

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
OCTOBER 17, 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 17, 2023, in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

CHAIR REMARKS

Dr. Yeung said that she wanted to inform everyone that their annual Veterans Day Ceremony would be held on Thursday, November 9, 2023 at 10 a.m. at the War Memorial across the parking lot. She said more details would be provided. She said they had a great speaker planned for the event and encouraged everyone to join them to celebrate Stafford County veterans. She said that it was Cybersecurity Awareness Month in October. She said that safeguarding digital infrastructure, personal information, and critical systems was important. She said that cyber-attacks posed a significant risk to the economy, national security, and the well-being of the citizens.

Dr. Yeung said she urged residents to educate themselves on protecting their digital footprint, which was the trail left behind when using the internet. She said she encouraged them to help protect children, elders, and others who may not be familiar with navigating the internet. She said for more information, citizens should visit CISA.gov. She said CISA stood for the Cybersecurity and Infrastructure Security Agency, an operational component of the Department of Homeland Security. She said the website address was <https://www.cisa.gov/cybersecurity-awareness-month>.

PRESENTATIONS

PRESENTATION OF A PROCLAMATION RECOGNIZING NATIONAL NIGHT OUT

Dr. Yeung said that she requested Sergeant James Mangan, Sergeant Steven Curtis, and Deputy Frank Shannon to the dais to accept the proclamation on behalf of their unit for National Night Out. She said that Stafford County's National Night Out was held annually and had its largest attendance this past year. She thanked them for coming and read the proclamation.

Sergeant James Mangan thanked the Stafford County Sheriff's Office for the proclamation. He said that it represented the culmination of efforts from various parties, including local businesses, organizations, nonprofits, charities, houses of worship, and citizens. He said that without their support, National Night Out would not be as successful as it was today. He said that they would like to thank everyone involved in making this event a great success each year. He said that they looked forward to next year's celebration.

PRESENTATION OF A PROCLAMATION TO RECOGNIZE OCTOBER 24, 2023, AS
WORLD POLIO DAY

Dr. Yeung said that the second proclamation was for World Polio Day. She said that Rotary International led efforts in combating diseases, including polio. She said that prevention and health education were of utmost importance. She said that Rotary International had had a significant impact on the eradication of polio. She said that several members from their local clubs would accept the proclamation for World Polio Day tonight. She thanked everyone for their work in the community.

Dr. Yeung asked the following people to come up: Sandy Duckworth, past Rotary District 7610 Governor and Stafford Foundation Chair; Rene Laws, 2024 Governor, Rotary District 7610; Jamie Larounis, Club President, 2023-24; Dylan Oakes, Club Secretary; Mike Smith, Club Treasurer; Jake Almborg, Club Bookkeeper and past President; Cherice Taylor, immediate past President; Don Duckworth, International Chair; and from the North Stafford Rotary Club, she invited Andrea Hornung, Club President 2023-24; Roberta Schreiber, Public Image Chair; Bill Hughes, Sergeant at Arms; and Ynolde Gillan, Rotary Member. She read the proclamation.

Sandy Duckworth said the County Board of Supervisors had been recognizing October 24 for several years as World Polio Day, and this Board continued to do the same. She expressed gratitude for it, as there were still many children who needed to be immunized every year. She said that their children in the United States were also immunized. She said she recently learned that organizations and governments around the world had committed over \$2.6 billion for this continued effort. She said there were only two countries in the world now with endemic polio: Afghanistan, which had had three cases since January of this year, and Pakistan, which had six cases. She said they continued their efforts with the help of governments, including the United States government through the CDC, and people in communities like Rotary.

Rene Laws said that people were welcome to participate in the End Polio Now Challenge. She said that their district was organizing a 30-day challenge that would take place from World Polio

Day on October 24 until Giving Tuesday on November 28. She said the challenge involved dedicating 30 minutes each day to self-care, either physically or mentally. She said that people could begin the challenge right now if you wished. She said that their friends and neighbors were willing to sponsor them in order to take care of themselves, and they would donate money to polio vaccination programs for children. She said it was a win-win situation. She said that there was a website called Raised for Rotary where people could make a contribution, or they could visit the District 7610 website for more information. She said that alternatively, support could be donated through endpolionow.org.

Roberta Schreiber said that individuals across the globe, both Rotarians and non-Rotarians, had been administering vaccinations to children. She said that when this happened, they dipped the child's finger into a solution which turned the finger purple. She said this practice served as a means of tracking who had received the vaccine and who had not to avoid wasting any doses by giving someone two doses accidentally or missing anyone. She said that in recognition of this tradition, she proposed that they color the pinky fingers of the Board of Supervisors.

PRESENTATION OF A PROCLAMATION TO RECOGNIZE STAFFORD COUNTY FOR ITS 2023 GOVERNMENT EXPERIENCE OVERALL 1ST PLACE AWARD

Dr. Yeung said that the third presentation was called the Government Experience Award. She requested that Andrew Spence, who was the Chief Director of Information Services, and his members of the Community Engagement Department come forward. She read the proclamation.

Mr. Spence said that they had conducted eight months of research on the success of Ask Blue and determined that they were returning over two days of time back to County staff as the system was answering questions that would have come to staff. He said they had moved their entire Freedom of Information Act system to the Ask Blue process. He said that before this change, they were averaging one FOIA request day and were now up to two and a half requests per day.

Mr. Spence said that it was quite efficient. He expressed his gratitude to his staff, particularly Mark Kaminski, who was their website administrator, for taking a leadership position and truly driving the process forward. He said the rest of the team had also contributed significantly to expanding the content and brand of Ask Blue, and they hoped to achieve even more with it in the future. He thanked the administration and the Board of Supervisors for their support in making them the first in the nation to implement this platform.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

There were no additions or deletions to the agenda.

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

The Voting Board tally was:

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

Nay: (0)

PRESENTATIONS BY THE PUBLIC - I (3 MINUTES EACH)

Dr. Yeung read the protocol for public presentations.

1. Wayne Kaufman, 215 Shamrock Drive, said that there was a trail from their neighborhood to Smith Lake Park starting at the end of Lucas Lane in their neighborhood. He said that over the past several years, the fencing along the trail had been vandalized, and the damage had extended to the retaining wall along the trail as well. He said that the damaged fencing on the trail was replaced, and he appreciated that effort. He said that the new fencing was already showing signs of vandalism, and the missing capstones on the retaining wall were not reinstalled.

Mr. Kaufman requested that the Board consider taking actions to apprehend the vandals and have the damaged retaining walls repaired. He said that the capstones were located on the ground near the wall. He said that fencing was not only important for aesthetic purposes but also for safety reasons. He said the wall in that area of the trail was relatively high, and maintaining the retaining wall was crucial. He said it was essential for the Board, Sheriff, and Park to collaborate on this issue.

2. Justin Vandebroek, Enon Road Project, said the purpose of his being there was to request that the Board reconsider its denial of his project. He said that after watching the public hearing and reviewing some of the comments, he understood that the primary concerns were centered around visual impact and whether the solar farm would be visible from nearby residents. He said there were also concerns raised by Supervisor Coen about the impact of deciduous versus evergreen trees during fall and winter when leaves were falling. He said it came down to visual impact.

Mr. Vandebroek said that to address these concerns, they had redesigned the site plan, reducing their road frontage by 95%. He said that they were down to approximately 70 feet along the road; however, even then, it was situated on a berm, making it already well-concealed when driving past. He said that 40% of the site plan area would no longer be utilized for solar panels, as it would remain an agricultural field. He said that they had taken the Rileys yesterday and met with the Lynn family, as well as Gail Willis, to walk on the property together. He said that as a condition of approval, if the Board would reconsider the project, they could make it disappear like the other one and put that acreage of farmland into 20 years of use where they could not touch it.

Mr. Vandebroek said that they would not do solar, nor could they do homes or gas stations on the land, as it simply sat there and provided a country view for its residents. He said that for the next 20 years, they were willing to continue leasing the land, paying for it, and ensuring that the view remained protected from any potential development. He said that they would even accept an additional proffer on the project of \$0.25 million to the County, as per their request, and agree to plant evergreen trees around the area to maintain the privacy of the residents. He said he understood that the project had significant economic impact, and he hoped that they would reconsider their position in light of these design changes.

3. Kristin Maxson, 1816 Richmond Highway, said that she was interested in supporting small businesses and hardworking individuals who contributed to making the world a better place. She said that item number 25 on the agenda was of great importance, as they needed to vote on satellite land ensuring it was publicly accessible so that the public could understand all the terms and conditions before casting their vote.

Ms. Maxson said that it was crucial to ensure that the land was public when voting on satellite land. She said the public should have access to all the information regarding the equipment and clauses involved in the transaction. She said that they needed to be vigilant and ensure that their votes were cast on public land. She said that there may be instances where the public could not attend the vote, which is why mailing with U.S. postage was the best method for ensuring that the public's voice was heard.

Ms. Maxson said that the courthouse planning area had been mentioned twice but that they, the public, did not have sufficient information about it. She said that in the document, there would be 3,190 new family units with this courthouse planning area, but they did not have a specific timeframe for when this would happen. She said that she was not certain if it was a census designated area, but it seemed that the public would like to gain a better understanding of this issue. She said that one courthouse, rather than two, would simplify matters.

Ms. Maxson said that on September 28, there had been a meeting scheduled for 10 p.m., which was misspelled and should have been at 10 a.m. She said this meeting was for the safety memorial, in the minutes for the October 4, 2023 meeting. She said that 10 p.m. was too late for the public, as many meetings tended to run until 11 p.m. She said there had been one public meeting on September 27th where an ambulance had to be called due to someone collapsing, possibly due to low sugar levels. She said the public was suffering from these long meetings that could last over three hours.

4. Al Watkins, 12 England Run Lane, said that he attended the FAMPO meeting and spoke about the river crossing specifically and the two necessary connecting roads required to

complete a full north-south alternate to Interstate 95. He said the alternate route would connect Courthouse Road to Centerport Parkway and then Centerport Parkway to Enon Road. He said that as Director Aulis mentioned, to enlist FAMPO's assistance, the County should ensure that these connectors were priorities within the Stafford comprehensive and transportation plans.

Mr. Watkins said he recommended attending VDOT's public hearing regarding the proposed roundabout at the intersection of Gordon Banks and Celebrate Virginia Parkway. He said it would have an impact on certain future items. He said he urged everyone to view and consider the outstanding plan for a trail north of the river currently as a petition posed by Joe Brito. He said that this would be an incredible, very welcome idea for their region. He said the County should consider the extension requested by Belmont Park LLC for the 160 acres south of Route 17. He said the Board should not hesitate to provide schools with the funds finally provided by the state so they could work towards improving the schools.

REPORTS BY BOARD MEMBERS

Ms. Gary – remarked that on Thursday, October 5, she attended her regular PRTC meeting. She said the following day, Friday, October 6, she was honored to attend the ribbon cutting and grand opening of Art Cart Kids on Bells Hill Road, located at 77 Bells Hill Road. She said that it was truly inspiring to witness the determination and talent of their small business owners in Stafford, as Ms. Stephanie Cox overcame numerous obstacles to reach this milestone. She said she recommended that they bring their children to check out the programs and classes offered at Art Cart Kids if they had the opportunity.

Ms. Gary said that on Saturday, October 7, she attended multiple open houses hosted by their Stafford County volunteer fire and rescue departments. She said that she had to interact briefly with her colleague, Supervisor Coen and Dr. Yeung. She said that later that day, they attended a barbecue event at Brooke Fire Station. She said there was a great turnout. She said on October 12, she attended a presentation on data centers held by the Sierra Club at Mary Washington University. She said the presentation provided valuable information about the industry, which their Planning Commission and Board have already researched extensively. She said the presentation served as an opportunity for her to gather more information and better understand the implications of data centers for the County.

Ms. Gary said that she would like to make some remarks about current events. She said that there was a great deal of turmoil, and it had been very challenging. She said that she had three adult sons who were serving in the military, so she was constantly concerned about their safety. She said that there had been a significant amount of information that had come to light recently which could heighten their concerns, worries, and fears. She said she believed it was essential for them to exercise caution in their actions and words.

Ms. Gary said that they must strive to treat one another with love and respect, as this was the only way they could hope to resolve these issues. She said that hate and violence were not just something that happened overseas; they could happen here, too, and often started within their own hearts. She said she would like to encourage everyone to continue to be the best version of themselves and to live in peace with those around them. She said she was grateful that they had this opportunity in Stafford.

Ms. Vanuch – remarked that she would like to highlight that Barley Naked Brewery, located across from the neighborhood Walmart on Garrisonville Road in the Rock Hill District, had recently celebrated its fifth anniversary during their Oktoberfest celebration. She said that this local small business did an excellent job of bringing the community together and engaging in various community outreach programs. She said that the brewery in Rock Hill was an excellent community partner. She said they generated significant tax revenue through sales taxes, as people frequently visited their establishment. She said she would like to congratulate them on their five-year anniversary and the gold medal they received at the Great American Beer Festival for their Rock Hill Red beer.

Ms. Vanuch said that their thoughts and prayers were with Israel during this difficult time. She said she would like to acknowledge the efforts of their Sheriff's Office in reaching out to faith centers across the community to ensure that people felt safe in Stafford County. She said the Homeland Security team had worked tirelessly over the past few weeks to ensure that Stafford County remained a secure place to live, work, and raise a family.

Ms. Bohmke – remarked that they she attended a meeting FAMPO. She said Al Watkins, who was a member of the CTAC committee, attended the meeting. She said she wanted to bring attention to the fact that during the meeting, they voted and decided to move forward with the river crossing project. She said they had awarded a contract to Michael Baker International for \$625,000 to conduct an environmental study on four different options for crossing the Rappahannock River off of Route 17. She said the study was expected to take one year to complete, and they should receive the report by November of next year.

Ms. Bohmke said there had been a lengthy discussion about whether or not to establish a Regional Transportation Authority (RTA) in their region. She said that to create an RTA, two entities must participate. She said they were hoping that all entities within Planning District 16, including the City and the four surrounding counties of Caroline, King George, Spotsylvania, and Stafford, would be part of the RTA. She said that they were in the process of creating legislation that could be submitted by the second week of December to the General Assembly when they started accepting bills.

Ms. Bohmke said that what they needed to do was determine what tax or fee they wanted to be collected. She said that they had discussed this at length but did not vote on it. She noted that

there were a lot of different options available to them. She said that if anyone would like to provide input on this matter, they could visit the FAMPO website and view item 9B1, which contained a full presentation. She said this would be a fee and a small tax that would help fund their regional projects in the area. She said that their monthly VRE meeting would take place on Friday, starting at 9:00 a.m.

Mr. Coen – remarked he also attended the FAMPO meeting last night. He said that after attending a Zoom meeting for the Fredericksburg Regional Alliance, it was refreshing to see the various activities that their community and region were engaged in as they worked together on different issues. He said that regarding the river crossing, many of them had advocated for the north-south road element to be included in the study, as it was not just a bridge study but rather a more comprehensive approach to what they needed to do in Stafford.

Mr. Coen said that he and Ms. Bohmke had discussed the Regional Transportation Authority, and he had requested that Mr. Vosburg add this to their agenda for November 14 in order to provide public access to the entire discussion and all related materials as they moved forward and developed ideas on what to convey to FAMPO and their legislators. He said that he attended the open houses hosted by fire and rescue, which was an enjoyable experience, particularly for the children who were learning about fire safety.

Mr. Coen said he echoed the sentiments expressed regarding their sheriff's department. He said that during the past summer, he participated in a portion of their active shooter training program. He said the sheriff's department has been proactive in conducting active shooter training for schools and houses of worship, as these have become hard targets. He said he commended them for their foresight and preparation in ensuring that their community is protected. He said that October was Breast Cancer Awareness Month, and he hoped everyone would consider ways to support those affected by cancer.

Mr. English – remarked that on Friday night, he was invited to attend the Battle of the Bell between North Stafford High School and Stafford High School that took place over the weekend. He said that this event originated years ago when Jeff Decatur, a former chief and president of the Wide Water Fire Department Rescue Squad, donated a bell from one of the old fire trucks to the school. He said this act marked the beginning of the annual Battle of the Bell competition between North Stafford High School and Stafford High School. He said that each year, the winning team would get to keep the bell as a trophy.

