

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
OCTOBER 4, 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, October 4, 2023 in 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; Cheryl Giles, Deputy Clerk; various staff members; and other interested parties.

CHAIR REMARKS

Dr. Yeung said that Stafford County celebrated National Night Out on October 3rd, which was why the Board meeting was moved to today, Wednesday, October 4th. The community enjoyed a safe time, and it was the 15th year of holding this event. She thanked the Sheriff's Office for their hard work in planning and facilitating the event.

Dr. Yeung said that early voting began on September 22nd and continued through November 4th. The location was upstairs in the ABC Conference Room at the Government Center, which is located at 1300 Courthouse Road. Early voting hours were from Monday to Friday, 8:00 a.m. to 4:30 p.m., and there were two Saturdays for early voting on October 28th and November 4th, from 9:00 a.m. to 5:00 p.m.

Dr. Yeung said that Stafford County recognized Columbus Day historically as a holiday on Monday, October 9th, and most departments and offices would be closed but the parks would remain open.

PRESENTATIONS

PRESENTATION OF A PROCLAMATION TO RECOGNIZE OCTOBER 8-14 2023, AS FIRE PREVENTION WEEK

Dr. Yeung invited Katie Brady, the Public Information Officer for Stafford Fire and Rescue, to accept a proclamation for Fire Prevention Week, which took place from October 8th to 14th. She said that Fire Prevention Week aimed to inform citizens about simple and practical ways to prevent fire in the home. She welcomed Ms. Brady and asked the audience to give her a round of applause. She then read the proclamation.

Katie Brady said that she was grateful for the opportunity to accept the recognition of Fire Prevention Week from the Board. She said that cooking fires were a leading cause of home fires nationally, and they also observed a similar trend in Stafford. She said that they encouraged everyone to remain attentive while cooking and maintain a kid-free and pet-free zone around the stove to prevent unintentional burns. She said that if anyone was interested in learning more about fire safety, they had organized two open houses at Station 12 and Station 14 on Saturday and Sunday this weekend.

PRESENTATION OF A PROCLAMATION TO RECOGNIZE OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

Dr. Yeung invited Supervisor Meg Bohmke to present the Domestic Violence Awareness Month proclamation. She said that it was Domestic Violence Awareness Month in October and they wore purple ribbons to show their support against domestic violence. She stated that one in four women and one in seven men were or would be victims of severe physical violence by an intimate partner in their lifetime. She said that they had dedicated staff members and individuals working to assist victims of domestic violence through the court system.

Dr. Yeung said that Ms. Bohmke was presenting a proclamation that afternoon, and she introduced Susan Sigman from Empowerhouse, Eric Olsen from the Commonwealth Attorney's Office, Marilyn Dufrat, Tracy Kenworthy, Teena Miller, Jenni Reyes from Victim Witness Assistance, and Ana Cancel and 1st Sergeant Chris Smith from the Sheriff's Office to join Ms. Bohmke.

Mr. Olsen said that he had been prosecuting for over 30 years, and when he was hired by Dan Chichester in 1989, he said that he would hire him so he never had to go into the Juvenile Domestic Relations Court again due to the challenges prosecutors face in these difficult cases. He said that they have evolved and now understand domestic violence better than ever before. He said that their effectiveness is largely due to their team in Stafford. He said this includes the Sheriff's Office, who have innovative ways of addressing domestic violence when they receive a 911 call, as well as their community partners and the Commonwealth's Attorney's Office.

Mr. Olsen said they work together to ensure accountability and prevent future incidents. He said that the Victim Witness Office and Powerhouse also play crucial roles in supporting victims, and

he would like to acknowledge the Board of Supervisors for their support, which enables them to do their jobs effectively. He said that they had a great team, but they had unfortunately lost Kahn, their service dog this year, who provided comfort to victims of domestic violence. He said that they were all part of the County system, from the top down, and work together to serve the community. He said that Susan from Empowerhouse was a valuable partner in serving victims of domestic violence and helping them do their job.

Ms. Sigman said that she would like to express her gratitude to the Stafford County Sheriff's Office, the Victim Witness program, and the Commonwealth Attorney's Office for their collaborative efforts. She said that last night she had the opportunity to attend National Night Out, where numerous individuals approached her and shared their experiences with the team.

Ms. Sigman said that they spoke about how the deputies and detectives made them feel like they mattered and provided them with resources. She said that additionally, they praised the Victim Witness program and the prosecutor's office for holding their abusers accountable and ensuring justice was served. She said that this was a testament to the importance of teamwork in their community, and she was grateful for everyone involved. She thanked everyone for their dedication and hard work.

Dr. Yeung said that she knew Mr. Olsen when his hair was black. She said that also, her residence had served as a safe haven for some children who were displaced due to violence. She said that Ms. Sigman's contributions extended beyond this occasion, as she had met her at a Nationals game where she was assisting in cancer awareness. She said that it was evident that her actions were from the heart, and she appreciated her efforts. She thanked everyone for accepting the proclamation and continuing their work in the community.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Vosburg said that he had two items to add to their agenda. He said that first, there was an addition to the unfinished business regarding the approval of the Public Safety Memorial Committee Report, and a copy of this report can be found in the Board's folder. He said that the second item was a proposed deletion from the consent agenda, specifically item number four which relates to capital projects for utilities and is associated with the dam safety grant.

Ms. Vanuch said that she had one additional proposal if the Board would be willing to consider it under new business. She said that it involved seeking a waiver or extension of the deadline for paying personal property taxes, which were due on December 5th. She proposed that this item be added as number 13 to the new business agenda and would provide further details at that time.

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

The Voting Board tally was:

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

Nay: (0)

PRESENTATIONS BY THE PUBLIC - 1 (3 MINUTES EACH)

Dr. Yeung read the protocol for public presentations.

1. Al Watkins – (comments attached).
2. Clay Mihoulides said that he was a small business owner and resident of the Falmouth District and resided at 19 Steeplechase Road in the Woodlawn subdivision, which was located near the Woodlawn neighborhood center and the proposed site for a 9,000 square foot opioid treatment facility by Concerted Care Groups (CCG). He said that he was a father of three school-aged children who attend Stafford County schools who enjoyed the freedoms of walking and riding their bikes together with their friends around the neighborhood and over to the Weis grocery store, and they were the reason he was here today.

Mr. Mihoulides said that he was personally aware of the devastating impact addiction can have on families and loved ones, and he supported the establishment of opioid treatment facilities; however, they must be appropriately sized and located in safe areas that consider the patients and the surrounding community's needs. He said that it was clear that CCG's choice of location for their facility was not ideal. He said that the proposed site was too large at 9,100 square feet, making it non-compliant with today's parking ordinance requirements.

Mr. Mihoulides said that additionally, the center currently had 39 fewer parking spaces than what was approved in the 1996 site plan to expand the shopping center. He said that this issue is significant, but even more concerning was the lack of safe pedestrian accessibility. He said that sidewalks and crosswalks on Deacon Road did not exist in that area, which was less than 550 feet from the Bright Beginnings Preschool and Stafford bus stop. He said that this was not a political issue; it was a common sense one.

Mr. Mihoulides said that it was imperative that immediate action be taken to eliminate any possible ambiguity in the zoning ordinance and require opioid treatment facilities to obtain a conditional use permit. He said that this would allow for proper assessment of each location's proffer guidelines, which could be tailored depending on the specific site. He

said that he urged them all to stop acting out of fear of litigation involving CCG and acknowledge that a Stafford County employee's zoning determination was incorrect.

Mr. Mihoulides said that they also needed to acknowledge his failure to notify adjoining property owners was in direct violation of Stafford County zoning ordinance. He said that that resulted in the neighbors in that area not being able to be heard by the Board of Zoning Appeals, thereby denying them due process. He said that if they chose not to get behind the residents within the surrounding community and this business opens, he hoped the Board would take steps to ensure this for-profit business operated appropriately and provided measures to ensure the safety and welfare of its patients.

3. Kristin Maxson stated her address as 1816 Richmond Highway. She thanked the Board for their consideration. She said that the agenda for September 19, 2023 was posted first with 312 pages the day before and then on that date was 317. She said that on the agenda today, they had pages 954, for their information. She said that the agenda today included pages 103, 121, and 123, which were empty. She asked them to take note of that. She said that the joint BOS and EDA work session agenda for September 19th was not available to the public. She said that she tried multiple times on multiple machines and could not access it.

Ms. Maxson said that the notary stamps on pages 302, 319, and 601 of the agenda today were not legible due to being washed out. She said the public cannot compare the notary stamp to the stationery. She said that also, within the same subject, the neighboring property owners were not listed in the proffer packet. She said that there was someone who mentioned at the last meeting that they were not notified. She said that if they did not include the property owners within the packet, the public would likely not be notified. She said that the public safety memorial was posted for the agenda for September 28th specified a time of 3 p.m., but the event was posted at 10 p.m.

Ms. Maxson said that the public referred to the calendar, so many people may have missed attending the memorial or knowing about it. She said that the address of Rose Petal in Rock Hill should be consistent across all platforms to ensure that search engines can locate it. She said that changing the address may cause homeowners to be missing from search engine results or maps, which could lead to confusion for those searching for their place.

4. Jeff Adams stated his address as Kellogg Mill Road. He said that it was time for biology class. He said that photosynthesis was a big word, and he asked if the Board recalled the formula. He said that six carbon dioxide molecules combined with six water molecules in the presence of oxygen produce glucose (C₆H₁₂O₆) and oxygen. He said that plants were truly miraculous organisms, and without photosynthesis, there would be no gasoline or

electricity, as both rely on fossil fuels such as coal, natural gas, and diesel fuel. He said that solar energy and solar collecting panels were also necessary for generating electricity.

Mr. Adams said that in order to achieve net zero emissions, he hoped they never reached that point, because then there would be no carbon dioxide in the atmosphere, which meant no oxygen either. He said that during this past summer's drought, there was a lack of water, causing the grass to stop growing for three months, and the absence of grass meant that there was no need to mow it. He said that it was crucial to maintain a balance in their ecosystem. He said that tonight, they would be discussing something else, and he would return at 7 o'clock to talk about that.

Mr. Adams said that if they were to eliminate all plants, trees, and grass, there would be nothing to absorb carbon dioxide, which meant they would not have oxygen being produced for them to breathe. He said that this would also result in the absence of cows, sheep, pigs, and other meats that they enjoy consuming, because it was impossible for them to have food. He said that it was a delicate cycle that involves taking in oxygen and giving plants carbon dioxide, while receiving oxygen and food in return.

Mr. Adams said that solar electricity could be utilized to grow crops between solar panels by placing them far enough apart for tractors to pass through and high enough in the air for tractors to drive underneath. He said that livestock such as cows, sheep, goats, and other ruminants could also be raised in the same footprint as the solar farm. He said that those were some of the things to consider when discussing solar energy tonight. He said to make sure that any solar farms passed include livestock to keep the grass under control and prevent the need for humans to use gasoline-powered lawn mowers.

5. Nathan Halstead said that he resided at 279 Deacon Road in Falmouth District. He said that he would like to express his gratitude to each and every one of them for their service as leaders within the County. He said that not everyone could undertake this responsibility. He said that as a military veteran with 22 years of service, he understood that a leader was someone special who could make the right decisions at the right time, regardless of the situation for their County and community. He said that they had been wearing purple shirts in recognition of the Woodlawn Shopping Center clinic issue for the past couple of months.

Mr. Halstead stated that they needed the Board's backing on this matter, because they had done their part as a community by engaging with attorneys to stop it. He said that leadership was a challenging role that requires individuals to take stands. He said that when they could look in the mirror and tell their self that they did the right thing for their County, it was

something special that they should feel accomplished about every time they left this meeting, regardless of the topic at hand.

Mr. Halstead said that if they were unaware, they had an appeal forthcoming shortly, and within the next week, they would appreciate the County's assistance with this matter for the benefit of their community, children, and other people's grandchildren. He said that he was not old enough to have grandchildren, thankfully. He said that however, they must take a stand. He said that they loved their community and Stafford County, and when he moved from the north to the south, he was pleased to see that there was little difference between the two areas because the people remained the same in Stafford County, regardless of where he went.

Mr. Halstead said that the people in this County were what made this County unique. He said that they did not need large communities, solar farms, or data centers here. He said that they valued small communities because they brought people together and was where they could enjoy family dinners every night. He said that all he asked them to do was draw a line in the sand and be that leader who stepped over it and said they were going to stand up for their community and their people. He reminded them to look in the mirror and ensure that they were doing the right thing. He said that it was never easy to please everyone, but they must do what was best for their community.

REPORTS BY BOARD MEMBERS

Mr. English – thanked the Sheriff's Office for organizing a successful National Night Out last night. He said that it had grown larger each year, which was commendable. He said that he would appreciate an update on the progress of Musselman Park, as several of his constituents have inquired about it. He said that he was also interested in knowing the revenue generated this year for Falmouth Beach during that time, because he knew last year was kind of a wash.

Mr. English said the other thing he would like to mention was that they recently received sad news about the passing of Karen Clark, who was a retired social services supervisor with over 30 years of experience. He said that Ms. Clark was known for her kindness, gentleness, and compassion toward children, and played a significant role at social services and always had a smile on her face. He said that her husband, Rob, used to work in their HR department. He said that he offered his heartfelt condolences to Matt and Rob during this difficult time.

Ms. Gary – announced that October was Domestic Violence Awareness Month, and a proclamation had been given and aptly so for those who worked hard in the community to support victims of domestic violence. She said that she wanted to highlight that men were often victims of violence

as well, and this was often underreported. She said that she encouraged anyone experiencing difficulties, regardless of gender, to seek help, and the helpline number could easily be found online.

Ms. Vanuch – announced that Corgi Clay had their grand opening on September 23rd and reminded the public that it was situated beside Barley Naked on Garrisonville Road across from the neighborhood Walmart. She said that they offer classes where one can learn clay making and sculpturing, and they have a studio where they can purchase items created by their talented artists. She said that she highly encouraged that the public visit this small business, which was founded by a former Stafford County school teacher. She said that it was great to see their local community supporting her dreams.

Ms. Vanuch said that she wanted to give special thanks to the Sheriff's Office for organizing National Night Out last night, and always, it was an enjoyable event, and she appreciated all the hard work that went into planning it. She said that finally, the Parks and Recreation Department announced yesterday that there would be a groundbreaking ceremony for the first-ever park in Rock Hill on October 21st at 1:30 PM. She said that the Sheriff's Office will perform canine demonstrations, and therapy dog organizations would also be present. She said that if the public could bring a donation for the Stafford County Animal Shelter, that would be appreciated, as the animal shelter would also be present.

Ms. Vanuch said that the first phase of the park included parking, a restroom with accessibility features, and a small dog park. She said that that was the initial phase of the project, and she wanted to thank Jay Rutger, the Parks and Recreation Commissioner for the Rock Hill District and the current Chair, and had been working for the last six years to push through a parks master plan, and showing and establishing the need for that addition in Rock Hill. She thanked him for his hard work. She said that the first phase of the project was funded by proffer funds, and the land was dedicated to the County years ago and had remained unused.

Ms. Vanuch said that it was exciting to see this project finally take off. She said that she knew the community was excited about it and hoped to see everyone there on the 21st at 1:30 PM. She said that finally, Station 14, which was the fire station located at the corner of Garrisonville Road and Shelton Shop Road, was hosting an open house this Saturday. She said that if anyone was interested in learning more about the fire services in Stafford or would like their children to see the fire trucks, she encouraged them to stop by and speak with some of their dedicated men and women who serve their County.

Ms. Allen – thanked the Sheriff's Office for organizing an exceptional National Night Out event, particularly to retired Sergeant Burgess for initiating such a remarkable occasion and to Deputy

Curtis for his outstanding performance during his first event. She said that he did an excellent job, and she would like to acknowledge his team and the entire leadership at the Sheriff's Office for their hard work in making it a success. She said that she received positive feedback from the crowd throughout the event, and she always looks forward to attending it.

Ms. Allen said that October was not only Domestic Violence Awareness Month but also Sudden Cardiac Arrest Awareness Month. She said that as a cardiac nurse, one of the crucial aspects in saving lives during sudden cardiac arrest was becoming trained in basic life support, which included chest compressions and rescue breathing. She said that she urged the community to visit the American Heart Association or other relevant providers to enroll in classes for basic life support certification. She said that these critical moments when someone was experiencing a cardiac emergency can significantly increase the chances of achieving return of spontaneous circulation, which means bringing the person back.

Ms. Allen said that as a community, learning CPR was beneficial not only for themselves but also for their emergency medical technicians and paramedics who respond to scenes where someone may require CPR. She said that it was essential to take the time to learn this life-saving skill. She said that she proposed that the Board consider establishing a fund to assist deputies and fire marshals with the financial responsibility of caring for their retired dogs. She said that this proposal came after discussions with their fire marshals and deputies, during which she learned that handlers are responsible for the financial well-being of their retired dogs.

Ms. Allen said that it was unfair to ask them to make the difficult decision to give up their canine partners when they had served together for many years. She proposed that they establish an emergency fund to help offset the costs associated with caring for a retired dog during its lifetime. She said that this fund could be modeled after similar programs in other states, such as Florida. She asked the Board to consider this proposal and direct the County Administrator to research and develop a plan for implementing such a program.

