planning Commission with changes, and to send it together with other related items for further discussion.

Ms. Vanuch stated that she appreciated Supervisor Coen's comment about the joint meeting in October. She added that if they did not have anything authorized to get feedback on, it would be difficult for them to really hash out what they were going to be voting on as they moved forward. She recommended that they move both tracks forward. She pointed out that all the applications for a data center right now could be grandfathered, and that was an option. She mentioned that this was not a way to try to stop it but rather change an ordinance and grandfather something without stopping it.

Ms. Vanuch stated that they could either do something or not do it, as it depended on the will of the Board. Her main concern was that currently, applications such as the one at the hospital were coming for a proffer amendment and were situated on B2 land. She said that if they did not require a proffer amendment, they would not have to come before them at all; instead, they could simply build it without any conditions or restrictions. She continued that even if it was a conditional use permit, there was very little that they could do to limit the ability of the owner to operate on that particular parcel.

Dr. Yeung stated that she was okay with sending both tracks but would like the County Attorney to have information about previous instances where two supervisors were present and had knowledge of the content before them.

Ms. Vanuch stated that it was not much different than this.

Dr. Yeung stated that she was okay with sending the recommendation.

Ms. Vanuch stated that she understood, but suggested that they could vote on it today and then have their two-by-two sessions with counsel. She was okay with that idea, but did not want it to be a delay tactic where they would meet and then not bring it back until November or December.
Ms. Gary stated that mentioning they would grandfather in the others that were in the application process already was helpful for her.

Ms. Vanuch stated that they could definitely do it, but it would not be written down in any document. She said it was usually done when they voted. She gave the example of the down zoning properties where they built it into the vote when they did it.

Ms. Gary stated that she needed to be informed about what was going to take place.

Dr. Yeung stated that the final decision would be made through a vote.

Ms. Gary stated that she understood. She said she wanted to know with some confidence that the Board was interested in doing it that way.

Dr. Yeung stated that they wanted to be able to move forward with trust and that with what they were talking about, that was what was going to happen.

Ms. Bohmke stated that they had been planning to discuss the matter for some time before postponing it due to unforeseen circumstances. She said she was not in favor of further delays. She mentioned that they had been working with data center companies and expressed her willingness to consider grandfathering them in if the Board decided to do so in the future. Her main concern was the potential impact on residents living near small data centers that could be built without their consent. She felt strongly about the need to move forward with the proposal and urged the Board to take action.

Mr. Coen asked if there was a motion for only the recommendation or the new version.

Ms. Vanuch stated that she had not made a motion the first time, but she was simply throwing out an option for feedback. She said that she would make a motion and could repeat it if necessary.

Mr. Coen asked Ms. Vanuch to repeat the information and asked for feedback from the County Attorney.

Ms. Vanuch stated that they would do the motion in two parts, and she would seek guidance from Ms. McClendon as she wanted to send dual tracks. She explained that she wanted to send the motion she was about to propose and the one that was already before them, which was Resolution R23-211 to the Planning Commission.

Dr. Yeung asked if they could vote on the one that was proposed first and then address Supervisor Vanuch's motion.

Ms. Vanuch stated that she was going to make a motion to send to the Planning Commission on dual tracks. She said she would make a second motion on the second track. However, on the first track, she wanted to remove data centers and send all the language changes in resolution R23-211 with the following changes. She stated that she wanted to remove data centers as by-right uses and not list them as conditional use permits under B2 Urban Commercial.

Ms. Vanuch stated that she wanted to remove data centers as permitted by-right uses under RBC (Recreational Business Campus) uses. She stated that she wanted to remove data centers as by-right uses under M1 Industrial Light and not recommend that they be conditional use permits. She stated that she was fine with leaving it as a buy right under M2 industrial and leaving it as a buy right under ICTP integrated corporate and technology park overlays. She stated that all the special regulations in section 28-39 were fine to move forward as well. She noted that there was nothing under B1, so data centers were not listed in those changes.

Ms. Allen stated that once they return with their discussion for those two tracks, the Board would need to vote to determine which track they preferred.

Ms. Vanuch said that was correct. She added that if they did not allow for the exception at that time, then Supervisor Gary could.

Dr. Yeung asked if there were two tracks.

Ms. Vanuch said yes.

Mr. English seconded the motion.

Ms. McClendon clarified whether the Board intended to send a proposed ordinance to the Planning Commission or if it was coming back to the Board from staff.

Dr. Yeung stated that the item was going to be presented to the Planning Commission and would then come back to the Board for further discussion.

Ms. Vanuch stated that it would be best to refer the proposed comprehensive plan and zoning ordinance amendments regarding the standards for data centers to the Commission for public hearings and to provide a recommendation.

Dr. Yeung stated that she wanted the documents separated as the first one could go to the Commission while the second one needed to be returned to the Board.

Ms. Vanuch stated they can both go down together.

Mr. Coen stated that they could send both tracks to the Planning Commission. He asked how much time they had to think about it, make suggestions, and send it back. He wanted to know if it was a 100-day process.

Ms. McClendon stated that the Planning Commission would have 100 days.

Ms. Vanuch stated that the vote was for sending it to the Planning Commission under number 15.

Mr. Coen stated that he had a substitute motion to have a specific date to hold a joint public hearing on the issue on October 17 for the ordinance. He expressed his consternation about giving the Planning Commission, who delved into this issue greatly, another 100 days to come back. He said they needed to move forward. He asked the County Attorney if they could come back regarding the language if they wanted to tweak and pull back something and not make it as restrictive. He clarified that they could not make it more restrictive.

Ms. McClendon stated that the necessity of a new advertisement and public hearing depends on the size of the impact of the proposed change.

Ms. Vanuch stated that she was recommending to do both, but if they wanted to do a joint public hearing on October 17th, she would amend her motion accordingly. She was not hearing from the majority of the Board that they were amenable to that, so she was just going to send it back down to the Planning Commission. She stated that this resolution was sending it back down to the Planning Commission for a public hearing on October 17th, so they would get 100 days no matter what. If the majority of the Board wanted to do a joint public hearing with them on October 17th to amend this, she was fine with that and would amend her motion as such.

Ms. Vanuch amended her motion to have a joint public hearing with the Planning Commission and advertise both R23-211 and the changes that she recommended. Mr. English seconded the motion.

Dr. Yeung asked if they had enough time for it.

Mr. Coen stated that they had six weeks.

Ms. Gary stated that she was good with the decision and wanted to thank Ms. McClendon for her efforts in helping them rearrange things.

Dr. Yeung asked if the data center and the CUPs brought forth by the Planning Commission so far would be affected by the discussion of grandfathering in. She said she wanted to know how this would impact what they were doing there if they planned on grandfathering them in anyway. She also inquired if they would continue with the CUP.

Ms. McClendon stated that at this time none of the applications had proceeded to the Planning Commission. She noted one of them may be proceeding soon. She said the applications would continue on their path under the current County Code until the Board changed it and the effective date of any changes were in place. She said they would continue through with their proffer amendments or their rezoning applications with the Commission until such time as the zoning ordinance changed.

Ms. Allen stated that it was important to ensure the clarity of their message and to clearly state what they were doing.

Ms. Vanuch stated that if the rest of the Board wanted to do a joint public hearing, she had amended her motion to do a joint public hearing with the Planning Commission at the October 17th Board meeting. She said they would review both ordinances and hold a public hearing under both changes—the one she had brought forward at the meeting and the one the Commission brought forward as well.

Ms. Bohmke asked if the joint Commission meeting was the first meeting in October or if they did not have enough weeks.

Dr. Yeung asked if they had mentioned October 17.

Ms. Vanuch noted that it was a Wednesday night.

Mr. Coen stated that was correct, as it was the first Wednesday of the month due to the National Night Out event. He explained that they had moved it 30 days to October 6. He expressed uncertainty about whether or not they could put out the necessary legal notification in time.

Ms. McClendon stated that from a calendar standpoint, they would likely be able to make notice. She said her concern was that the draft ordinance that Supervisor Vanuch had crafted had not been created yet, so staff would need to create that ordinance in order to advertise it. She added that put them up against a wall of trying to get that time frame complete.
Ms. Vanuch said it was not 100 days.

Ms. Bohmke stated that it would work.

Ms. Gary stated that Ms. McClendon mentioned there were three applications, one of which was about to go before the Commission. She asked what the affect would be if changes were made and the other two applications had not yet been presented to the Commission. She asked whether they could still be grandfathered. She said she was unsure of the process involved.

Ms. McClendon stated that typically when the Board grandfathered, it was based on application completion date. She said the applications that were currently under staff review have been completed. She said that the Board would likely set a date and allow applications that meet that deadline to continue.

Dr. Yeung asked if the applications would be nonconforming when they were grandfathered in.

Ms. McClendon stated that they were not going to get into a vested determination and that the exception was allowing them to finish a process under the rules that were in place when the applicant started the process.