Mr. English said that this past weekend, members of the Decatur family were present at the game and were given a signed ball from the school along with other paraphernalia in recognition of Jeff's contributions. He said that he would like to congratulate Stafford High School on their victory and for finally winning the bell after a decade of losing it. He said he wanted to express his gratitude to the R-Board for their outstanding work.

Mr. English said he received numerous calls regarding the recycling event they organized, and they had assisted him with some signs outside of Hartwood district. He said that in closing, he clarified that he was speaking for himself and not on behalf of the entire Board. He informed his constituents that he stood with Israel and prayed for their safety during these challenging times in the Middle East.

Dr. Yeung – remarked she attended the Regional Housing Assembly. She said it was an educational summit on housing attainability.

REPORT OF THE COUNTY ATTORNEY

There was no report.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said that the Community and Economic Development Committee Action List, Infrastructure Committee Action List, Monthly Expenditure Listing Report, and the Capital Projects Quarterly Report were included in the Board packets.

FY2023 AND FY2024 FINANCIAL UPDATES

Ms. Andrea Light, Chief Director of Financial Services, said that her presentation would be on the financial results for the fiscal year ending '23 and the financial outlook for the upcoming fiscal year '24. She said that they would begin with the unaudited financial results for the fiscal year '24. She said that Stafford County continued to maintain its triple A rating. She said that their unaudited financial results for FY23 reflected the discipline and financial stewardship of the Board, leadership, and County administrator in implementing the Board's priorities. She said that they had met all policy requirements and realized planned increases in real estate and personal property tax rates as anticipated.

Ms. Light said across all funds, interest revenues had also increased. She said for FY24, they assumed an increase in real estate and personal property tax revenues of approximately \$10 million and \$5.8 million, respectively, due to the rate increases implemented by the Board. She said these revenues were programmed into the budget for planned expenditures, including the purchase of fire and rescue apparatus. She said this allowed the Board to keep the FY24 fire and emergency services levy rate lower than anticipated. She said in their local non-property taxes, sales tax continued to exceed budget by just \$0.6 million or 2.7%. She said that this was the first time since fiscal year '18 that they had actually seen year-over-year increases in consumer utilities.

Ms. Light said consumer utilities included things like cable, telephone, and internet services, and it seemed that there had been a reduction in some of these revenues over a period of time;

however, it appeared to be stabilizing. She said that the meals tax was adjusted at mid-year for a targeted salary increase and they adjusted that at \$1 million. She said that they were just under that total projection by about \$89,000. She said that this was their first full year of receiving cigarette tax, and they had a very conservative projection in the budget, not knowing how that revenue would really behave. She said that they had almost a \$600,000 increase, which is approximately 51.1% over the budget.

Ms. Light said that interest revenue and recordation exhibit an inverse relationship; when interest revenues increase, recordation decreases as people do not purchase new homes or refinance their mortgages. She said that between these two revenues, they were approximately \$1 million above budget. She said in other revenues, transient occupancy exceeded budget by \$293,000, which is a significant 17.6% increase for that revenue stream. She said that permits fees and licenses were under budget by about \$253,000 due to the continued slowing of development and its impact across the County. She said parks and recreation fees were over budget and steadily recovering from the COVID-19 pandemic, with revenue levels almost reaching pre-pandemic levels once more.

Ms. Light said that this was primarily attributed to the intervention of County administrators who addressed mid-year vacancies and savings not meeting budget expectations. She said that the County administrator's leadership resulted in significant changes within departments, which righted the ship at mid-year. She said the year-end vacancy savings, which were budgeted at \$2 million, were successfully met through these interventions. She said volunteer fire and rescue savings amounted to almost \$150,000. She said this amount will continue to be added to the fund balance for future one-time projects. She said when needs arise at stations, there was a source of funding available. She said the sheriff had savings of \$583,000 in this budget, which they anticipated bringing back to the Board at mid-year for vehicles. She said purchasing vehicles was currently difficult for all departments, including the sheriff, and that is why they have this savings.

Ms. Light said that school operating also had a savings of \$1.7 million that they reported to their Board. She said health insurance was over budget overall through all funds by about \$381,000, but as they are self-funded, they pay the claims as they arise. She said that unfortunately, they were not permitted to budget for the potential number of heart attacks or significant events that may occur. She said they must adapt as necessary when such incidents arise. She said they had approximately \$2.7 million in savings during fiscal year 2019, and they had been diligently working to refine their budget numbers. She said they may have slightly overestimated this fiscal year's expenditures, but they possessed fund balance reserves that could be utilized if there were any significant swings in health insurance costs.

Ms. Light said that they had \$2.9 million in claims fluctuation reserves that could be used for future health insurance costs, although they were able to cover them this year using other savings. She said the transportation operating fund, due to their prudent management, had accumulated

approximately \$1 million in savings that they would be able to allocate to undesignated fund balance. She said that was a combination of fuel tax and interest being over budget, then expenditure slightly under budget. She said that overall, utilities saw \$2.3 million in revenues being over budget; however, their development fees were \$2.1 million, which mirrored the same kind of activities that they had seen in the general fund.

Ms. Light said that their vacancy savings exceeded the budget, and overall, their expenditures were under. She said that moving towards the first quarter financial outlook, she noted that there were a lot of variables ahead of them. She said that their property tax currently made up about 69% of their revenue in the general fund, which they had not yet collected; therefore, it was difficult to project where their ending balance might be. She said calendar year '24 was a reassessment year, so as part of the fiscal year '24 budget, they had assumed a 3% increase in reassessments without a reduction in the tax rate. She said it may result in a negative impact on real estate revenue collections if the tax rate was adjusted to match the new assessments.

Ms. Light said that they were closely monitoring various indicators of revenues and expenditures for any potential early warning signs that required attention from the Board. She said the median sale price of homes in Stafford during the April-June period was \$510,000, which was approximately 3% higher than the same period last year. She said that this trend aligned with their expectations for the '24 reassessments. She said there had been a 25% decrease in sales compared to the previous year, and mortgage interest rates had risen significantly, which may be slowing down the market. She said they were monitoring sales tax closely. She said that year-over-year growth declined in July. She said it was a 16% increase from one July to the next, which had now decreased to 1% for the current fiscal year. She said they had only received one month's worth of sales tax data and there were two months remaining in the period under consideration.

Ms. Light said the national average for the same period was 0.8%, which was relatively close to their own figures. She said they had also examined the tax revenues of Prince William County and Spotsylvania County, both of which were experiencing similar trends. She said in other taxes, the meals tax had increased by approximately 3.7% compared to the same period last year. She said that the recordation tax appeared to be stabilizing, with early indications suggesting that it would meet its budget projections. She said that the cigarette tax continued to yield positive results and appeared to be exceeding its budgeted amount, as did the transient occupancy.

Ms. Light said that in terms of expenditures, they observed a decrease in the unemployment rate, with August 2023 having a lower rate than August 2022. She said they were monitoring vacancy savings due to the limited supply of job seekers and would be keeping an eye on how this may impact their budget. She said last year, health insurance expenses had exceeded the allocated funds, so they were closely monitoring this area. She said benefit consultants had estimated that there could be a 5-8% increase in costs for the upcoming year. She said they had increased their

budget from 2023 to 2024 by just under \$600,000 and would continue to track it closely. She said they had seen an increase in fuel prices, and the CPI appeared to be normalizing.

VIRGINIA DEPARTMENT OF TRANSPORTATION QUARTERLY REPORT, PRESENTED
BY KYLE BATES, RESIDENCY ADMINISTRATOR

Mr. Kyle Bates, Residency Administrator, said he would review ongoing VDOT projects in their area, starting with the I-95 northbound Rappahannock River crossing. He said that this project was nearing completion, and all six lanes were expected to be open by mid-November. He said that to celebrate this achievement, they had scheduled a ribbon-cutting ceremony on November 14, which would be attended by County staff and Board members. He said work would continue underneath the bridge on Route 17, addressing concerns regarding left turns from the northbound off-ramp onto Route 17 northbound. He said this work was expected to be completed by May 2024, at which point the triple lefts and additional turn lanes at Gateway would be open to traffic.

Mr. Bates said that express lanes were available, and no changes had been made to the access points since the ribbon cutting. He said that by the end of this calendar year, they planned to open up other access points such as Courthouse Road, Quantico, and Route 17 access. He said this would be available by the end of December. He said that at that time, the northbound project for the river crossing could open up the fourth lane. He said that they would also be working on that between the 133 and the 136 at the same time.

Mr. Bates said the SmartScale round five projects were recently awarded, including the Leland Road widening, US 1 and Lay Hill, and American Legion Road and Eskimo Hill Road turn lanes. He said in terms of the Route 644 bridge replacement over Aquia Creek, this project involved replacing the bridge on Rock Hill Church Road over Aquia Creek. He said a temporary one-lane bridge had been installed several years ago to ensure that emergency services could maintain adequate response times. He said construction was scheduled to begin in 2026 and should be completed by spring of 2027, with a total cost of approximately \$6.5 million. He said that they had received questions about the phasing of this project and would like to clarify that they were proceeding with the construction of the temporary bridge as a cost-effective measure to ensure that first responders had access to the area during the construction period.

Mr. Bates said that the Leland Road projects involved widening Leland Road between Walnut and Julian, as well as providing sidewalks between Deacon Road and Julian Drive. He said this would connect to an existing asphalt path owned and maintained by the HOA at Leland Estates. He noted that he had not yet obtained the trail dedicated to public use; however, this required collaboration between the HOA and the County. He said that as part of this project, they planned to install a rapid-flashing crosswalk at Perth Street. He said that the Shelton Shop Road improvements involved widening and reconstructing Shelton Shop between Garrisonville Road and Winding Creek, as well as providing a shared use path. He said the project was currently under design and being reviewed to reduce its scope due to inflation impacts that had affected all of their projects.

Mr. Bates said that the next item on the agenda was shoulder widening, which they had been doing in Stafford for several years. He said that other localities in the area were taking note of their efforts and beginning to implement similar measures. He said that they had recently completed Kellogg Mill, and not only did they widen the trench on Kellogg, but they also finished resurfacing, and he understood that restriping was done within the last week, so that should be fully completed. He said in the next resurfacing season, there were two roads scheduled for trench widening: Brent Point Road from Arkandale to the end of state maintenance, and Decatur Road from Norman Road to Indian View, which was approximately three miles.

Mr. Bates said both projects were included in the upcoming year's resurfacing schedule. He said the modular roundabout at Celebrate Virginia and Banks Ford Parkway agreement had been executed, and they were working with Kimley Horn to design the project. He said that they had provided a graphic for the public hearing, which was scheduled for Monday, November 6 from 5:30pm to 7:30pm at the Howell Branch Central Rappahannock Regional Library. He said that more information would be available soon. He said the project was not a traditional concrete roundabout like the one built at Fall Hill. He said the difference was that they were using the existing asphalt footprint and bolting in a stronger, modular material made of recycled plastic.

Mr. Bates said the roundabout could be unbolted out of the existing asphalt if needed. He said the installation of this temporary roundabout was a quick process that would be carried out by their state forces at a fraction of the cost of a permanent roundabout. He said this approach was significantly more affordable than constructing a traditional intersection and utilized existing proffer funds from the County. He said that they were planning to improve the turning radius at the intersection of Forbes Street and Harrell Road during the summer of 2024. He said it involved creating a 40-foot radius at the intersection.

Mr. Bates said that they had been making progress on the New Hope Church rural rustic project over the past couple of months. He said that they recently notified local citizens about their progress and were only weeks away from completing the hard surfacing and finalizing this project. He said it was a surface treatment, and as with all of their rural rustics and surface-treated roads, it was a messy business during construction. He said there would be some fine dusts that may pop up, which would be embedded into the road as traffic drove on it. He said they would do their best to sweep it as they went, but there would be a nice hard surface road by the time this was done.

Mr. Bates said that they had Route 727 Monroe Farm, which was also one that they would be hard surfacing from a gravel road to a surface-treated road. He said they were looking at completing that one next summer. He said that on the secondary six-year plan as approved by the Board, they had the Lynhaven rural addition, which he believed they were working through some right-of-way concerns. He said that Richards Ferry funding, while it said FY25, will be available

in July of 2024. He said that pending funding, unless anything changed, they should be getting going on some of those improvements at the end of the summer next year.

Mr. Bates said that they had Cedar Grove Road, Hartwood Valley Court, another rural rustic, and rural addition projects, as well as additional funding that they would be working with staff through the next secondary six-year plan to identify some projects. He said that in terms of mowing, he was pleased to report that they had completed their contract with the manicure mowing service, and they were making good progress. He said they had just finished their second cycle of manicure mowing within five to six weeks, which was necessary due to the initial length of the grass. He said that now that they had addressed this issue, they would be working with staff to establish an agreement for next season so that they could continue this service throughout the mowing season next year.

Mr. Bates said that the resurfacing schedule for 2023 was nearing completion, and they were pleased to announce that Route 610 had been significantly improved from the County line to Mine Road. He said that this year's resurfacing program had brought about many positive changes. He said their efforts to persuade VDOT to prioritize high-volume secondary roads would continue, and they believed this was a worthwhile pursuit. He said that there should be a list of routes scheduled for paving in Stafford County during the 2024 season, totaling 77.76 lane miles. He said some notable roads on this list included Poplar Road, Garrisonville Road, Courthouse Road east of Route 1, Decatur Road, Brent Point, Town and Country, and sections of Route 1 between the hospital and Potomac Creek, and a section of Route 17 near the Fauquier County line.

Mr. Bates said that a significant amount of resurfacing was anticipated for the upcoming season. He said that there would be a substantial amount of resurfacing taking place next year. He said if constituents had concerns about resurfacing, he encouraged them to use their online system or call 1-800-FOR-ROAD to report their concerns. He said this information was crucial for gathering data on the roads and ensuring that they were prepared for future seasons. He said they needed accurate estimates and quantities for 2025-26.

Mr. Bates said in terms of commuter lots, he believed that improvements had been noticed not only in the County but also in Spotsylvania and Caroline County. He said in Stafford, they had resurfaced the Mine Road lot and the front of the 17 lot. He said that at the back of the lot, they were looking into providing additional salt storage for the express lanes. He said plans were in place to restripe Staffordborough's lot as the striping had faded in certain areas. He said that by next summer, all bus shelters and lots would be updated with a much-needed facelift that had been long overdue.

Mr. Bates said that Mr. English requested that they look into the tree on Holly Corner, and that had been removed within the last week. He said that Ms. Bohmke requested that they examine

the signal at Route 1 and Eskimo. He said they looked at the intersection, and they had a feeling that the loops were not detecting bicycles crossing at that intersection. He said that they do have this on their list to install signal detection instead of loops in the pavement. He said that they were looking at the next six to twelve months to have this upgraded to a video system for detection.

Mr. Bates said that regarding Town and Country, it was on the resurfacing schedule; however, there was a pothole present, and his team was aware of it. He said it would be included in their schedule to patch the pothole within the next two weeks. He said that Mr. Coen had asked him about Pendleton and traffic calming. He said there was a section that could benefit from it. He said that they simply needed to gather data, so he would be working with County staff to collect the necessary data for that, and there may be an opportunity to implement some of that through the traffic calming process.

Mr. Bates said that they had done the lane patching on Northampton east of Mine Road. He said that section was not the worst part of Northampton. He said that was by design because they had Northampton scheduled for resurfacing next year. He said they did not want to spend money and then tear it up again next year, so they decided to use the funds elsewhere where they did not have resurfacing. He said that Ms. Gary had a concern about the sweeping on the east side of Route 1 on Courthouse Road. He said that had been completed.

Ms. Gary said that although grass cutting and sweeping may seem insignificant, people value a beautiful community, and therefore, she wished to express her appreciation for their diligence in ensuring that they were meeting their objectives regarding those matters, as they held great importance to individuals.