Ms. Vanuch said that she was in favor of that idea. She said that she had brought this suggestion to the Sheriff's attention two years ago when a retired police dog named Havoc experienced health issues and the deputy had to pay almost \$10,000 out of pocket. She said that at the time, the Sheriff was not interested in pursuing it; however, she believed that they should create an ordinance for this matter. She said that she would propose that if a police officer or firefighter had the dog for more than two or three years and then left the agency or retired, they should be entitled to keep the dog.

Ms. Allen said that she had not spoken directly to the Sheriff, but she had discussed it with his senior leadership team who expressed interest and agreed to get back to her. She said due process

must be followed before any further discussion can take place, because in his defense, this only came up last night when she was hanging out with Lincoln. She said that as they were discussing the issue, it appeared that this was not something that was done, and she believed that these dogs serve as an important part of their community and put themselves at risk for them and their families and neighbors. She said that it was essential to ensure that their handlers are not placed in difficult positions when they retire, where they must choose between their dog, profession, and family.

Ms. Bohmke – remarked that she was approached by a group called Virginians for Safe Technology a couple of months ago. She said that they had a conference call with several members of this organization, as well as Dominion Power, to discuss the new smart meters that had been installed. She said that there were concerns regarding their safety and that there is insufficient public health safety review and protection, insufficient fire hazard prevention, violation of the ADA Title II, and insufficiency in privacy and cybersecurity safeguards.

Ms. Bohmke said that some individuals may experience symptoms such as fatigue, ringing in the ears, difficulty sleeping, headaches, and learning problems due to the smart meters. She said the severity of these symptoms depends on the location of the smart meter within the house and the individual's sensitivity to it. She requested that the Public Safety Committee take up this issue and have a discussion at the next Public Safety Meeting regarding this matter. She asked if anyone was opposed to that.

Dr. Yeung said that she was not opposed to that, but she would like to clarify the objective or goal of it, as she was aware that smart meters could destabilize electrical grids and there had been instances of individuals causing such disruptions in various cities. She asked what the objective would be.

Ms. Bohmke said the objective was for the Board to hear from the Virginians for Safe Technology group with a ten-minute presentation. She said the Public Safety Committee and other members of the Board present could provide their input on whether they wish to pursue the matter further.

Dr. Yeung asked if Ms. Bohmke would like to add it to the agenda.

Ms. Bohmke said yes.

Mr. Coen clarified that the item was included on today's agenda as Item 12.

Ms. Bohmke apologized. She said that she had already covered that item.

Mr. Coen – announced that he would like to thank the organizers of National Night Out. He said that the Sheriff's Office did an excellent job, and Curtis deserved recognition for his hard work, but had a tough act to follow, as Sgt. Burgess was wonderful as well. He said that the Fire and Rescue teams, as well as the utilities department, had all contributed to making it a great event. He said that people had a positive experience interacting with various government agencies.

Mr. Coen said that he wanted to remind everyone that election day was approaching, and the Registrar still needed volunteers to work at the polls, and would be compensated for the time and effort. He asked the public to please contact the Registrar if they were interested in helping with democracy . He said that Fire Prevention Week was an important event, and the students in the fire program took it very seriously. He said that he believed that it was something they should all take seriously, and with this in mind, there would be an open house at Berea Station 12 on Route 17 on Sunday from 12:00 p.m. to 3:00 p.m., so individuals in the southern part of the County were able to attend the event taking place there.

Mr. Coen said that the Fire and Rescue Department was hosting a monthly blood drive at St. Lutheran Church on December 18th from 10 a.m. to 2 p.m. He said two upcoming events that people may wish to keep in mind included the annual Band Together to Fight Hunger concert featuring all of the high school bands in the area, which would take place on November 6th at Mountain View High School at 7:00 p.m. He said that attendees were asked to bring one non-perishable food item as they arrived. He said that the event was a wonderful opportunity to see their community come together as one cohesive unit through music.

Mr. Coen said that there would be a public hearing held by VDOT on the proposed roundabout at Celebrate Parkway and Howell Library on November 6th from 6:00 p.m. to 8:00 p.m. He said that the residents had been anticipating this discussion for some time, and it was an opportunity for community members to express their opinions on the matter. He said that he was interested in establishing a Dog Retirement Fund and the discussion on meters brought up by Ms. Bohmke.

Dr. Yeung – announced that on September 21st, Supervisor Gary and herself had a Workforce Committee review of the draft and discussion of the GWRC data information, as well as information from the comprehensive plan and a conversation with a Stafford County employee who provided interesting insights. She said that on September 27th, she attended the River Basin meeting in Orange County, where they discussed Governor Youngkin's administrative priorities, the Sentinel Landscapes designation, and the Chesapeake Conservancy. She said that there was also a robust discussion about data centers and water usage.

Dr. Yeung requested that the Board consider collaborating with other localities on the Rappahannock River, as Senator Stuart brought this up, because Caroline County was planning to

build a data center, and the company in question wanted to use water from the Rappahannock. She said that she believed it was necessary for her to examine the Constitution because the Rappahannock belonged to the individuals residing in various areas. She said that it was unclear whether the issue should be addressed separately from their discussion regarding data centers since it pertained to the water in the Rappahannock that they intended to use.

Dr. Yeung said that she was aware that when they previously discussed the Potomac, it was facing difficulties at the time, and similarly, the Chesapeake Bay had been cleaned up, but here they were once again. She said that this was their river, and they needed to ensure that they were good stewards of it. She said that they should consider how the company intended to use the water and ensure that they did so responsibly. She said that she understood that the Friends of the Rappahannock would be discussing this matter further.

Ms. Bohmke clarified that Dr. Yeung said Caroline County and not King George County.

Dr. Yeung said that was correct.

Ms. Bohmke said that she had thought that King George was using the Rappahannock as well.

Dr. Yeung said that they should look at that as well.

Mr. Vosburg said that if there was interest from the Board, it would not be within their jurisdiction to oversee the permitting process directly; however, they could reach out to relevant authorities and investigate potential avenues through which the Board may be able to impact this matter. He said that it might involve drafting a letter on behalf of the Board to express their concerns or recommendations.

Dr. Yeung said that she was aware that the Water Basin organization would look into this matter as well, and she would remain in contact with them. She said that once they received any information, she would share it with the Board. She said that Chip Boyles was also present from GWRC, and they discussed the issue afterwards, and he was also looking into it. She said that same afternoon, they had a meeting regarding the Office of Youth and the budget was the primary topic of discussion. She said that on the 28th, she met with several businesses to collaborate on a community project for an elderly woman in Garrisonville who lost her husband and is also ill, necessitating travel to Richmond for treatment at the Cancer Research Center. She said that the National Night Out, which took place yesterday, was very successful.

REPORT OF THE COUNTY ATTORNEY

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

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said that the Finance, Audit, and Budget Committee action list was included in the Board packets. He said that to summarize what he had gathered, there was an item regarding canines that would be placed under public safety. He said that the smart meter item would also be placed under public safety. He said that they would conduct research on Rappahannock water withdrawal related to data centers and present the Board with options. He said that Mr. English mentioned updates about Musselman Park, which they would forward to the Board. He said that they would distribute information regarding Historic Port of Falmouth revenue collected this season to the Board.

CONSENT AGENDA

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

The Voting Board tally was:

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

Nay: (0)

ITEM 1. ADMINISTRATION; APPROVE SEPTEMBER 19, 2023 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPROVE SEPTEMBER 19, 2023 JOINT BOARD OF SUPERVISORS AND ECONOMIC DEVELOPMENT AUTHORITY WORK SESSION MINUTES.

ITEM 3. COUNTY ADMINISTRATION; ENDORSE A LETTER TO STAFFORD'S GENERAL ASSEMBLY DELEGATION REQUESTING STAFFORD BE ADDED TO THE LIST OF QUALIFYING LOCALITIES ABLE TO LEVY A LOCAL SALES TAX NOT TO EXCEED ONE-PERCENT FOR THE PURPOSES OF PROVIDING REVENUE FOR CAPITAL PROJECTS FOR SCHOOL CONSTRUCTION AND RENOVATION.

ITEM 4 CAPITAL PROJECTS UTILITIES; AUTHORIZE EXECUTION OF A GRANT AGREEMENT TO ACCEPT THE VIRGINIA DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE FUND GRANT AWARD, AND TO BUDGET AND APPROPRIATE FUNDS FOR THE LAKE ARROWHEAD SERVICE DISTRICT DAM SPILLWAY IMPROVEMENT PROJECT.

Resolution R23-281 reads as follows:

A RESOLUTION TO AUTHORIZE ACCEPTANCE OF THE VIRGINIA DAM SAFETY, FLOOD PREVENTION AND PROTECTION ASSISTANCE FUND GRANT AWARD, AND TO BUDGET AND APPROPRIATE FUNDS FOR THE LAKE ARROWHEAD SERVICE DISTRICT DAM SPILLWAY IMPROVEMENT PROJECT

WHEREAS, the Board, as governing body of the Lake Arrowhead Service District (LASD), seeks to construct improvements on the Lake Arrowhead Big Dam to satisfy regulatory and compliance requirements set forth by the Virginia Department of Conservation and Recreation (DCR) for dams with a high hazard classification; and

WHEREAS, DCR has implemented the Dam Safety, Flood Prevention and Protection Assistance Fund – American Rescue Plan Act (Grant) to assist dam owners with construction costs of completing regulatory mandates; and

WHEREAS, the Board authorized staff to apply for the Grant in an amount up to \$500,000 on February 21, 2023 pursuant to Resolution R23-41; and

WHEREAS, the LASD has been awarded Grant funds in the amount of \$500,000 for a total project cost of \$1,000,000; and

WHEREAS, Board, on behalf of LASD, desires to accept the Grant funds for the Lake Arrowhead Service District Improvement project;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, as governing body of the Lake Arrowhead Service District, on this the 4th day of October, 2023, that the County Administrator be and he hereby is authorized to execute a grant agreement with the Virginia Department of Conservation and Recreation (DCR) to accept grant funds in the amount of Five Hundred Thousand Dollars (\$500,000), with a Five Hundred Thousand Dollar (\$500,000) local match, to assist with state-mandated dam repairs in the Lake Arrowhead Service District; and

BE IT FURTHER RESOLVED that the grant funds from DCR for the Virginia Dam Safety, Flood Prevention, and Protection Assistance Fund Grant are budgeted and appropriated as follows:

Fund	Purpose	Amount
ARPA Pass Through State Funding	Lake Arrowhead Dam Spillway Improvement Project	\$500,000
Lake Arrowhead Service District Fund Balance	Lake Arrowhead Dam Spillway Improvement Project	\$500,000

ITEM 5. COMMUNITY ENGAGEMENT; A PROCLAMATION RECOGNIZING NATIONAL HISPANIC HERITAGE MONTH.

Proclamation P23-10 reads as follows:

A PROCLAMATION RECOGNIZING SEPTEMBER 15 TO OCTOBER 15 AS
NATIONAL HISPANIC HERITAGE MONTH 2023

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

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

WHEREAS, the theme of this year's Hispanic Heritage Month is "Latinos: Driving Prosperity, Power, and Progress in America," which pays tribute to the immense economic and political strides Hispanics have made in the United States; and

WHEREAS, Stafford is proud that persons of Hispanic or Latino descent constitute more than 16% of Stafford's total population and have added to and enhanced the community life in the county; and

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

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

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 4th day of October, 2023, that it be and hereby does recognize National Hispanic Heritage Month, 2023.

ITEM 6. COMMUNITY ENGAGEMENT; PROCLAMATION TO RECOGNIZE OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH.

Proclamation P23-26 reads as follows:

A PROCLAMATION TO RECOGNIZE OCTOBER 2023 AS DOMESTIC
VIOLENCE AWARENESS MONTH

WHEREAS, one in four women and one in seven men have been or will be victims of severe physical violence (e.g., beating, burning, strangling) by an intimate partner in their lifetime; and

WHEREAS, one in 15 children is exposed to intimate partner violence each year, and 90% of these children are eyewitnesses to this violence. Children exposed are more likely to attempt suicide, abuse drugs and alcohol, run away from home, engage in teenage prostitution and commit sexual assault crimes. Half of the people seeking refuge at the Empowerhouse domestic violence shelter are children; and

WHEREAS, every five days, a Virginian is killed because of domestic violence; and

WHEREAS, racism, homophobia, transphobia, ageism and discrimination based on physical ability, nationality or other factors help to perpetuate domestic violence and make finding safety even more difficult for some victims; and

WHEREAS, the County of Stafford joins with others across Virginia and the nation in supporting victims of domestic violence, as well as local programs, state coalitions, national organizations, and other agencies nationwide who are committed to increasing public awareness of domestic violence and sending a clear message to abusers that domestic violence is not tolerated in Stafford County; and

WHEREAS, domestic violence impacts 10 million people yearly, but it can be prevented. Preventing domestic violence requires the collective voice and power of individuals, families, institutions, and systems – to transform our communities; and

WHEREAS, during October, in the County of Stafford, Empowerhouse, Stafford Commonwealth's Attorney Office, Victim Witness Assistance Office, Stafford County Sheriff's Office, victim-serving organizations, system partners, community organizations and allies come together to unify and support those working to end violence, support survivors, raise community awareness of the devastating effects of domestic violence, those who have survived, and mourn those we have lost;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 4th day of October, 2023, that the Board be and hereby does declare October Domestic Violence Awareness Month in Stafford County and continue to pledge to end the violence.

ITEM 7. COMMUNITY ENGAGEMENT; PROCLAMATION TO RECOGNIZE OCTOBER 8-14, 2023, AS FIRE PREVENTION WEEK.

Proclamation P23-27 reads as follows:

A PROCLAMATION RECOGNIZING OCTOBER 8-14, 2023, AS FIRE PREVENTION WEEK

WHEREAS, Stafford County is committed to ensuring the safety and security of all those living in and visiting our county; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed more than 2,800 people in the United States in 2021, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 338,000 home fires; and

WHEREAS, cooking is the leading cause of home fires in the United States and fire departments responded to more than 166,400 annually between 2016 and 2020; and

WHEREAS, two of every five home fires start in the kitchen with 31% of these fires resulting from unattended cooking; and

WHEREAS, children under five face a higher risk of non-fire burns associated with cooking than being burned in a cooking fire; and

WHEREAS, Stafford residents should turn pot handles toward the back of the stove; always keep a lid nearby when cooking; keep a three-foot kid-free zone around the stove, oven, and other things that could get hot; watch what they heat; and set a timer to remind them that they are cooking; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires almost in half; and

WHEREAS, Stafford County's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Stafford County residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2023 Fire Prevention Week theme, "Cooking safety starts with YOU. Pay attention to fire prevention," effectively serves to remind us to stay alert and use caution when cooking to reduce the risk of kitchen fires.

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 4th day of October, 2023, that the Board be and hereby does declare October 8-14, 2023, as Fire Prevention Week in Stafford County.

ITEM 8. COMMUNITY ENGAGEMENT; PROCLAMATION TO RECOGNIZE STAFFORD COUNTY FOR WINNING THE 2023 GOVERNMENT EXPERIENCE OVERALL 1ST PLACE AWARD.

Proclamation P23-28 reads as follows:

A PROCLAMATION TO RECOGNIZE STAFFORD COUNTY FOR WINNING
THE 2023 GOVERNMENT EXPERIENCE OVERALL 1ST PLACE AWARD

WHEREAS, the Center for Digital Government announced that Stafford County won first place in the county category for the seventh annual Government Experience Awards, making Stafford the top county in the nation; and

WHEREAS, the award is given to jurisdictions that have elevated tech standards to provide a more intuitive, customer-centric approach to delivering essential residential services; and

WHEREAS, Stafford won for its innovative brand development of “Ask Blu,” a comprehensive digital ecosystem for residents with a Stafford great blue heron as a mascot; and

WHEREAS, the Ask Blu platform incorporates numerous modules under one brand including direct links to the 311 system through the AI chatbot; the AskBlu mobile apps available on iOS and Android; a citizens/officials text system; a customized newsletter disseminated by county representatives with applicable news for residents based on their area; and a self-paced citizen education portal known as the Blu’s Academy; and

WHEREAS, the recognition and the Ask Blu platform are the result of months of hard work by the Department of Community Engagement with support from the Department of IT; and

WHEREAS, the County continues to enhance and extend Ask Blu to incorporate other technical advancements to improve service delivery to residents;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 4th day of October, 2023, that the Board be and hereby does declare recognize and honor Stafford’s designation as first place nationally in the county category of the Government Experience Awards.

ITEM 9. INFORMATION TECHNOLOGY; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH CDW GOVERNMENT LLC FOR THE PURCHASE OF MICROSOFT 365 LICENSES.