Dr. Yeung called the vote.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Coen, English, Gary, Vanuch, Yeung
Nay: (0)

<u>Resolution R23-211 reads as follows:</u>

A RESOLUTION TO REFER TO THE PLANNING COMMISSION TWO ORDINANCES (OPTION A AND OPTION B) TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS;" SEC. 28-35, "TABLE OF USES AND STANDARDS;" AND SEC. 28-39 "SPECIAL REGULATIONS" AND PROPOSED AMENDMENTS TO THE "STAFFORD COUNTY VIRGINIA COMPREHENSIVE PLAN 2016-2036, 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED (COMPREHENSIVE PLAN); AND TO AUTHORIZE A JOINT PUBLIC HEARING, REGARDING DATA CENTERS

WHEREAS, data centers are an emerging industry with growing demand throughout the Commonwealth of Virginia; and

WHEREAS, there are common land use issues and potential impacts related to data centers that may be considered by a locality; and

WHEREAS, the Comprehensive Plan does not address specific land use guidelines for the evaluation of data centers; and

WHEREAS, data centers are currently permitted by-right in various zoning districts pursuant to the Zoning Ordinance; however, the Zoning Ordinance does not contain specific regulations related to the location, siting, or design of such facilities; and

WHEREAS, the Board desires to consider establishing zoning and development regulations to address and mitigate potential impacts of data center developments on residents, surrounding properties, and the natural environment; and

WHEREAS, the Board desires to refer proposed Zoning Ordinance amendments, pursuant to proposed Ordinance O23-19 (Option A), and proposed Comprehensive Plan amendments, pursuant to proposed Resolution R23-214 with Exhibit A, to the Planning Commission; and

WHEREAS, the Board desires to also refer an alternate version of such proposed Zoning Ordinance amendments, pursuant to proposed Ordinance O23-24 (Option B), for the Planning Commission's consideration; and

WHEREAS, the Board desires to hold a joint public hearing with the Planning Commission and to receive the Planning Commission's recommendations on the proposed Ordinances and the proposed Resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that proposed amendments to Stafford County Code Sec. 28-25, "Definitions of Specific Terms;" Sec. 28-35, "Table Of Uses And Standards;" and Sec. 28-39 "Special Regulations," pursuant to proposed Ordinance O23-19 and proposed Ordinance O23-24, be and they hereby are referred to the Planning Commission for its review and to provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that proposed amendments to the Comprehensive Plan, pursuant to proposed Resolution R23-214 with Exhibit A, are referred to the Planning Commission for its review and to provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission is authorized to only make recommendations for modifications to proposed Ordinances O23-19 and O23-24 and to proposed Resolution R23-214 with Exhibit A (Proposed Data Center Amendments), as it deems necessary and appropriate; and

BE IT STILL FURTHER RESOLVED that the Planning Commission is requested to conduct a joint public hearing with the Board on October 17, 2023, or as soon thereafter as the joint public hearing can be scheduled, to consider the Proposed Data Center Amendments.

CLOSED MEETING

At 4:48 p.m., Mr. Coen motioned, seconded by Ms. Vanuch, to adopt Resolution CM23-18 to authorize closed session.

The Voting Board tally was:

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

Resolution CM23-18 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefing by staff members pertaining to pulling the securities for a specific development, which is probable litigation, where such consultation or briefings in open meeting would adversely affect the litigating posture of the Board, (2) consultation with legal counsel pertaining to *Grove, et al. v. Stafford County Bd. of Zoning Appeals, et al.* (CL22-875), where such consultation or briefings in open meeting would adversely affect the litigating posture of the Board, and (3) discussion concerning the County Administrator position.; and

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

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

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

At 6:27 p.m., Mr. Coen motioned, seconded by Ms. Vanuch, to adopt Resolution CM23-18(C) to certify the closed meeting.

The Voting Board tally was:

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

Nay: (0)

Resolution CM23-18 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON SEPTEMBER 5, 2023

WHEREAS, the Board has, on this the 5th day of September, 2023, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 5th day of September, 2023, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

The Voting Board tally was:

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

Nay: (0)

<u>ITEM 16. COUNTY ADMINISTRATION; CONSIDER APPOINTING A MEMBER AND AN ALTERNATE MEMBER TO THE BOARD OF BUILDING CODE APPEALS FOR TERMS EXPIRING ON DECEMBER 31, 2024.</u>

Mr. Coen motioned, seconded by Ms. Bohmke, to nominate Sean Halsey to the Board of Building Code Appeals for a term that expires on December 31, 2024.

The Voting Board tally was:

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

Ms. McClendon stated there was also an alternate member appointment for Item 16.

Ms. Gary motioned, seconded Mr. Coen, to nominate Hafizullah Shirazi as the alternate.

The Voting Board tally was:

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

<u>ITEM 17. COUNTY ADMINISTRATION; RECOMMEND THE CIRCUIT COURT APPOINT AN ALTERNATE MEMBER TO THE BOARD OF ZONING APPEALS TO FILL A TERM EXPIRING ON DECEMBER 31, 2023.</u>

Ms. Vanuch motioned, seconded by Mr. Coen, to adopt proposed Resolution, R23-221.
The Voting Board tally was:

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

Dr. Yeung asked for clarification about the alternate.

Ms. Vanuch stated that they were waiting until the next meeting. She said there were a couple of other applicants who applied, but one of them was serving on another commission. She explained that they need to check with the alternate to see if he would like to step down before bringing it back to the table. She mentioned that Mr. Bob Gibbons had resigned from the BZA due to his health, and now there was another position available. She said they would be processing the new application for the next meeting.

<u>Resolution R23-221 reads as follows:</u>

A RESOLUTION RECOMMENDING THE APPOINTMENT OF AN ALTERNATE MEMBER TO THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, pursuant to Virginia Code § 15.2-2308 and County Code Sec. 28-341, members of the Board of Zoning Appeals (BZA) shall be appointed by the Circuit Court; and

WHEREAS, County Code Sec. 28-341 authorizes the BZA to consist of seven members and two alternates; and

WHEREAS, on January 19, 2021, the Board adopted Resolution R21-54, which recommended that Mr. Robert Grimes be appointed to the BZA as an alternate member and on January 27, 2021, the Circuit Court ordered his appointment; and

WHEREAS, Robert Grimes resigned from his alternate member BZA seat effective June 27, 2022; and

WHEREAS, the term of such vacant alternate position on the BZA expires on December 31, 2023; and

WHEREAS, the Board desires to recommend to the Circuit Court the appointment of Steven Gorski as an alternate member on the BZA to fill the vacancy;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that

NAME	DISTRICT	EXPIRATION DATE
Steven Gorski	Alternate	December 31, 2023

be and s/he hereby is recommended for appointment as an alternate member for the term stated above, to the Stafford County Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that the County Administrator and County Attorney, or their designees, shall provide a copy of this Resolution to the Circuit Court.

ITEM 18. PLANNING AND ZONING; CONSIDER AUTHORIZING A JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION AND REFER TO THE PLANNING COMMISSION PROPOSED AMENDMENTS TO THE ZONING ORDINANCE REGARDING MEDICAL CLINICS AND HOSPITALS.

Mr. Coen motioned, seconded by Mr. English, to defer the Resolution, R23-266, so staff could come back with additional language regarding the issue.

The Voting Board tally was:

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

RECESS

Ms. Vanuch stated that she would like to make a recommendation regarding the agenda for the evening. She suggested moving the two items to after the 7 p.m. meeting so that staff could have dinner beforehand. She asked if everyone was in agreement with this change to have a 30-minute break.

Dr. Yeung stated that she appreciated everyone waiting during the closed session and acknowledged that it was a busy afternoon and evening. She apologized if they never smiled while speaking, as it was not intended to be rude. She said that sometimes a minute felt longer depending on the clock and emphasized that it was not about any specific person speaking but rather the time. Dr. Yeung called for a 27-minute recess.

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

PRESENTATIONS

Dr. Yeung stated that they had changed items 19 and 20, two items on new business, and they were moved to after the public hearing. She said that there was a proclamation scheduled for the evening but the attendees were unable to attend, so they would proceed with the presentations from the public.

PRESENTATIONS BY THE PUBLIC

Dr. Yeung read the rules for public comment.

1. Cessie Howell, 600th Court in Woodlawn, expressed gratitude for the concern shown by Supervisor Bohmke and Tara Durant regarding their community and the potential challenges they may face. She thanked them for their efforts to prevent the methadone

treatment center from being located at their small strip shopping center, which was situated near homes, daycare centers, and schools. She acknowledged the leadership in their community that was growing larger and larger, consisting of homeowners who wished to see the methadone clinic relocated to another area.

Ms. Howell stated that addiction was a terrible disease and that all of them have been touched by the consequences of bad actions from addictive behavior. They understand the need for these types of facilities but were against it being located here due to their love and concern for their children and grandchildren. She said they will do everything in their power to stop it from being situated here.

Ms. Howell stated that they would never give up because the potential consequences on their families would hurt for a lifetime. She said that they would never stop fighting this because all of them, including her, knew it was in the wrong place. She pleaded with him to help them find another location, as she knew they did not want the continual bad consequences to appear over and over in the newspapers or by word of mouth. She emphasized that they were all in this together and requested that they partner to find another location. She thanked them for opening their ears and hopefully their hearts to this challenge.

2. Molly Denham, Hartwood District, said she was advocating once again for the schools. She said she attended the CIP town hall last week, and the news was rather bleak. She said the School Board was going to need to ask for one to two schools every year, in addition to what already had been funded over the next three to five years, just to catch up to their needs. She said they needed to plan for future growth. She urged the Board to continue to work with the School Board and strengthen the partnership between the Board and the School Board to find solutions that the children needed.

NEW BUSINESS

ITEM 19. COUNTY ADMINISTRATION; CONSIDER APPOINTING INAUGURAL MEMBERS TO THE LAKE ARROWHEAD SERVICE DISTRICT ADVISORY COMMITTEE.

Dr. Yeung stated that Item 19 on the agenda was a proposed resolution, numbered R23-251. She explained that it was for the County Administrator appointing inaugural members to the Lake Arrowhead Service District Advisory Committee.