Ms. Vanuch said that she had informed the residents that they would be entering into a contract next year to perform mowing and street sweeping more frequently. She said she had two questions regarding the Garrisonville Road project. She said a resident had brought up concerns about the type of paint used for the lines on the road, as they disappeared at night when it was raining. She said she was concerned about the removal of the snowplow markers.

Mr. Bates said that he would look into both of those issues. He said it may be the case was that if they were still finishing up some things, there may be temporary striping in place. He said that he did not know this for certain as he had not ridden the area recently. He said that he would investigate further. He said that they placed plowable markers within the pavement rather than on top of it, as this was the new standard to prevent them from flying up and hitting cars.

Ms. Vanuch said that she attended the Oktoberfest at Barley Naked on Saturday, where residents approached her and inquired about the repaving of their neighborhoods. She said that St. George's Estates was curious about when they may be included in the repaving schedule. She asked about Apple Grove, particularly since there has been some construction at the entrance, and whether

VDOT would be repaving that entrance on All Grace after the completion of the Tractor Supply. She noted Cherry Hill Road and Rose Hill Plantation.

Mr. Bates said that he had noted down those neighborhoods. He said they were focusing on the high volume secondaries, and there was one subdivision in Stafford County next year. He said that he would check their ratings and get back with more information.

Mr. English asked Mr. Bates to examine the area in the 800 block of Mountain View Road where Dana Bryant's garage was located. He said they were driving down a hill at high speeds. He asked if there was any possibility of reducing the speed limit slightly.

Mr. Bates said they could look into it.

Mr. English asked about the Christmas tree.

Mr. Bates said he had the opportunity to speak with the individual recently, and they planned on decorating a tree. He said that they did, in fact, plant some trees in the vicinity of Centerport; however, the soil quality in that area was quite poor, which resulted in their demise.

Ms. Bohmke asked if they were still collaborating with Stafford High School regarding the potential exit and entrance.

Mr. Bates said yes, and he was meeting with them on Thursday.

Ms. Bohmke said that the intersection of Camden and Butler, with all the rain they had received, some of the signs were becoming obscured due to tree limbs. She said that Clearview and Woodlawn consistently experienced pipe issues, which they believed may be attributed to improper compounding or compacting of the asphalt during its construction. She said that as a result, it was necessary for them to arrange another meeting with her, Chris Edwards, and the County Administrator to discuss potential solutions for these recurring problems and who would be responsible for funding it.

Mr. Bates said that they collected some data points approximately one year or one and a half years ago. He said that his staff could go back to the site and examine those data points to determine if there had been any further deterioration, as far as settlement was concerned. He said this would be a crucial factor in deciding whether they should consider resurfacing. He said that he had the data points on record, and his staff could revisit the site to take another look at them and assess their current situation. He said they would ensure that no changes had occurred over the past year and a half. He said if the data points remained unchanged, it would provide him with a certain level of confidence that any issues they may encounter were not worsening.

Ms. Bohmke asked if he required assistance with the Leeland Homeowners Association and the dedication ceremony.

Mr. Bates said yes.

Mr. Coen said that people on Route 17 had reported an improvement in traffic flow due to the recent work completed. He asked if they were going to conduct any study to assess how the current traffic flow and timing were working or if they should wait until the entire project was completed.

Mr. Bates said that it would be after completion. He said one must consider the signal timing and ensure that the signals communicated effectively with one another. He said that whenever a new signal was activated or capacity was added, their signal staff would be present to monitor traffic flow and ensure it operated smoothly.

Mr. Coen said that regarding River Road, traveling from the park towards Chatham, he noticed one of the brown informational signs appeared to have been knocked over. He said there was an abundance of weeds growing around it.

CONSENT AGENDA

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

The Voting Board tally was:

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

Nay: (0)

ITEM 1. COUNTY ADMINISTRATION; APPROVE OCTOBER 4, 2023 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPOINT MR. CHARLES SCERCY TO THE COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT) AS A PRIVATE PROVIDER REPRESENTATIVE FOR A TERM FROM OCTOBER 17, 2023 TO OCTOBER 17, 2026 .

ITEM 3. COMMISSIONER OF THE REVENUE; RATIFY CONTACT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES FOR THE PAYMENT TO CATALIS TAX & CAMA INC.

Resolution R23-303 reads as follows:

A RESOLUTION TO RATIFY CONTRACT WITH CATALIS TAX & CAMA, INC. AND AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES FOR TAX BILLING AND COLLECTIONS SYSTEM

WHEREAS, the Commissioner of the Revenue and Treasurer's Office require a comprehensive property tax billing and collections system; and

WHEREAS, the property tax billing and collections system is purchased from an existing County Contract with Catalis Tax & CAMA, Inc. (formally PCI, LLC), Contract No. 21-045-1240SSB; and

WHEREAS, the aforementioned contract will exceed \$200,000 in total costs and further Board action is required; and

WHEREAS, funds have been approved in both the Commissioner of the Revenue and Treasurer's FY2024 Budgets;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the contract with Catalis Tax & CAMA, Inc. for the purchase of property tax billing and collections system, Stafford County Contract No. 21-045-1240SSB, executed on August 8, 2021, and ending on August 5, 2026, if all renewals are exercised, be and it hereby is ratified and approved; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve additional expenditures with Catalis Tax & CAMA, Inc. in an amount not to exceed One Hundred Sixty Thousand Dollars (\$160,000), for a total contract amount of Four Hundred Thirty-Three Thousand Ninety-One Dollars (\$433,091), unless amended by a duly-executed contract amendment.

ITEM 4. COMMUNITY ENGAGEMENT; A PROCLAMATION RECOGNIZING OCTOBER AS BREAST CANCER AWARENESS MONTH.

Proclamation P23-12 reads as follows:

A PROCLAMATION RECOGNIZING OCTOBER 2023 AS BREAST CANCER AWARENESS MONTH

WHEREAS, we stand with the courageous women and men who have been diagnosed with breast cancer and honor those who have succumbed to this terrible disease; and

WHEREAS, breast cancer is the second most common cancer affecting women, with more than 700 women being diagnosed with breast cancer every day, and in 2023, an estimated 297,790 new cases of invasive breast cancer are expected to be diagnosed in U.S. women; and

WHEREAS, early detection is one of the most important strategies for successfully treating breast cancer; regular screenings are the most reliable way to detect it early. We encourage everyone to have their regular yearly screenings; and

WHEREAS, we are united in our commitment to end breast cancer and improve the lives of those affected by this illness; and

WHEREAS, we applaud the advocates, medical professionals, researchers and caregivers who dedicate their lives to making progress toward cures; and

WHEREAS, we stand in solidarity with breast cancer survivors across the country as well as their families and caregivers;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford Board of Supervisors, on this the 17th day of October, 2023, that the Board be and hereby does proclaim the month of October as Breast Cancer Awareness Month and encourage all women to be screened.

ITEM 5. COMMUNITY ENGAGEMENT; PROCLAMATION RECOGNIZING NATIONAL NIGHT OUT.

Proclamation P23-13 reads as follows:

A PROCLAMATION TO RECOGNIZE THE EFFORTS OF THE COMMUNITY
AND THE SHERIFF'S OFFICE IN HOSTING NATIONAL NIGHT OUT ON
OCTOBER 3, 2023

WHEREAS, the National Association of Town Watch sponsors a unique nationwide community awareness and crime prevention program annually, entitled "National Night Out" that began in 1984; and

WHEREAS, this event provides an opportunity for Stafford County to join forces with thousands of communities across the country in promoting relationships between the community and police to enhance the prevention of crime; and

WHEREAS, the Office of the Stafford County Sheriff sponsored a main event locally at Stafford Marketplace, and smaller events were held in five neighborhoods this year; Woodlawn, Courthouse Manor and Augustine North, which held their events in August and Clearview Heights and Garrison Woods, which held their events in October; and

WHEREAS, the Stafford Marketplace event was a time of celebration and fellowship with community organizations, County entities, citizens and businesses all participating to help encourage citizen engagement in the community; and

WHEREAS, Stafford County continues to strengthen public and private relationships with residents and businesses alike through community outreach programs such as National Night Out; and

WHEREAS, we commend the work of all staff, volunteers and local sponsors who worked tirelessly to make this event the best it can be;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that it be and hereby does recognize and honor the Stafford County Sheriff's Office as well as the many partnering neighborhood organizations who hold National Night Out for our community.

ITEM 6. COMMUNITY ENGAGEMENT; A PROCLAMATION TO RECOGNIZE
OCTOBER 24, 2023, AS WORLD POLIO DAY.

Proclamation P23-29 reads as follows:

A PROCLAMATION RECOGNIZING OCTOBER 24, 2023 AS WORLD POLIO
DAY IN STAFFORD COUNTY

WHEREAS, Rotary International is a global network of business and professional leaders, neighbors, and problem-solvers who unite and act to create lasting change in communities across the globe; and

WHEREAS, the Rotary motto, Service Above Self, inspires members to provide humanitarian service, follow high ethical standards, and promote goodwill and peace in the world; and

WHEREAS, Rotary in 1985 launched PolioPlus and in 1988 helped establish the Global Polio Eradication Initiative, which today includes the World Health Organization, U.S. Centers for Disease Control and Prevention, UNICEF, the Bill & Melinda Gates Foundation, and Gavi, the Vaccine Alliance, to immunize the children of the world against polio; and

WHEREAS, at the end of the 1980s, more than 350,000 children were paralyzed by polio every year, and

WHEREAS, there has been a 99.9 percent drop in polio cases since 1988 with over 3 billion children immunized, and

WHEREAS, Rotary's current goal is to raise \$150 million this year which would be leveraged for maximum impact by an additional \$100 million from the Bill & Melinda Gates Foundation; and

WHEREAS, the district-led Rotary PolioPlus Society has been instrumental in providing more focus and funding to the polio eradication effort, and

WHEREAS, Rotary's polio donations received as of September 11, 2023 (latest figures available) total \$136,699,241, and

WHEREAS, even just one case still represents one child's life forever changed by polio,

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of October 2023, that it be and hereby does proclaim October 24, 2023, as World Polio Day in Stafford County; and

BE IT FURTHER PROCLAIMED that Stafford County, Virginia commits to the continued fight for a polio-free world and encourages all citizens to join in this fight.

ITEM 7. COMMUNITY ENGAGEMENT; PROCLAMATION RECOGNIZING OCTOBER AS CYBER SECURITY AWARENESS MONTH.

Proclamation P23-30 reads as follows:

A PROCLAMATION RECOGNIZING OCTOBER AS CYBER SECURITY AWARENESS MONTH

WHEREAS, the digital age has ushered in an era of unprecedented connectivity, innovation, and progress, bringing immense benefits to individuals, organizations, and nations worldwide; and

WHEREAS, with this connectivity comes an ever-growing dependence on digital technologies and the internet, which exposes us to a myriad of cyber threats and vulnerabilities; and

WHEREAS, the importance of safeguarding our digital infrastructure, personal information, and critical systems cannot be overstated, as cyberattacks pose a significant risk to our economy, national security, and the well-being of our citizens; and

WHEREAS, cybercriminals continuously evolve their tactics, making it imperative for us to remain vigilant, proactive, and informed about emerging cybersecurity threats and best practices; and

WHEREAS, educating individuals, businesses, and government agencies about the importance of cybersecurity and promoting a culture of cybersecurity awareness is crucial in strengthening our collective resilience to cyber threats; and

WHEREAS, the month of October has been designated as National Cybersecurity Awareness Month in the United States, providing an opportunity for all citizens to engage in efforts to enhance our nation's cybersecurity posture;

THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that it be and hereby does proclaim the month of October as “Cybersecurity Awareness Month” in Stafford County.

ITEM 8. DEVELOPMENT SERVICES; RATIFY CONTRACTS TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR DEVELOPMENT SERVICES/ENVIRONMENTAL PROJECTS.

Resolution R23-296 reads as follows:

A RESOLUTION TO RATIFY CONTRACTS TO PROVIDE ON-CALL PROFESSIONAL ENGINEERING SERVICES FOR STORMWATER AND ENVIRONMENTAL PROJECTS

WHEREAS, the County contracts with multiple architectural and engineering firms to provide architectural or professional engineering services related to various County stormwater and environmental projects on an on-call basis; and

WHEREAS, current contracts for on-call engineering for stormwater and environmental projects have expired, and pursuant to Request for Proposals (RFP) No. 23-011-5001-SP, the County solicited proposals from qualified firms to provide on-call architectural and engineering services for five categories of stormwater and environmental projects:

Category	Project Type
A	Environmental Services
B	Wetland and Stream Consulting Services
C	Hydrogeological Studies
D	Engineering Design Services
E	Land Surveying Services

; and

WHEREAS, staff evaluated the proposals received and determined the most qualified firms for all categories; and

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

WHEREAS, individual projects or task orders that meet or exceed \$200,000 will require Board approval; and

WHEREAS, funds for these services in Fiscal Year (FY) 2024 have been budgeted and appropriated in the Development Services budget and future renewal years are subject to Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the following contracts for one year with three optional one-year renewal terms be and they hereby are ratified and approved:

Vendor	Contract Number	Contract Date	Awarded Services
Timmons Group, Inc.	23-011-5001-SP-TIM	July 25, 2023	Category A – Environmental Services Category B – Wetlands and Stream Consulting Services Category D – Engineering Design Services Category E – Land Surveying Services
Stantec Consulting Services, Inc.	23-011-5001-SP-STAN	July 31, 2023	Category A – Environmental Services Category B – Wetlands and Stream

			Consulting Services Category C – Hydrogeological Studies Category D – Engineering Design and Services
Wetland Studies and Solutions, Inc.	23-011-5001-SP-WSSI	July 18, 2023	Category A – Environmental Services Category B – Wetlands and Stream Consulting Services Category E – Land Surveying Services
Kimley-Horn and Associates, Inc.	23-011-5001-SP-KIM	July 26, 2023	Category A – Environmental Services Category B – Wetlands and Stream Consulting Services Category C – Hydrogeological Studies Category D – Engineering Design and Services Category E – Land Surveying Services
Schnabel Engineering, LLC	23-011-5001-SP-SCH	August 29, 2023	Category A – Environmental Services Category B – Wetlands and Stream Consulting Services Category C – Hydrogeological Studies Category D – Engineering Design and Services
Bowman Consulting Group Ltd.	23-011-5001-SP-BOW	July 26, 2023	Category D – Engineering Design and Services Category E – Land Surveying Services

; and

BE IT FURTHER RESOLVED that individual projects or task orders are authorized in an amount not to exceed Two Hundred Thousand Dollars (\$200,000), unless modified by a duly-authorized contract amendment.

ITEM 9. DEVELOPMENT SERVICES; AUTHORIZE THE SUBMISSION OF A CAPACITY BUILDING AND PLANNING GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION FOR THE DEVELOPMENT OF A FLOOD RESILIENCE PLAN.

Resolution R23-299 reads as follows:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A CAPACITY BUILDING AND PLANNING GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION FOR THE DEVELOPMENT OF A FLOOD RESILIENCE PLAN

WHEREAS, the County has prepared an application for the development of a Flood Resilience Plan to submit to the Virginia Department of Conservation and Recreation (DCR) for a Capacity Building and Planning grant through the Community Flood Preparedness Fund (CFPF); and

WHEREAS, the grant will be scored on technical and qualitative criteria in a statewide competition and funding will be awarded based on overall score; and

WHEREAS, if awarded, the County may be reimbursed up to \$66,908 for the development of a Flood Resilience Plan;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Administrator, or his designee, be and he hereby is authorized to submit a Capacity Building and Planning grant application to DCR for the development of a Flood Resilience Plan; and

BE IT FURTHER RESOLVED that the Capacity Building and Planning grant application shall be approved as to form by the County Attorney's office prior to submission.

ITEM 10. DEVELOPMENT SERVICES; AUTHORIZE SUBMISSION OF A COMMUNITY FLOOD PREPAREDNESS FUND STUDY GRANT TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION (DCR) FOR THE COMPLETION OF THE BROOKE ROAD FLOODING AND MITIGATION ANALYSIS.