Resolution R23-282 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO
APPROVE ADDITIONAL EXPENDITURES WITH CDW GOVERNMENT LLC
FOR THE PURCHASE OF MICROSOFT 365 LICENSES

WHEREAS, Microsoft is ending support for the on-premise Exchange 2013 platform in December 2023, exposing the County to significant security risks; and

WHEREAS, the Microsoft 365 (M365) platform will provide County government users with Exchange, Word, Excel, PowerPoint, Teams, OneDrive, SharePoint, Defender (security platform), Power BI Reporting and Analytics, Mobile Device Management, and several other productivity tools; and

WHEREAS, implementing M365 will enable advanced threat protection, privacy controls, multi-factor authentication, and device management features, thereby reducing exposure to security threats; and

WHEREAS, migrating to M365 will enable the retirement of at least 12 existing applications and services, saving the County between \$391,000 to \$515,000 annually; and

WHEREAS, the licenses needed for Microsoft 365 may be purchased from an existing County contract, Rider Agreement No. 21-058-3120CI, with CDW Government LLC, approved pursuant to Resolution R22-139; and

WHEREAS, the purchase of M365 licenses shall not exceed \$562,649 in Fiscal Year (FY) 2024, and the funds are available in the Department of Information Technology's budget for this purpose; and

WHEREAS, costs for the subsequent renewal term shall be subject to the annual budget and appropriation by the Board;

NOW, THEREFORE BE IT RESOLVED, by the Stafford County Board of Supervisors on this the 4th day of October, 2023, that the County Administrator be and he hereby is authorized to approve additional expenditures with CDW Government LLC, Rider Agreement No. 21-058-3120CI, for Microsoft 365 licenses for all full and part-time employees and volunteers working for General Government, Public Safety, and Fire and Rescue departments in an amount not to exceed One Million One Hundred Twenty-Five Thousand Two Hundred Ninety-Seven Dollars (\$1,125,297) over the remaining two years of the contract.

UNFINISHED BUSINESS

ITEM 10. COUNTY ADMINISTRATION; CONSIDER AMENDING LAKE ARROWHEAD SERVICE DISTRICT ADVISORY COMMITTEE BY-LAWS AND APPOINTING INAUGURAL MEMBERS AND ALTERNATE MEMBERS TO THE COMMITTEE.

Ms. Vanuch said that this item was discussed several times prior to today with the applicants listed in the materials. She said they were amending the by-laws to establish a service district, allowing for three service district members and two alternates as well.

Ms. Vanuch motioned, seconded by Mr. English, to approve proposed Resolution R23-251.

The Voting Board tally was:

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

Nay: (0)

Resolution R23-251 reads as follows:

**A RESOLUTION TO AMEND THE BY-LAWS OF THE LAKE ARROWHEAD
SERVICE DISTRICT ADVISORY COMMITTEE AND APPOINT
INAUGURAL MEMBERS AND ALTERNATE MEMBERS**

WHEREAS, the Board established the Lake Arrowhead Subdivision Service District (Service District) on February 7, 2017 with Ordinance O17-01; and

WHEREAS, pursuant to Virginia Code § 15.2-2403, the Board is the governing body of the Lake Arrowhead Service District, and may establish and appoint members to an advisory committee to make recommendations on projects that should be undertaken within the Service District; and

WHEREAS, pursuant to Resolution R21-434 the Board established the Lake Arrowhead Service District Advisory Committee (LASDAC) and adopted its By-laws; and

WHEREAS, the By-laws provide the requirements for the Board to initially appoint three members with three-year staggered terms, and for the County to appoint two County staff members to serve the LASDAC; and

WHEREAS, the Board desires to amend the By-laws to clarify staff's role on the Committee and to allow for the appointment of two alternate LASDAC members from the community; and

WHEREAS, in accordance with the By-Laws, the Rockhill Election District Supervisor has recommended and the Board desires to appoint the below members to the LASDAC;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors, acting as the Lake Arrowhead Service District Board, on this the 4th day of October, 2023, that the By-laws for the Lake Arrowhead Service District Advisory Committee (LASDAC) be and they hereby are amended and readopted as provided in the By-laws included in the Board package as Exhibit A, dated as last amended on October 4, 2023; and

BE IT FURTHER RESOLVED, that the Board appoints the below members for the below unexpired portion of the terms, to the LASDAC:

<u>Name</u>	<u>Term</u>	<u>Expiration Date</u>
Uriah Kiser	1 year	December 31, 2023

Frank Shannon	2 years	December 31, 2024
Frederick Herbst	3 years	December 31, 2025
Dawn Ovel- Alternate	2 years	December 31, 2024
Heather Lennan- Alternate	3 years	December 31, 2025

; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to name, and change from time to time with notice to the Board and the LASDAC, the two County staff member who will support the LASDAC.

ITEM 11. 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.

Ms. McClendon said that at the previous meeting of the Board, it was requested that they reach out to the County's consultants. She said that they had initiated that process, and they anticipated receiving a report from the County's consultants by the end of this month. She said staff was requesting that the Board consider bringing this back with their recommendations and any proposed ordinances at their meeting on November 14th.

Dr. Yeung asked if a motion was necessary.

Ms. McClendon said that as long as the Board was in agreement, staff can bring it back with the information the Board requested on November 14th.

ADD-ON TO UNFINISHED BUSINESS; APPROVAL OF THE PUBLIC SAFETY MEMORIAL COMMITTEE REPORT.

Mr. English said that they had been meeting monthly regarding the memorial, and the mission statement had been brought to the Fire Chief's Association. He said that he believed they were in agreement with everything and they appreciated the mission statement. He said that he now needed a vote of confidence or a vote from the Board to proceed with this process.

Mr. Coen motioned, seconded by Ms. Vanuch, to approve the Public Safety Memorial Committee report.

Ms. Vanuch said they had discussed this during the initial planning stages and was related to what Supervisor Allen mentioned in her Board comments. She said that in one of the Public Safety Committee meetings, she suggested adding a specific area about the memorializing the dogs used by Fire and Rescue and the Sheriff's Office who had passed away. She said that they were volunteers, so she believed it would be appropriate to incorporate them into this project in some way.

Mr. English said that he would return with information regarding that matter.

The Voting Board tally was:

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

Nay: (0)

NEW BUSINESS

ITEM 12. DISCUSSION ON DOMINION POWER SMART METERS REQUESTED BY SUPERVISOR MEG BOHMKE.

Ms. Allen said that she needed more information about the group in question to accurately determine whether or not they can be considered a lobbyist group. She said that she would like to clarify if their background is relevant to the information they are presenting. She asked if there was any further detail that could be provided.

Ms. Bohmke said that she did not believe they were a lobbying group, but were a group of citizens with background knowledge in this area and had conducted their own research. She said that they had been active for some time and recently presented something to the Gloucester County Board meeting the previous night. She said that they did not identify with any political party such as Republican, Democrat, Green, or others. She said that they primarily focused on public safety. She said she spoke with Chief Cardello and one of the fire marshals during a conference call with Dominion, and Dominion had agreed to set up another call with them to further discuss this matter.

Ms. Bohmke said that they needed to conduct some research on their end as there had been a significant investment made by Dominion and other companies in all states regarding this, so they were hesitant to reverse their decision after implementing it. She said that another concern was for those individuals who were disabled, as originally, Dominion was not charging a fee for those who wished to return to their old analog meter. She said that there had been some discussion that they may now be charging fees, which went against the Americans with Disabilities Act (ADA) as it related to disabled people, because it would become a fee or tax through the State Corporation Commission.

Ms. Bohmke said that it was a scientifically-oriented process that these individuals had gone through, and she was not an expert on the subject but possessed limited knowledge about it. She said that what she knew gave her cause for concern, therefore she wanted the Public Safety Committee to hear it, as well as other Board members conducting their own research to determine whether they wished to proceed with this matter. She said that she was not mandating that the committee take this any further and left the decision up to them.

Ms. Bohmke said that if the Board felt that this was not worth pursuing or they had conducted their own research and found alternative information, then they were free to make that decision. She said that she believed it was essential for the committee to thoroughly vet this issue, as there would undoubtedly be many questions. She said that as Ms. Allen knew by being in the nursing field, she understood that people's bodies could react differently to various stimuli, therefore, if a small percentage of the population was affected by smart meters, they deserved to be informed.

Ms. Allen said that she would like to clarify that her previous statement may have been interpreted as disrespectful and she apologized if it came across that way. She said that the reason she asked the question was to understand whether the state has considered examining the reasons behind Dominion's actions. She said that they did not have much control over Dominion, so she was unsure why they are approaching them with this issue. She asked if they had reached out to VACo or the state government to discuss potential policy changes. She said that it be more appropriate for them to address these concerns at the governmental level rather than coming to the County.

Ms. Bohmke said that she would challenge the claim that they lacked control over Dominion and the State Corporation Commission. She said that it was not necessary to blindly accept every action taken by Dominion. She said that it was their responsibility as leaders to push back if they realized there may be a health risk to some of their constituents.

Dr. Yeung said that she wanted to ensure that they had thoroughly assessed the concerns raised by their constituents regarding Dominion Energy's smart meters. She said that they may need to do their own research and make some phone calls. She asked if it was a policy or if Dominion was looking to change out the meters.

Ms. Bohmke said that they had already put the meters in, and people had to opt out to get a different kind of meter.

Ms. Gary said that part of the reason for replacing this equipment was so that they could claim tax losses and avoid paying revenue, which was why she raised the question about their financial situation earlier. She said that she was willing to look into it further. She said that as Ms. Allen mentioned, anyone can conduct research on any topic, and it was easy to have confirmation bias

and only find information that supported their own views. She said that she did not know who these people were, with no disrespect.

Ms. Gary said that if they wanted to look at it, it would be best to ask the staff if they could provide them with any relevant information if they have the time. She said that she believed it was important to have that before making a decision. She said that there were only so many things they could do, but they should do everything they could to address any issues. She said that if they found any concerns, they should take action, whether that meant writing a letter or taking other appropriate measures.

Ms. Vanuch clarified that Ms. Bohmke was asking the Board to take action today to put it on the committee agenda. She said that she supported that, and it was a great opportunity for them to listen to two different groups. She said that Ms. Bohmke was trying to highlight the possibility of safety risks associated with smart meters. She said that in that case, the committee could bring back recommendations to the full Board on educating people about their options, for instance, if someone did not want a smart meter, they could contact Dominion and request removal of the smart meter from their home. She said that this was something that many people were unaware of at present, so there were some tangible things that gave them reason to look into it.

ADD-ON TO NEW BUSINESS; WAIVING PERSONAL PROPERTY TAX LATE FEES.

Ms. Vanuch said that she had quickly touched base with everyone via a message and spoke to a few of them on the phone about waiving the personal property late fees based on the impending government shutdown that they thought was going to occur last week. She said that as everyone was aware, there was now a 45-day continuing resolution in place, which puts the new budget negotiations right at the time when they would be sending out the bills for personal property taxes.

Ms. Vanuch said that also, the Speaker of the House was removed from his position yesterday, which created further uncertainty for federal government workers. She said that many of the Board members were also aware that national politics could have a significant impact on them locally due to the large number of federal employees in their area. She said that she asked Mr. Vosburg to speak with Ms. McClendon about two different options.

Ms. Vanuch said that Prince William County has chosen one pathway, which was to pass an ordinance that changes the due date by 90 days. She said that Stafford typically did not take this approach in their area; instead, they usually waived late fees via emergency ordinance. She said that Ms. McClendon confirmed this was an option and could return with that on October 17, extending the due date by 90 days, which would move the current deadline of December 5th to a new date in January.

Dr. Yeung said that she did not understand the objective. She said that she heard different things when Ms. Vanuch left the text message. She asked if Ms. Vanuch was here today to discuss the late fees.

Ms. Vanuch said that the first option was what Prince William County did, which was to move the due date of personal property tax bills. She said that currently, the deadline was December 5th. She said that the proposal could be a date that they would determine, such as moving it back by 90 days. She said that if they passed this ordinance on October 17th, they could potentially push it out to January 5th. She said that she discovered yesterday that this was an option which has not been done in the past, however, there was an ordinance that allowed them to do so.

Ms. Vanuch said that the Treasurer's Office would need to undertake additional work to change the due dates, but they are currently experiencing a leadership transition and this was not their preferred approach. She said that nevertheless, she wanted to ensure transparency and provide the Board with all of the information that she had. She said that the other option, which they have done three times during COVID-19 and on several other occasions for economic difficulties, was to pass an emergency ordinance on October 17th, which would give the treasurer the ability to know that the Board had taken action, and the due date would remain the same, but it would waive the late fees until January 5th.

Ms. Vanuch said that on the bill, it would state that their payment was due on December 5th, but no late fees would be incurred until January 5th, so individuals would be granted an additional 30 days to settle their bills. She said that because it was an emergency ordinance, they had to vote on it on October 17th. She said that this was recommended by the Treasurer's Office so that they could mention the waived late fees in the bills so if the government closed down and people were furloughed would not have to worry about paying their bills immediately. She said that in December, they could extend it further based on the circumstances.

Ms. Vanuch said that her suggestion was that they should have an ordinance brought back on October 17th that would waive late fees until January 5th for those who could not pay but were still due on December 5th. She said that for those who could not, they would not incur any late fees during this period. She said that she sought direction from the Board regarding staff preparation for what they would be voting for on October 17th.

Mr. Coen said that when this came back, he would be interested in obtaining further feedback from the treasurer verbally, as well as from staff and Ms. McClendon. He said that with data regarding previous instances when they granted a late payment would be beneficial, and he recalled that only a small number of individuals took advantage of this. He said that he was not saying whether it

was good or bad, but they always said they wanted data, so they may as well get some data. He said that they had done the emergency ordinance in the past.

Ms. Bohmke said that the data appeared to be satisfactory and she did not have any concerns regarding its accuracy. She said that it was evident that individuals had taken advantage of similar opportunities in previous years, so there seems to be no reason why they should not proceed with caution. She said that the County had reserve funds, if necessary, they can borrow from, so it was a no-brainer that they should do it.

Ms. Gary said that she was in favor of the proposal. She said that it was interesting to note that when she shared the post made by Supervisor Vanuch, one of her friends who held differing political views commented and expressed appreciation for her work on this matter. She said that it was a commonsensical proposal that would benefit many individuals if they chose to utilize it.

Ms. Allen asked if the Prince William ordinance was enacted in anticipation of possibility of a government shutdown.

Ms. Vanuch said that their due date was in October.

Ms. Allen asked what the reason was behind the ordinance.

Ms. Vanuch said that it was due to the difficult economic situation that people could not make these types of large payments.

Ms. Allen asked if it was based on the shutdown.

Ms. Vanuch said no.

Mr. Vosburg said that it was based on increases in evaluations of vehicles, so it was economics and not the shutdown.

Ms. Allen clarified that their ordinance was aimed to address the car market.

Ms. Vanuch said that their residents were also impacted by the car market the same.

Ms. Allen said that she understood, but was trying to understand the basis of each ordinance.

Ms. Vanuch said that the current economic issues coupled with the potential government shutdown emphasized the need for action.

Dr. Yeung said that she did not mind that they were trying to help individuals out of economic needs, which was a compassionate thing to do. She said that there were healthcare costs and childcare costs that were as high as mortgages, and she was unsure of how much these fees would impact people. She said that the Board could meet any time and have an emergency meeting in November after the 45 days and suspend the fees December 5th, because it would start on December 6th.

Dr. Yeung said that they should schedule the emergency meeting forward and not do anything now. She said that staff could provide them information. She said that one of the questions she had was what the historical revenue generated by these fees and penalties, and if it included real estate tax in addition to personal property. She asked if escrow payments would be delayed as a result.

Ms. Laura Rudy, Treasurer, said that they had done this a few times in the past with COVID-19 and some of the economic issues, as well as issues with the bill printer not getting them out on time. She said that they had done this a couple of different ways, which they had a little blurb on the tax bill when they knew what was happening, but they did not know exactly what to call it other than "COVID-19 issues." She said that in the future, when they did not have that time, they put it on their website and communicated it to people who called.

Ms. Rudy said that one of the things she recommended was to keep the due date for the personal property taxes as the due date, and they were still going to do the escrow, so she would not worry too much about that. She said that however, there were other folks with personal property and real estate bills and may be in a position where that extra time helped them bring it forward and make the payment.

Dr. Yeung said that she wanted there to be clarity so that people understood the due dates.

Ms. Rudy said that there was flexibility, but if they wanted to put something on the bill that was noticeable, that was where they would want it a bit sooner, and Ms. McClendon could provide further information on the timing.

Ms. Allen asked about the difference between the two options for the ordinance that they are considering. She asked if Ms. Rudy could please explain why the first option is not as beneficial as the second one.

Ms. Rudy asked if Ms. Allen was referring to changing the actual due date.

Ms. Allen said yes.

Ms. Rudy said that changing the actual due date would be pushing it back again, which had already been done once before in June due to uncertainty about the state budget being passed. She said that the Board decided to extend the actual due date beyond June 5th to approximately the 19th or 20th. She said that people became accustomed to this new deadline and began to question whether it would be changed again, which could add confusion and concern as well as an expectation of further changes in the future. She said that Prince William County had its own decision-making process and Board, so it was up to the Board to make a final decision on the matter.

Dr. Yeung asked if there was information regarding the cost of the proposal.

Ms. Rudy said that referring to the possibility of penalties and interest, the penalty was 10%. She said that considering a scenario in which everyone failed to pay their bill, that was one thing, but most individuals would be able to meet their obligations. She said that providing citizens with a degree of flexibility during these uncertain times is beneficial so they could have extra time. She said that it was difficult to estimate the exact number of people who would take advantage of this opportunity.