Ms. Vanuch stated that she would present the agenda item since it was in her district. She stated that at previous meetings, they had talked about appointing people to the Lake Arrowhead Service

District. She noted the process started back in 2018 before she was on the Board, and they were finally at a point where they had done enough land acquisition to create the service district committee. She said there were so many interested parties that the service district bylaws only allowed three members to be appointed, and eight people applied.

Ms. Vanuch stated she recommended staff to update the bylaws to allow three members to be appointed and two alternates. She said this was because they found that some people cannot attend meetings, and then they have an issue getting a quorum. She said this would allow for two alternate members, similar to what they do with FAMPO and GWRC.

Ms. Vanuch stated that in order to update the bylaws, five members would be able to participate but only three members would be voting members. She said she had conversations with all five of those individuals and believed they had a great slate of candidates who wanted to serve their own committee. She said she wanted to provide staff with direction to amend the bylaws and appoint the five members, three regular members, and two alternates. She requested to see the item put under unfinished business.
Dr. Yeung clarified that the item would come back before the Board.

Ms. McClendon stated that the only request she had for the Board on this was possibly going to their October 4 meeting because they needed to draft the changes to the bylaws. She added that staff could take that direction.

Ms. Vanuch stated that it was acceptable.

ITEM 20. R-BOARD; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AND RESTATED OPERATIONAL AGREEMENT FOR THE STAFFORD-FREDERICKSBURG REGIONAL LANDFILL.

Dr. Yeung stated Item 20 was proposed resolution R23-260, for the R-Board to authorize the County Administrator to execute the amended and restated operational agreement for the Stafford-Fredericksburg Regional Landfill.

Mr. Hathcock stated that before the Board tonight was a proposed resolution authorizing the amended and reinstated operational agreement for the R-Board between the County and the City of Fredericksburg. He added that the original agreement dated 1987 had been amended on several occasions and currently expired in December of 2024. He said that with the current need to borrow money and bond fund for the future cell development, it necessitated that they extend the agreement at this time. He mentioned that the proposed agreement before them included division of liability based on the actual use of the landfill by County and City residents and extended the agreement to 2049. He stated that the R-Board had approved the agreement as proposed to the Board and the City.

Ms. Gary stated she believed they had discussed making modifications at the sites where they would eventually be exploring the solar energy project on the landfill, but it appeared that this detail was not included in their current plan.

Mr. Vosburg stated he believed it was from an item related to solar they wanted for discussion separate from this.

Ms. Bohmke stated that Supervisor Gary and she were both on the R-Board and they had discussed and looked at the agreement with Mr. Hathcock and with the city appointees on the R-Board. She said they did not have any issues, but it did need to come before the Board.

Mr. Coen asked if Ms. Bohmke and Ms. Gary felt that the matter was urgent.

Dr. Yeung stated that she believed the matter was time sensitive.

Mr. Coen motioned, seconded by Ms. Vanuch, to deem the matter time sensitive.

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Ms. Gary, to adopt proposed Resolution, R23-260.

The Voting Board tally was:

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

<u>Resolution R23-260 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE AMENDED AND RESTATED OPERATIONAL AGREEMENT FOR THE STAFFORD-FREDERICKSBURG REGIONAL LANDFILL

WHEREAS, the County and the City of Fredericksburg (City) entered into an agreement for the joint operation of the Stafford-Fredericksburg Regional Landfill (Landfill) on December 9, 1987, now managed by the Rappahannock Regional Solid Waste Management Board (R-Board); and

WHEREAS, the original agreement was amended and restated in 2000 due to changes in the operation of the Landfill and to incorporate the previous amendments (2000 Operational Agreement); and

WHEREAS, the 2000 Operational Agreement was amended in 2018 to reflect the current operation of the Landfill prior to the construction of the new Cell F-3, which also kept the remaining terms in place; and

WHEREAS, the 2000 Operational Agreement expires on December 31, 2024; however, the R-Board seeks to extend the agreement for a longer term prior to obtaining bond funding for additional cell construction; and

WHEREAS, the County and City negotiated new terms for the operation of the Landfill, which include the management of properties surrounding the Landfill, division of liability based on the actual use of the Landfill by County and City residents, and extending the expiration of the agreement to December 31, 2049; and

WHEREAS, the Board desires to continue the joint operation of the Landfill with the City on terms advantageous to both parties;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administrator be and he hereby is authorized to execute the Amended and Restated Operational Agreement for the joint operation of the Stafford-Fredericksburg Regional Landfill through December 31, 2049, as provided in the document attached hereto as **Exhibit A**.

PUBLIC HEARINGS

ITEM 21 FINANCE; CONSIDER APPROVING THE ISSUANCE, SALE AND AWARD OF STAFFORD COUNTY'S SOLID WASTE SYSTEM REVENUE BOND, AND SETTING FORTH THE FORM, DETAILS AND PROVISIONS FOR THE PAYMENT THEREOF.

Ms. Andrea Light, Chief Director of Financial Services, presented to the Board. She said the Board was asked to consider a public hearing to participate in the Virginia Resources Authority Fall Pool Finance Program for the issuance of revenue bonds in support of the R-Board's upcoming cell construction. She noted that the landfill was a joint venture with the City of Fredericksburg and that the cell construction would be funded by the City and the County. She said both would issue debt of $2 million and use $2 million of cash funding.

Ms. Light stated that the Board was presented with a substitute resolution tonight that was different from what was in their packet. She explained that after final review with the bond council, the resolution was updated to provide the parameters going forth under the refinancing ordinance. She emphasized that paragraph 4B contained a provision that limited the true interest cost to 6% and a term not longer than 31 years. She said they anticipated this would only be for seven years. She mentioned that the true interest cost as of today was approximately 3.15% with VRA, and the local issuance of VRA costs made it 4.25%.

Ms. Light stated that the proposed resolution, R23-225, would approve the issuance, sale, and award of the solid waste system revenue bond. She explained that R23-226 was a resolution to reimburse any expenditures from the proceeds. She said that this gave them the flexibility for the landfill to go forth as quickly as possible. She stated that they did not anticipate any expenditures related to this project before bond issuance, but this resolution provided them with the ability to reimburse themselves if necessary.

Dr. Yeung stated that with no questions from the Board, she would open up the public hearing.

Dr. Yeung noted there was no one wishing to speak and brought the matter back to the Board.

Mr. Coen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution, R23-225.

The Voting Board tally was:

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

Resolution R23-225 reads as follows:

A RESOLUTION OF THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA, APPROVING THE ISSUANCE, SALE AND AWARD OF ITS SOLID WASTE SYSTEM REVENUE BOND, AND SETTING FORTH THE FORM, DETAILS AND PROVISIONS FOR THE PAYMENT THEREOF

WHEREAS, the Rappahannock Regional Solid Waste Management Board (R-Board) was jointly established by the County of Stafford, Virginia, a political subdivision of the Commonwealth of Virginia (County) and the City of Fredericksburg, Virginia, a municipal corporation of the Commonwealth of Virginia (City), to operate a regional landfill (Landfill) in the County and serving the residents of the County and the City; and

WHEREAS, Board of Supervisors of Stafford County, Virginia (Board), has determined that it is necessary to issue and sell its Solid Waste System Revenue Bond, Series 2023 (Bond) to finance (i) a portion of the costs of a landfill cell construction project by the R-Board and (ii) if and as needed, the costs of issuance and other costs related to the issuance and sale of the Bond (collectively, the Project); and

WHEREAS, on September 5, 2023, the Board held a public hearing on the issuance of the Bond in accordance with 15.2-2606 of the Code of Virginia of 1950, as amended (the "Virginia Code"); and

WHEREAS, the Virginia Resources Authority (VRA) has indicated its willingness to purchase such a Bond from the proceeds of one or more series of its Infrastructure and State Moral Obligation Revenue Bonds (Virginia Pooled Financing Program) (VRA Bonds), in accordance with the terms of a Local Bond Sale and Financing

Agreement (Financing Agreement), between VRA and the County, or such other financing agreement that may be entered into in connection with a separate series of the Bond; and

WHEREAS, the Financing Agreement is expected to indicate that the proceeds requested from VRA (Proceeds Requested) will be $2,000,000 (or such other amount as may be requested in writing by the County and approved by VRA prior to the sale of the VRA Bonds) plus amounts sufficient to pay the costs of issuance and to fund required reserves plus any amounts to account for any original issue discount from VRA; and

WHEREAS, the date of the sale of the VRA Bonds is referred to as the "VRA Sale Date;" and

WHEREAS, VRA has informed the County that VRA's objective is to pay the County a purchase price for the Bond that in VRA's judgment reflects its market value (Purchase Price Objective) taking into consideration the Proceeds Requested and such factors as the purchase price received by VRA for the VRA Bonds, the issuance costs of the VRA Bonds (consisting of the underwriters' discount and other costs incurred by VRA) (collectively, the VRA Costs) and other market conditions relating to the sale of the VRA Bonds;

WHEREAS, such factors are expected to result in the County receiving a purchase price other than the par amount of the Bond and consequently (i) the aggregate principal amount of the Bond may be greater than or less than the Proceeds Requested in order to receive an amount of proceeds that is substantially equal to the Proceeds Requested or (ii) the County may receive less than the Proceeds Requested if the financing parameters established under Section 1, Section 4 or Section 5 of this Resolution restrict the principal amount of the Bond such that the maximum principal amount of the Bond does not exceed the Proceeds Requested by at least the amount of the VRA Costs and any original issue discount, the amount to be paid to the County, given the Purchase Price Objective and market conditions; and

WHEREAS, the foregoing arrangements will be reflected in the Financing Agreement, a form of which has been filed in the County's records, and the Revenue Pledge Agreement dated as of November 1, 2015 (Pledge Agreement), between the City, the County and the R-Board (or an amendment to the Pledge Agreement).