Resolution R23-306 reads as follows:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A COMMUNITY FLOOD PREPAREDNESS FUND STUDY GRANT TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION (DCR) FOR THE BROOKE ROAD FLOODING AND MITIGATION ANALYSIS

WHEREAS, the County will prepare an application for the completion of the Brooke Road Flooding and Mitigation Analysis to submit to the Virginia Department of Conservation and Recreation (DCR) for a Study grant through the Community Flood Preparedness Fund (CFPF); and

WHEREAS, the grant will be scored on technical and qualitative criteria in a statewide competition and funding will be awarded based on overall score; and

WHEREAS, if awarded, the County may be reimbursed up to \$55,440.00 for the completion of the Brooke Road Flooding and Mitigation Analysis;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2022, that the County Administrator, or his designee, be and he

hereby is authorized to submit a Community Flood Preparedness Fund Study Grant application to DCR for the Brooke Road Flooding and Mitigation Analysis; and

BE IT FURTHER RESOLVED that the Community Flood Preparedness Fund Study Grant application shall be approved as to form by the County Attorney's office prior to submission.

ITEM 11. FIRE AND RESCUE; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH LAAKE ENTERPRISES, INC. D.B.A. FESCO EMERGENCY SALES FOR THE PURCHASE OF A HAZARDOUS MATERIALS UNIT AND A LIGHT AND AIR UNIT.

Resolution R23-285 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH LAAKE ENTERPRISES, INC. DBA FESCO EMERGENCY SALES FOR THE PURCHASE OF TWO EMERGENCY RESPONSE APPARATUS

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

WHEREAS, the Department is scheduled for additional emergency response vehicles based on criteria set forth in the Department's Fleet Replacement Plan; and

WHEREAS, the Department desires to cooperatively procure two emergency response apparatus that include one Air-Light unit and one Hazardous Materials unit sold through Laake Enterprises, Inc., doing business as FESCO Emergency Sales, through Houston-Galveston Area Council (H-GAC) contract number FS12-19, Stafford County Contract number 23-035-3220-CO; and

WHEREAS, the purchase of additional apparatus equipment not under the cooperative contract has been approved as a sole source purchase through Laake Enterprises, Inc., dba FESCO Emergency Sales, by the County's Chief Director of Financial Services, in accordance with the County's Procurement Policy; and

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

WHEREAS, the funding for this purchase is included in the FY2024 Capital Improvement Program (CIP), approved pursuant to Resolution R23-77;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Administrator be and he hereby is authorized to execute contracts with Laake Enterprises, Inc., doing business as FESCO Emergency Sales, for the purchase of two emergency apparatus, in a total amount of One Million

Two Hundred Seventy-Nine Thousand Five Hundred Dollars (\$1,279,500) for both apparatus and additional equipment, unless amended by a duly authorized contract amendment.

ITEM 12. HUMAN RESOURCES; DELEGATE AUTHORITY TO THE COUNTY ADMINISTRATOR TO CREATE OR AMEND STAFFORD COUNTY HUMAN RESOURCES POLICIES IN CIRCUMSTANCES REQUIRING ROUTINE OR MINOR POLICY CREATION OR AMENDMENTS.

Resolution R23-305 reads as follows:

A RESOLUTION TO DELEGATE AUTHORITY TO THE COUNTY ADMINISTRATOR TO CREATE OR AMEND STAFFORD COUNTY HUMAN RESOURCES POLICIES UNDER CERTAIN CONDITIONS

WHEREAS, the current process for creating and amending Human Resources (HR) policies requires every policy to come to the Board for review and approval; and

WHEREAS, the current process can be time consuming for relatively minor amendments and delay implementation of necessary or required changes in HR policies; and

WHEREAS, the Board desires to streamline the process for HR policy creation and amendments when the impact is routine or minor; and

WHEREAS, the Board supports staff's recommendation to delegate authority to the County Administrator to create and amend HR policies under the conditions established herein below; and

WHEREAS, HR policy creation and amendments that would have a significant organizational impact are still required to be approved by the Board, which shall include, but not be limited to, the following:

- HR policies or amendments that have more than a de minimis budgetary impact or require additional funds be budgeted or appropriated by the Board;
- HR policies or amendments needed to resolve any conflicts between federal and state legislation; or
- HR policies or amendment that would have a significant impact on the entire workforce.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that it be and hereby does delegate authority to the County Administrator to create or amend Stafford County Human Resources (HR) policies under the following routine or minor conditions:

- When changes to the federal, state, or local laws and regulations require the County to make minor, insignificant amendments to HR policies.
- When clerical or scrivener revisions are required when editing and proof-reading HR policies.

- When amendments to HR policies are needed for clarification to the text but do not alter the meaning, interpretation, or execution of the HR policy.
- When for practical application purposes, HR policies should be combined or separated for simplicity or where distinctions are important.
- HR policies or amendments that meet the criteria above, and would result in only minor impacts to the budget which can be managed within the budget authority already approved by the Board.

; and

BE IT FURTHER RESOLVED that the County Attorney shall review HR policies created or amended, as to form and legal sufficiency, prior to approval by the County Administrator, and the County Administrator shall provide the Board updates on all HR policies administratively created or updated.

ITEM 13. PARKS, RECREATION, FACILITIES & TOURISM; RATIFY CONTRACT AND AUTHORIZE ADDITIONAL EXPENDITURES WITH ATLANTIC CORPORATE INTERIORS, INC. FOR OFFICE FURNITURE AND INSTALLATIONS AT VARIOUS COUNTY FACILITIES.

Resolution R23-287 reads as follows:

A RESOLUTION RATIFYING A CONTRACT AND AUTHORIZING ADDITIONAL EXPENDITURES WITH ATLANTIC CORPORATE INTERIORS, INC. FOR OFFICE FURNITURE AND INSTALLATION AT VARIOUS COUNTY FACILITIES

WHEREAS, the Department of Parks, Recreation, Facilities & Tourism (PRFT) contracts for office furniture and installation at various County facilities; and

WHEREAS, as County buildings and facilities age, and office and staffing needs change, there are increased needs for new or renovated office space; and

WHEREAS, the County may cooperatively procure office furniture and installation through an existing contract with Atlantic Corporate Interiors, Inc. (ACI), Stafford County Rider Agreement #23-031-7110-CO (Contract) which rides OMNIA cooperative contract number R191816; and

WHEREAS, the County has expended nearly \$200,000 for office furniture and installation during the initial term of the Contract; and

WHEREAS, due to the requirements to outfit new and renovated office spaces and replace older furnishings, PRFT anticipates the total Contract cost will be up to \$1,400,000 for the remaining contract term through 2025, necessitating Board approval; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that Rider Agreement #23-031-7110-CO, with an initial term beginning on December 1, 2022 and ending on April 30, 2025, if all renewals are exercised, be and it hereby is ratified; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve additional expenditures with Atlantic Corporate Interiors, Inc., for office furniture and installation for various County facilities in a total contract amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000), unless amended by a duly-executed contract amendment.

ITEM 14. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SAGRES CONSTRUCTION CORPORATION FOR PHASE 4 OF THE FERRY FARM WATERLINE IMPROVEMENTS PROJECT.

Resolution R23-286 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SAGRES CONSTRUCTION CORPORATION FOR PHASE 4 OF THE FERRY FARMS WATERLINE IMPROVEMENTS PROJECT

WHEREAS, Phase 4 of the Ferry Farms Waterline Improvements (Project) will provide water volume and water quality improvements to the Ferry Farm subdivision; and

WHEREAS, the Project will upgrade obsolete small-diameter piping with approximately 6,500 linear feet of 6-inch water main piping, new fire hydrants, and new service connections for six streets: Mount Vernon Avenue, Fairfax Circle, Jefferson Street, Wayne Street, Paige Street and Blair Road; and

WHEREAS, the County solicited competitively sealed bids pursuant to Invitation for Bid (IFB) #24012 to construct the Project; and

WHEREAS, Sagres Construction Corporation is the lowest responsive and responsible bidder, submitting a bid in the amount of \$1,677,000; and

WHEREAS, funds for the waterline improvements were budgeted and appropriated in the FY2024 Utilities Capital Improvement Program (CIP) Fund and are available for these services;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Administrator be and he hereby is authorized to execute a contract with Sagres Construction Corporation for Phase 4 of the Ferry Farms Waterline Improvements Project in an amount not to exceed One Million Six Hundred Seventy-Seven Thousand Dollars (\$1,677,000), unless modified by a duly-executed change order.

ITEM 15. UTILITIES; REFER TO THE PLANNING COMMISSION AND AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER A PROPOSED ORDINANCE TO AMEND AND REORDAIN THE SUBDIVISION ORDINANCE REGARDING UPDATES TO THE COUNTY'S WATER AND SEWER PRO RATA PROGRAM.

Resolution R23-288 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION A PROPOSED ORDINANCE TO AMEND AND REORDAIN THE SUBDIVISION ORDINANCE, STAFFORD COUNTY CODE SEC. 22-168, "DEVELOPER CONTRIBUTION TO OFF-SITE SEWERAGE AND DRAINAGE FACILITIES" AND SEC. 22-170, "RESERVED" TO UPDATE THE COUNTY'S WATER AND SEWER PRO RATA PROGRAM

WHEREAS, subdividers and developers are required to pay a pro-rata share of off-site water and sewer infrastructure costs pursuant to the Subdivision Ordinance; and

WHEREAS, pursuant to Resolution R91-125(R-5), the Board adopted the County's Water and Sewer Pro Rata Policy (Policy) to finance the water and sewer infrastructure shown in the current General Water Improvement Program and General Sewer Improvement Program; and

WHEREAS, recent amendments to Virginia Code § 15.2-2243 necessitate updates to the Stafford County Subdivision Ordinance and Policy to reflect these legislative changes; and

WHEREAS, the Board desires to refer the proposed amendments, pursuant to proposed Ordinance O23-26, to the Planning Commission for its review, to hold a public hearing, and provide its recommendation to the Board; and

WHEREAS, the Board desires to authorize the County Administrator to authorize a public hearing, on behalf of the Board, for its consideration of proposed Ordinance O23-26, so that the Board may conduct such public hearing at the meeting following the Planning Commission's public hearing and recommendation on the same;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that proposed amendments to Stafford County Code Sec. 22-168, "Developer contribution to off-site sewerage and drainage facilities" and Sec. 22-170 "Reserved," pursuant to proposed Ordinance O23-26, be and they hereby are referred to the Planning Commission to conduct a public hearing and to provide its recommendation to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission is requested to conduct its public hearing and provide its recommendation back to the Board by November 8, 2023, so that the Board may conduct its public hearing on proposed Ordinance O23-26 at its November 14, 2023 meeting; and

BE IT STILL FURTHER RESOLVED that the County Administrator is authorized to advertise a public hearing for the Board to consider the proposed amendments, pursuant to proposed Ordinance O23-26, at its November 14, 2023 meeting.

ITEM 16. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SULLIVAN, DONAHOE AND INGALLS FOR THE DESIGN OF THE BUTLER ROAD WATERLINE REPLACEMENT PROJECT.

Resolution R23-290 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SULLIVAN DONAHOE AND INGALLS FOR PROFESSIONAL SERVICES TO DESIGN THE BUTLER ROAD WATERLINE REPLACEMENT

WHEREAS, professional services are required for the design of the replacement water main along Butler Road between Cambridge Street and Castle Rock Drive to address aging infrastructure that currently conveys potable water in the southern end of the County; and

WHEREAS, the pipeline replacement project will increase infrastructure reliability, reduce service disruptions and lower annual maintenance costs along with upgrading the water main to increase the transmission capacity from the western to eastern portions of the 342-pressure zone; and

WHEREAS, the work may be procured via a task order through the Utilities On-Call Professional Services Contract with Sullivan, Donahoe and Ingalls, a Professional Corporation, (SDI), Contract #22-004-5001-SP-SDI dated March 23, 2022; and

WHEREAS, staff reviewed the proposal submitted by SDI and determined it to be reasonable for the scope of work desired; and

WHEREAS, funds were budgeted and appropriated in the Fiscal Year 2024 Utilities Capital Improvement Project (CIP) Fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Administrator be and hereby is authorized to execute a task order with Sullivan, Donahoe and Ingalls, a Professional Corporation, for the professional services to design for the Butler Road Waterline Replacement project in an amount not to exceed Five Hundred Ninety-One Thousand Seven Hundred Twenty-Three Dollars (\$591,723), unless modified by a duly executed change order.

ITEM 17. UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH W.C. SPRATT, INCORPORATED FOR THE WATERLINE IMPROVEMENTS ON FLEMING PLACE WITHIN THE FERRY FARMS SUBDIVISION.

Resolution R23-302 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH W.C. SPRATT, INCORPORATED FOR WATERLINE IMPROVEMENTS ON FLEMING PLACE WITHIN THE FERRY FARMS SUBDIVISION

WHEREAS, the water main improvements will include the replacement of 600 feet of piping, gate valves, fire hydrant and service connections along Fleming Place within the Ferry Farms Subdivision, which will increase water circulation and reliability, significantly reducing service disruptions and lowering annual maintenance costs; and

WHEREAS, the work may be procured via a task order through the Utilities On-Call General Construction Contract with W.C. Spratt Incorporated, Contract #21-003-5030SB-R-WCS dated November 20, 2020; and

WHEREAS, staff reviewed the proposal submitted by W.C. Spratt Incorporated and determined it to be reasonable for the scope of work desired; and

WHEREAS, funds were budgeted and appropriated in the Utilities Capital Improvement Program (CIP) Fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Administrator be and he hereby is authorized to execute a task order with W.C. Spratt Incorporated for the waterline improvements along Fleming Place within the Ferry Farms Subdivision in an amount not to exceed Two Hundred Eighty-One Thousand Two Hundred Eighty Dollars (\$281,280), unless modified by a duly-executed change order.

UNFINISHED BUSINESS

ITEM 18. BOARD OF SUPERVISORS; CONSIDER ADOPTING AN EMERGENCY ORDINANCE TO TEMPORARILY SUSPEND PENALTIES AND INTEREST ON THE LATE PAYMENT OF PERSONAL PROPERTY TAXES DUE ON DECEMBER 5, 2023.

Ms. Vanuch motioned, seconded by Ms. Gary , to approve the Emergency Ordinance EO23-01.

Dr. Yeung asked what the process would be if the shutdown did not happen.

Ms. Laura Rudy, Treasurer, said that the emergency ordinance would only have zero penalties up until approximately mid-December at this point, as they would need to revisit this issue again soon.

Dr. Yeung asked if the ordinance would remain in place if there was no shutdown.

Ms. Rudy said that it would remain in place for 60 days.

Dr. Yeung said she did not support the motion. She said that they should call an emergency meeting if the issue arose.

The Voting Board tally was:

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

Emergency Ordinance EO23-01 reads as follows:

AN EMERGENCY ORDINANCE TO TEMPORARILY LOWER PENALTIES
AND INTEREST TO ZERO FOR PERSONAL PROPERTY TAXES DUE ON
DECEMBER 5, 2023

WHEREAS, pursuant to County Code Sec. 23-3.1, personal property taxes are due and payable on or before December 5, 2023; and

WHEREAS, due to the financial uncertainty faced by Stafford County residents as a result of continued discussions around and delayed adoption of the federal budget, the Board desires to allow personal property owners who need more time to gather funds to pay the tax levy to do so; and

WHEREAS, the Board desires to temporarily reduce the penalties and interest for personal property taxes; and

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

WHEREAS, the Board desires to temporarily reduce the penalties and interest for personal property taxes through January 5, 2024, and expresses its intent to consider adoption of another emergency ordinance on or before December 15, 2023, if needed, to reduce penalties and interest until the desired deadline; and

WHEREAS, staff is directed to bring this item back to the Board as Unfinished Business at its December 12, 2023 meeting for further consideration; and

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

NOW, THEREFORE, BE IT ORDAINED BY EMERGENCY by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the following County Code Sections be and they hereby are temporarily amended with all other portions remaining unchanged:

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

Any taxpayer failing to pay any personal property tax on or before the fifth day of ~~June or the fifth day of December, as applicable~~, shall incur a penalty thereon of zero (0) percent until January 5, 2024 and then of ten (10) percent thereafter of the tax past due on such property, which penalty shall be added to the amount of taxes due from such taxpayer and which, when collected by the treasurer, shall be accounted for in his settlements.