Dr. Yeung said that she would not work on this today if they did not have to.

Ms. Vanuch said that they were asking to waive late fees for people who could not afford to make their payments by December 5th. She said that this was a minimal request and she believed it was in line with their objective of assisting individuals who were struggling financially. She said that she was amenable to a vote on this matter on October 17th, which would provide sufficient time for staff to prepare the bills to acknowledge that if additional time were needed to pay, late fees should not be assessed until after January 5th.

Ms. Rudy said that they usually provided a blurb on there about that.

Ms. Vanuch said that they could wait until the 17th as Ms. McClendon needed time to prepare the ordinance. She said that her point in this discussion was to present both options so that the Board could choose the one they were more comfortable with. She said that she believed she had heard from four of them who were comfortable with waiving the late fees.

Ms. Vanuch motioned to bring forward an emergency ordinance to waive the late fees at the next Board meeting.

Ms. Vanuch said that the vote on it would be on the 17th and again in December as it was only valid for 60 days to ensure they met the January 5th timeline. She said that her motion was to bring that back at the next Board meeting for the Board to take action on.

Mr. English seconded the motion.

Dr. Yeung asked if it would be brought back as new business.

Ms. Vanuch said yes, this was a new business item, but she proposed that they take action on unfinished business before moving forward. She said that there were two options available, and she made a motion for clear and decisive action on which staff should bring back to the Board for consideration.

Mr. Coen said that because it had to come back anyway unless they deemed it time-sensitive, he would ask if they could change the language to say they were giving staff direction to staff to come forward at their next meeting with the emergency ordinance for the Board to move forward on the late fees. He said that it gave staff the direction they wanted to give them, which made it clear, but unless they made it time-sensitive, they could not have a motion. He said that this way, it would be on unfinished business so the staff brought forward the ordinance.

Ms. Vanuch motioned, seconded by Mr. English, to make the matter time-sensitive.

Dr. Yeung asked what happened if the shutdown did not happen. She asked if this just went away.

Ms. Vanuch said no. She said that they were allowing people who could not afford to pay their bill to avoid incurring late fees.

Mr. Vosburg said that staff would bring the matter back under unfinished business. He clarified that the ordinance would pertain to personal property tax only and not real estate. He said that Ms. Vanuch had brought up the 60-day item, but during their discussion, he and Ms. McClendon were considering the notice that must be placed on the bottom of the tax bills. He said that because it needed to be reauthorized at the 60-day mark, he was not sure if they could include a note stating that it would remain in effect until the January timeframe as it was only authorized by the Board up to December 17th. He said that this was because the adoption of the measure would take place on October 17th, and the 60-day period at that point would be from October 17th to December 17th.

Ms. Vanuch said that the emergency ordinance was only for 60 days, which was why she looked at the Prince William County ordinance on altering the due date. She asked if they could include in parentheses "pending Board approval."

Mr. Coen said that the sixty-day period ended on December 17th and their meeting was scheduled for December 12th, so they would have sufficient time to extend it without any duplicity. He asked if that was correct.

Ms. McClendon said that she would like to read the relevant code section to them so that they could better understand the language being used. She said that Section 15.2.1427 stated that in counties, emergency ordinances may be adopted without prior notice; however, no such ordinance shall be enforced for more than 60 days unless readopted in conformity with the provisions of this code. She said that the provisions of this code required adoption of a regular ordinance with a public hearing; her concern was that the readoption of an emergency ordinance may not be in compliance with the code section. She said that she had some concerns about the Board extending it for an additional 60 days by readopting an emergency ordinance.

Ms. Vanuch said that they did that the first time, because they had to reauthorize it one other time before.

Dr. Yeung said that they would bring this back under new business.

Ms. Allen asked which option would be the most suitable, as she did not want any unnecessary back-and-forth discussions. She clarified that her question was not meant to be disrespectful toward Ms. Rudy, but her explanation did not convince her that the first option is invalid. She said that the 90-day ordinance, in her opinion, remained a viable option, so she would like to know why it was not an option they should consider.

Ms. McClendon said that the 90-day option was an option. She said that it was a resolution that the code allowed for the extension of the due date.

Ms. Vanuch said that that was new information to her. She said that when she had Mr. Vosburg look into this matter on Friday, the information she received was that they could definitely carry out the task on the 17th and then simply reauthorize it in December. She said that that was the first time she has heard her express concern about their ability to reauthorize it for an additional 60 days.

Ms. Allen said that in the timeframe they were trying to do this and putting staff under a crunch, they had to allow some room for people not having information readily available. She said that staff was doing research and making sure the information was correct. She said that additionally, she preferred to do this in a succinct manner, and the 90 days would allow for that to occur.

Dr. Yeung asked Ms. Rudy what her preference was.

Ms. Rudy said that the Board had moved the date before and it led to confusion. She said that they had successfully done waiving of penalties for the 30-day extension and that seemed to be very

successful. She said that real estate was due December 5th, and if they changed that to January 5th, they would hold that money until January 5th.

Dr. Yeung asked if October 17th was the deadline for this ordinance.

Ms. Rudy said yes, if they were going to include something on the bill, even a brief note to say that the Board had passed an emergency ordinance, they would like to have that by October 17th to ensure that at least a decision had been made and they could send it to the printer the following day for testing purposes. She said that they would have a pre-prepared version ready.

Ms. Allen said that she would like to make a substitute motion.

Ms. McClendon said that it was only fair for the entire Board to understand what the County Administrator had explained. She said that she had expressed concerns about a specific section within the code, but did not state that it was impermissible; rather, she noted that there was no existing case law regarding the readoption of an emergency ordinance. She simply wished to bring attention to this matter by reading the language contained within the code before the Board.

Ms. Vanuch said that if someone wanted to sue them for not collecting late fees, then they could go ahead.

Mr. Coen asked Ms. McClendon if, regardless of the method they chose, it would be possible at the October meeting for them to schedule a public hearing for their December meeting. He said that this would ensure that they were prepared in case further action was necessary, and if there was no shutdown they could just cancel the public hearing.

Ms. McClendon said that they did have that ability, but she would note that they only had the authority to sunset ordinances under certain conditions in the state code. She said that there was a provision that automatically terminated the emergency ordinance after 60 days, and they would not be able to adopt another ordinance with a similar sunset clause without taking further action by the Board. She said that they needed to adopt an ordinance in December to reduce penalties and interest, followed by another ordinance in January or February to reinstate them.

Ms. Allen said that she was trying to make a motion to make it time-sensitive for the first option, which was the 90 days.

Ms. Vanuch said that the motion could not be made yet because it was not time-sensitive, but they could discuss the consequences of real estate taxes, which were the most important part of that one.

Dr. Yeung called the vote to make the matter time-sensitive.

The Voting Board tally was:

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

Nay: (0)

Ms. Vanuch motioned, seconded by Mr. English, to waive the late fees so that Ms. Rudy could document the due date as January 5th, per reauthorization of the Board. She said that if she understood Ms. Rudy correctly, changing the due date would result in a new due date of January 17th, which could cause issues with escrow accounts for real estate taxes, and they have never done so before. She said that her motion only pertained to waiving late fees.

Ms. Bohmke said that this matter was quite routine and primarily involved collaborating with the treasurer and ensuring its inclusion on the property tax bills with sufficient time. She said that as she previously stated, she believes this was a straightforward decision and did not intend to return for an additional meeting solely for this purpose when they can achieve the same outcome during the October 17th meeting.

Dr. Yeung asked Ms. McClendon to reiterate the matter that they were voting on, as it appeared there was a prior discussion.

Ms. McClendon stated that they were trying to clarify which taxes they were talking about.

Ms. Vanuch said that she was referring to personal property. She stated that if they changed the due date, they could not have real estate do it one time and personal property do it, as that would be a disaster. She said that if they changed the due date, they would have to do it for both, which would create revenue issues. She said that she was discussing personal property. She knows she mentioned that escrow did not have personal property, which was true because that was totally different from what they were talking about.

Dr. Yeung stated that this only applied to personal property and not real estate. She asked how clear they would be able to make that.

Ms. Rudy asked if they were just doing the penalty waiver.

Mr. Coen said yes.

Dr. Yeung called the vote.

The Voting Board tally was:

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

Nay: (0)

CLOSED MEETING

At 4:36 p.m., Mr. Coen motioned, seconded by Ms. Allen, to adopt Resolution CM23-21 to authorize closed session.

The Voting Board tally was:

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

Nay: (0)

Resolution CM23-21 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel employed by the Board and discussion with staff regarding a data center project and entering public contracts that involve the expenditure of public funds, which is a specific legal matter requiring the provision of legal advice by such counsel, and where discussion in such an open session would adversely affect the bargaining position or negotiating strategy of the Board, (2) discussion and consideration of the acquisition of public property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, and (3) discussion concerning two prospective businesses where no previous announcement had been made of the business' interest in locating its facilities in the County, (4) discussion of entering a public contract involving the expenditures of public funds where discussion in an open meeting would adversely affect the negotiating strategy of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(5), (A)(8), and (A)(29) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of October, 2023, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

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

At 5:18 p.m., Mr. Coen motioned, seconded by Ms. Allen, to adopt Resolution CM23-21(C) to certify the closed meeting.

The Voting Board tally was:

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

Nay: (0)

Resolution CM23-21 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON OCTOBER 4, 2023

WHEREAS, the Board has, on this the 4th day of October, 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 4th day of October, 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.

RECESS

The Board recessed at 5:18 p.m.

At 7:04 p.m. Chairman Yeung called the evening session to order. Ms. Bohmke gave the invocation and Ms. Vanuch led the Pledge of Allegiance to the flag of the United States of America.

PRESENTATIONS

PRESENTATION RECOGNIZING NATIONAL HISPANIC HERITAGE MONTH

Dr. Yeung invited forward the officers from the North Stafford High School Student Hispanic Heritage Club to accept a proclamation recognizing National Hispanic Heritage Month. She said

that present were Vice President Andrea Loza Vargas, Secretary Jimena Soria Perez, Communication Officer Mayte Vasquez Acosta, Vocal Officer Alex Rexro, and Vocal Officer Fabiola Torres Rodriguez, as well as the Chief of Communications Officer from Stafford County Public Schools, Sandra Osborn. She then read the proclamation.

Ms. Vargas said that she would like to express her gratitude to the Principal at North Stafford for permitting them to establish the Hispanic Student Association. She stated that this club had enabled them not only to reach out to Hispanic students here at North Stafford but also to engage in various service opportunities outside of school. She thanked their sponsor, Senora Rodriguez and Senor Rodriguez for their assistance and support throughout this journey since the 10th grade. She said that she would like to thank their officers for attending every meeting they have had and for volunteering in the community. She said that she would like to express her appreciation to her parents and all the parents who have immigrated from Latin American countries to provide them with better opportunities that they have been able to take advantage of in America. She said that they were proud of their country and thanked the Board for the proclamation.

Dr. Yeung congratulated Andrea Anderson for being naturalized as a United States citizen tomorrow.

PRESENTATIONS BY THE PUBLIC

Dr. Yeung read the protocol for public comment.

1. Molly Denham stated that she resided in the Hartwood District. She said that when she entered her kitchen and saw her daughter's water bottle on the counter, it appeared distinctive compared to the other 25 water bottles she has. She said that this particular water bottle was given out during last month's fun run organized by their amazing PTA staff. She said that the event was an annual occurrence where every student in the school received a water bottle with their name on it. She said that this year, there was a new logo on the bottle designed by the school to celebrate Hartwood Elementary turning 60 years old today.

Ms. Denham stated that the school was built in 1963 and has students whose parents and grandparents attended the same school. She said that it was still on well and septic and was the smallest school in the County with only 590 students and faced several issues due to its age. She said that to address these concerns, the school received four new trailers to accommodate the students they could not fit into their own school. She said that additionally, Hartwood Elementary was the only school in Stafford County this year to achieve a level one status in all accreditation areas of the Virginia Department of Education School Quality Report Card.

Ms. Denham stated that this accomplishment was solely due to the hard work and dedication of their amazing principal, staff, faculty, teachers, counselors, parents, and students. She said that every day, they overcame challenges and create positives from negatives. She said that if they could achieve everything they had done with an old school, underpaid teachers, and underfunded needs, imagine what they could accomplish with a fully funded school program.

Ms. Denham said she envisioned a school with plenty of room for every student to learn and grow, technology to keep up with modern teaching methods, resources for diverse needs, clean water, and reliable plumbing, where kids did not have to use the bathroom in another building. She asked them to imagine what they could do if the County took responsibility and fully funded them instead of foisting them onto an already belabored system that clearly did not see their need. She said that she asked them to imagine a future where Stafford County students could thrive, because as a parent, she did.

Ms. Denham stated that as budget season approached, she urged the Board to work with the School Board to find innovative solutions. She acknowledged that there had been tension between the two Boards but emphasized that they were all adults and should work together for the benefit of their children. She said that she recognized that both Boards had room for improvement and encouraged them to do better for their kids, because there was plenty of room for improvement in their schools.

2. Kristin Maxson stated that her address was 1816 Richmond Highway. . She thanked everyone for their consideration and wished them a happy Columbus Day weekend. She thanked the group that was here for being a part of that. She said that on September 6th, the budget had been passed. She said that the budget was increased by 32% in the housing tax rate. She said that as she understood it, the average home value was approximately \$400,000. She said that that statement came from the Commissioner and likely meant he needed more time to work with his figures.

Ms. Maxson stated that a week later, it was announced that the actual average home value was \$610,000. She said that this led to some confusion from the public regarding the \$210,000 discrepancy. She asked if this were due to inflation or other factors and suggested that it would be beneficial to clarify the matter and establish a clear understanding of the basis for calculating home values. She said that the revenue generated from the tax increase was now estimated to be \$280 million. She said that she was not certain about the figure being borrowed to come to that, but it was a time-sensitive issue and on their agenda today.

Ms. Maxson said that the smart meters had been declared unstable, and this was the second topic she was referring to. She said that it had also been suggested that a lobbyist may have been involved. She had heard that. She said that this was the switch that could turn off power to a house and was already being installed without people's knowledge in their homes, so that needed to be considered. She said that customers should be responsible, and one could call and disconnect or get old attachments back.

Ms. Maxson stated that the voter satellite office needed to be on public property, not private because of the use of terms. She said that people would lose their freedoms and voice if it was on a private, term-sensitive application. She requested reconsideration of the no satellite office. She thanked every single Board member for their work and dedication. She said that she appreciated it.

3. William King stated that he resided in Staffordborough. He said that he was there to express his support for Molly Denham, who had been informing her about the issues concerning the School Board and the upkeep of their schools. He said that although he did not have any children, but he had a bad ticker, and in 10 or 20 years from now, it would be essential that the young generation had received an education without facing challenges such as enduring prolonged periods of hot, arid weather. He said that they must ensure that their children were well-prepared for their future roles as leaders.
4. Jeff Adams stated that he resided at Kellogg Mill Road. He thanked the Board. He said that the widening and resurfacing of Kellogg Mill Road had made it possible to travel at speeds of up to 80 to-100 miles per hour across the bridge with ease. He said that he spoke to Deputy McAllister earlier, and he mentioned that the hill leading up to the bridge was so steep that if one were to stop their car and put it in neutral, they would still be going at a speed of 50 miles per hour by the time they reach the bridge. He said that this brought him concern about the cluster subdivision on this side of the bridge.

Mr. Adams said that there would be a serious accident there due to people coming down the hill trying to turn left into their driveways. He said that this was not a new issue, as years ago when teenagers used to park to walk to buzzard rock, there were several accidents involving cars swerving and hit himself and his wife head-on in the middle of that hill. He said that with these new driveways, either someone will be plowed into the rear or hit head-on. He said that he realized that it was impossible to prevent the issuance of driveway permits by the state.

Mr. Adams stated that another issue that arose every year when there was snowfall was that the hill became a nightmare. He said that in fact, he made sure he provided Deputy

McAllister with his phone number so that he could assist in pulling cars up and down the hill using his tractor. He said that what he would like to see done on Kellogg Mill Road was for the state to collaborate with them to implement a similar solution to what has been implemented at Harrell Road, where cross arms could be placed at the top of the hill to prevent vehicles from proceeding further until it was safe to do so.

Mr. Adams stated that this would help address the issue of cars becoming stuck at the bottom of the hill. He said that he was serious about this matter, as the widening and resurfacing of Kellogg Mill Road have turned it into a speedway, with vehicles traveling at speeds of up to 80-100 miles per hour, and those numbers were not an exaggeration.

5. Dennis Allport stated that he resided at 71 Enon Road. He said that he had one general concern, and it was a problem for many of them on Enon Road. He said that he was the first house coming off of US-1 on the left side, with the entrance for the Stafford High School. He said that he knew there was some future plans for all of that, but he had a real problem, and was not the only one, with getting out of their driveway in the morning.

Mr. Allport stated that sometimes he had to wait in his driveway for five minutes just to get to work because there were no signs whatsoever that said do not block driveways. He said that he could see the guilt and shame in a lot of people's eyes when they thought no one was going to come out, but then were kind of stuck and could not move. He said that getting out of the driveways in the mornings to start his day was an issue, so if it could be allocated to put some signs up to not block the driveways, he would appreciate it.