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF STAFFORD COUNTY, VIRGINIA, AS FOLLOWS:

<u>Authorization of Issuance of Bond</u>. The Board hereby determines that it is necessary and advisable and will benefit the residents of the County through the promotion of their health, safety and welfare (i) to contract a debt and to issue the Bond in an aggregate principal amount not to exceed $2,200,000 and (ii) to award and sell the Bond to or at the direction of VRA. The issuance

and sale of the Bond is hereby authorized on the terms and conditions set forth herein and in the Financing Agreement, and in accordance with Section 15.2-2601 of the Virginia Code, the Board elects to issue the Bond pursuant to the provisions of the Public Finance Act of 1991, as amended. The proceeds from the issuance and sale of the Bond shall be used to pay all or a portion of the Project. The Bond shall be issued in one or more series with appropriate nomenclature and series designations, as determined by the Chairman of the Board or County Administrator, either of whom may act (each a County Representative).

Authorization of Financing Agreement and Collateral Agreement. The form of the Financing Agreement on file with the County is hereby approved. The County Representative is hereby authorized and directed to execute the Financing Agreement in substantially such form, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the County Representative, whose approval shall be evidenced conclusively by the execution and delivery thereof. The County acknowledges and reaffirms its obligations under the Revenue Pledge Agreement. The County is hereby authorized to enter into a new Revenue Pledge Agreement or an amendment to the existing Revenue Pledge Agreement to further secure the County's obligations regarding the Bond, in a form acceptable to the County Representative.

Pledge of Revenues. The Bond shall be a limited obligation of the County as to which the principal of, premium, if any, and interest shall be payable solely from the revenues pledged under the Financing Agreement, except to the extent such payment shall be made from the proceeds of the Bond, certain escrow trust funds that may be established with respect to the Bond, the income, if any, derived from the investment thereof or the sources provided below. The Revenues are hereby pledged upon the terms and conditions set forth in the Financing Agreement to secure the payment of the principal of and premium, if any, and interest on the Bond and the payment and performance of the County's obligations under the Financing Agreement.

Nothing in the Bond, the Financing Agreement, or this Resolution shall be deemed to constitute a pledge of the faith and credit of the Commonwealth of Virginia (Commonwealth) or any of its political subdivisions, including the County. The issuance of the Bond shall not directly, indirectly or contingently obligate the Commonwealth of any of its political subdivisions, including the County, to pledge its faith and credit or levy any taxes for the payment of the principal of or premium, if any, and interest ton the Bond or other costs incident to them or make any appropriation for their payment except from the revenues and other funds pledged for such purpose under the provisions of the Bond, the Financing Agreement and this Resolution.

Hereby specifically approved for inclusion in the Financing Agreement is the provisions providing that VRA may take action to the extent permitted by law pursuant to Sections 15.2-2659 and 62.1-216.1 of the Virginia Code, commonly referred to as the "state-aid intercept."

Sale of the Bond; Terms and Conditions. (a) The Bond may be issued in one or more series and the Bond of each series shall be issued as a single bond in fully registered form and shall be dated the date of its issuance. The County Representative is hereby authorized to determine whether to issue the Bond in one or more series in connection with one or more of VRA's Virginia Pooled Financing Programs; provided that the parameters set forth in (b) below are satisfied.

(b) The Board hereby authorizes the sale of the Bond to or at the direction of VRA on terms that VRA shall determine subject to VRA's Purchase Price Objective and market conditions described in the Recitals hereof; provided, however, that (i) the Bond shall have a true interest cost not greater than 6.0%, (ii) the Bond shall mature no later than 31 years from its issuance date, and, (iii) the Bond shall be subject to prepayment upon the terms set forth in the Financing Agreement.

(c) Subject to the parameters in subsection (b), the County further authorizes the County Representative to accept the final terms presented by VRA, including the final principal amount and the amortization schedule (including the principal installment dates and amounts) of the Bond. If the limitation on the maximum aggregate principal amount of the Bond set forth above restricts VRA's ability to generate the Proceeds Requested, taking into account the VRA Costs, the Purchase Price Objective and market conditions, the County Representative is authorized to accept a purchase price for the Bond at an amount less than the Proceeds Requested.

(d) The actions of the County Representative in determining the final terms of the Bond shall be conclusive, and no further action shall be necessary on the part of the Board. As set forth in the Financing Agreement, the Board agrees to pay such "supplemental interest" and other charges as provided therein, including such amounts as may be necessary to maintain or replenish the VRA Reserve. The principal of and premium, if any, and interest on the Bond shall be payable in lawful money of the United States of America.

Details of Bond. The Bond shall be issued upon the terms established pursuant to this Resolution and the Financing Agreement. The Bond shall be issued in fully registered form, and shall be numbered from R-1 upwards consecutively with the appropriate series designation. The Bond shall mature in the years and amounts, shall bear interest payable semi-annually at such rates and shall be subject to redemption prior to maturity on such terms all as set forth in the Financing Agreement. Principal, premium, if any, and interest shall be payable in lawful money of the United States of America.

Form of Bond. The Bond shall be in substantially the form on file in the County's records, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution or any subsequent ordinance or resolution of the Board. There may be endorsed on the Bond such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

Appointment of Bond Registrar and Paying Agent. The County Representative is hereby authorized to select and appoint as Registrar and Paying Agent for the Bond (the "Bond Registrar"), including any bank or other financial institution capable of performing such duties. In the absence of such selection and appointment by the County Representative, the Clerk of the Board (Clerk) is appointed as Bond Registrar. The Board or the County Representative may appoint a subsequent Bond Registrar or one or more paying agents for the Bond upon giving written notice to VRA specifying the name and location of the principal office of any such Bond Registrar or paying agent.

Upon surrender for transfer or exchange of the Bond at the office of the Clerk, the County shall execute and deliver in the name of the transferee or transferees a new Bond in a principal amount equal to the Bond surrendered and of the same form and maturity and bearing interest at the same rate or rates as the Bond surrendered, subject in each case to such reasonable regulations as the Board may prescribe. If presented for transfer, exchange, redemption or payment, the Bond shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and substance reasonably satisfactory to the Clerk, duly executed by the registered owner or by his or her duly authorized attorney-in-fact or legal representative. No Bond may be registered to bearer.

A new Bond delivered upon any transfer or exchange shall be a valid limited obligation of the County, evidencing the same debt as the Bond surrendered and shall be secured by and entitled to all of the security and benefits of this Resolution and the Financing Agreement to the same extent as the Bond surrendered.

<u>Charges for Exchange or Transfer</u>. No charge shall be made for any exchange or transfer of a Bond, but the Clerk may require payment by the registered owner of the Bond of a sum sufficient to cover any tax or other governmental charge that may be imposed in relation thereto.

<u>Mutilated, Lost, Stolen or Destroyed Bond</u>. If a Bond has been mutilated, lost, stolen or destroyed, the County shall execute and deliver a new Bond of like date and tenor in exchange and substitution for, and upon delivery to the Clerk and cancellation of, such mutilated Bond, or in lieu of and in substitution for such lost, stolen or destroyed Bond; provided, however, that the County shall execute, authenticate and deliver a new Bond only if the registered owner thereof has paid the reasonable expenses and charges of the County in connection therewith and, in the case of a lost, stolen or destroyed Bond (i) has filed with the Clerk evidence satisfactory to him or her that such Bond was lost, stolen or destroyed and that the holder of the Bond was the registered owner thereof and (ii) has furnished to the County indemnity satisfactory to the Clerk. If the Bond has matured, instead of issuing a new Bond, the County may pay the same without surrender thereof upon receipt of the aforesaid evidence and indemnity.

<u>Execution of Bond</u>. The County Representative is hereby authorized and directed to execute an appropriate negotiable Bond, and the Clerk is hereby authorized and directed to affix the seal of the County thereto. The County Representative is hereby authorized and directed to deliver the Bond to or at the direction of VRA upon payment of the purchase price therefor. The manner of execution and affixation of the seal may be by facsimile; provided, however, that if the signatures of the County Representative and the Clerk are both by facsimile, the Bond shall not be valid until signed by the manual signature of the Bond Registrar.

<u>Official Statement</u>. The County authorizes and consents to the inclusion, if necessary, of information with respect to the County contained in VRA's Preliminary Official Statement and VRA's Official Statement in final form, both prepared in connection with the sale of the VRA Bonds. If appropriate, such disclosure documents shall be distributed in such manner and at such times as any of them shall determine. The County Representative is authorized and directed to take whatever actions are necessary or appropriate to aid VRA in ensuring compliance with Securities and Exchange Commission Rule 15c2-12.

Further Actions; Authorization of County Representative. The County Representative and such officers and agents of the County as may be designated by the County Representative, are hereby authorized and directed to take such further action as they deem necessary or appropriate regarding the issuance and sale of the Bond, including necessary steps to qualify or register them for sale in one or more jurisdictions and to secure credit enhancement therefor. All actions previously taken by the County Representative and such officers and agents in connection with the issuance and sale of the Bond are hereby ratified and confirmed. The authorizations granted in this Resolution to the Chairman may be carried out by the Vice Chairman, in the absence of the Chairman. The authorizations granted in this Resolution to the County Administrator and the Clerk may be carried out by the Deputy, Interim or Acting County Administrator and any Assistant or Deputy Clerk, respectively, in the absence of the primary officers. When this Resolution authorizes the County Representative to act, it shall be sufficient for one of the offices named as the County Representative to act and bind the County.