Sec. 23-4. - Interest on delinquent taxes generally.

Interest at the rate of ten (10) percent per annum, shall be collected by the county on all delinquent taxes, except personal property taxes which interest shall be collected at a rate of zero (0) percent for personal property taxes due on December 5, 2023 and only until January 5, 2024. Such interest shall commence on the first day of the month following the month in which such taxes were due.

; and

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

BE IT STILL FURTHER ORDAINED BY EMERGENCY that this Emergency Ordinance shall expire on December 15, 2023, and penalties and interest shall return to the prescribed rates starting December 16, 2023.

NEW BUSINESS

ITEM 19. BUDGET AND MANAGEMENT; CONSIDER SCHOOL BOARD'S REQUEST TO BUDGET AND APPROPRIATE STATE FUNDS FOR SCHOOLS COMPENSATION ADJUSTMENTS AND ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING THE FY2024 BUDGET BY MORE THAN 1% FOR ONE-TIME FUNDING PROVIDED BY THE STATE FOR SPECIFIC EDUCATIONAL PURPOSES.

Mr. Chris Fulmer said that the state had finalized their budget approximately one month ago and the governor had since signed it. He said that they had delayed the implementation of their teacher scale correction until the budget items were resolved. He said with the recent budget changes, they had received six million dollars in recurring funding from the state that impacted FY24 specifically. He said part of this funding was tied to a required 2% increase in staff salaries effective January 1.

Mr. Fulmer said to address this issue, they had proposed to the school Board and they had approved their request for an appropriation from the Board of Supervisors. He said they sought mid-year implementation of their phase two teacher scale correction, which would bring their average teacher salary up to approximately 8.5% for the entire year, including the 5% increase they already implemented.

Mr. Fulmer said they requested a 2% across-the-Board increase for their service staff. He said that another aspect was one-time funding from the state based on a per pupil allocation. He said it was primarily intended to address learning loss across the state. He said this initiative was still in the works, and they were currently developing a plan to submit to VDOE. He said they hoped to begin the process soon, although he understood that it may take longer due to the need for approval from the Board of Supervisors. He said the funding would include a \$500 retention bonus for staff, which was intended to promote retention and compensate some teachers who were not receiving a mid-year increase due to the implementation of Phase Two of the teacher scale.

Mr. Fulmer said that it made up for the delay in the implementation of the remaining funds for all other staff members affected by the six-month delay in state funding. He said the intention was also to retain teachers for next year. He said that the remaining funds would be used to target buses, including activity buses that provided transportation for after-school tutoring programs. He said this aligned with their All-In Tutoring Plan.

Mr. Fulmer said that they were currently developing a plan to utilize the remaining \$5.5 million of the \$10 million received from the state to address learning loss. He said the plan was intended to address learning loss, chronic absenteeism, and the Literacy Act from the state. He said staff requested that the recurring funding for the current year to be deemed time sensitive so that adjustments could be made to salaries in order to implement the plan. He said the effective date of this request was January 1, 2024.

Ms. Gary asked for clarification on what the cost of retention would be from the \$10 million that may or may not be provided in one-time funding again next year.

Mr. Fulmer said it was \$2.4 million.

Ms. Bohmke said that with regard to the \$6 million in question, she asked whether any of the funding would be allocated towards the operational budget of the school, which could potentially result in an increase in taxes for the upcoming year.

Mr. Fulmer said the funding in question recurred annually, totaling \$6 million. He said they would see that amount and more in the FY25 budget because they were only receiving partial funding for FY24.

Ms. Bohmke asked why the matter needed to be deemed time sensitive.

Mr. Fulmer said that it was because they were implementing the salary increases effective January 1. He said they needed to calculate the exact difference for over 4,000 employees and work that into their payroll system. He said that they needed to communicate this to employees, and he mentioned that there were a couple of holidays coming up which may take away from some of the workdays in November and December.

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

The Voting Board tally was:

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

ITEM 20. PLANNING AND ZONING; CONSIDER TIME LIMIT EXTENSION REQUESTS FOR ZONING RECLASSIFICATION AND CONDITIONAL USE PERMIT APPLICATIONS FOR A PROJECT KNOWN AS BELMONT PARK.

Mr. Mike Zuraf said this item was for consideration of extending the application time limit for the Belmont Park zoning reclassification and conditionings permit applications out to February 7, 2024. He said the applications were originally submitted in March of 2020 and had undergone several modifications. He said there had been three prior extensions granted by the Board, with the current extension expiring on November 1. He said this was the fourth extension requested by the applicant, who needed more time to address concerns raised by the Planning Commission and other changes to the development proposal limits. He said staff recommended that the Board deem this item time-sensitive if they wished to act on it prior to the deadline of the application. Ms. Bohmke asked when the project began.

Mr. Zuraf said in March, 2020.

Ms. Bohmke asked for a summary of the management challenges that had arisen and inquired about their progress on the project.

Mr. Zuraf said the applicant submitted their application to the Planning Commission public hearing at the end of June, and numerous comments were received from the staff and the Planning Commission. He said that the applicant had been working diligently to address all these concerns while also taking into account the revised project limits that necessitated readjusting their development proposal. He said that they resubmitted their latest version approximately a week and a half ago. He said that staff needed to thoroughly review it and forward it back to the Planning Commission for further consideration.

Ms. Bohmke asked when the Board would review it again.

Mr. Zuraf said it would be either in January or February.

Ms. Vanuch asked if Mr. Zuraf was supportive of the time extension and believed it would not impose additional workload on their staff.

Mr. Zuraf said it would give staff more time to work through their processes.

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

The Voting Board tally was:

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

Mr. Coen motioned, seconded by Ms. Bohmke, to approve the request to extend the time limit.

The Voting Board tally was:

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

Resolution R23-292 reads as follows:

A RESOLUTION GRANTING TIME EXTENSION REQUESTS FOR RECLASSIFICATION APPLICATION RC20153239 AND CONDITIONAL USE PERMIT APPLICATION CUP20153240, PURSUANT TO STAFFORD COUNTY CODE SECS. 28-162, "REVIEW AND REQUIREMENTS" AND 28-185, "CONDITIONAL USE PERMIT"

WHEREAS, on June 2, 2020, the Board adopted Ordinance O20-13, which established time limits for zoning reclassification and conditional use permit (CUP) applications; and

WHEREAS, Stafford County Code Secs. 28-162(h) and 28-185(b)(2) specify that any zoning reclassification or CUP application still pending more than eighteen (18) months from the date such application was filed shall be administratively closed by staff due to inactivity but an applicant may request in writing, prior to such deadline, that the Board consider granting an extension request, which request must contain a definitive time for moving forward with or withdrawal of the application; and

WHEREAS, the Belmont Park LLC applications (RC20153239) and (CUP20153240), were filed on April 1, 2020 (collectively, The Belmont Park Applications); and

WHEREAS, the Board previously granted extension requests for The Belmont Park Applications on February 15, 2022, pursuant to Resolution R22-36, extending the time limit to August 31, 2022; on October 18, 2022, pursuant to Resolution R22-257, extending the time limit

to May 1, 2023; and again on May 2, 2023, pursuant to Resolution R23-143, extending the time limit to November 1, 2023; and

WHEREAS, on September 19, 2023, an additional request was received for The Belmont Park Applications and such request seeks an extension to extension to February 7, 2024; and

WHEREAS, the Board finds that time limit extensions for The Belmont Park Applications, pursuant to Stafford County Code Secs. 28-162(h) and 28-185(b)(2), are appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that time limit extensions, pursuant to County Code Sec. 28-162(h) and Sec. 28-185(b)(2), be and they hereby are granted as follows:

	Project Name	Application(s)	Time Limit Extend To
1.	Belmont Park	RC20153239 CUP20153240	February 7, 2024

ITEM 21. CAPITAL PROJECTS TRANSPORTATION; CONSIDER APPROVING SAFETY/WEDGE-WIDENING PROJECT(S) FOR FY2025.

Mr. Matthew Lehane said that he was continuing the presentation from their Infrastructure Committee. He said that the matter was time sensitive, and they needed to make a decision today in order to meet VDOT's paving schedule and set up their contract by the end of October. He said that they had allocated \$1 million annually for this project and would be selecting their own projects rather than following VDOT's paving list unless there was a match. He said they reviewed a new prioritization process that they wanted to implement next year in the secondary six-year plan.

Mr. Lehane said that they would consider crashes, average annual daily traffic, and roadway width for even scoring in order to prioritize their projects effectively. He said that two main projects were discussed during the last meeting: Stefaniga Road and Telegraph Road. He said that they had obtained additional information from the Sheriff's Office and Public Safety as requested. He said that they sent them back a re-ranked list and added two more projects, Richards Ferry and Holly Corner Road. He said that neither of these projects were on the bond list, but Richards Ferry was included in the SSYP for improvements.

Mr. Lehane said that the wedge widening projects followed the list of projects approved in the 2019 Transportation Bond. He said schools had not yet received full input, but they would include it in their analysis. He said they received a comment requesting improvements to Truslow Road related to High School #6.

Dr. Yeung asked what the Board was taking action on at the meeting.

Mr. Lehane said that they must choose one of these projects for the resolution to be submitted to VDOT in order for them to incorporate it into their FY25 paving plan.

Dr. Yeung asked from which financial source the expenditure would come out of.

Mr. Lehane said that it was in the CIP, and they had about \$1 million allocated on an annual basis for this particular program, which was funded through the General Fund Transfer.

Dr. Yeung asked what were the last projects that came out of there.

Mr. Lehane said that in FY22, they completed Mountain View Road. He said that in FY23, they finished Kellogg Mill Road, which was currently being completed. He said that in FY24, they will be working on Decatur Road and Brent Point Road.

Ms. Bohmke asked what the crash data ranking represented.

Mr. Lehane said that the list was ranked by the Sheriff's Office based on priority

Ms. Bohmke said that according to her recollection, at the previous meeting, the decision was between Stefaniga and Telegraph Road. She noted that Stefaniga was ranked fourth and Telegraph Road was ranked fifteenth. She said that they would like to complete all of them. She said that they had re-ranked the list and added Richard's Ferry, which was ranked sixth, and Holly Corner, both of which were not on the bond list. She said that Richard's Ferry was included in the SSYP. She said that they should make a decision based on the Sheriff's recommendation.

Ms. Allen said that the schools had yet to submit information. She said that it was inaccurate to suggest that they had enough data to justify their position, as her argument was based on the safety of school buses. She said that given the time constraint, she understood that the schools were unable to provide them with this information at the moment. She said that she was willing to move forward with Stefaniga for now but hoped that in the next cycle, the Board would have enough time and resources to collect this data from the schools over a full school year.

Mr. Bryon Counsell, Chief Director of Infrastructure, said that they would be seeking a priority strategy from the Board in the early part of the year before going through the process again. He said that their goal was to obtain options based on the strategic priorities for the wedge widening program. He said that they had a plan and were facing a fast-approaching deadline, sometimes making it difficult to obtain data. He said that there were still projects available for the Board to choose from that would make the most of their budget while doing valuable work. He said that the table on the monitor ranked the projects in two different ways, and they had tools like the sheriff's office and public safety's opinion on how to prioritize the project. He said there were two distinct prioritization tables for the Board to decide upon.

Dr. Yeung asked how much were the funds.

Mr. Lehane said it was about \$1 million.

Dr. Yeung said that she would like to address two items on the list. She said she was indifferent about which ones, but they had \$1 million, so she wanted to discuss whether they could acquire two products for the price of one from the list. She asked if there needed to be a local match.

Mr. Lehane said no.

Dr. Yeung asked if someone would make a motion for two items.

Ms. Vanuch said no. She said that they should return to the fact that these roads were listed on a bond referendum. She asked if anyone could explain why the bond referendum was even introduced and passed by voters. She asked if anyone wished to address the reason why Mr. Dudenhefer brought forward the bond referendum.

Mr. Counsell said that he recalled that Public Works conducted a comprehensive study on roadways at the time, and the findings were compiled and presented to the committee, then the Board, who decided to address the transportation projects through a bond referendum of \$50 million in 2019.

Ms. Vanuch said that the bond referendum was initially proposed and then subsequently dropped from discussion by the Board. She said it was revived after a young lady was killed on Kellogg Mill Road. She said it was because young drivers were dying in accidents on back roads due to their unsafe conditions. She said the reason she requested data from the Sheriff's Office was to analyze reports of young driver accidents and prioritize the roads where young drivers were most likely to be injured. She said that out of the 37 accidents on Stefaniga Road, 16 involved young drivers. She said that was why they need to prioritize Stefaniga.

Ms. Vanuch said Joshua Road also had similar numbers, but they cannot do both due to cost constraints. She said that Joshua was going to be a cut through for the bridge, and they would be doing some repaving, so it made more sense to push that off a year. She said that this aligned with what the voters were supporting as to prioritize the roads where young drivers were getting into accidents. She said on other roads, it was due to drunk drivers, speeders, and all those things could be dealt with by increasing law enforcement presence and enforcement. She said that young drivers needed to be on safe roads.

Ms. Vanuch motioned, seconded by Ms. Gary, to deem 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. Coen, to approve Resolution R23-298, with the Stefaniga Road project.

Ms. Bohmke said that it would be highly beneficial to provide them with more information to make informed decisions. She said that they had done their best thus far, but she wanted to know if there was any additional data that could be obtained to prevent Board members from prioritizing one project over another. She said that all of their roads were important. She asked if they could continue relying on the same metrics used for the bond issue based on young drivers or if there were other relevant factors that they should consider.

Mr. Coen said that he expressed his support for pursuing the Stefaniga project because it was a student from his school who had died. He said it was his students who had initiated the effort to pass the bond referendum. He said he felt that he owed it to them to see this project through.

Ms. Gary said she suggested that it would be beneficial to inquire if there were any other pieces of information they should gather beforehand so that they could be better prepared and avoid any time constraints during their next meeting. She said that it would have been advantageous to have input from the bus drivers.

Mr. English said that he was pleased that they were managing to complete a project, as they had been discussing various ideas for some time now.

The Voting Board tally was:

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

Nay: (0)

Resolution R23-298 reads as follows:

A RESOLUTION TO APPROVE SAFETY/WEDGE-WIDENING PROJECT(S)
FOR FISCAL YEAR (FY) 2025

WHEREAS, the Safety/Wedge-Widening program was approved as a part of the 2019 Transportation Bond Referendum, which identified 35 different roadways across the County in need of safety and/or wedge-widening improvements; and

WHEREAS, the FY2024-FY2033 Capital Improvement Program (CIP) allocated \$1 million in local funding annually towards the Safety/Wedge-Widening program; and

WHEREAS, the Virginia Department of Transportation (VDOT) has asked the County to select safety/wedge-widening project(s) for FY2025; and

WHEREAS, the Board desires to move forward with the following project(s) provided below; and

WHEREAS, local funding is available in the FY2025 CIP for the project(s);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that it be and hereby does select the following project, for the FY2025 Safety/Wedge-Widening Program:

1. Stefaniga Road

; and

BE IT FURTHER RESOLVED that the County Administrator or his designee is authorized to execute project administration agreements and/or other documents that are necessary or appropriate for any approved FY2025 Safety/Wedge-Widening Program project; and

BE IT STILL FURTHER RESOLVED that the County Administrator or his designee is authorized to provide a certified copy of this Resolution to the VDOT Fredericksburg Residency.

ITEM 22. FINANCE; CONSIDER APPROVAL AND ADOPTION OF THE STAFFORD COUNTY GRANTS POLICY.

Ms. Light said that they were there to present a new Grants Policy on Proposed Resolution R23-301 to the Board. She said that this policy had been a cross-departmental effort led by County Administration, specifically Anthony Toigo. She said that the Board was asked to consider this Grants Policy, which was not time-sensitive and could come back to the Board in November. She said that currently, the County did not have an approved Grants Policy. She said the purpose of this policy was to minimize their grants risk and allow for department flexibility while increasing visibility of grants. She said the purpose was also to align grants with the Board's strategic plan.