PUBLIC HEARINGS

ITEM 13. CAPITAL PROJECTS UTILITIES; CONSIDER CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS IN CONNECTION WITH THE AUTUMN RIDGE PUMP STATION PROJECT.

Mr. Bryon Counsell stated that before the Board was consideration of the use of eminent domain quick-take powers for an easement to build a utility line that would allow them to abandon and eliminate an existing pump station. He said that utilities staff annually evaluated all their pump stations and determined which ones could be modified or eliminated due to high maintenance costs. He said that as infill development occurred throughout the County, situations like these arose from time to time. He said that in Autumn Ridge, there was a pump station that could now be eliminated thanks to the Embrey Mills infrastructure being built, and they could construct a short gravity line instead.

Mr. Counsell stated that they had smooth communications with the property owner, which is the Autumn Ridge Homeowners Association. He said that they were willing to cooperate, but their covenants required a two-thirds vote to convey property, and this would take too long and delay the project. He said that in working with them, they offered this as an option, and they agreed to sign the necessary documents by their president while still trying to do a two-thirds vote. He said that staff requested that the Board consider using quick-take for this purpose so that they could keep the project on schedule.

Dr. Yeung stated that there was deliberation going back and forth regarding the matter. She said that despite several meetings and attempts by the HOA to secure two-thirds of the community's attendance at a meeting, they had been unsuccessful. She said that this had been agreed upon by the HOA president that this was the best course of action to move forward with. She asked if that was correct.

Mr. Counsell said that was correct.

Dr. Yeung opened the public hearing. She asked if any members of the public wished to speak on the matter. Seeing none, she closed the public hearing and brought the matter before the Board.

Dr. Yeung motioned, seconded by Ms. Vanuch, to approve proposed Resolution R23-243 to use eminent domain quick-take powers for the Autumn Ridge Pump Station Project.

The Voting Board tally was:

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

Nay: (0)

Resolution R23-243 reads as follows:

A RESOLUTION AUTHORIZING THE CONDEMNATION AND EXERCISE OF QUICK-TAKE POWERS TO ACQUIRE A PERMANENT SANITARY SEWER EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT ON TAX MAP PARCEL NO. 29D-8-L, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, the Board identified completion of the Autumn Ridge Pump Station project (Project) 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

WHEREAS, Tax Map Parcel No. 29D-8-L (Property) consists of approximately 3.0586 acres of land 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 on the Property; and

WHEREAS, the fair market value for the required areas of the Property, together with damages, if any, to the remainder of the parcel is One Thousand Seventy-Nine Dollars (\$1,079), 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, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905 (C), the Board conducted a public hearing on October 4, 2023, to determine the necessity for condemnation and exercise of quick-take powers, and has carefully considered the recommendations of staff and the public testimony, if any, at the public hearing; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of October, 2023, that it be and hereby does find that public necessity exists for the Board's ownership of a permanent sanitary sewer easement and a temporary construction easement on Tax Map Parcel No. 29D-8-L (Property) for construction of the sanitary sewer related to the Autumn Ridge Pump Station (Project); and

BE IT FURTHER RESOLVED that the Board determines, notwithstanding the Board's bona fide offer of One Thousand Seventy-Nine Dollars (\$1,079) as just compensation for the permanent sanitary sewer easement and temporary construction easement, including damages, if any, to the remainder of the Property, that the Board and Autumn Ridge Homeowners' Association (Property Owner) cannot agree on the terms of purchase and settlement; and

BE IT FURTHER RESOLVED that the Board declares its intent to condemn and exercise quick-take powers to enter upon and immediately acquire 2,116 square feet of exclusive permanent sanitary sewer easement and 888 square feet of temporary construction easement on the Property for the construction and operation of the Project, pursuant to Virginia Code §§ 15.2-1903(B) and 15.2-1905(C); and

BE IT STILL FURTHER RESOLVED that the Board authorizes the County Attorney, or her designee, to file a Certificate of Take (Certificate) among the land records of Stafford County, and authorizes the County Administrator, or his designee, to sign the Certificate and to deposit One Thousand Seventy-Nine Dollars (\$1,079) with the Clerk of the Stafford County Circuit Court, for the Property Owner's benefit, before entering and taking possession of the permanent sanitary sewer easement and temporary construction easement, in connection with the quick-take condemnation process on behalf of the Stafford County Board of Supervisors in accordance with the law.

ITEM 14. PLANNING AND ZONING CONSIDER 1) APPROVAL OF CONDITIONAL USE PERMIT (CUP) REQUEST TO ALLOW A SOLAR FACILITY WITHIN THE A-1 AGRICULTURAL ZONING DISTRICT, AND 2) AUTHORIZING ENTRANCE INTO AN AGREEMENT FOR THE DECOMMISSIONING OF A SOLAR FACILITY ON TAX MAP PARCEL NO. 45-127 (PROJECT KNOWN AS ENON ROAD SOLAR FARM).

Mr. Mike Zuraf, Acting Assistant Director of Planning and Zoning, stated that the Board was considering a conditional use permit to allow a solar facility in the A-1 zoning district. He said they were also considering a request to authorize the County Administrator to enter into an agreement for the decommissioning of a solar facility. He said that the property was approximately 36 acres in size and located in the Hartwood District. He said that Justin Vandebroek with Enon Road Solar Farm LLC was the applicant, and Soaring Aircraft Sales LLC was the property owner. He said the site was situated on the southeast corner of the intersection of Enon Road and Truslow Road, as shown on the location map. He said the surrounding area was predominantly zoned A-1 agricultural, with some B-1 and R-1 commercial properties to the west. He said that the property was largely undeveloped, featuring a mix of open fields and forested areas. He said that there were several barn structures centrally located on the property.

Mr. Zuraf stated that there were intermittent streams in areas where there were wooded areas and associated wetlands. He said that the driveway entrance was off of Enon Road, and there was a private access easement off of Truslow Road on the southern part of the property. He said the easement provided access to a residence that was partially surrounded by the site. He said that surrounding uses included a County water tank site to the north, a place of worship, and residential properties that ran to the north and west. He said that to the south was the planned Musselman Park, and to the east was undeveloped property.

Mr. Zuraf stated that the plan identified three developable areas for solar panel arrays, each enclosed by a security fence. He said the fenced solar array areas would cover approximately 16 acres of the site. He said that the plan had been modified since the Planning Commission meeting to remove a fourth solar array area. He said that the proposed development avoided wetland areas and some existing mature tree cover on the site. He said that there would be a 50-foot-wide landscape buffer added around the perimeter of the areas where the solar arrays were proposed.

He said that the solar panels would be mounted on parallel racking systems that would be constructed in a north-south alignment to maximize energy capture. He said the solar panels were also on a tilting axis that rotated slowly throughout the day to follow the location of the sun.

Mr. Zuraf stated that the maximum height of nine feet eight inches can be achieved. He said that initially, the plan had the solar panels up to 14 feet high, so the applicant modified the plan to lower the maximum height of the solar panels to limit the overall potential view of the site. He said the application was evaluated for compliance with the future land use plan, the airport impact overlay, and solar guidelines, including siting criteria and facility design criteria. He said that the solar facility siting guidelines and location standards were adopted as part of the comprehensive plan earlier in the year, along with other amendments to the zoning ordinance related to solar.

Mr. Zuraf said the property in question was classified within the suburban future land use designation, which was on the edge of the Urban Services Area. He said that suburban land use supported suburban-scale development, including residential subdivisions and commercial and industrial development in certain situations. He said the site was also within the airport impact overlay, which was part of the County's comprehensive plan, and it was related to the Stafford Regional Airport. He said the County's comprehensive plan included a land use compatibility table with different uses, and the heavy industrial category referred to uses that might create sun glare. He noted the table did not specifically identify solar facilities. He said staff was recommending a condition that the solar panels would consist of and include anti-reflective coating.

Mr. Zuraf stated that the applicant included documentation from the FAA confirming that the facility would not pose a hazard to air navigation. He said that upon reviewing the comprehensive plan guidelines for solar facilities, staff found there were specific location criteria for community-scale solar projects. He said that this project was classified as a smaller community-scale solar facility. He said the project would generate up to three megawatts of electricity, which was less than the five-megawatt capacity of the previous project reviewed last month.

Mr. Zuraf said that although the site was located within the Urban Services Area, the comprehensive plan allowed for consideration of projects within this zone if they meet additional criteria. He said the project area covered 17.6 acres, which was less than the 50-acre threshold specified in the plan. He said the plan also stated that residential or commercial uses may not be the best use of land in this location. He stated that the guideline suggested considering whether a solar facility might be a better use of the area within the Urban Services Area. He said that staff noted that in the area, the surrounding uses were more rural in nature, and improvements to the road network may be needed before higher-density development occurred.

Mr. Zuraf stated that other location criteria were included. He said that the site did not have established or preserved vegetative buffers for screening. He said one of the guidelines recommended that facilities be screened by established or preserved buffers. He said the site was generally open, with limited mature tree cover along the perimeter, so the applicant would need to add landscaping to improve screening around the site. He said that the site was used for limited agricultural activity. He said one of the other guidelines suggested avoiding active agricultural sites. He said that currently, there was some agricultural activity on the site, but the project was avoiding impacts to wetlands and mature trees.

Mr. Zuraf said there will be fencing pockets within the site to help maintain wildlife corridors through the project rather than enclosing the entire parcel. He said there were no dense residential neighborhoods within the project's viewshed. He said there were residential areas nearby, but they were more rural in nature and did not have a high concentration of residential development. He said the site design criteria included specific considerations for noise mitigation. He stated that due to the smaller size of the property, a condition required the use of string inverters, or microinverters, to minimize noise impacts on adjacent properties. He said that the applicant will be required to use string inverters, which were smaller units that produce less noise compared to central inverters.

Mr. Zuraf stated that retention of existing tree cover was recommended in the site design criteria. He said the existing tree cover was minimal on the site; so it required the planting of new trees. He said that in place of providing travel ways around the perimeter of each group of solar arrays, there was a condition that required the applicant to provide emergency response training for Fire and Rescue personnel since this was a new use to the County. He said it will help Fire and Rescue personnel in the area understand how to deal with any emergencies on this type of project. He said the project minimized environmental impacts and maintained wildlife corridors. He said there was gradual terrain on this property, which would minimize the need for grading for the installation of the solar arrays.

Mr. Zuraf said there were several proposed conditions, including the requirement that the property be developed in conformance with the GDP, and the installation of buffers in accordance with the landscape plan. He said that the setbacks would be 75 feet from any planned right-of-way and other property lines. He stated that access roads should be provided as shown on the plan. He said woven wire security fencing, eight feet in height, with smaller openings to allow for wildlife passage, should be installed. He said that only string inverters should be permitted in the facility to minimize noise. He said construction activities should be limited to 7 a.m. to 7 p.m., Monday through Saturday. He said emergency contact information would be required to be posted. He stated that a decommissioning agreement should be recorded prior to occupancy. He said the

applicant agreed to provide a cash contribution of \$42,000 to the County in three installments, as permitted by state code for solar facilities.

Mr. Zuraf stated that upon examining the overall evaluation, there were several positive aspects. He said the facility met all the standards for issuance of a conditional use permit as outlined in the zoning ordinance. He said the proposed facility was in accordance with the comprehensive plan recommendations, and the proposed setback, fencing, and screening should not detract from the character of the surrounding area. He said that conditions would mitigate any potential negative impacts.

Mr. Zuraf stated that for the negative aspects, there would be potential short-term visual impacts until the required vegetative buffers matured around the perimeter. He said staff recommended approval of the conditional use permit with the recommended conditions. He said the Planning Commission found the request to be in substantial accordance with the comprehensive plan and voted five to two to recommend approval. He said staff recommended approval of the decommissioning agreement pursuant to resolution R23-249.

Ms. Bohmke asked for clarification regarding the required setbacks.

Mr. Zuraf said that the required setback was 75 feet from the planned right-of-way.

Ms. Bohmke asked for more information about the vegetative buffer. She asked how tall the buffer would be and how long it would take to grow.

Mr. Zuraf stated that the applicant included a landscape plan for the project. He said the landscaping would consist of a mix of deciduous and evergreen trees, with every 100 feet requiring a certain number of plant units staggered and arranged in multiple rows. He said the trees to be planted will be six feet tall at installation, which was slightly taller than the typical requirement. He said that as for the time frame, it could be two to three years.

Ms. Bohmke said that when it was stated that no dense residential neighborhoods were within the project viewshed, it was specifically referring to individuals on Truslow Road and a few on Enon, but not all of the residents in Falls Run, England Run, or England Run North. She clarified that it was referring to the homes in the immediate vicinity, rather than all residential properties that may be visible while driving by.

Mr. Zuraf said that was correct.

Dr. Yeung said she wanted to know what was meant when it was stated that projects should be encouraged to be located outside of the Urban Services Area.

Mr. Zuraf stated that solar energy facilities should be located outside of the Urban Services Area because they typically took up large amounts of land. He said that one of the comprehensive plan recommendations was to allow projects within the Urban Services Area which were limited to sites smaller than 50 acres and where there was no alternative use for the land.

Dr. Yeung asked whether the solar sections were added to the comprehensive plan by staff or the Commission.

Mr. Zuraf said that it was a staff effort, and the proposal was approved by the Board in May.

Dr. Yeung asked if it was the same for every solar facility.

Mr. Zuraf stated that each solar farm must be assessed in accordance with the established criteria, which included specific guidelines for larger installations. He said that it was unlikely that a large-scale solar farm would meet the requirements.

Dr. Yeung noted that residential or commercial uses may not be a better use of land in this particular location. She asked whether that was a staff recommendation or from the Planning Commission.

Mr. Zuraf said that the recommendation was proposed due to the efforts made by the staff and Planning Commission.

Dr. Yeung stated that it needed to be clarified when staff was making recommendations and when the Planning Commission was making recommendations. She said she needed to know the source of the recommendation to be able to make a decision.

Mr. Zuraf stated that the recommendation had originated from both sources, as it had been forwarded to the Planning Commission and endorsed by them.

Dr. Yeung said that she would like to ensure that when the term “staff” was used, it was clarified who the specific staff members were. She asked how the figure of \$42,000 was determined.

Mr. Zuraf stated that the number in question had been given to them by the applicant. He said it was a figure that was comparable to the amount allocated for the previous project that had been

approved last month. He said the previous project was larger in scope, and so the value was considered equivalent in terms of the budget.

Dr. Yeung stated that she wanted to clarify that this project involved the installation of solar equipment on land rather than on a personal residence. She asked whether the project was being undertaken by a third party.

Mr. Zuraf stated that there was the property owner, and the applicant would be the operator. He said that the operators of the facility were responsible for its operation. He said it would be connected to the Dominion Power grid.

Ms. Allen asked how much energy the solar farm would produce.

Mr. Zuraf said it would produce up to 3 megawatts.

Ms. Allen asked how many homes it would be able to service.

Mr. Zuraf said that the applicant may be able to provide a response.

Ms. Allen asked how much of the generated power would be returned to Dominion's grid. She asked if 100% would be returned.

Mr. Zuraf said that was how he understood it.

Ms. Allen asked what the net financial benefit to the community would be and what the savings generated from reduced energy bills would be.

Mr. Zuraf stated that there was a shared solar program that it fed into, which allowed residents in the area to pay at a reduced rate. He said that the applicant would be able to provide more information about the potential savings for each resident.

Ms. Gary asked why this location was included in the Urban Services Area because it appeared to conflict with the comprehensive plan recommendations.

Mr. Zuraf stated that the area in question had been a part of the Urban Services Area for several years. He said that a potential residential project would create impacts on the existing road network. He said that if such a project were to be approved, it would likely require significant improvements to the surrounding infrastructure. He said that there were no community facilities

located nearby. He said that there were concerns about the condition of the roads and the potential for increased density without adequate infrastructure upgrades.

Applicant Justin Vandebroek of Enon Road Solar Farm LLC, requested an additional five minutes after his presentation for his counsel to speak for a few moments.

Dr. Yeung said she would think about it.

Mr. Vandebroek stated that 13 years ago, he witnessed a beautiful sunset while installing solar panels on a roof. He said that moment marked the beginning of his career in the solar industry, which had since taken him to various parts of the world, including East Africa, India, Nepal, and more. He said that throughout his journey, he always strived to work toward something bigger than himself, and this project was no exception. He said their goal was to provide energy savings for low-to moderate-income families, which could amount to a hundred thousand dollars in annual savings for their subscribers.

Mr. Vandebroek stated that this was a 25 to 35-year project, so it was equivalent to about \$2.5 million to \$3.5 million dollars of electricity bill savings for approximately 600 households who subscribed to it. He said the project diversified the County's fiscal base, and they had implemented some of the best practices in the industry with community input. He said they preserved site character and avoided creating additional traffic once the project was built. He said the project did not create noise, and it would not put a strain on the schools. He said that the staff and the Planning Commission had approved the project.

Mr. Vandebroek said when he co-founded the company seven years ago, it had been an adventure. He said they were a small firm, with 80 people and still fully family-owned. He said they had not taken on any investment from anybody else. He said they had permitted 10 projects in Virginia to date, and their partner on the project was Summit Ridge, the long-term financier and owner of the project. He said they were headquartered in Arlington and were the largest community solar owner in the state of Virginia. He said they had secured through Summit Ridge US-manufactured solar panels, inverters, and steel. He said that they could confidently commit to that.