SNAP Investment Authorization. The Board authorizes the Treasurer to have the option to utilize the State Non-Arbitrage Program of the Commonwealth of Virginia ("SNAP") in connection with the investment of the proceeds of the Bond. The Board acknowledges that the Treasury Board of the Commonwealth of Virginia is not, and shall not be, in any way liable to the County in connection with SNAP, except as otherwise provided in the contract creating the investment program pool.

Filing of Resolution. The County Attorney of the County is authorized and directed to file a certified copy of this Resolution with the Circuit Court of the County pursuant to Sections 15.2-2607 and 15.2-2627 of the Virginia Code.

Effective Date; Expiration of Authorization. This Resolution shall take effect immediately upon passage. Except as set forth in the following sentence, the authorization to issue and sell the Bond shall expire on June 30, 2024, but all other provisions of this Resolution shall remain in full force and effect.

Mr. Coen motioned, seconded by Ms. Vanuch, to adopt proposed Resolution, R23-226.

The Voting Board tally was:

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

Nay: (0)

Resolution R23-226 reads as follows:

A RESOLUTION DECLARING THE INTENT OF STAFFORD COUNTY TO REIMBURSE ITSELF FOR EXPENDITURES FROM THE PROCEEDS OF SOLID WASTE REVENUE BONDS

WHEREAS, the Rappahannock Regional Solid Waste Management Board (the "R-Board") operates the Rappahannock Regional Landfill ("Landfill") under a Joint Powers Agreement between the City of Fredericksburg, Virginia (the "City") and the County of Stafford, Virginia (the "County"); and

WHEREAS, the R-Board has indicated its need for a landfill construction project (the "Project"); and

WHEREAS, the Board of Supervisors expects to pay the costs of the Project from available funds of the County before the issuance or incurrence of bonds or other debt obligations to finance all or a portion of the Project (the "Bonds"); and

WHEREAS, the County intends to reimburse itself for the expenditures the County or the R-Board make from the proceeds of the Bonds;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County intends to finance the Project through the issuance of one or more series of Bonds. The principal amount of the Bonds attributable to the Project is not expected to exceed $2,000,000; and

BE IT FURTHER RESOLVED, that this Resolution represents a declaration of "official intent" under Treas. Regs. § 1.150-2; and

BE IT FURTHER RESOLVED, that before the issuance or incurrence of the Bonds, the County expects to pay the costs of the Project from its available funds; and

BE IT FURTHER RESOLVED, that on the date each expenditure is paid, it will be a capital expenditure (or would be with a proper election) under general federal income tax principles or will otherwise comply with the requirements of Treas. Regs. § 1.150-2(d)(3); and

BE IT FURTHER RESOLVED, that the County reasonably expects to reimburse the expenditures made prior to the issuance of the Bonds to finance the Project from the proceeds of the Bonds and the adoption of this Resolution is consistent with the budgetary and financial circumstances of the County.

ITEM 22. PLANNING AND ZONING; CONSIDER 1) APPROVAL OF A CONDITIONAL USE PERMIT (CUP) TO ALLOW A SOLAR FACILITY, WITHIN THE A-1, AGRICULTURAL ZONING DISTRICT, AND 2) AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN AGREEMENT FOR THE DECOMMISSIONING OF A SOLAR FACILITY, ALL ON TAX MAP PARCEL NO. 45-220L (PROJECT KNOWN AS KINGLET SOLAR LLC).

Mr. Zuraf, Planning and Zoning Department, said he was there to review the staff report for the item. He said it was the first solar generating facility request in front of the Board. He said the project's name was Kinglet Solar, and it was two requests. He said the first request was for a conditional use permit to allow a solar facility in the A1 Agricultural Zoning District. He said the second request was to authorize the County Administrator to enter an agreement for decommissioning of the solar facility. He said it was on a single parcel of land that covered 171 acres in the Falmouth election district.

Mr. Zuraf stated that the applicant was Kinglet Solar, and Patrick Harper was the primary contact representing the applicant. He said the property owners were the Chichester brothers, and the property was located on the north side of Truslow Road and the east side of Interstate 95 in the area highlighted on the map displayed on the screen. He stated the property was zoned A1. He mentioned that surrounding the property were A1 zones to the north and east. He said to the south, there was R1 suburban residential zoned property and an unzoned right-of-way where Interstate 95 was located.

Mr. Zuraf stated that the property was shown to be undeveloped with mature tree cover over the entire site. He said the property includes gradual slopes which sloped downward from the south to the north along Claiborne Run. He said there was a 100-year floodplain, resource protection area, and wetlands that went along with the stream. He said there were some intermittent stream channels that ran up into the property. He said surrounding uses included Chichester Park, Stafford High School, other undeveloped property to the north, and residential property to the east and south. He showed the site plan indicating how the solar facility would be developed on the site.

Mr. Zuraf stated that the solar panel arrays were grouped into one single fenced compound on the southwestern end of the site. He said the arrays were divided into two sections, and he mentioned that a perennial, intermittent stream bisected those two sections of the solar arrays. He added that the project area for the facility covered 39 of the total 171 acres, which was 23% of the total site. He explained that the main entrance to the facility was off of Truslow Road, and there was a gravel access road that would run through the adjacent property.

Mr. Zuraf stated that the access road would extend into the middle of the solar facility and the area inside the fence, and it would run around the solar arrays. He said that the solar array areas inside the fence would be planted with native grasses. He mentioned that there were buffers proposed around the facility on the southeast side. He stated that there was a 500-foot setback which included 450 feet of undisturbed buffers, so all the existing trees were going to remain in that 450 foot buffer. He stated that on the southwest side, there was a 300-foot setback with 250-foot buffer.

Ms. Bohmke asked where the existing buffer was going to remain.

Mr. Zuraf stated that the hatched-in areas were clear areas, but everything beyond that was going to remain as that was the 450 feet buffer. He said there was a 300-foot setback and a 250-foot undisturbed buffer in that location.

Ms. Bohmke stated that she appreciated him marking it so the public could see it.

Mr. Zuraf stated that along Interstate 95, there was a variable setback, with the setback going down to 50 feet at its closest point. He noted that the zoning ordinance that was amended earlier this year to address solar required a 500-foot setback from corridors of statewide significance. He said that Interstate 95 was one of those, but it allowed the buffer to be modified by the Board as part of the conditional use permit if there was not going to be any potential impact on the viewshed. He said that the closest point was located where one of the overpasses was currently under construction. He said he believed that the overpass was going to do a good job of basically screening the view of the facility from the majority of the people on Interstate 95.

Mr. Zuraf stated that the solar panels were mounted on parallel racking systems that will run in a north-south alignment. He said they were on a tilting axis, so they would tilt gradually throughout the day from east to west as the sun moved to maximize energy capture. He said the panels themselves would extend up to 15 feet over ground level at maximum tilt. He said the power was collected via a string of inverters or larger central inverters, and the inverters feed the power to the local transmission lines.

Mr. Zuraf stated that the central inverters could generate a little bit more noise, so they would be required by condition to be set back 700 feet from the nearest adjacent properties. He said the application was evaluated for compliance with the future land use plan. He said there were solar facility recommendations within the comprehensive plan which was part of the comprehensive plan amendment from earlier that year regarding solar.

Mr. Zuraf stated that the comprehensive plan future land use map classified the property in suburban, business, and industry future land use designations. He said the site was inside the urban services area. He said that when the comprehensive plan was amended, it included criteria that would support location of solar facilities inside the growth area and the urban services area if certain conditions were met. He said the plan included location criteria that were specific to community-scale solar projects. He stated that those were projects that were smaller in size, anything less than five megawatts or less, and this project was considered a community-scale project. He said such projects were encouraged to be outside of the urban services area.

Mr. Zuraf stated that the site was located within the urban services area, and projects within this area may be considered based on additional criteria as long as they were within the comprehensive plan. He said the project in question was under 50 acres, which was one of the criteria, and he mentioned that it was a little over 39 acres in size. He said that another criterion was that the residential or commercial uses must not be a better use of land and location, as the surrounding land uses were currently more rural in nature. He added that improvements to the area's road network would likely be needed to support higher traffic volumes in this location.

Mr. Zuraf stated that the proposed solar project would be a good fit in an area where the road conditions were not suitable for more development, as it met additional location criteria. The site had mature tree cover which would be preserved to provide significant buffers for screening from adjacent properties. He said it impacted only 23% of the site and was set back from the majority of environmental resources on the property. He said it avoided impacts to wetlands and there were no dense residential neighborhoods within the viewshed of the site. He said that there were site design criteria for all projects that applied to specific development projects.

Mr. Zuraf stated that the design criteria of the comprehensive plan included placing the inverters at least 700 feet away from adjacent properties to reduce noise. He said the existing tree cover would be retained around the perimeter, and travel ways would be provided around the perimeter of each group of arrays. He recommended that the applicant provide emergency response training for fire and rescue personnel before the facility goes live. He stated that the project minimized environmental impacts by having the entire facility within a single fenced compound, with 77% of the site remaining in a natural state to allow for wildlife passage through and around the area.