Ms. Light said it applied to all County grants for departments and constitutional officers, except transportation grants that they typically received through VDOT, such as C-Max and SmartScale. She said that involving them in this policy would add another layer of bureaucracy without bringing significant benefits. She said part of this policy was identifying a grants team. She said that the team was cross-collaborative between County Administration, Finance, and Budget and Management. She said the team's responsibility was to increase grant opportunities across the County, maintain the Grants Policy, update it for the Board, provide training, ensure departments followed the Grants Policy, and manage Grant Administration.

Ms. Light said that within the body of the policy, there was a section on pre-award policy requirements. She said they had identified grants that were less than \$100,000 with no match, which would require approval from a Deputy County Administrator or a County Administrator for the application phase. She said the Board was currently seeing grants in the pre-award phase

at all values, including \$4,000 and \$1,000,000. She said that they wanted to streamline the process for departments so that they could take advantage of as many grants as possible.

Ms. Light said that for grants under \$100,000 with no match, the budgeting-appropriated grant contingency could be used for spending authority without coming back to the Board for approval. She said grants over \$100,000 or requiring a match would need to come back to the Board. She said staff sought the Board's direction on any input they may have regarding this policy.

Ms. Vanuch said that for the fire rescue grant that they had recently submitted where they were attempting to secure funding for 36 different firefighters, would they receive feedback on those grants. She said that one of the things that may be missing was the valuable input from a professional grant writer to ensure that they were hitting all the criteria and positioning their grants in the best possible way. She said that if somehow they could tap into some type of resource to allow departments to access grant writers, it would be beneficial.

Ms. Light said that Mr. Toigo had been working on obtaining a contract with a consultant to assist in performing some of the work. She said that a portion of the grants team would be responsible for evaluating the outcomes of those proposals.

Ms. Vanuch asked if they were federal grant consultants, because the federal government had a very high threshold for submission. She asked about the type of oversight the Board would receive if they were to engage a consultant. She said that many localities used D.C. law firms, which offered discounted prices due to their expertise in grant writing with government agencies. She suggested considering including this expense in their budget next year, as it could significantly impact their ability to achieve success with these grants.

Mr. Vosburg said that it was a federal consultant. He said that they did issue an RFP and received several submissions which are currently being reviewed. He said that he was aware that many of the firms who submitted were based in DC. He said that the process was ongoing, and the funding for the consultant was included in the current budget. He said he wanted to clarify that at present, their focus was on securing federal grants, so they did not have any plans for a grant consultant related to state grants or other types of funding.

Ms. Vanuch said that the state's laws were less stringent compared to federal laws. She said that federal laws had precise requirements and wording that must be followed.

Mr. Vosburg said it was in the works, and it was currently funded in the budget.

ITEM 23. PLANNING AND ZONING; CONSIDER SUSPENDING BY-LAWS TO AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING ON APPLICATION RC23154991, REQUESTING AN AMENDMENT TO PROFFERED CONDITIONS ON TAX MAP PARCEL NO. 39-71A, FOR NOVEMBER 14, 2023 (PROJECT KNOWN AS OLD POTOMAC CHURCH DATA CENTER).

Ms. Kathy Baker, Acting Director of Planning and Zoning, said that this item was for the Board to consider advertising and conducting a public hearing, as well as suspending bylaws to consider a proffer amendment application for Old Potomac Church Data Center. She said that the property was approximately 50 acres in size and was zoned B-2 on the east side of Old Potomac Church Road. She said the existing proffers with this application limited it to office use, and these proffers would be amended by deleting and modifying certain provisions to permit the data center. She said that the rezoning application had been submitted back in April of this year and was scheduled for a public hearing before the Planning Commission on October 25.

Ms. Baker noted that due to contractual constraints with the applicant and owner, they had requested that action be considered by the Board by the end of November. She said that the only meeting available for this purpose was on November 14, and she explained that in order to meet the timeframe for advertising and notification of the public hearing, the Board would need to authorize these actions prior to the Planning Commission's public hearing on October 25.

Ms. Baker said that the Board's bylaws stipulated that no action should be taken on rezoning applications during the months of November and December. She said that a two-thirds vote could suspend this rule to schedule this for November 14. She said they would need to classify it as time-sensitive in order to meet all required deadlines. She said that if the Board wished to hear this rezoning case in November, they should adopt proposed resolution R23-307.

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

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Ms. Gary, to adopt the Resolution, R23-307.

The Voting Board tally was:

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

Resolution R23-307 reads as follows:

A RESOLUTION TO (1) AUTHORIZE THE ADVERTISEMENT OF A PUBLIC HEARING AND (2) TO SUSPEND THE BOARD'S BY-LAWS AND RULES OF PROCEDURE TO HEAR AND PERMIT BOARD ACTION ON APPLICATION RC23154991, WHICH WOULD AMEND PROFFERED CONDITIONS ON TAX MAP PARCEL NO. 39-71A

WHEREAS, Amazon Data Services, Inc. (Applicant) submitted application RC23154991 (Application), requesting an amendment to proffered conditions to permit a data center in the B-2, Urban Commercial Zoning District on Tax Map Parcel No. 39-71A, located within the Falmouth Election District; and

WHEREAS, the Applicant has requested that the Application be considered by the Board prior to the end of November 2023; and

WHEREAS, the Planning Commission is scheduled to conduct a public hearing on the Application on October 25, 2023; and

WHEREAS, the Board desires to authorize advertisement of a public hearing to consider the Application at its November 14, 2023 meeting, if timely based on the Planning Commission making its recommendation; and

WHEREAS, Section 6-7 of the Board's By-Laws and Rules of Procedures, last amended on September 20, 2022 (By-Laws), specifies that in any year in which members of the Board are elected in a general election, the Board shall not take any action or vote in November or December regarding rezoning applications; and

WHEREAS, Section 3-10 of the Bylaws provides that a rule contained in the Bylaws may be suspended for a specifically stated purpose with the concurrence of two-thirds of the members present; and

WHEREAS, the Board desires to suspend its By-Laws in order to authorize publication of the hearing and to conduct business regarding the Application in November pursuant to the Applicant's request;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the Board be and it hereby does, pursuant to Section 3-10 of the By-laws, suspend Section 6-7 of the By-laws to allow advertisement of a public hearing and consideration of, and possible action on, application RC23154991, proposed amendments to proffered condition on Tax Map Parcel No. 39-71A (Application) in November of December of 2023; and

BE IT FURTHER RESOLVED that the Board authorizes advertisement of a public hearing for the Application on November 14, 2023.

ITEM 24. DISCUSSION ON SHORT TERM RENTALS.

Mr. English said that he believed there was a potential issue regarding the presence of numerous Airbnb properties in Stafford. He said that they should investigate whether any ordinances or regulations existed to address this matter. He said he proposed that staff conduct a thorough examination and report on the current status of Airbnbs in their area.

Mr. Vosburg asked whether it should return through committee. He said that they had incorporated some background information into it. He said that it did come before the Board and had been to a committee. He said he wanted to know the objective and if it was something to bring back to the committee or back to the Board.

Mr. English said it should go through committee.

Dr. Yeung said that she had previously mentioned Airbnb. She asked if the Board was interested in exploring this further and obtaining more information about it.

Ms. Bohmke said that she would like to inform everyone that this matter had been discussed in the General Assembly for a period of six years. She said that there had been significant developments regarding Airbnbs during this time. She said she suggested that Anthony Toigo should contact their lobbyist at VACo and obtain relevant information from them.

Ms. Gary said that she agreed with the statement about going to committee. She said that her only inquiry was whether there were any particular issues with this, such as parking, and if so, what were the specific concerns.

Mr. English said that he believed one issue was the sheer number of them, and there was not an ordinance in place. He said he wanted to address liability.

Ms. Vanuch said that bringing this matter before CEDC would enable them to analyze the data more effectively. She said that examining the number of violations and the nature of investigations conducted by zoning staff, as well as compiling complaints related to short-term rentals, would be beneficial. She said if they lacked an ordinance, it was essential to determine the recommended course of action.

Mr. Vosburg said that he wanted to clarify the use of terminology regarding short-term rentals, and he noted that Airbnb and similar companies were considered under this category.

Mr. Coen said that there were two possible avenues that could be pursued. He said one approach was to implement an ordinance which would require enforcement through complaints and other procedures. He said the alternative pathway involved being proactive by monitoring advertisements for these entities and taking action beforehand. He said this approach had also been mentioned by Ms. Vanuch, who emphasized the need for a structured approach to this issue. He said they had faced a dilemma in this regard, but now it seemed that fresh eyes and a new perspective were being brought to bear on the matter.

CLOSED MEETING

At 5:06 p.m., Mr. Coen motioned, seconded by Ms. Bohmke, to adopt Resolution CM23-22 to authorize closed session.

The Voting Board tally was:

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

Resolution CM23-22 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to Stafford County Board of Supervisors v. Mark A. Stephens, LTD, where consultation or briefings in open meeting would adversely affect the litigating posture of the Board; (2) discussion and consideration of the acquisition of real property for fire and rescue purposes, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and (3) consultation with legal counsel regarding state licensing requirements for medical clinics and public records, which is a specific legal matter requiring the provision of legal advice by such counsel; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(7), and (A)(8) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th 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 5:52 p.m., Mr. Coen motioned, seconded by Ms. Bohmke, to adopt Resolution CM23-22(C) to certify the closed meeting.

The Voting Board tally was:

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

Resolution CM23-22 (C) reads as follows:

**A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON OCTOBER 17, 2023**

WHEREAS, the Board has, on this the 17th 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 17th 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.

Ms. Allen motioned, seconded by Ms. Vanuch, to approve the Resolution, R23-300.

The Voting Board tally was:

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

Resolution R23-300 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR AND THE COUNTY ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO SETTLE *STAFFORD COUNTY BOARD OF SUPERVISORS V. MARK A. STEPHENS, LTD*, CASE NO. CL22-3103

WHEREAS, the Board and Mark A. Stephens, LTD are parties to the condemnation case, *Stafford County Board of Supervisors v. Mark A. Stephens, LTD*, Case No. CL22-3103; and

WHEREAS, the parties in the above-referenced case desire to enter into a settlement agreement to resolve the respondent's claim for just compensation under the terms and conditions discussed in closed session with the County Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that the County Attorney and the County Administrator, or their designees, be and they hereby are authorized to execute any and all documents that they deem necessary and appropriate to settle *Stafford County Board of Supervisors v. Mark A. Stephens, LTD*, Case No. CL22-3103, under the terms and conditions discussed in closed session.

RECESS

At 5:18 p.m., the Board recessed the meeting.

At 7:00 p.m. Chairman Yeung called the evening session to order. Ms. Gary gave the invocation. Jenna Cooper, Cub Scout Pack 26 Scout Leader, led the Board in reciting the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS

BAND TOGETHER TO FIGHT HUNGER - DRUM MAJORS PRESENTATION

Dr. Yeung said that representatives from various schools were present to tell them about the Band Together to Fight Hunger annual event where bands from all high schools performed and asked attendees to bring donations for a food bank. She invited the following guests to join them: Ms. Deborah Pickerel, Sam Chapman, Ivanna DeLeon Casas, Mitchell Austin, Robert Christianson, David Ortiz, Delaney Crisp, Clara Jacob, and Dr. Annamarie Bollino.

Ms. Deborah Pickerel, Coordinator of the Band Together to Fight Hunger event, said she wanted to introduce the drum majors of their County's high school bands for the 13th annual Band Together to Fight Hunger. She said that their esteemed band leadership included Sam Chapman from Brook Point High School, Ivana De Leon Casas from Colonial Forge High School, Mitchell Austin from Mountain View High School, Rob Christiansen from North Stafford High School, and Clara Jacob from Stafford High School.

Samuel Chapman, drum major at Brooke Pointe High School, said that they would like to cordially invite each of them to join them on Monday, November 6 at 7 p.m. for the 13th anniversary of Band Together to Fight Hunger. He said that if it should rain, this event would be rescheduled for Monday, November 13. He said the gates would open at 5:30 p.m., providing them with ample time to drop off their donations and enjoy dinner before the performances began at 7.

Ivanna DeLeon Casas, drum major at Colonial Forge High School, said that the upcoming event, Band Together to Fight Hunger, promised to be an exhilarating showcase featuring the exceptional musicians from their five high schools. She said that this unique occasion provided a rare opportunity for attendees to witness and appreciate all five high school marching bands performing in concert while also contributing to their local community by supporting the Fredericksburg Regional Food Bank. She said the food bank served the counties of Stafford, Spotsylvania, Caroline, King George, Locust Grove, and the City of Fredericksburg, which were home to many of their fellow students, faculty, and support staff.

Mitchell Austin, drum major at Mountain View High School, said that non-perishable food donations and monetary donations were gladly accepted. He said that monetary donations could be made by mailing a check to Band Together at Mountain View High School or through their online donation page. He said that the link for the online donation page could be found from their Band Together social media pages on Facebook, Instagram, and Twitter. He said that in the last 12 years, they had given over 325,000 meals back to their community. He said this year, their goal was to provide 50,000 meals for citizens in their area. He said that they had already raised 27,000 meals through the generosity of local businesses for this year's event.

Mr. Austin said that they were over halfway to their goal. He said that their Fredericksburg Regional Food Bank was the storehouse for the food and other products collected. He said the items were then distributed to their local food pantries and other programs in their communities. He said that the Food Bank was seeing more of their neighbors than ever before. He said that parents who had lost their jobs or had a reduction in hours, as well as their children going to bed on an empty stomach and retired seniors unable to afford groceries, were among those they were helping.

Mr. Austin said that if the community came together, they could help fight hunger. He said in 2022, the Food Bank collected and distributed over 5.8 million pounds of food and other grocery products, equivalent to over 4.8 million meals provided. He said last quarter alone, the Food Bank distributed 2,311,217 pounds of food, which served over 24,000 of their neighbors. He said 30% of this number were first-time participants.

Clara Jacob, drum major at Stafford High School, said that by collaborating with the Food Bank, they could reach more people in need through their many partnerships and business connections. She said that it was remarkable that they were able to touch the lives of so many adults and children in their area by giving back for just one night. She said that after their presentation on the field to the Fredericksburg Regional Food Bank, attendees would be treated to the grand finale when all of their bands would band together to fight hunger. She said that 400 plus marching band students playing on the field together was quite impressive. She said that the need in their community was real. She said she hoped that they would join them in this campaign to fight food insecurity in their community with a monetary or non-perishable food donation.

AMERICAN JUNIOR GOLF ASSOCIATION AND ECONOMIC DEVELOPMENT AUTHORITY (EDA) CHECK PRESENTATION

Dr. Yeung said this was a check presentation with the American Junior Golf Association and EDA. She said this was the second year that Stafford EDA, Stafford Tourism, and the American Junior Golf Association teamed up to bring an amazing event to Stafford County. She invited members of the Economic Development Authority, their local charity recipients, and Kyle Allwine, the new Director of Economic Development, to tell them about this partnership.

Mr. Kyle Allwine said that two years ago, the EDA had initiated the American Junior Golf Association tournament in Stafford. He said this was a significant event, as 96 junior golfers from all over the United States and seven foreign countries participated. He said the tournament took place at the Gauntlet Golf Course, and it was made possible by great participation from local businesses, volunteers, and families. He said it was estimated that the economic benefit to Stafford County from this event was approximately \$194,000.

Mr. Allwine said that he would like to shout-out Lisa Logan and Linzy Browne, who worked very hard to make this event successful. He said that they raised \$24,950 during this year's

tournament, which would be donated to deserving charities. He said that it was the pleasure of the EDA to present \$12,475 to each of these groups. He said The Big Brothers and Big Sisters of the Greater Fredericksburg area was one of the recipients. He said that Michael Gillis and Natasha Holloway were representing the nonprofit.