Mr. Vandebroek said the company had financed over \$1.8 billion in solar projects, and they had partnered with some impressive community organizations. He said they had been diligent in meeting people from the community who were making a difference and funding their work. He said they funded the 516 project, the Zoe Freedom Center, and Stafford Junction, which was one of the largest stakeholders. He said that they were currently developing a summer 2024 paid internship program with Stafford Junction. He said youth from communities that needed this type of energy project the most would be able to learn marketing skills, gain knowledge about energy,

receive training from the team, and help enroll people in the community. He said that they had spoken to their board of directors, and they had spent time crafting and working to formalize it.

Mr. Vandebroeck stated that his counsel, Matt Gooch, was available to answer any questions regarding land use compatibility. He said that Tommy Cleveland was a solar engineer with a nonprofit organization who had published white papers on the health and safety of solar panels. He said that Rich Kirkland, who authored a property impact study, was also in attendance and could confirm that the project had no negative impacts on property values. He said the project was a shared solar initiative known as Community Solar, which provided choice for Dominion Energy customers while being 100% focused on low to moderate-income or fixed-income retirees.

Mr. Vandebroeck stated that in Stafford County, there were over 5,000 households that were eligible for the program based on their income. He said there were currently 115 households on the waiting list through their partner, Acadia, despite almost zero marketing and a lack of strategic partnerships to promote enrollment. He said there was no-money-down, no-long-term-contract, and no-breakup-fees program. He said that if individuals move, they can choose to opt out of the program. He said the process was very straightforward and seamless.

Mr. Vandebroeck said they welcomed any input on how to ensure that they reached the most vulnerable members of the community. He said that regarding the economic impact, by the end of the first year, the project will generate \$1.4 million in economic activity. He said they were investing \$1.25 million into the distribution system. He said the power was generated within the district and consumed by residents in the area. He said that even if individuals did not subscribe to the project, the power still flowed to Hulls Church, Stafford Junction, Riley, Musselman, and other areas in the district. He said the investment in energy infrastructure was much needed.

Mr. Vandebroeck and our project addresses this issue. He said they had pledged with Parks and Recreation through the economic development team to provide \$50,000 to Musselman Park, as it was an important issue in the district. He said they made financial contributions to the County. He said the project will generate \$400,000 in new tax revenue for the County over its lifetime without any expenses to the County, as they did not require potable water, sewer, roadway expansion, or additional school resources. He said they could bring people to the site from schools to educate them on the clean energy economy. He said the project offered numerous benefits to the community.

Mr. Vandebroeck stated that they were investing a \$0.25 million into the landscape buffer. He said that in terms of the size of the trees, they would be planting eight-foot tall trees at the time of planting. He said they were preserving all wetlands, forests, and historic barn and silo structures on the property, which was not typically done in other developments. He said they were paying

upfront costs for future removal of equipment. He said that other key features included wildlife-friendly fencing, pollinator-friendly ground cover, string inverters, and community collaboration. He said community engagement was important, as they had proactively met with individuals who spoke during the public forum after receiving approval from the Planning Commission and staff. He said they valued their input and were committed to addressing their concerns.

Mr. Vandebroek said he received a call from Supervisor English, which he was genuinely grateful to receive. He said Supervisor English cared about his community, cared about the constituents, and he was straightforward in his efforts to protect the community. He said that the five trips he originally made to the County turned into 17 in the last 40 days. He said the 15 hours of community engagement and meetings turned into 60 hours. He said common concerns included visual impact, property values, health and safety, and that was why they had subject matter experts, and the application mitigated those concerns. He said that after community impact, they redesigned the site to remove a segment on the left, which reduced the project area by 20%. He said the road frontage was reduced by 50%, reducing 1000 feet of road frontage. He said this was thanks in part to individuals like Linda Musselman, who came up and expressed safety concerns about the intersection.

Mr. Vandebroek said there will be a park nearby, and residents said they did not wish for the solar panels to be situated directly beside the park. He stated that as a result, they took the concerns seriously and decided to increase the buffer zone. He said that previously, they had proposed decreasing the height of the panels from 14 feet to 10 feet and increasing the planting height to eight feet. He said the solar panels were typically concealed, as they only reached a height of six feet. He said that Gail Willis, whom he spoke with on Friday, was initially neutral but has now expressed opposition due to concerns about property values. He said the majority of adjacent neighbors had voiced their support for the project.

Mr. Vandebroek said he had spoken with key stakeholders such as Supervisor Snelling and his wife, who were concerned about neighborhood fit and property values. He said that they took great care in redesigning the site. He said the existing site conditions included mature trees and agricultural structures that they aimed to preserve. He said the design sought to maintain the rural character of the area with its quintessential skyline of tall trees, barn silos, and historic agricultural structures. He said that after two years, the project would be fully planted and integrated into the surrounding landscape.

Mr. Vandebroek said he had spoken with Pastor Ahman and Trustee Hicks regarding the project, both of whom were supportive. He said that while Mr. Hicks did not care about the project, he did not oppose it either. He said Pastor Ahman believed that supporting low to moderate income individuals in saving on energy bills during these challenging economic times aligned more closely

with their mission than any other potential use for the property. He said they decided to drop the height of the solar panels to reduce visibility from neighboring properties.

Mr. Vandebroek said the project offered \$100,000 in annual energy savings to subscribers, a vegetative buffer of \$250,000, an investment of \$1.4 million into the community, \$50,000 to Musselman Park, \$42,000 to the County, and new property tax revenue of \$400,000. He said they were preserving the rural character, minimizing traffic and noise, and not placing a burden on Hartwood Elementary or Enon Road. He said the project had been approved by staff.

Ms. Allen asked what the averages savings per home would be.

Mr. Vandebroek stated that on average, households will save approximately \$200 per year. He said the figure assumed an annual energy expenditure of \$2,000, which was around the average for the socioeconomic bracket. He said it amounted to a 10% reduction in costs. He said that for 600 homes that could be powered by their project, it translated into an annual savings of \$120,000. He said that all of the generate power connected to the distribution system. He said anyone in the County can subscribe to the project and benefit from its advantages. He said every district had a number of low-to moderate-income households, which included fixed-income retirees.

Dr. Yeung said that she wanted to know if the term “underserved community” referred to the people living on Enon Road.

Mr. Vandebroek stated that there was certainly an area within the Falmouth District with fixed-income neighborhoods, such as retirement communities.

Dr. Yeung asked if those communities were requesting solar power. She wondered if it was true that the less fortunate community was seeking solar power and if they had specifically expressed a desire to have solar panels installed in their homes.

Mr. Vandebroek said that people were saying they wanted to save money on their electricity bills.

Dr. Yeung stated that she was referring to the specific underserved communities that struggled to make ends meet, living from one payday to the next. She asked how the applicant planned on serving this population.

Mr. Vandebroek stated that community solar had its advantages because it did not require installation on individual buildings, but rather was situated on another site and connected to the distribution system. He said customers can simply access the energy generated by the shared

resource by subscribing through the Dominion account system. He said that community solar was created to benefit people who cannot install solar panels on their homes due to various reasons such as not owning their property or having a poor credit score. He said community solar allowed people to subscribe to a project without the need to put solar panels on their house, sign long-term contracts, or undergo a credit check. He said the flexibility made it easier for those who moved frequently, as they can easily deactivate their account with Dominion and re-enroll at their new place if they wished to do so.

Dr. Yeung asked what the definition of community solar farm was.

Mr. Vandenbroeck stated that the definition of community solar farms involved connecting to the community's infrastructure, specifically the distribution system within the community. He said this type of solar farm provided power to the community itself. He said that in contrast, a utility-scale solar farm would be located in a different area and tap into a transmission line to sell power through long-term contracts with companies like Microsoft for their data centers. He said that community solar farms, on the other hand, directly tied into the local infrastructure and provided opportunities for people within the County to participate.

Dr. Yeung stated that the comprehensive plan mentioned energy, so she asked how much energy a panel generated. She asked how much energy the facility would generate.

Mr. Zuraf stated that the comprehensive plan only talked about the overall energy output at a site and did not go into detail about each specific panel.

Dr. Yeung said that the project they were working on was focused on energy generation. She said that they were discussing solar panels as the source of energy. She said the panels would be installed on the land in question and were intended to generate electricity.

Mr. Vandenbroeck stated that the solar panels made up the project, which generated energy that was then incorporated into the current system. He said that the site would generate an estimated 4,500 megawatt hours, which was equivalent to approximately 600 households. He said it amounted to an annual cost savings of \$200 per household, resulting in a total savings of \$100,000 per year. He said that only County residents were enrolled in the program first to ensure that those who truly required assistance benefited.

Mr. English clarified that subscribers did not have to pay in order to gain access to this program.

Mr. Vandenbroeck said that was correct.

Mr. English asked whether Dominion determined customer's eligibility. He asked how they verified a subscriber was low-income.

Mr. Vandenbroeck said that there were two methods to validate. He said one way was by using HUD data, and another method was through self-attestation, where individuals sign a document stating their income, name, and address.

Mr. English asked who verified the information.

Mr. Vandenbroeck stated that the State Corporation Commission required them to submit their documentation annually regarding their subscribers. He said there was no long-term contract in the sense that there was a penalty fee or any upfront payment required. He said subscribers paid at a discounted rate, typically 10% off the retail or base rate.

Mr. English asked how many panels there would be.

Mr. Vandenbroeck stated that they typically used 500-watt panels, and the total power output was approximately 4,500 watts. He said the information was available on the provided maps.

Ms. Vanuch asked if they were selling the generated electricity back to Dominion Energy.

Mr. Vandenbroeck said no. He said they had a contract to interconnect with Dominion Energy, and then they sell the electricity directly to residents of Stafford County who wished to purchase power from the project. He said the agreement with Dominion Energy involved connecting to their system, investing in any necessary infrastructure to safely and reliably transmit the power, and paying an ongoing monthly fee for operation and maintenance.

Ms. Vanuch asked how many houses they would be able to serve.

Mr. Vandenbroeck said that the project had a total of 600 houses.

Ms. Vanuch clarified that there would be an estimated savings of \$200 per year.

Mr. Vandenbroeck said yes.

Ms. Vanuch clarified that subscribers would be customers of Dominion Power.

Mr. Vandenbroeck said that was correct.

Ms. Vanuch asked how rate increases would be addressed.

Mr. Vandebroek said that the yearly savings would increase as the rate increased. He stated that the SCC strictly regulated these facilities, and the entire process of implementing it underwent a nine-month regulatory review to ensure consumer protection.

Ms. Vanuch asked about the frequency with which the Attorney General's Office conducted audits of subscribers.

Mr. Vandebroek said that was an excellent question. He stated that to provide further information, he would need to examine other markets as this policy was implemented in 2020. He said that it was relatively new for the state, but Maryland has had a similar program for a long time. He said that 22 other states have had such programs, with some starting as early as 15 years ago.

Ms. Vanuch stated that Dominion had increased its rates over the last five years.

Mr. Vandebroek said that rates had increased tremendously due to the cost of natural gas.

Ms. Bohmke asked how many projects in Virginia had been sold to Dominion in their entirety.

Mr. Vandebroek stated that they did not sell the projects to Dominion Energy. He said that Dominion was not permitted to own or operate these projects. He said the project was being sold to Summit Ridge Energy, which was the largest owner and operator in Virginia. He said all of the projects they had worked on thus far, which were scheduled to commence construction later this year and will be operational, have been acquired by Summit Ridge Energy.

Ms. Bohmke asked if Summit Ridge Energy was able to sell the project to Dominion.

Mr. Vandebroek stated that Dominion was not allowed by law to operate these projects. He said they were not authorized to own or operate them.

Ms. Bohmke said that was not what she heard about another solar facility.

Mr. Vandebroek said an operator can sign a power purchase agreement with Dominion and sell electricity to them, but that was not what the project was doing. He said the project will be registered under the SCC and audited by the SCC annually, even before it was accepted. He said it was a 30-day period during which they reviewed every single document to ensure that they would accept the project.

Dr. Yeung opened the public hearing.

1. Eric Martin, Spotsylvania County, said he helped operate the largest solar facility east of the Rocky Mountains. He said they were looking at doing community solar projects in Spotsylvania. He stated that in Spotsylvania, they rezoned for utility-scale solar projects, which was 10 square miles or 6,350 acres of land dedicated to solar farms. He said not a single house benefited from the project; instead, it all went to Microsoft and the grid. He said they received significant revenue from it, approximately \$10 million over 35 years. He said they produced 617 megawatts of power. He said that in comparison, the project before the Board would generate only 3 megawatts of power.

Mr. Martin said the Spotsylvania project would preserve over 2,000 acres of the 6,300 acre total, about 31% of the land. He said this project would preserve about 50% of the land. He said the buffers near Spotsylvania were adjacent to Fawn Lake Community, one of the wealthiest communities in the area. He said residents there came out against it and had various reasons for their objections. He stated that over time, these concerns were debunked, and the project was completed successfully.

Mr. Martin stated that the Spotsylvania solar farm had been met with opposition from some residents who claimed that their property values would decrease. He said this was not the case, and in fact, the property values of homes near solar farms increased due to the increased desirability of such properties. He said that solar farms were known for being quiet neighbors and did not cause disruptions, more so than graveyards, which may see more traffic due to visitors.

Mr. Martin said it would be beneficial to visit Spotsylvania County to observe their 30-foot buffer and compare it to the proposed project's design. He said the solar panels for the proposed project will be shorter than the average lifted F-250 truck, making them less visible. He said that the Spotsylvania solar farm was not visible from the road. He said he recommended approval of the project.

2. Robert Benzon, 798 Truslow Road, said he lived closer to the proposed Enon Road Solar Farm than anybody in the County, and the solar farm would surround their land on three sides, leaving only one side undeveloped. He said he and his wife supported the development of the land in this manner for several reasons. He said they had studied all available data, including the ESA website, media accounts, and the documents that Stafford County allowed them to review. He said the main detrimental use of the land for them was not the construction of the solar farm but rather the potential for half a dozen mini-

McMansions. He said the owners and their families would need additional school capacity for their children, additional water use, trash removal, road upkeep, and additional law enforcement and fire department services.

Mr. Benzon stated that people were worried about traffic. He said that two fatalities had occurred on Truslow and Enon since they moved there. He said that within the year, vehicles had left the roadway and totaled their vehicles, causing damage to County, state, and personal property. He said that a solar farm would not increase traffic as it simply sat there and was not a tourist attraction.

Mr. Benzon said there would be only one road leading into it, which would only be used twice a month for maintenance purposes. He stated that other use of the land would result in increased traffic, noise pollution, air pollution, light pollution, water use, and electrical use. He said that on the contrary, a solar farm will benefit the community. He said the extensive view shed protection via trees and bushes was good news to neighbors, including him. He said the project was a progressive addition to life in Stafford County. He said the Board should think about what was best for Stafford. He said that renewable energy was no longer a nice-to-have thing; it was becoming a necessity.

3. Mary Hanson stated that she was grateful toward those members of the Board who met with the local community to address concerns regarding the proposed solar farm project and promised to vote against it. She said that she also appreciated ESA's willingness to make changes to the project in response to the community's feedback. She said that despite these efforts, she still remained opposed to the project due to several reasons. She said that she was concerned about the aesthetic appeal and maintenance of the solar farm, which may negatively impact the property values of nearby homes.

Ms. Hanson stated that she was worried about the potential contamination of nearby wetlands and agricultural land used for the project. She said that she was concerned about the containment of possible wildfires. She said there were recent hailstorms in the area that could damage the solar panels. She said she was skeptical about the claim that the panels did not contain any liquids, as the materials used may still leach chemicals into the soil and wetlands. She said the use of galvanized steel for the frames, support beams, and protective fences raised concerns about rust.

Ms. Hanson said that *Popular Science* magazine reported on December 22 that four solar farms in Illinois, Alabama, and Idaho were fined millions of dollars by the EPA and DOJ for stormwater management issues and violating the Clean Water Act. She stated that they were all aware of the water issues in Flint, Michigan, and Camp Lejeune. She said they

should not add Stafford to the list. She asked what would happen if a fire broke out. She said that on July 27, CBS News reported on a fire that occurred at a solar farm in upstate New York, releasing toxic smoke into the air. She said the Office of Energy Efficiency and Renewable Energy had stated that fire was a major concern for solar farms, especially during droughts.

Ms. Hanson stated that according to *PV Magazine*, there had been a 36% increase in solar farm fires in just one year. She said that given the recent horrific wildfire reported in the news, she did not believe they should take a chance on the same thing happening in the community. She said that there was talk of the property being sold to Amazon for a proposed data center if concerned citizens did not back down and allow the solar farm project to proceed.

Ms. Hanson said she would not be intimidated. She said she owned stocks in both Amazon and Dominion, but she did not support the behavior for the sake of profits. She said she hoped that Amazon, Dominion, the Board of Supervisors, her district representative, and her state representatives would not support this type of behavior either. She stated that she hoped that the Governor of Virginia did not support the use of intimidation tactics against citizens for the sake of revenue.