Mr. Zuraf stated that there was gradual terrain in the area where they were locating, which should minimize the amount of grading needed for development of the project. He recommended several conditions, such as the property being developed in general accord with the general development plan. He stated that the required setbacks and tree preservation areas would be maintained, and access would be provided as shown on the plan. He stated that there would be woven wire security fencing eight feet in height.

Mr. Zuraf stated that the woven wire fencing had a little bit larger opening, so smaller wildlife could freely move through while deer would be kept out from the facility. He said they required the inverters to be centrally located. He said they limited the construction activities from 7 a.m. to 7 p.m., Monday through Saturday, excluding Sundays and national holidays. He said that they required the posting of emergency contact information at the gates and required a recordation of decommissioning agreement prior to occupancy. He stated that one of the unique factors with solar facility conditional use permits was that state code allowed for monetary contributions, which was atypical of conditional use permits. He noted that as a condition, the applicant agreed to offer a one-time cash contribution to the County of $70,000.

Mr. Zuraf stated positive aspects identified by staff were that the proposed facility met all the standards of issuance of a conditional use permit. He said the facility was in accordance with the comprehensive plan recommendations. He said the proposed setbacks, fencing and screening would not detract from the character of the surrounding area. He said the conditions would mitigate the negative impacts with this request. He stated staff recommended approval of Resolution R23-171 with the conditions outlined.

Mr. Zuraf stated that the Commission found the request to be substantially in accordance with the comprehensive plan, and on May 24, they voted 6:0 to recommend approval. He mentioned that there was a separate decommissioning agreement, and staff recommended approval, pursuant to Resolution R23-250. He said the staff report did note two outstanding issues that were being worked on with the applicant, and those had been addressed. He stated that the Board received one of the items related to requiring a materials list, and the applicant had provided it. He recommended approval of it as well.

Ms. Gary stated that it was mentioned as an asset for the wildlife to be able to pass. She noted that they had a fence in place, and she was curious about the area available for small wildlife to pass through.

Mr. Zuraf stated that the fencing was different from standard chain link fencing as it had larger openings which allowed squirrels, rabbits, or foxes to pass through.

Ms. Gary asked if the $70,000 was for the decommissioning.

Mr. Zuraf stated that the funds would be donated to the County.

Ms. Gary clarified that the decommissioning was a separate process.

Mr. Zuraf stated that was correct.

Dr. Yeung stated that she visited the site with Supervisor Bohmke when the presentation occurred in Falmouth. She said she could not remember if it was this year.

Mr. Zuraf stated that it was at the beginning of the year, maybe the end of last year.

Dr. Yeung asked if the neighbors were notified and how they were notified.

Mr. Zuraf stated that they had been notified and had been invited to the community meetings he had attended. He added that for the public hearings, they had notified all property owners within 500 feet of the property.

Dr. Yeung noted that it was only 23% of the total. She asked if that was close to I-95.
Mr. Zuraf stated that the entire site was a larger area and that the entire parcel was 170 acres. He explained that 39 acres, which was 23% of the area, was hatched within the larger area.

Dr. Yeung stated that she knew the proffers were already there and she did not have anything to do with them. She noted that when discussing Stafford High School, she wondered if something could be done if the solar panel was powered. She asked if they would be able to have free power on their roofs. She also inquired about how close it was.

Mr. Zuraf stated that he understood the program was through Dominion, where the power generated from the facility fed into the local distribution line and area residents could buy into the program. He believed that the intention was for area residents to utilize it.

Dr. Yeung clarified that the high school would be unable to utilize it.

Mr. Zuraf stated that the applicant could expand on that, but he believed there may be limitations to who could actually use it.
Patrick Harper, Cypress Creek Renewables, said he was speaking on behalf of the Kinglet Solar team. He stated that the project was an example of responsible solar development and felt that the community would be proud of it. He stated that there were four reasons why they felt it should be approved. He thanked Mr. Zuraf for his report and the planning staff for all their assistance over the past 14 months. He expressed gratitude to everyone who came out to their open houses, answered when they knocked on neighbors' doors, read their flyers, and sent postcards.

Mr. Harper stated that their project today was stronger because of each of them. He explained that Cypress Creek Renewables developed, owned, and operated solar, standalone storage, and hybrid projects across the U.S. He stated that their headquarters were in Santa Monica, California, and he worked out of their Asheville, North Carolina office. He mentioned that closer to Stafford, they had an office in Washington, D.C., where their CEO, Sarah Slusser, and COO, Becky Kramer, were based.

Mr. Harper stated that Ms. Kramer lived in Virginia, along with a few of their other team members. He mentioned that since their founding in 2014, they had developed over 800 solar projects across 23 states, representing more than 12 gigawatts of generating capacity. He stated that they were currently the fourth largest solar O&M provider in the country. He stated that they have been working in Virginia for a few years.

Mr. Harper mentioned that notably, they developed and sold two utility scale projects to Dominion. He said they had two community-scale projects actively in development, including Kinglet, and a suite of other projects in early stage development. He said Kinglet was a proposed 5 megawatt, approximately 40-acre community-scale project in southern Stafford County, a few miles north of Fredericksburg.

Mr. Harper stated that the project was responsibly sited and designed with extensive setbacks that maintained existing mature vegetation to block view sheds, mitigate noise impacts, and aid in stormwater management. He stated that on average, Kinglet setbacks were over 350 feet, and it was 550 feet from the project area to the nearest residence. He added that these setbacks allowed them to retain over 75% of the site's forested land untouched and undisturbed. He said the parcel size allowed them to design the project's layout to avoid all wetlands, steep slopes, and other environmentally sensitive areas.

Mr. Harper stated that they had completed a wetland delineation, a phase one ESA study, a regulatory memo, and a threatened and endangered species study which had all informed Kinglet's layout. He noted that Kinglet was very well aligned with its adjacent land uses, which included preserved agricultural land to the southeast, public uses to the north, and a few low-density single-family residential properties to the southwest, seven parcels in total, four with houses. He pointed out that it was in close proximity to Dominion's existing utility infrastructure. He stated that Kinglet would connect to the existing distribution line along Truslow Road and was 1.65 line miles to the Cranes Corner substation.

Mr. Harper stated that the County's new ordinance put high standards in place for these projects. He stated that Kinglet met or exceeded almost all of them. He said it was unanimously recommended for approval by the Commission. He said that this was a low-impact land use and a low-impact project with a single, partial, seasonal, temporary viewshed. He said the site would not be able to be heard. He said that the project would not impact neighboring properties. He stated that after its four- to six-month construction period was over, it was not going to generate traffic, because there was estimated to be about two dozen vehicle trips a year for routine maintenance.

Mr. Harper stated that the facility was as quiet of a neighbor as one could find. He discussed the viewshed and provided a printout of the information they had recently handed over. He emphasized that the viewshed would only be visible from a single point off-site—the highest point of an I-95 express lane flyover ramp that was currently under construction near the project area. He explained that this viewshed would be seasonal and partial, only during winter months when the trees beside the highway dropped their leaves. He added that it would be short term, only for a few seconds at the peak of the ramp, not for cars approaching the ramp and not for cars on I-95. He pointed out that at that point, the ramp would be veering away from the project area.
Mr. Harper stated that they were discussing passengers in the car who were looking out directly to their right. He hoped that drivers would not be doing that. He proposed a 50-foot setback to meet the requirements of 2839 Z8. He mentioned that they would be maintaining the trees within this setback and supplementing them with a row of new evergreens near the project fence that would fully block the view shed when they reach a mature height.

Mr. Harper stated that Section 2839 Z5 of the ordinance called for a 500-foot setback from corridors of statewide significance while giving the Board discretion to modify that requirement where appropriate. He said that if there was ever a case where it was warranted, this was it. He said that partial, seasonal, short duration, temporary, not from the main corridor but from a ramp. He said Kinglet was also community-oriented, and their goal was to create shared value with the Stafford community. He said the project was going to provide direct savings to subscribers.

Mr. Harper stated that this project was going to generate enough electricity to power well over 600 homes through Dominion's shared solar program. He said low to moderate income households would be eligible to subscribe to electricity generated and save 10% on their utility bills. He stated that these were community members who faced the highest energy burden, who had historically been left out of the clean energy transition, and who needed the help the most.

Mr. Harper stated that this was a savings product for them, and approving this project would ensure that the program was heavily marketed in Stafford County so that local families could take advantage of it. He had a slide in the appendix explaining the mechanisms of the shared solar program, and he offered to speak about it at the end of his presentation. He added that beyond direct savings, the project would provide over $1M in new revenues to the County while posing no corresponding burden on services. He said that it represented a $1M investment in local utility infrastructure, which was a private sector investment that would strengthen the local grid and involve 10 million in project spending using local labor and materials.

Mr. Harper stated that they were committing to a $70,000, one-time monetary contribution, as was referenced. He mentioned that they were making a $10,000 donation to community housing partners to provide weatherization services for LMI households and Stafford County. He stated that they wanted to be the best neighbor possible and the best partner possible, and that began with listening.

Mr. Harper stated that they had been doing that for the past 12 months. He noted they had met with staff, community members, neighbors, held two open houses, knocked on doors, and sent mailers. He said most of the people they talked to did not care much about what they were doing, as it was out of sight and out of mind. He said that those who provided an opinion were mostly supportive after learning a little bit about what they were trying to do and the benefits it would provide.
Mr. Harper stated that the neighbors would much rather see this land used for a solar project than another residential development. He said that residential uses would only worsen the traffic congestion along Truslow Road. He said there had been questions about public health and safety. He stated that they had multiple conversations with Fire Marshal [Milliken] to ensure his crew was comfortable with the project, which they are.