Mr. Allwine said the Special Olympics of Virginia Area 11 was another recipient. He said that Tim and Matt Doyle were here with them. He said that they were delighted to have them there. He said that they were pleased to provide them with the money. He said that they would be organizing the golf tournament again next year in order to raise even more funds for deserving charities.

PRESENTATION OF A PROCLAMATION RECOGNIZING OCTOBER AS BREAST CANCER AWARENESS MONTH

Dr. Yeung said that their final presentation aimed to raise awareness about Breast Cancer Awareness Month in October. She said this year, there would be a video presentation. The video played for the meeting.

PRESENTATIONS BY THE PUBLIC

Dr. Yeung read the protocol for presentations by the public.

1. Cynthia White said she was new to Virginia and had recently moved to the Seven Lakes community. She said she had inherited a significant problem with the Chinese Lotus, an invasive non-native species that had infested the stormwater wet lake in their area. She said this issue had been ongoing for some time and had caused frustration among residents. She said the County had not yet inspected the lake to determine if it was effectively managing stormwater as required. She said as a result, the responsibility fell on the residents to address this problem. She said she emailed the Environmental Programs Administrator to express her concerns.

Ms. White said the response she received stated that it was the responsibility of the residents to maintain this area. She said she found it concerning that he forwarded her email to the Seven Lakes Board, as well as the management company, without her consent. She said the action appeared to be a form of collusion, and she was unsure why he felt it was necessary to do so. She said that during the Seven Lakes Board meeting last night, the topic was discussed, and they brought up the fact that the County employee had forwarding her emails to them. She said she would like to lodge a formal complaint and a FOIA request for the email that he sent to the Seven Lakes Board.

2. Daniel Cortez, 19 Hidden Springs Lane, said that last week, he had been honored with a proclamation from the Virginia General Assembly for his work in media, political activism, veterans' issues, and minority affairs. He said the recognition was presented to him by the Lieutenant Governor. He said that it was an unforgettable day, as there have been several racially motivated events in his life, including the time he was hung in effigy with a racist message pinned to his chest while his wife witnessed the incident. He said that officials, including those on this Board, had failed to show moral courage by investigating the perpetrators or even inquiring about the event.

Mr. Cortez said that there had been a racially insensitive action committed by Board member Paul Milde of the Aquia district, who refused to acknowledge Hispanic History Month. He said this was followed by Milde's refusal to apologize, as he remained silent while the vice chair at that time took responsibility and read the federally mandated Hispanic History County Proclamation during the next meeting. He said the Lieutenant Governor was shocked when he recounted these events to her. He said they must not vote for someone based solely on their political party; instead, they should support candidates who possess integrity and respect all races and creeds.

Mr. Cortez said he was voting for Bishop Leonard Lacey for House District 54, and he encouraged everyone listening do the same. He said that there have been other outrages in Stafford County, such as spending \$1 million tax dollars over the Muslim cemetery issue in Rock Hill, which he found unconscionable and irresponsible. He said they needed to vote for individuals of quality and experience, like Tara Durant for State Senate, Bishop Leonard Lacey for Delegate in House District 64, Scott Mayausky as Commissioner of the Revenue, Mike Sienkowski for Stafford Treasurer, Eric Olsen for the Commonwealth, Commonwealth Attorney, and David Decatur for Sheriff. He said that they should keep morality and leadership in the George Washington District by voting for Tom Coen for Supervisor and Howard Rudat for Rock Hill Supervisor.

PUBLIC HEARINGS

ITEM 25. REGISTRAR; CONSIDER AMENDING AND REORDAINING STAFFORD COUNTY CODE SEC. 9-47 "LOCATION" AND SEC. 9-51, "VOTER SATELLITE OFFICES," TO RELOCATE THE GENERAL REGISTRAR'S OFFICE, CENTRAL ABSENTEE PRECINCT, AND VOTER SATELLITE OFFICE.

Ms. Anna Hash, Registrar, said that because they were relocating her office which contained the voting precinct, they needed to change the ordinance to include a change in the early voting location. She said that it was required to have a public hearing to amend the ordinance, which was then sent to the Office of the Attorney General for clearance.

Ms. Gary said that she was sure that they had conducted due diligence on this matter; however, if they could please explain for her, as they may be aware, there were some issues with early voting in Spotsylvania at present. She said that one aspect of these issues was the design of the parking lot, which made it difficult for people to access the dry cleaner and resulted in individuals receiving incorrect or misleading information. She said that the representatives from political parties were unable to distribute their sample ballots due to the layout of the area.

Ms. Gary said that her question to them was whether their team had ensured that there was sufficient space for people to move around freely in front of the building, rather than having to navigate through cars or walk all the way around to reach someone. She asked what measures they had taken to ensure the ease of movement for individuals who would be assisting with early voting.

Ms. Hash said that it was very easy. She said that at this time, there was only one other business situated upstairs and Germanna was downstairs. She said that it was not a shopping center where people were constantly coming and going in different directions. She said that she was unaware of the setup in Spotsylvania as she had not visited it, however, she had seen in the news about the issue with misleading sample ballots. She said that she could not comment on their other concerns regarding traffic flow.

Ms. Gary said that she was confident that whatever decision they made would be much better. She said that she had a lot of confidence in Ms. Hash. She said that she just wanted to ensure there would be space available for individuals to move around and interact with voters.

Ms. Bohmke asked Ms. Hash to inform the audience, even though this matter would not have been discussed during a public hearing, when she anticipated becoming fully operational for which electoral cycle.

Ms. Hash said that for the March presidential primary, early voting would commence on January 19th. She said that it was anticipated that it would take place there.

Mr. Coen asked if they could kindly share this information with the general public by disclosing the exact location and distance from their current premises.

Ms. Hash said that it was located on Old Potomac Church Road where the Abberly apartments were situated, and Germanna Community College's Stafford Campus was currently housed in that building as well. She said that when conducting the search, they limited it to a one-mile radius of this building. She said that they wanted to remain centrally located within the County and close to this building so that individuals would not have to travel too far. Therefore, she said that this was the best location they could find, and after considering various options, they determined that this was the most suitable choice.

Mr. English asked if they could potentially collaborate with VDOT or the Sheriff's Office beforehand to have signboards placed in advance of early voting, which takes place approximately thirty days prior. He said that this would be beneficial for informing individuals about the upcoming election.

Ms. Hash said yes. She said that once they had established a definite moving date, they would undertake extensive advertising and produce videos as well as engage with the community to disseminate all pertinent information.

Ms. Vanuch asked if they had reviewed the plan for notifying residents about the new voting location. She said that many individuals had been early voting for an extended period and may not be aware of the changes. She said that it would be beneficial to inform them about the new voting process and how they could assist them.

Ms. Hash said that once they knew a date certain, they would work on communicating that with the Community Engagement team to get that information out.

Ms. Vanuch said that another video similar to the previous one could be created, as it was very effective in educating viewers. She asked if during the early voting period, individuals should be stationed there or if political parties should take responsibility for directing voters to the correct location. She said that it was likely that people would still come there, so providing clear instructions on where to go would be beneficial.

Ms. Hash said that if the parties wanted to utilize resources to direct people there, they were welcome to, but the volunteer stationed outside would possess the necessary details and could furnish them upon request.

Ms. Vanuch said that perhaps they could discuss offline the possibility of creating a large sandwich Board to potentially assist in diverting individuals towards that area.

Dr. Yeung said that the conversation did not pertain to voting this year, and that voters should still continue to come to the County Building to vote this year. She said that people felt secure using the County Building because it was where the other government offices were and during this election season some people may feel threatened.

Ms. Hash said that she would work with the Sheriff's Office to guarantee their safety, the security of voters, employees, and anyone else visiting their office for voting or other business purposes. She said that she would work closely with them to ensure this.

Dr. Yeung opened the public hearing. She read the protocol for comment during a public hearing.

1. Alane Callander said that she resided at 622 Lancaster Street in the Falmouth District. She said that regarding the change in location for the Registrar's Office, the absentee voting precinct, and early voting, she believed it was unfortunate that they were unable to remain at the administration complex. She said that this was the most appropriate place for the registrar and in-person voting prior to Election Day, as it was easily accessible and had public transportation available for citizens who may require it. She said that she understood that there was a need for more space and a time crunch, but it must be convenient for citizens to access the registrar's office. She said that the proposed site appeared to be somewhat off the beaten track and did not seem to have adequate space for candidates to set up their booths.

Ms. Callander said that if the proposed data center for Old Potomac Church Road was approved, as she understood it, this would not be far from the new Registrar's Office. She asked when the construction for this data center would be taking place and how it might impact next year's early voting process. She said that upon researching when the new circuit court would be constructed, it might have been appropriate to allocate space for the Registrar within the new court complex, but she was disappointed to see that its construction had been postponed until 2025 after viewing only the design for this building. She said that this appeared to be a recurring issue when addressing the needs of the County for new buildings.

Ms. Callander said that this situation reminded her of how, decades ago, the County had planned to take advantage of a federal program to construct a social services building; however, this opportunity was lost due to their population not meeting the requirements at that time. She said that now, with a population exceeding 150,000, she was unsure if this assistance was still available, but it seemed to her that this could have alleviated some of their overcrowding issues. She said that she understood that there may not be ideal options currently available, but she firmly believed that the Registrar should be located within the main government complex.

2. Daniel Cortez said that he resided at 19 Hidden Springs in the Aquia District. He said that Ms. Callander's statement was correct. He said that in his forty years of residency in Stafford, they had not successfully established a central government center for the community. He said that this building had always been the designated location for such a center. He said that they previously had a small courthouse that required additional auxiliary buildings to accommodate the needs of the community. He said that if they continued to fragment their County's government locations, it would negatively impact their ability to attract individuals who wished to conduct business with them. He said that it was imperative that they establish a centralized government and community organization at this location.

Mr. Cortez said that they needed to think outside the box. He said that there were other vacant buildings that could be used temporarily, and he emphasized that courageous decisions regarding funding were required. He said that this was why he believed these data centers should provide funding for the issues that had arisen due to poor planning. He said that it was not specific to this Board, but rather the collection of Boards and commissions over the past 40 years, had not done a good job when they had to send their voter registrars long distances and inconvenience the community at large. He said that voting was an important job and it needed to be here.

Dr. Yeung asked if there were any further speakers. Seeing none, she closed the public hearing and the matter rested with the Board.

Ms. Bohmke motioned, seconded by Ms. Vanuch, to approve Ordinance O23-23.

Ms. Gary said that regarding public transit, a bus route did go to the new location, the FXBG GO Route D5, bus stop #518 at Germanna Community College.

Ms. Vanuch said that she agreed that they should keep it here, and Ms. Hash also agreed, but there were a couple of fundamental issues preventing them from doing so. She said that the first issue was the 45-day voting period, which caused havoc in the Registrar's Office due to constant early voting for 45 days. She said that if they were mandated by the state to continue with 45-day early voting, they had to deal with what they had. She said that they could not build a building that quickly, and any revenue generated from data centers would not be available until three to four years from now.

Ms. Vanuch said that they knew where the courthouse was in the CIP. She said that it was true that constructing schools took precedence over building a voting center, as the latter did not rank higher in terms of budgetary requirements. She said that unfortunately, they had to prioritize their needs based on available funds. She said that the primary reason for relocating this activity was due to the state's mandate requiring a 45-day early voting window, which could not be accommodated within their current premises without compromising other essential functions.

Mr. English said that he agreed and did not want to see it moved, but it was a situation they had to be in. He said that hopefully they would have enough money to put everybody back together and prayed that it would be a temporary fix.

Ms. Vanuch said that if they successfully flipped the Senate to Republican control, and they would eliminate the 45-day early voting period.

Mr. English said that they had to muddle through the next couple of years and then get the office back over here.

Ms. Bohmke said that they did consider other sites before settling on this one. She said that it was appropriate for County Administrator, Mr. Vosburg, to provide some insight into the decision-making process. She said that he could share with the public the discussions that took place and the role that County Administration played in finding this location.

Mr. Vosburg said that they had worked with Ms. Hash in examining various locations. He said that he personally toured some of these sites, and Mike Morris from their office also visited other sites. He said that a great deal of thought was put into selecting the new location by both the Registrar side and the Board side. He said that they had encountered logistical issues at the County facility due to the numerous activities that took place there, which had hindered the operations of the Board.

Mr. Vosburg said that the requirement for a secure site that they were locked out of during non-business hours was something they fully supported; however, the lack of available space in this building had made it difficult for them to accommodate this need. He said that in the future, they had to conduct a study on space requirements. He said that as one might expect, they needed ample space for various operations, and were examining the needs of the health department, the courts, and other entities, and were making necessary renovations. He said that there were many moving parts to this process. He said that he would echo the sentiments expressed by others that this was currently the best solution available to them. He said that to ensure accessibility for this building and early voting, he believed that this was the most suitable option at present.

Mr. Coen said that this was not a permanent solution, but was a step. He said that part of the problem, quite honestly, if one listened to constituents and people who were coming to this building for other purposes besides elections, such as paying a water bill or doing something with their car, or coming into planning and zoning, one would be inundated with getting things shoved at them. He said that that was unpleasant for those who are merely coming to do their regular business. He said that as a result, they come in unhappy and take it out on staff, making it difficult.

Mr. Coen said that it was not a permanent solution. He said that they did examine several options. He said that they conducted the last big election with early voting at the airport. However, they could not do that for eternity and beyond. He said that they needed to implement something more comprehensive but consider this as a temporary measure to have one location that was safe and sound as a good solution for now.

Dr. Yeung said that her concern was already addressed. She said that it was about the security of individuals who needed to vote and were afraid to do so due to the lack of security they had. She said that in addition, all the comments she intended to make had been made by others. She said that the courts used this dais right here in the building because when they used it for voting, there were two locations available. She said that some of their meetings, committee meetings, took

place in the back, which was a small section suitable for a dinner event. She said that it was not conducive to the public's business either.

Dr. Yeung called the vote for approval of O23-23.

The Voting Board tally was:

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

Nay: (0)

Ordinance O23-23 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 9-47, "LOCATION" AND SEC. 9-51, "VOTER SATELLITE OFFICES," TO RELOCATE THE GENERAL REGISTRAR'S OFFICE, CENTRAL ABSENTEE PRECINCT, AND VOTER SATELLITE OFFICE

WHEREAS, due to the timing of early voting and the need for additional space to manage local elections, the Registrar's Office required a new office space outside of the George L. Gordon Administration Building; and

WHEREAS, the Board prioritized the needs of the Registrar's Office, staff, and residents of Stafford County and obtained a new space for the Registrar's Office, with an anticipated move in date by the end of 2023; and

WHEREAS, the Board held a public hearing and considered the recommendations of the Electoral Board and the Registrar and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board desires to amend the County Code to designate the Registrar's Office new location and the Central Absentee Precinct and Voter Satellite Office; and

WHEREAS, the Board finds that the ordinance amendments are in the best interest of the residents of Stafford County;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that Stafford County Code Sec. 9-47, "Location" and Sec. 9-51, "Voter Satellite Offices," be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

Chapter 9 - ELECTIONS

Sec. 9-47. - Location.

The Central Absentee Precinct shall be located at the Office of the General Registrar of Stafford County, Virginia, at the ~~George L. Gordon, Jr. Government Center, 1300 Courthouse Road, 124 Old Potomac Church Road,~~ Stafford, VA 22554.

Sec. 9-51. - Voter Satellite Offices.

(a) The following Voter Satellite Offices are established in Stafford County for the purpose of in-person absentee voting:

- (1) ~~George L. Gordon, Jr. Government Center, 1300 Courthouse Road,~~ Voter Satellite Office at 124 Old Potomac Church Road, Stafford, VA 22554.

; and

BE IT FURTHER ORDAINED that the County Attorney is authorized to submit a request for certification of no objection to the Attorney General of the Commonwealth of Virginia, Office of Civil Rights; and

BE IT STILL FURTHER ORDAINED that no changes shall be implemented in the conduct of any election until (i) a certification of no objection is issued by the Attorney General of the Commonwealth of Virginia, Office of Civil Rights, or after sixty days have passed since a request for such certification is submitted and no objection is interposed, and (ii) the Registrar provides notice of the change in location of the Registrar's Office as required by Virginia Code § 24.2-306(B).