4. Phil Cox, 21 Ellerslie Road, said he had sent each of the supervisors an email expressing his opposition to the project. He said he believed it was inappropriate for a residential area due to its semi-industrial nature. He said they were grateful that a conditional use permit was required to address such issues. He said the initial map indicated that the site was located within the future suburban designated area and the Urban Services Area. He said the surrounding areas were not rural but rather suburban. He said the applicant had not constructed any projects in Virginia to date, they only had eight projects permitted in the state. He said the applicant was not an experienced developer. He said the community was not an underserved one.

Mr. Cox stated that the majority of his neighbors who he had spoken with regarding the project were opposed to it. He said they were not inclined or motivated to come in and speak. He said that the community was concerned about property values. He said it was a 2246 zip code, where the median sales price for houses was over \$600,000. He said that recently, another house across the street from his had gone under contract for \$749,000. He said the savings that they were discussing for these community solar projects were not significant enough to warrant the potential negative impact on the property values. He said he was pro-solar, but he did not support this project. He requested the Board to reject the

conditional use permit due to its inappropriate location within a residential area and its proximity to Urban Services Areas.

5. Suzanne Firrell, 44 Goose Creek Circle, said she lived in a retirement community within Falmouth. She said she was requesting the Board to support the solar farm project. She stated that it was important to consider the future of their children and grandchildren by exploring innovative ways to improve their infrastructure. She said that the small community-based approach to solar energy was beneficial because it distributed the burden among several individuals rather than placing it on one particular area.

Ms. Firrell stated that by implementing these solar farms throughout a community, they could all contribute toward building their own infrastructure. She said she had heard arguments stating that the area was too rural and too suburban, which demonstrated that this location may be just right because it was situated in between those two extremes.

Ms. Firrell stated that she had been greatly impressed with the efforts made by ESA to mitigate the effects of having a solar farm. She said that they had addressed numerous concerns raised by the community, and she would like to see this project succeed. She said she believed it was essential to consider companies that were willing to invest significant resources in adding more trees and green spaces to their communities. She said that they could require these companies to incorporate a substantial amount of green space into their constructions, ensuring that Stafford County maintained its aesthetic appeal.

6. Joel Malefyt said he represented Summit Ridge Energy. He said they were a Virginia-based company headquartered in Arlington. He stated that they were thrilled to present themselves as the long-term owner and operator of the project. He said that they collaborated with companies like ESA Solar, which had a proven track record in identifying suitable locations and working closely with local communities to ensure successful completion of projects. He said that Summit Ridge then carried the project through engineering, electrical, civil design, obtaining the necessary building permits, construction, interconnection, and long-term operation.

Mr. Malefyt said Summit Ridge Energy was one of the largest owner-operators of community-scale projects in the US and Virginia. He stated that they had strong finance partners in Osaka Gas, Hanan Armstrong, Apollo, which allowed them to see projects through to completion, construction, and operation. He said that Summit Ridge had provided over \$3.5 million in savings annually to subscribers of these types of projects. He said that was for over 40,000 households and small businesses. He stated that Summit

Ridge worked with local contractors on projects and had facilitated the creation of 3,000 jobs countrywide.

Mr. Malefyt stated that Summit Ridge made one of the largest procurements in history of domestically produced solar modules that will be used on this project. He said that they were regulated heavily by the SCC. He said they followed local codes and industry best practices. He said that they would be happy to adhere to the guidelines outlined in the special use permit.

7. John Firrell, 44 Goose Creek Circle, said he supported the project as it aligned with his belief in transitioning away from fossil fuels and embracing solar power. He stated that this was a smaller-scale development, but it was an important step for their community. He said the developer had demonstrated a commitment to addressing the concerns of local residents. He said he urged the Board to vote in favor of the project.
8. Mark O'Quinn stated that he was there to represent his mother who resided at 842 Truslow Road. He said his mother was elderly and did not venture out late in the evening, as she was currently 85 years old and had lived there since 1985. He said her residence was situated on the highest point of all the surrounding land, making it impossible to conceal or obscure the proposed solar farm. He said she believed that its installation would decrease the value of her property.

Mr. O'Quinn said representatives from the project have stated otherwise, citing comparisons and assurances that it would not negatively impact property values. He said she believed it was too soon to make such claims with certainty. He said the land had always been characterized by a rural setting, and they feel that it should remain so. He said it had been farmed for as long as he could remember. He said the majority of local residents share their opposition to the construction of the solar farm in this location.

9. Ed Davin, 31 Harberton Lane, stated that data centers had been proliferating throughout various Virginia counties in recent years, and they had heard rumors that they might be constructed in Stafford as well. He said this led to a significant increase in electricity demand within Dominion Energy. He said the prevalence of electric vehicles was expected to contribute to this increased demand in the future. He said that a report from the Energy Transition Initiative at the University of Virginia projected high, low, and mid-range estimates for total demand in 2035 and 2050. He said the mid-range projection anticipated a 30% increase by 2035, and a 60% increase by 2050.

Mr. Davin stated that Virginia already imported a substantial amount of its energy from other states, and it was expected that the share of imported energy in Virginia would continue to grow as their overall demand increased. He said that meeting this increased demand might be facilitated by liberating some demand on the system by serving low and moderate-income families. He said that the bottom line was that the more Virginia could meet the increase in demand with clean energy produced in the state, the better the state's economy and its citizens were likely to be. He said he lived in an older adult community near the proposed solar farm. He said he and his wife expected to be close neighbors and continued to drive past the site nearly every day.

Mr. Davin stated that ESA had undertaken a series of modifications to mitigate the environmental impact and accommodate citizen concerns. He said that ESA proposed to install solar panels made in the USA, which was an improvement over panels made in China, as so many other products were. He said it appeared that this company intended to do business. He said that years ago, he remembered Senator Sam Urban from North Carolina describing an organization, saying, it was not an almsgiving organization. He said that ESA looked like a business that wanted to be a good neighbor. He said he expected to see the location enhanced by development rather than degraded.

10. Molly Denham, Hartwood District, said she had spoken with Supervisor English approximately four weeks ago and was undecided about the solar farm project. She said that after conducting further research and listening to others' opinions, she was now in favor of it. She said the potential assistance to low-income housing was crucial. She stated that every dollar saved at some point in time could make a difference. She said she was pleased to hear that they were using US-manufactured products as much as possible. She said she was a strong supporter of education and happy to learn about the youth internship program. She said it would be an excellent opportunity for the students of Stafford County. She said she believed that it was better to have a solar farm in that area rather than having a housing development that could put additional strain on Hartwood. She said she supported the project.
11. Richard Kirkland said he was a state-certified general appraiser in Virginia, North Carolina, and several other states, and he appraised the site for the applicant. He stated that he held the MAI designation, which was the highest accreditation available through the Appraisal Institute. He said that for the past 15 years, his team had specialized in evaluating solar farms, having assessed over 1,000 such facilities during this time. He said that in Virginia, they had been involved in assessing solar farms for approximately 10 years. He said the research method involved a paired sales analysis, where they compared the property values of homes situated next to solar farms. He said they focused on actual homes

situated near actual solar farms and consistently found no significant impact on property value when there was adequate setback distance and landscaping. He said the proposed landscaping for this facility, at 8 feet upon planting, was significantly more extensive than what was typically seen in such developments.

Mr. Kirkland stated that the 50-foot-wide landscape buffer was significantly larger than what one typically encountered. He said that for a comparison, they had examined projects with homes adjacent to them ranging in price from \$150,000 to \$1.6 million. He said that in addition, he was aware of \$1.6 million homes being built within 200 feet of an existing solar farm without any impact on property value. He said those were brand new homes intentionally constructed next to the solar farm. He said the most common response from individuals who purchased or built a home near a solar farm was that they appreciated not having houses behind them and valued the privacy. He said they had conducted interviews with assessors across multiple states, including Virginia. He said they had received responses from 185 different assessors who indicated that they had solar installations in their jurisdiction and did not observe any basis for a negative impact on adjoining property values from such projects.

Mr. Kirkland stated that they had examined university studies on this matter. He said there were numerous studies available, including a recent one conducted by Berkeley that specifically focused on Virginia. He said the study found no significant impact on property values in the state of Virginia. He said they possessed additional information which he would be pleased to share with them. He said that just last Monday, he attended a hearing similar to this one regarding a subdivision development adjacent to another subdivision. He said several neighbors expressed their concerns about potential property value reductions. He said it was a common concern when changes were anticipated in a community. He said that when it came to property value impacts, one must thoroughly examine the data to draw accurate conclusions.

12. Kristin Maxson stated that she remembered speaking at a public hearing earlier in the day at 3 o'clock. She explained that she had expressed concerns about not being informed, which had been mentioned by a homeowner during the meeting. She said that at the 3 o'clock meeting, she explained how this happened, and it could be referred to in the minutes. She said she said it early so the Board understood the concerns of informing people. She said she appreciated the community collaboration that was explained. She said that it was a good effort after the fact that people were not informed.

Ms. Maxson stated that solar power was a good thing, as it has low impact. She said the airport has high impact, but people did not have control over how the power was used,

which was a business decision. She said that the public can express their wishes regarding renewable energy. She said that people were confused about data centers and the control that data centers have over local communities. She said that power next to the airport was a good thing. She said she agreed with the third speaker about fires and mega firms controlling industries. She said she agreed with speaker number nine, who was concerned about data centers.

13. Linda Musselman, 728 Truslow Road, said Mr. Vandebroek had used her name quite frequently because she had been a vocal opponent of the project since its inception and had consistently expressed her concerns to him. She said that in addition to her family, she said that Mr. and Mrs. Michael Riley were also opposed to the project. She said that Mr. and Mrs. Michael Hicks lived at 734 Truslow Road and worked night shifts, which prevented them from attending the meeting. She said that Ms. Cynthia Larson at 714 Truslow Road was unable to attend. She said that none of the above individuals opposed solar energy and had supported the approval of the previous project, which was located off Truslow Road.

Ms. Musselman stated that she requested the Board to deny the application for the Enon Road Solar Farm due to its location in a residential area and its proximity to a passive County park that was under construction. She said that the population in the area had significantly increased over time. She said it was no longer a rural region as it was 40 years ago. She said there were several notable establishments, such as England Run, Falls Run, Gayle Middle School, and Howell Libraries that contributed to the community's growth.

Ms. Musselman said the construction of Plantation Drive opened up the area between Route 17 and Truslow Road for development. She said the area was mostly residential. She said she believed that this location was not suitable for the families living here and because of the narrow, winding Enon and Truslow Roads. She said she requested that the Board deny the application for the conditional use permit.

14. Derek Folgar, said he worked as a survey manager at Welford Engineering, located in Fredericksburg, and they worked with ESA Solar. He said they provided the boundary and topographic data for this property and others. He said his team spent numerous hours on-site and in the office, meticulously processing every detail of the site. He said they believed it was well-sited as a significant portion of the site was concealed from public view. He said there was ample buffer between the proposed panels and the view shed from the road, as observed both in the field and through CAD drafting. He said that ESA Solar supported local businesses such as Welford Engineering by providing numerous opportunities for work. He said that ESA had been an excellent client to them, and their community-focused goals were a desirable trait in companies.

Mr. Folgar stated that their care and commitment to the community was evident through the adjustments they made based on community feedback, such as removing the southwestern panel site entirely. He said the area was likely the most concerning for visual impacts. He said he was someone who drove on Truslow Road every day to get to work. He said he was also speaking as a local resident to the site. He said he had three young children aged four years and under, whom he would like to raise in a County that promoted the use of alternative energy sources. He said the site will not rely on water or sewer services, meaning taxes can go toward the future of children. He said the solar energy generated at the community farm will be made in Stafford and will stay in Stafford. He said he urged the Board to vote in favor of the proposal.

15. Emily Klein said she lived next to the proposed solar farm site. She said the panels would be situated on two sides of her yard. She said that she was in favor of the project because she believed solar energy was a clean and sustainable source of power. She said she would prefer to have the solar farm as her neighbor rather than see it converted into townhouses or more residential properties. She said she urged the Board to vote in favor of the project.
16. Gary Snellings, 330 Enon Road, stated that he was more confused after seeing the presentation showing solar farms in other parts of the country, all located in rural areas. He said the proposed site was a residential area. He said that for the past six to eight weeks, his community had been harassed and intimidated by the company. He said they had repeatedly knocked on people's doors unannounced two or three times a week. He said his wife came home yesterday from a shopping trip at CVS, and she was blocked in the driveway by a man driving a pickup truck. He said she felt fear and intimidation, and the company had been causing distress to their community for the past two months.

Mr. Snellings stated that they have turned neighbor against neighbor and gone from household to household misleading people. He said they were making them think that if they did not approve this, a pig farm could be built there. He said it was unbelievable. He said that in his 16 years on the Board, he had never encountered a company that harassed the community like this one had done. He said they were not even aware until two weeks ago that the company was not the operator. He said that 10 people came up and spoke in favor, and only two lived in that community. He said that this was a project that needed to be built somewhere else. He said solar farms were not designed for community use, and they should be located in rural areas.

17. Irene Hollerbeck, 2212 Richmond Highway, stated that the solar farm was not just for the Hartwood District, it will benefit the entire County. She said that the project was

unobtrusive and produced no traffic, odor, or noise. She said the site remained undeveloped and safe from development for at least 35 years. She said the project aligned with the County's comprehensive plan by avoiding the construction of houses, townhomes, and apartments that would add hundreds of children to schools.

Ms. Hollerbeck said the solar farm worked hand in hand with the PDR program by deferring development for several decades. She said the project would be owned and operated by a Virginia-based company employing Virginians. She said it will provide additional megawatts to the grid and supplement what data centers drew from it. She said the project will generate much-needed tax dollars for the County and offer low to moderate income subscribers an opportunity to participate in it. She said she requested the Board to approve the project.

18. Shannon Ray, 150 Riggs Road, said she did not come to speak about this particular matter. She stated that after listening to the proposal, she realized that she owned a property in the vicinity of where the project would be constructed. She said the location was Riggs Road, situated in Fredericksburg, which fell under the Falmouth District. She said they owned a home in Hartwood District as well. She said that she believed that it was inevitable for a solar energy project such as this one to take place. She said that having learned that this company was family-owned and private, she was confident that they would maintain integrity in their operations or else they would not survive.

Ms. Ray stated that after listening to the care and consideration shown by this company toward the community's concerns regarding visual appeal and safety, she appreciated it. She said she appreciated that the products used for this project were made in the United States. She said she believed that a water tower was a more significant eyesore than the solar farm would be. She said she frequently drove through the Truslow and Enon Road area, and she could attest to the fact that the intersection was chaotic. She said that adding more homes to this location rather than a solar farm would not help alleviate any of these issues. She said she was in favor of this project.

19. Mr. Allport, 71 Enon, said he was opposed to this particular project. He said he believed in the potential benefits of solar farms but did not think that this location was appropriate. He said he would like to mention the impact on the ecosystem and the carbon footprint of the project. He said that if the project could significantly benefit lower-income households by providing significant savings, he might be more supportive. He stated that given the small amount of land being used and the amount of energy it can produce, he did not believe that this was the right place for it. He said they had to consider the long-term consequences of the project, including how the equipment will be disposed in the future.

20. Jeff Adams, Kellogg Mill Road, stated that A-1 land should be used for agriculture, which involved the production of foodstuffs. He asked whether it would be preferable to go without electricity for 10 days rather than food for 10 days. He said that you cannot eat electricity, but you can eat food. He said that agricultural land was necessary for producing food. He said that he was a farmer who produced foodstuffs. He stated that the plantings should be entirely different from what the County required. He said to forget about the arborvitae and other fancy plants; instead, plant walnut trees, persimmons, pawpaws, mulberries, black walnuts, and pecans. He said to plant things that wildlife actually ate, because deer did not eat arborvitae; they were useless.

Mr. Adams said to plant apple trees, peach trees, and pear trees along the right-of-way, allowing the community to access them to fill their baskets and bellies. He said the panels could be placed high enough and far enough apart to allow grazing, which would result in the production of milk, lamb chops, rib chops, loin chops, and pork chops. He said he heard Mr. Snellings mention something about threatening to put pigs on the property. He said he can provide pigs, as many as he wanted. He said that for 50 acres, he could provide 1,000. He said agriculture should be on agricultural land. He said farmers were a dying breed, and agriculture was a dying industry. He said he was confident that each of the supervisors had a meal between the 3 p.m. session and the 7 p.m. session.

Thomas Cleveland stated that he was going to discuss potential public health and safety concerns. He said that he held a professional engineering license in North Carolina and Virginia, as well as several other states, and he had worked in the solar industry for his entire career. He said he currently worked with an engineering group that inspected solar farms. He said that while at North Carolina State University, he taught classes on solar energy and conducted extensive research on the topic. He said he would like to address concerns regarding the safety of solar farms and their potential impact on public health.

Mr. Cleveland stated that solar farms were clean projects that directly offset air pollution from other sources of electricity, resulting in a positive public health impact by providing cleaner air. He said that concerns have been raised about possible contamination and fire, but these concerns were unfounded. He said panels have been in use for over 40 years and have undergone extensive testing and study.