Mr. Harper said there had been questions about soil and groundwater contamination. He explained that while there were trace amounts of heavy metals in solar panels, depending on the technology type, they posed no danger to public health. He said the components, like lead, were used in very low levels and had a very low risk of exposure. He explained that panels were fully encapsulated by layers of aluminum and shatter-resistant glass, laminated together under heat and pressure to prevent exposure.

Mr. Harper stated that there had been questions about decommissioning and what happened to the project at the end of its 40-year useful life. He mentioned that they were going to remove all the equipment and restore the site. He stated that they would do so for a few reasons, including their contractual obligation to the property owners under their lease agreement, as well as their potential contractual obligation to the County under their decommissioning agreement, and providing financial surety.
Mr. Harper stated that the total cost was about $216,000, and even if those agreements were not in place, they would still remove the equipment because it was valuable. He explained that the salvage value of the equipment was over $380,000. He said stormwater had also been a topic of discussion, and the site was uniquely positioned to manage it with its setbacks, buffers, and existing mature vegetation. He stated that they would be complying with all local and state requirements to ensure the flow of water off-site was the same after construction as it was today.

Mr. Harper stated that they had taken what they had heard and what they had learned and addressed as much of it as possible through a proposal of conditions of approval and through revisions to their site plan. He said this was an iterative, responsive process, and they were refining Kinglet's design as they learn more about the site and gathered feedback. He stated that they put in a lot of work getting to where they were today, and moving forward, they would be working even harder, hand in hand, with the County on their final site plan.

Mr. Harper said they would develop a construction plan that set haul routes and delivery schedules to minimize inconveniences; an erosion sediment control plan and stormwater management plan featuring best practices; and a landscaping plan that featured pollinator-friendly plantings and native grasses that provided ecological value and aid in soil stabilization.

Mr. Harper stated that he had flagged some of these revisions on their site plan and just wanted to point them out to further reiterate that this was an ongoing process and they were going to continue to work to make Kinglet the best project possible. He said he felt this project should be approved for four reasons. He said that first, because it was responsibly sited and designed; second, because it was low impact; third, because it was aligned with County standards and best practice design standards; and fourth, because it was going to directly benefit the Stafford community.

Ms. Bohmke stated that they had had a conversation about cadmium telluride solar panels. She asked him if he and his team would be buying their solar panels from China. She noted she could not dictate what materials they used, but she preferred that they did not use the China panels with that material in them.

Mr. Harper stated that there were two general types of solar panel technologies, a silicon-based panel and a cadmium telluride thin-cell-based panel. He added that they will be using the former while not using the latter. He explained that the project would feature 560-watt bifacial monocrystalline panels within the silicon-based technology type. He mentioned that the exact manufacturer and model would depend on market prices, quality, and product procurement, which was expected to take four to six months.

Mr. Harper stated that they had a pretty good idea of what the market was going to look like, but they did not want to make a commitment today that would limit their options down the road. He said that in terms of where the panels were going to be manufactured, they used panels from Southeast Asia, Mexico, and some produced domestically. He added that they had entered into a buyer's consortium to advance the domestic panel production industry. Although he could not commit to it today, he emphasized that it was where they were moving and the direction they were going.

Ms. Bohmke stated that the text was written after 14 months of hard work. She appreciated Mr. Zuraf and the people from the public who attended their meetings, as well as the joint work session they had with the Commission. She acknowledged that this was their first solar project in Stafford County and expressed gratitude toward him for his diligence and helpfulness.

Dr. Yeung stated that she was going to open up the public hearing.

1. Judy Kirkland, 478 Truslow Road, mentioned that the construction of the access road beside her property had already begun and it was intruding on her land. She expressed concerns that they were encroaching into her wooded area, heading toward the easement where the telephone pole was located and going back into the woods. She described the path as not a straight line but rather in and out.

   Ms. Kirkland stated that she wanted them to show her the survey they had done, as she believed they were imposing on her property. She requested that they resurvey it and possibly have her there when they did it so they could show her if they were not on her property. She also mentioned that the construction was close enough for her to see from her front porch.

2. Kristin Maxson stated that in trying to help the first speaker, page 519 of 700, under Resolution 23-250, it stated, "now therefore it will be resolved to the Stafford County Board of Supervisors on the 5th day of September, 2023, that the County Administrator was authorized to execute a decommissioning agreement which shall be substantially the same form of the draft agreement, including with the resolution and with any other documents which he deems necessary and appropriate of effective this resolution."

   Ms. Maxson stated that the word "decommissioning" came up multiple times in the text, and it appeared eight times in total. She explained that decommissioning meant to take away something, which had led the public to question what this could mean. She said this was in response to the first speaker who raised concerns about encroachment.

Mr. Harper stated that the property owners were building a driveway across their access parcel which was going to be shared. He said they were going to get a future access easement across the parcel connecting their project parcel to Truslow Road. He indicated that on the site plan, there was a parcel that was kind of tucked away to the right before they got to their project parcel, and that was where they were building a house.

Mr. Harper said that Ms. Kirkland could see the driveway to that house which they were going to be sharing a portion of for their project. He knew that they had a building permit on file with the County, but he could not speak to it in any more detail at the moment. He stated that they would go through all the proper and required processes and would be open to talking with them about that.

Ms. Bohmke asked if Mr. Harper had Ms. Kirkland's telephone number and contact information.

Mr. Harper stated that he had her mailing address because they had sent her postcards, but he did not have her email or phone number.

Ms. Bohmke stated that they could put the two parties together to resolve the issue. She believed it was something that could be resolved and thought they could move forward with the application as it was. She mentioned that they would be able to work through any confines of figuring out where the property lines were, and if there was a permit with the County for the house, this should all be able to be worked out. She stated that it was not anything problematic and wanted to make sure the other party was comfortable. She appreciated them bringing it up.

Ms. Bohmke motioned, seconded by Ms. Allen, to adopt proposed Resolution, R23-171.

Dr. Yeung asked if there was any further discussion to be had.

Ms. Vanuch stated that she wanted to make one really quick comment about the updating of their solar ordinance. She mentioned that Supervisor Bohmke brought forward the issue when she heard about some potential applications coming forward, to ensure that they could work together in collaboration with the community so that they could walk away with a win-win situation where the environment was protected and neighbors were also protected.

Ms. Vanuch said she knew that the Commission had put a lot of work into it, and they had held a joint meeting with the Board. She noted that unlike some things on the agenda, it was great to be able to work with an applicant instead of against one. She appreciated their efforts in working with the community and trying to address their concerns.

Mr. Coen stated that the handout Mr. Harper gave them was really awesome. He appreciated the work that Ms. Bohmke and staff did on this, and the fact that a large portion of the whole parcel was still going to remain forested. He was thrilled at the fact that the first buffer they got fit into what the comprehensive plan said. He said he considered the project a prototype, and that they could go forward with other solar panel projects.

Dr. Yeung stated that she wanted to express her gratitude toward Supervisor Bohmke for her diligence. She noted that it had been over a year since she had been there to support her and ask the difficult questions, ensuring that their environment was protected. She sincerely thanked her for that.

Mr. Coen stated that he would like Mr. Zuraf or the Chairman to reach out to the schools regarding the science programs and the atmosphere of solar energy. He said it would be awesome for them to get tied into it.

Dr. Yeung called for the vote.

The Voting Board tally was:

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

<u>Resolution R23-171 reads as follows:</u>

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT (CUP) TO ALLOW A SOLAR ENERGY FACILITY IN THE A-1, AGRICULTURAL ZONING DISTRICT ON TAX MAP PARCEL NO. 45-220L, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Kinglet Solar, LLC submitted application CUP22154578 (Application), requesting a conditional use permit to allow a solar facility in the A-1, Agricultural Zoning District on a portion of Tax Map Parcel No. 45-220L, located within the Falmouth Election District; and

WHEREAS, the Application was submitted pursuant to Stafford County Code Sec. 28-35, Table 3.1, which permits this use within the A-1 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 meets the standards of the Zoning Ordinance for issuance of a CUP;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that a Conditional Use Permit pursuant to application CUP22154578 (CUP) be and it hereby is approved with the following conditions:

1. This CUP permits a solar facility (Facility) in the A-1, Agricultural Zoning District located on Tax Map Parcel No. 45-220L (Property). At no time shall the area subject to this CUP be greater than forty (40) acres.

2. The Property shall be developed in general conformance with the generalized development plan entitled "Kinglet Solar, LLC Truslow Rd Falmouth VA 22405" prepared by Cypress Creek Renewables, dated February 10, 2023, as last revised May 1, 2023 (Plan).

3. An access drive shall be constructed in the general area shown on the Plan to provide access to the Property prior to issuance of the occupancy permit.

4. The access drive shall include two gravel vehicle turnaround points, one within two hundred (200) feet of Truslow Road on Tax Map Parcel No. 45-146, and one within one hundred (100) feet of the security fence required by Stafford County Code Sec. 28-39(z)(7) on the Property.

5. A three hundred (300) foot setback shall be maintained from the security fence to Tax Map Parcel Nos. 45-147A, 45-149F, 45-149, 45-149D, 45-149C, and 45-150D on the southwest side of the Property.

6. A two hundred fifty (250) foot tree preservation buffer shall be maintained on the Property, in accordance with the clearing limitations shown on the Plan. To the west of the access road, a tree preservation area shall be maintained in accordance with the clearing limitations shown on the Plan.

7. A five hundred (500) foot setback shall be maintained from the security fence to Tax Map Parcel Nos. 45-220E and 45-220J on the southeast side of the Property, with a four hundred

fifty (450) foot wide tree preservation buffer, in accordance with the clearing limitations shown on the Plan.

8. A minimum fifty (50) foot setback shall be maintained from the property line adjacent to Interstate 95 to the security fence required by Stafford County Code Sec. 28-39(z)(7) on the Property. Within the setback, existing trees shall be preserved to the maximum extent practicable and a single row of evergreen trees shall be planted.

9. All solar equipment shall be located within the security fence required by Stafford County Code Sec. 28-39(z)(8). The security fence shall be of a woven wire style to allow for wildlife passage and eight (8) feet in height, if such complies with national electrical codes.

10. Inverters and transformers shall be centrally located on the site and set back a minimum of seven hundred (700) feet from the nearest property line. However, this setback does not apply the portion of the Property adjacent to Interstate 95.

11. Construction activities and delivery of materials shall be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, but excluding national holidays.

12. A sign identifying the name of the facility operator and a telephone number to call in the event of an emergency twenty-four (24) hours a day, seven (7) days a week, shall be installed and maintained on the security fence.

13. Prior to issuance of the occupancy permit for the Facility, the decommissioning agreement required by Stafford County Code Sec. 28-39(z)(15), in the form approved by the Board of Supervisors pursuant to Resolution R23-250, shall be recorded in the land records of Stafford County Circuit Court.

14. Within thirty (30) days of final site plan approval by the County, Kinglet Solar, LLC shall contribute Seventy Thousand Dollars ($70,000.00) to the County to be expended for purposes consistent with Virginia Code § 15.2-2288.8.

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

Ms. Bohmke motioned, seconded by Mr. Coen, to adopt proposed Resolution, R23-250.

Ms. Bohmke stated that she wanted to mention one thing in the decommissioning agreement, which stated that in the event the project or the land was ever sold, the decommissioning goes with the land. She clarified that if the site was sold to Dominion or some other company, the whole decommissioning agreement went with the land.

Dr. Yeung called for the vote.

The Voting Board tally was:

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

Nay: (1) English

Resolution R23-250 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO AN WRITTEN AGREEMENT TO DECOMMISSION SOLAR ENERGY EQUIPMENT, FACILITIES, AND DEVICES OF A SOLAR FACILITY ON TAX MAP PARCEL NO. 45-220L

WHEREAS, Kinglet Solar, LLC submitted application CUP22154578 (Application), requesting a conditional use permit to allow a solar facility (Solar Facility) in the A-1, Agricultural Zoning District on a portion of Tax Map Parcel No. 45-220L (CUP), located within the Falmouth Election District; and

WHEREAS, the Board approved the CUP pursuant to Resolution R23-171; and

WHEREAS, an agreement for the decommissioning of the Solar Facility (Decommissioning Agreement) shall be submitted as part of the Application pursuant to Stafford County Code Sec. 28-39(z)(15); and

WHEREAS, Virginia Code § 15.2-2241.2 requires that as part of the legislative approval process or as a condition of approval of a site plan, Stafford County shall require the owner, lessee, or developer of real property of the Solar Facility to enter into the Decommissioning Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of September, 2023, that the County Administrator is authorized to execute the Decommissioning Agreement, which shall be in substantially the same form as the draft Agreement included with this Resolution, and any other documents which he deems necessary and appropriate to effectuate this Resolution.

ADJOURNMENT

At 8:05 p.m., Chairman Yeung adjourned the September 5, 2023 Stafford County Board of Supervisor's meeting.

Randal E. Vosburg	Dr. R. Pamela Yeung
County Administrator	Chairman

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Board Comment Form [#1]
Date: Thursday, August 17, 2023 1:03:34 PM

Name *	Mark Kaminski
Address *	1300 courthouse Road Stafford, VA 22554 United States
Email *	mkaminski@staffordcountyva.gov
Online Comments: *	Test Wufoo form
Additional Comments:	Test Wufoo form

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#2]
Date:	Friday, September 1, 2023 1:06:12 PM

Name *	test test
Address *	teset teset test, va 22222 United States
Email *	test@test.com
Election District	Aquia
Topic (please see the Public Hearings page for specific topics coming up) *	test
Online Comments: *	test

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#3]
Date:	Friday, September 1, 2023 1:09:06 PM

Name *	Lisa Kuca
Address *	50 Hamlin Dr Fredericksburg, VA 22405 United States
Email *	laakuca@yahoo.com
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Test
Online Comments: *	Test

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#4]
Date:	Friday, September 1, 2023 1:10:20 PM

Name *	Jerry Rayafi
Address *	22 Aiken Rd. Fredericksburg , Virginia 22404 United States
Email *	jerry.rayadi025@gmail.com
Topic (please see the Public Hearings page for specific topics coming up) *	System trst
Online Comments: *	Testing to see if the comment system is working.

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#5]
Date: Friday, September 1, 2023 1:41:40 PM

Name *	John Gaffe'
Address *	112 Cleremont Drive None None, Fredericksburg 22405 United States
Email *	jcgaffe@icloud.com
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Methadone Clinic Woodlawn Shopping Center near Woodlawn Subdivision

Online Comments: *

To whom it may concern, I do not support the opening of a methadone clinic in the proximity of the Woodlawn/Grafton subdivisions located off Deacon Road. In general, this clinic does not meet all the required standards for a clinic per detailed discussion points below. It is more than likely to destroy the quality of life in our neighborhood, increase crime, traffic, and imposed a strong potential for danger to our residents. Currently, my wife and children feel safe, walking, biking and otherwise enjoying what is currently a tranquil and pleasant neighborhood at any hour day or night. All of that will be lost if this clinic is opened in its proposed location. I am not against methadone clinics, but placing them near schools, daycare and residential areas is not optimal. If this clinic is installed, many of our residents will likely move, paving the way for Woodlawn and the surrounding areas to enter a permanent period of economic and social decline. Additional amplifying points from noted below. Thank you for your consideration.

• The American Psychiatric Association reports that people needing treatment are in physical and mental pain and have many medical needs. They may have impulsive behavior and struggle with housing and employment. They need social support, family counseling, public health, transportation, housing, and employment offices, and multi-disciplinary teams to address the many needs they have. A treatment center addressing these needs along with detoxification is best suited in a place that can address all these needs in one place or at the same time.

• The Woodlawn Shopping Center location does not provide any of the recommended services and is not in proximity to any of the recommended services that go along with a methadone and detoxification treatment center to make it successful.
• The Woodlawn Shopping Center is not co-located with multiple other services that address housing, employment, and public health. It is not co-located or close to hospitals. It does not have sidewalks. It does not have crosswalks. Roads leading up to it have major intersections and are without crosswalks and sidewalks. It does not have expansive parking. It does not have multiple bus routes or public transportation services close to it. The Center was built over 30 years ago, and these were not required.
• The American Society of Evidence Based Policing reported historically there have been a 7% increase in violent crime, a 31% increase in drug crimes, and a 19% increase in assaults within 200 meters of a methadone treatment center. They also report an increase in foot and vehicular traffic.
• Under the previous state statute, the treatment center could not have been located in the

Woodlawn Shopping Center due to proximity to schools. The current proposed location is near both day care centers and elementary schools. Stafford county places educational achievement in high regard. School protection and support is part of the County's strategic plan, which the zoning department adheres to. The proposed location for the treatment center would violate the county strategic plan and its vision for safety and support for children. Updated zoning for such treatment centers will protect our schools and the children that attend them.

• Please update the Zoning Ordinance such that methadone treatment centers require a Conditional Use Permit.

• Act to protect our children and the patients by supporting an amendment to the Zoning Ordinance to regulate such treatment centers in a way that best serves the addiction victims and patients, and protects the County's residents, including children.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#6]
Date:	Monday, September 4, 2023 2:41:59 PM

Name *	Jonathan Newberry
Address *	708 Perry Drive Fredericksburg, Virginia 22405 United States
Email *	newberry177@gmail.com
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Do Your Job: Update the Zoning Ordnances for Clinics

Online Comments: *

-The County failed to update the zoning ordnances to prohibit methadone clinics from being located within a half mile of a school, after the state removed the prohibition in the state law. Do your job and update the zoning ordnances. Stop making excuses about litigation. If there is litigation then it can be decided in the courts. Do your job and put back in the requirement that methadone clinics cannot be built within 1/2 of a mile of a school or daycare. If not, I and others will continue to fund the legal litigation that is currently pending against the county and zoning administration until you do your jobs and make this right.

-Under the previous state statute, the treatment center could not have been located in the Woodlawn Shopping Center due to proximity to schools. The current proposed location is near both day care centers and elementary schools. Stafford county places educational achievement in high regard. School protection and support is part of the County's strategic plan, which the zoning department adheres to. The proposed location for the treatment center would violate the county strategic plan and its vision for safety and support for children. Updated zoning for such treatment centers will protect our schools and the children that attend them.

Additionally,

• The Woodlawn Shopping Center is not co-located with multiple other services that address housing, employment, and public health. It is not co-located or close to hospitals. It does not have sidewalks. It does not have crosswalks. Roads leading up to it have major intersections and are without crosswalks and sidewalks. It does not have expansive parking. It does not have multiple bus routes or public transportation services close to it. The Center was built over 30 years ago and these were not required.

Act to protect our children and the patients by supporting an amendment to the Zoning Ordinance to regulate such treatment centers in a way that best serves the addiction victims and patients, and protects the County's residents, including children.