Mr. Cleveland stated that the technology had not changed significantly in recent years, and there was no evidence of leaching or other hazardous materials being released from the panels. He said solar farms were equipped with safety measures to prevent fires. He said there was little material that would actually burn in a solar panel. He said there have been no instances of solar farms causing fires or damage to property in North Carolina or Virginia.

Ms. Vanuch asked if Mr. Cleveland could discuss the differences between U.S.-manufactured solar panels and those produced in China, from a cybersecurity and safety perspective.

Mr. Cleveland responded that he was uncertain about the cyber security implications. He said the panels did not possess any form of communication or data processing capabilities. He said there would be no risk from a cybersecurity standpoint. He stated that the technology used was essentially the same, as they were made using the same basic components. He said the panels manufactured in the United States were subject to more stringent oversight and regulation, which could potentially result in better quality control.

Ms. Allen stated that Fort Bragg had a floating solar farm. She said that she was not familiar with the specific details regarding its environmental impact and military benefits, and she asked Mr. Cleveland to provide any more information.

Mr. Cleveland stated that he was familiar with the project. He said the United States Department of Energy had a goal to have bases zero-energy and capable of functioning off-grid. He said that solar power was largely used to achieve this goal. He said there were numerous bases across the country equipped with large solar installations, and floating solar panels on water structures were becoming more commonplace. He said he did not know the specifics of what the military investigated.

Ms. Allen clarified that there was no indication of negative environmental impacts or concerns.

Mr. Cleveland said that was correct. He said there were no environmental concerns, and there was no data to the contrary.

Matthew Gooch stated that he was an attorney specializing in energy and land use law in Richmond, Virginia. He said that the Board's discretion in land use and zoning matters should be broad but not unlimited; it must be based on a rational basis with evidence to support the decision. He said the extensive evidentiary record presented here weighs heavily in favor of approving the project. He said that although there may be individuals who did not support or want the project, it did not constitute a valid legal reason to deny it. He said the Planning Commission report and staff recommendation, which were both comprehensive and detailed, provided ample evidence to support approval. He stated that the application met all requirements outlined in the solar ordinance.

Mr. Gooch stated that previously, the Board had approved a similar community solar project called Kinglet Solar. He said the project currently before them had advantages over Kinglet Solar in terms

of financial contributions to the community and positive impacts on the local area. He stated that the Kinglet Solar project set a legal precedent that they should consider. He said there was a Dominion Energy program distinct from community solar. He said community solar projects were designed for individuals who want to have solar panels on their roof but cannot do so for various reasons. He said the programs allowed people to purchase solar energy from a nearby solar farm. He said the project was specifically aimed at low- and middle-income participants who were customers of Dominion and wished to opt into the program.

Ms. Allen asked how the project helped mitigate Dominion Energy's demand. She asked how community solar helped to mitigate the needs for growing infrastructure from a County level. She clarified that residents in other districts could subscribe to the program to benefit from the solar farm.

Mr. Vandenbroeck stated that regarding the demand for electricity within Stafford County, this project will inherently support that demand by producing electricity locally and connecting it to lines in the County. He said that every district in the County had the opportunity to benefit from this project, as there were 5,000 households with low or moderate income based on the latest census data. He said each district can subscribe to the project. He said that the changes made to the project, such as reducing the site footprint, increasing the trees, and dropping the panels, were done earnestly to provide updates and address concerns.

Mr. English motioned, seconded by Ms. Vanuch, to approve Resolution R23-170, to deny the CUP.

Dr. Yeung asked whether they needed to vote on the decommissioning denial.

Ms. McClendon stated that the decommissioning vote would not be necessary if the CUP was not approved.

Ms. Vanuch stated that there were two resolutions in their packet, one was for approval, and the other was for denial. She said that if they were opposed to the project, they would vote yes on the denial. She said if they supported the project, then they should vote no for the denial.

Ms. Allen made a substitute motion to a Resolution R23-169, to approve the CUP. There was no second, so the motion failed.

Ms. Vanuch stated that there were several key differences between this project and the previous one. She said this project was situated next to a park which as intended to be an integral part of the rural residential character of the area and facilitate the development of surrounding residences. She

said there were already planned residences in the vicinity. She said she was concerned about the number of individuals who spoke today that were either affiliated with or employed by the company, which influenced the timing of the public hearing. She said that if the company truly valued public input, it would have allowed citizens to speak first.

Ms. Vanuch said she was concerned about the rumors circulating among residents regarding potential developments on the property. She said they were led to believe that there could be dozens of houses or massive subdivisions with cluster homes and other uses. She said that the maximum number of houses that could be built on the property was only six, and they still required Board approval. She said she would like to address the issue of rising real estate values due to COVID-19. She said that interest rates were at 7%, and people were not selling. She stated that the market was abnormal, to say the least. She said that they cannot take a snapshot during what may be the strangest time in real estate history and conclude that solar farms did not impact personal property values.

Ms. Vanuch stated that another issue she had was that one of the conditions proposed was that the company would use US manufacturing. She said that the County cannot enforce the condition, as it had no enforcement measures for a conditional use permit to require US manufacturing. She said she was in New York for work and saw a beautiful solar farm near an airport with no houses in sight. She said it had been buffered nicely. She said that for her, the issue was the location of this property, as it was situated directly beside and across from several homes.

Ms. Vanuch stated that when they discuss the best use of this property, which was zoned A-1, it should be agricultural. She said that residents may underestimate the fact that the project will remain on the property for 30 years. She said that after that time, it could potentially be removed, and a large-scale rezoning could occur, resulting in the construction of 250 or 300 townhouses. She said she did not feel comfortable with the way the project was pitched and believed it was an inappropriate location. She stated that as such, she was not supporting it.

Mr. English stated that he was aware of the residents living in the vicinity of the proposed solar farm. He said that if he were to live there, he would not want to go out and see such a facility. He said that it was not an ideal location for it. He said he had received calls from concerned residents and neighbors who reported that the company had repeatedly harassed them by bringing up issues like the pig farm and other irrelevant matters. He said that if any houses were to be built in that area, they would need to apply for a rezoning. He said only six houses could be constructed on six acres at present. He said he was taking into consideration the opinions of his constituents who did not support this proposal, so he was denying it.

Mr. Coen stated that he approved the previous solar farm project and considered it a prototype for future projects. He said he was not against solar energy, but there were some concerns that he would like to address. He said that Slide 16 indicated that the County would receive a proffer of \$42,000 from the project, which was insignificant and did not cover essential expenses such as hiring teachers or firefighters. He stated that there seemed to be confusion regarding the trees that will be planted in the area. He said the proposal suggested a mix of evergreen and deciduous trees, but it would be more beneficial to have all evergreen trees.

Mr. Coen said the statement about no traffic was misleading, as bringing school children to the site will require school buses, which will generate additional traffic. He said they need to consider the impact on the road system. He said he had consistently advocated for listening to neighbors' concerns and addressing them appropriately. He said they had experienced numerous events that year where listening to neighbors was not a top priority. He said the responses he received recently from individuals who lived in the area had been against the project.

Mr. Coen said the language regarding the United States may be considered based on additional criteria. He said it seemed that there was a greater need for further discussion on this matter. He stated that in the previous project, they left a larger area of wetlands and streams untouched for animals and wildlife to traverse. He said that the structures could be raised to allow animals to graze underneath them. He said that the site was the problem. He said that to do it well, it would need to be visible. He said that to make it not visible, they cannot do the other things that would make it more hospitable to the environment. He stated that for all these reasons, he did not believe it was in the County's best interest or met the criteria.

Ms. Gary said she did take the initiative to meet with the residents and found it to be quite beneficial. She said they were dealing with a situation where they had the literal meeting of an urbanizing area and a rural area, resulting in a clash of ideas between the two. She said it was evident that every effort had been made by the company to engage the community in the best interest of completing the project successfully. She stated that she believed the intention behind this endeavor was genuine.

Ms. Gary said she had doubts about the feasibility of gaining support for this proposal. She said she met with the residents and informed them of her decision not to support it. She stated that despite this, the company made significant efforts to address their concerns. She said that it appeared that they had not yet reached a consensus on a solution that would be beneficial for all parties involved. She said she was unable to offer her support for this proposal. She said she would abstain from the vote.

Dr. Yeung called the vote on proposed Resolution R23-170.

The Voting Board tally was:

Yea:	(4)	Bohmke, English, Vanuch, Yeung
Nay:	(2)	Coen, Allen
Abstain:	(1)	Gary

Ms. Vanuch motioned, seconded by Mr. Coen, to reconsider the vote.

Mr. Coen said that he requested a voice vote.

Dr. Yeung called the vote.

The voice vote tally was:

Yea:	(4)	Coen, Bohmke, English, Vanuch
Nay:	(2)	Allen, Yeung
Abstain:	(1)	Gary

Resolution R23-170 reads as follows:

A RESOLUTION TO DENY A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) FOR A SOLAR FACILITY IN THE A-1, AGRICULTURAL ZONING DISTRICT ON TAX MAP PARCEL NO. 45-127, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Enon Road Solar Farm, LLC submitted application CUP22154573 (Application), requesting a conditional use permit a solar facility in the A-1, Agricultural Zoning District on Tax Map Parcel No. 45-127, located within the Hartwood 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, Agricultural Zoning District, after a CUP is issued by the Board; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of October, 2023, that a conditional use permit (CUP) pursuant to application CUP22154573 be and it hereby is denied.

ADJOURNMENT

At 9:40 p.m., Chairman Yeung adjourned the October 4, 2023 Stafford County Board of Supervisor's meeting.

A handwritten signature in black ink, appearing to read "Randy Vosburg", written over a horizontal line.

Randal E. Vosburg
County Administrator

A handwritten signature in black ink, appearing to read "Dr. R. Yeung", written over a horizontal line.

Dr. R. Pamela Yeung
Chairman

Good afternoon Members of the Board. I am Al Watkins, and live on England Run Lane in Fredericksburg, 22406.

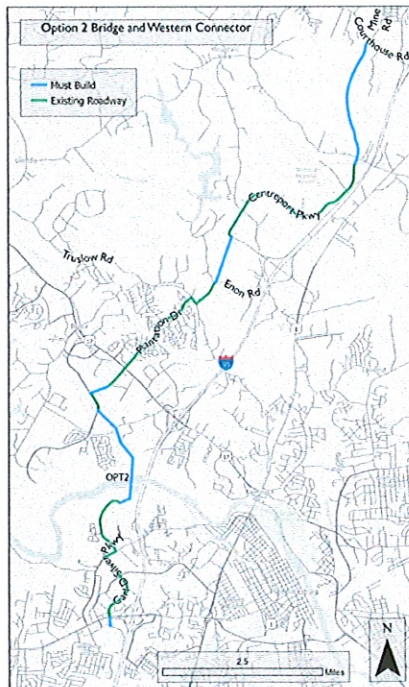
My comments are more specifically directed to the Supervisors on the FAMPO Policy Committee, FAMPO Chairperson Bohmke, and Supervisors Vanuch and Gary.

I recently made a public comment to the FAMPO Committee that appears to have been somewhat confusing so I'd like to clarify. Relating to the proposed River Crossing and Parkway, my intent was to recommend that **any** solution must take into consideration the existing massive amount of congestion along Warrenton Road, Route 17, especially as it relates to the heavy use of large commercial vehicles along that stretch. In essence, to potentially alleviate that congestion by making sure that those 18-wheelers and other large trucks have an alternate route other than that congested section of Route 17, as they travel to and from I-95.

Additionally, when the FAMPO Policy Committee next meet they will be voting on a resolution pertaining to the consulting firm of Michael Baker International, on a Task Order for the River Crossing and Parkway, including the cost of \$623,594 for their services. Upon viewing the 25 pages included within that resolution I could not help but notice that the geographic target area for this assigned work study does not include one very important aspect.

If I recall, as included in the FAMPO River Crossing Reports and also the East West Congestion Study, it was identified that East/West congestion often becomes more problematic when there are issues and negative events occurring on Interstate 95.

Finally, in the future, extending Carl D. Silver Parkway across Route 3, on Mall Court roadway into the Spotsylvania Towne Centre and surrounding developments would ease some of the traffic on Central Park Boulevard, Route 3, and possibly Bragg Road. The line up of the roadway segments can be seen in Map 20 below. The short roadway segment in blue illustrates this option. It could initially be built as a two-lane roadway and increased to four lanes as congestion increases.



Map 20. Option 2 Bridge and Western Connector

Within the FAMPO Reports and Studies it is noted that a Western Connector would become necessary to provide a North/South alternative to needing to travel on I-95. This Connector includes new construction of a southern roadway between Centerport Parkway and Enon Road, and north of that, from Courthouse Road south to Centerport Parkway.

The necessary intent has been to provide an alternate route or connector so that a new path extending all the way from Garrisonville Road, past Route 17, and then connecting to Celebrate Virginia Parkway and onward to the new bridge, avoiding I-95 if need be.

However, my concern is, within the scope of work of the Consultant, there is no reference or request to study and provide information regarding the two necessary roadways that are integral to this Western Connector. The area of study for the consultant only references the geographic area in Stafford south of Route 17 and also south of the river to Plank Road/Route 3.

Does this indicate that the two needed roadways

to complete this Western alternative are disregarded and not studied? Otherwise, having a Bridge and Parkway that connects only between Central Park and Warrenton Road will likely only increase traffic along Warrenton Road and Plank Road. That certainly can not be the objective of having a new Bridge and Parkway. It is my hope that the needed Western Connector roadways be a part of the Consultant's tasks.

Thank you for your time,

A handwritten signature in blue ink, appearing to read "Al Watkins", with a long horizontal flourish extending to the right.

Al Watkins

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#11]
Date: Thursday, September 28, 2023 11:17:22 PM

Name * Michael Kincaid

Address * ☐ 90 Stevens Drive
Stafford, Virginia 22556
United States

Email * m1k32g@gmail.com

Election District Garrisonville

Topic (please see the Public Hearings page for specific topics coming up) * Affordable Rent and Addressing Wages

Online Comments: *

Hello, my name is Michael Kincaid and I would like to voice my concern on Affordable Renting here in Stafford County and also address an issue of wage gaps so that we can put an end to the hindrance called the minimum wage and put forward a plan that the United States Government can help out their American citizens to implement a living wage that can help out the working class citizens that are working either construction or retail jobs. Because being a retail worker putting in full time working for a paycheck that barely covers rent and necessary items like insurance and health care coverage but also clothing, food, and gas; I'm barely getting by and with the prices of everything going up, I'm worried about what my life would be like within the next 20 years, I might become homeless or working 3 part time jobs just to have just a little bit of money in my pocket. What if I would like to start a family, how can I support them if I can't get a decent paying job? This is what I would like for the board to discuss and receive input from common workers like me who work for minimum wage and see how they're dealing with by barely getting by living paycheck to paycheck.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#12]
Date: Friday, September 29, 2023 12:04:00 PM

Name * Linda Firrell

Address * ☐ 44 Goose Creek Circle
Fredericksburg, Virginia 22406
United States

Email * s.firrell@gmail.com

Election District Falmouth

Topic (please see the Public Hearings page for specific topics coming up) * Support of Enon Road Solar Farm

Online Comments: *

I am commenting in support of the Enon Road Solar Farm, in hopes that it will be approved. Stafford County continues to grow and needs to have an infrastructure to meet the needs of that growth. We need to be looking to the future and what will benefit the community now and in the future. The company proposing this project has made efforts to provide a project which accommodates the wetlands, and local wild life as well as planting many, large, trees to enhance the look of this small corner of a local intersection.

Thank you.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#13]
Date: Monday, October 2, 2023 12:55:45 PM

Name * Anna Rae

Address * ☐ 9 Danford Court
Fredericksburg, Virginia 22405
United States

Email * raeae14@gmail.com

Election District Falmouth

Topic (please see the Public Hearings page for specific topics coming up) * access to safe healthcare in the Woodlawn Shopping Center

Online Comments: *

In response to Supervisor Gary's recent comments at a public debate on 27 Sep 23 regarding 'addicts are people,' I want to offer that I agree. People suffering from addiction are people; indeed, they are worthy of time, attention, detailed public planning, and to have communities strategically think about how to help them access care. To help with this, there are federal laws and federal guidelines with multiple recommendations for communities to provide care strategically and safety...because people with addiction are people too. To that end, a methadone treatment facility in the Woodlawn shopping center creates hazards and will decrease access to care by people who are worthy of our extra consideration. This is because of the lack of side walks, cross walks, lack of adequate parking on site, lack of off street parking, lack of community liaison/planning, lack of stakeholder engagement, and because it does not offer co-located job seeking services at the primary location (which is required by federal law). As a county, beholden to state and federal law, appealing the recent court decisions regarding the Woodlawn Center proposed methadone treatment facility, will provide the county an opportunity to engage in the exact strategic planning required by law. Not appealing will ensure unbridled commercialism that does not include planning for those suffering for addiction and their unique needs takes precedence. Not appealing will dishonor the comment, "addicts are people." Appealing brings hope and the chance for dignified and safe care for people who need our help...because, after all, addicts are people too.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#14]
Date: Tuesday, October 3, 2023 1:56:00 PM

Name * test test

Address * ☐ test test
Stafford, Va 22554
United States

Email * jholmes@staffordcountyva.gov

Topic (please see the Public Hearings
page for specific topics coming up) * test

Online Comments: * test