RECESS

At 7:43 p.m., the Board took a five-minute recess.

At 7:48 p.m., Dr. Yeung called the meeting back to order.

JOINT BOARD OF SUPERVISORS AND PLANNING COMMISSION PUBLIC HEARING

ITEM 26. PLANNING AND ZONING; CONSIDER PROPOSED AMENDMENTS TO THE "STAFFORD COUNTY VIRGINIA COMPREHENSIVE PLAN 2016-2036, 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED; AND TWO ORDINANCES (OPTION A OR OPTION B) TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS;" SEC. 28-35, "TABLE OF USES AND STANDARDS;" AND SEC. 28-39 "SPECIAL REGULATIONS", REGARDING DATA CENTERS.

Ms. Kristin Barnes, Planning Commission Chair, called the Planning Commission meeting to order. She asked the Planning Commission secretary for a roll call, and the following members were present: Kristen Barnes, Chairman, Albert Bain, Vice Chairman, Steven Apicella, Dexter Cummings, Martin Martinez, Laura Sellers, Willie Shelton, Jr.

Dr. Yeung read the protocol for the joint public hearing.

Dr. Yeung opened the public hearing.

Ms. Kathy Baker, Acting Director of Planning and Zoning, said that she would be presenting the presentation they had already heard about. She said that for the benefit of the public, she planned to provide some background information before delving into the proposed changes. She said that the proposal included amendments to the Comprehensive Plan, which would add a new Section 3.11, recommending guidelines for data center development, including siting and design. She said that they were also proposing amendments to the zoning ordinance, specifically Sections 28-25, 28-35, and 28-39. She said that these proposed changes would modify the definition of a data center, specify which zoning districts data centers would be permitted in, and establish special regulations for data center development.

Ms. Baker said that she would now discuss the background of data centers. She said that in general, they were large, single-use buildings or could be developed as a campus-style setting with multiple buildings. She said that the basic components, such as computers and software equipment, were located both inside and outside of the buildings. She said that there was specific infrastructure required, including fiber optic cables, electricity, and water supply to support the data centers. She then showed a brief video. She thanked the communications team for providing the video.

Ms. Baker said they were considering Stafford County as a potential location for data centers due to several reasons. She said that firstly, there was an increasing demand for data centers in general. She said that secondly, the County had land availability near transmission lines and existing fiber networks, which made it an ideal location for data centers. She said that additionally, they had the potential to use reuse water instead of drinking water to cool the centers. She said that furthermore, Stafford County had a skilled workforce, state incentives, competitive tax rates, and the ability to generate high tax revenue and create high-paying tech jobs. She said that finally, there were active data center projects that had been submitted to the County recently.

Ms. Baker said that when considering the zoning and land use aspects, they needed to take into account how the surrounding uses and zoning properties may be impacted by the development of data centers. She said that they also wished to examine comprehensive plan recommendations, focusing on building design and visibility, particularly from adjacent properties and transportation corridors, considering landscaping, buffering, and screening that could assist with the concerns of adjacent property owners and transportation corridor, noting the potential for traffic impacts and the potential for noise and sound emanating from the facilities.

Ms. Baker said that regarding their County utilities, as she mentioned earlier, reuse water would be proposed to serve the data centers in their community. She said that the clean water was

typically discharged from the wastewater plant to provide cooling for the centers. She said that they did not currently have the infrastructure for this. She said that they had the potential, but it had not yet been realized. She said that data centers would need to help construct a reuse piping system. She said that the impact of data centers on their drinking water source would be minimal, although limited drinking water would be used until a reuse system was complete. She said that in terms of electricity, these facilities may be located in proximity to high voltage transmission lines, generally within a mile.

Ms. Baker said that a data center would require a substation to provide electricity to it. She said that comprehensive plan compliance review would be necessary for constructing a substation on the site. She said that Dominion Virginia Power oversees the permitting process, and they must adhere to SCC standards to provide the substations. She said that transportation-wise, low traffic volumes are generated per building due to the low number of employees. She said that the employees worked in shifts to operate 24 hours a day. She said that for larger multi-building campuses, a traffic study may be required to identify and mitigate any transportation impacts.

Ms. Baker said that regarding the specific amendments, the Board and Planning Commission held a joint work session in March to discuss data centers, and at that time, the Board requested the Planning Commission to develop amendments to the comprehensive plan and zoning ordinance. She said that the Planning Commission formed a committee and spent several months developing their own draft amendments, which they would refer to as Option A throughout this presentation. She said that in August of this year, a public information meeting was held. She said that subsequently, in September, the Board discussed the matter after the community meeting and proposed an alternative zoning ordinance amendment, option B, which they would now review.

Ms. Baker said that the Board requested a joint public hearing with Planning Commission to consider both the comprehensive plan amendments and the zoning ordinance amendments. She said that the Planning Commission held additional committee meetings in September and recommended further changes from what the Board referred down to them. She said that these included minor revisions to the definition and minor changes to the comprehensive plan. She said that generally, the comprehensive plan amendments stipulated that data centers should be located within areas designated business and industry on the land use map and within the urban services area, which was their area with higher road capabilities and public water and sewer.

Ms. Baker said that data centers should also be located near existing electric infrastructure to minimize the extension of new electrical lines. She said that for projects outside of the urban services area, they should be located within one mile of that boundary, and the project should maintain rural, agricultural, and forestal character through various site design elements. She said that the site and design standards may include elements such as setbacks, preservation of forested land, and other design guidelines.

Ms. Baker said that recommendations regarding water usage and power consumption suggested studies on potential noise impacts from mechanical equipment, followed by mitigation measures based on the findings of those studies. She said that these studies would be conducted by outside consultants. She said that they also recommended a viewshed analysis to identify and address any potential visual impacts on adjacent residences and the general public. She said that the comprehensive plan amendments suggested avoiding environmental resources, coordinating emergency response and safety with County public safety and the site itself, and implementing architectural and green standards for buildings.

Ms. Baker said that moving on to the specifics of Option A, which was the Planning Commission's version, this would create a new definition that she would also explain. She said that this would allow data centers as a by-right use in the M-2 heavy industrial and the ICTP, which is an overlay district specifically for technology. She said that it would also allow data centers by a conditional use permit in the B-2 and M-1 districts. She said that currently, the ordinance allowed data centers by right in the B-2 urban commercial, M-1 light industrial, M-2 heavy industrial, and the RBC, which was a recreational business campus zoning district, as well as the ICTP overlay district.

Ms. Baker said that there were special provisions for data centers, which she would go over in a moment. She said that Option B, which was sent down by the Board to the Planning Commission, created a definition as well. She said that there was no change with the two options regarding the definition. She said that this option would be specific to allowing data centers only in the M-2 and the ICTP overlay district. She said that she would point out that there were no overlay districts with the ICTP designation, as it had been intended for Quantico Corporate Center and Riverside Business Park but was no longer applicable. She said that this established the special provisions as the provisions in Option A, so the only difference lay in the areas where they were permitted.

Ms. Baker said that the maps on the slide had been shown before. She said that on the left displayed the parcels that were 10 acres or more in size and zoned commercial or industrial, located near the high-voltage power line along the I-95 corridor on the eastern side of the County. She said that these maps revealed a limited number of vacant parcels that could potentially be developed, with 10 acres being the minimum size for a smaller data center. She said that the map on the right showed their current M-2 zoned parcels, where the red indicated undeveloped land. She said there were approximately 30 lots zoned M-2, most of them small parcels that would not be suitable unless multiple sites were combined to create larger acreage.

Ms. Baker said that regarding the definition, it had been simplified to state that a principal use where the majority of the space is occupied by computers and related equipment, and where electronic information is processed, transferred, and stored primarily for offsite users. She said that this was the same definition that they currently saw in both versions A and B. She said that the special provisions, which were also applicable in both Option A and B, required enhanced

building setbacks and increased open space for projects outside the urban services area, enhanced buffers where adjacent to non-industrial or non-commercially zoned properties, security fencing around the facilities, not necessarily at the property line but around the facility, building, parking areas, etc., a requirement for sound studies on the operation of mechanical equipment and subsequent noise attenuation if needed, which would be conducted by the developer.

Ms. Baker said that through the Planning Commission's review in June, the Board was requested to consider revising County Code Chapter 16, which is the noise ordinance, to reduce decibel levels at residential lines by 5 decibels, from 60 to 55 during the day and 55 to 50 at night, and address how HVAC units are currently exempted from that ordinance. She said that coordination through the Sheriff's Office would be necessary for this process, as it would be separate if the Board desired to do that. She said that if the Board wished to grandfather data center applications in progress, a distinct procedure would be required. She said that the Planning Commission Committee recommended against grandfathering data center applications.

Ms. Baker said that following the latest Board referral, the Planning Commission requested that the Board consider these additional minor changes which she has mentioned. She said that these included a change to the definition and the revised Planning Commission version provided contained some language about not applying to data centers less than 20,000 square feet in size. She said that staff believed this may create unintended consequences, so they recommended against adding it. She said that also highlighted was where it referenced utility substations and infrastructure. She said that staff thought this may result in an unintended consequence of having a by-right use within the zoning district.

Ms. Vanuch said that she had several meetings with the Commissioner of Revenue. She said that she was unsure if it was an appropriate time to discuss this matter or if he required additional time. She said that she simply wanted to clarify if the definition highlighted in yellow on the paper in front of them matched the one also highlighted in yellow on a white piece of paper.

Mr. Mayausky answered no.

Ms. Vanuch said that it was a different definition. She said that she requested that the Commissioner of Revenue review the definition on the paper in front of them so that everyone could understand the discrepancy. She said that if necessary, they could proceed to a closed session to discuss this matter further. She said that there were businesses that could essentially classify under the tax rate as data centers, potentially impacting any type of data storage facility that a business might have as an auxiliary use or something.

Ms. Vanuch said that there were massive implications for some of these suggestions, impacting millions of dollars of tax base. She said that she asked him to come tonight so that he could address this issue appropriately for both the Planning Commission and the Board. She said that

she did not know if they wanted to deal with the definition part now or if they wanted to wait, but this was a significant concern that they needed to overcome before they moved forward with where they were going to allow these things.

Dr. Yeung said that they were going to include a section for questions and answers on page 23, and they would come back to that.

Ms. Baker said that Mr. Mayausky could certainly come up and address it once she was finished. She said that additional language to the comprehensive plan that they saw at the bottom of the slide was simply a requirement for a load letter, as the committee had discussed this previously but wanted a reference to it in the comprehensive plan. She said that this statement merely said that as part of a submission for a data center, the applicant would provide a load letter received from, for example, Dominion, demonstrating that they will have sufficient capacity for their electricity requirements.

Ms. Baker said that staff's recommendation was for the approval of Resolution R23-214, which was the comprehensive plan, and either Option A, O23-19, the Planning Commission version, or Proposed Ordinance O23-24, Option B, the Board's version. She said that they asked for consideration for the additional requests from the Planning Commission. She said that these included modifications to the Noise Ordinance, minor revisions to the Comprehensive Plan, and further changes to the definition. She said that the Board would ultimately need to determine whether or not to grandfather current data centers that were currently in process, as per the handout provided by the Clerk of the Board. This handout included rezoning applications, proffer amendments, and site plans that have been submitted.

Dr. Yeung asked if Planning staff was the staff making recommendations for this item.

Ms. Baker clarified that staff was making the recommendations to both the Planning Commission and the Board.

Mr. Mayausky said that there were various types of data centers, and he believed that Supervisor Vanuch was referring to enterprise data centers. He said that these were single-use user data centers typically built by large companies on their own site to store their data instead of leasing space from a data center facility like the ones they had been discussing for the past couple of months. He said that it was not their intention to provide tax incentives or benefits to these enterprise data centers as they were already doing this because it was in their best interest. He said that he believed that Ms. Vanuch's concern was that some of these definitions may create a broader definition that could allow smaller data centers, which they had not given much thought to, to now move in and potentially exempt property or lower their tax bill on property that none of them intended.

Ms. Vanuch asked if Mr. Mayausky could explain why data centers were taxed at a different rate.

Mr. Mayausky said that according to the Code of Virginia 58.1-3506, they were permitted to classify different components of personal property separately. He said that they could categorize data centers differently from other personal properties and tax them at \$1.25 while vehicles were taxed at \$5.49. He said that this classification was implemented by the Board in order to align with the tax rate imposed in Prince William County. He said that the rationale behind this decision was because they were putting billions of dollars' worth of property in the data centers. He said that it would be impractical to expect these businesses to pay a tax bill if they were taxed at \$5.49 for a billion-dollar property, so the lower tax rate served as an incentive for large-scale data centers to establish themselves in their region and was not meant to encourage smaller businesses from bringing in-house data centers that did not significantly contribute to their tax base.

Ms. Sellers asked which definition created the problem, the one on paper or the one in the package.

Mr. Mayausky said that he believed both had their own reasons. He said that when they considered a square feet, it presented a challenge. He said that he was seeing these for the first time right now.

Mr. Mayausky said that according to the revised PC version on the slide that was highlighted, the definition shall not apply to data center management processing and storage facilities or group facilities less than 20,000 square feet. He said that he believed that setting a square footage bar of 20,000 square feet may be problematic as it was not very large for a data center, potentially leading to the classification of enterprise data centers which were not within the County's consideration for exemptions or incentives.

Mr. Apicella said that the first definition they had created some concern, which was why the Commission came back and took another shot at it and came up with the first part of the data center revised definition, the second part that they shall not apply to data management processes for 20,000 feet or smaller. He said that the second piece was meant to carve out an exception for small data centers that were operated by, for example, Geico, for their own internal use.

Mr. Apicella said that however, staff indicated that this was problematic in several ways, partly because it fell outside the scope of the referral. He said that staff took another shot at it and now they had a different definition which did not include the second part about the 20,000 square feet. He said that it did say containing one or more large-scale computer systems and related equipment was considered a data center when it was the principal use.

Mr. Mayausky said that he was not a lawyer.

Mr. Apicella said that from a staff perspective, the zoning administrator contemplated a large data center, which was what they were trying to capture.

Mr. Mayausky said that from a taxation perspective, he believed that if they mirrored the definition of a facility outlined in Code of Virginia 58.13506 subsection 43, which he mentioned might not be accessible to everyone, it would likely satisfy most concerns. He said that this definition stated that the primary use of the facility must be a data center. He said that for example, a large financial business with an on-site enterprise system; even if they had a substantial data center, the primary purpose of the facility was not to serve as a data center but rather to sell their financial products. He said that he believed that the definition found in the tax code could help eliminate enterprise systems and leave them with large-scale data centers.

Mr. Apicella said that when they examined the definition and proposed an alternative to the original one, it was based on the definition used by Fairfax County, Henrico County, Loudoun County, the town of Leesburg, and the town of Warrenton. He said that all five of these jurisdictions began their data center definition with a facility containing one or more large-scale computer systems used for data storage and processing. He said that the second part simply captured any supplemental equipment. He said that he was attempting to determine why, if this definition worked for them, it would not also work for Stafford County.

Mr. Mayausky said that he would question whether or not they had yet been sued.

Mr. Apicella said that he was still not clear how they would fix it to clarify that they were specifically referring to data centers.

Mr. Mayausky said that he thought they should mirror the definition of a facility that was in the tax code.

Mr. Apicella said that the definition of a facility was vague and broad.

Mr. Mayausky said that the definition of facility was defined.

Mr. Apicella said that the first part stated that it was referring to facilities.

Mr. Mayausky said that they must define the facility. He said that for purposes of this subdivision, a data center meant a facility whose primary services were the storage, management, and processing of digital data, and it was used to house the listed types of equipment. He said in his opinion, the term enterprise data center did not meet the definition of a data center as its primary purpose was not the storage of data but rather the primary function of the business. He said that therefore, they could use the definition of facility to determine the appropriate meaning for their purposes.

Mr. Bain said that he returned to what he considered a real-life example of the Geico facility. He said that they had a separate building containing all their computer equipment, primarily used for

storing data and transmitting it to their offices scattered around the country, possibly even the world. He said that this constituted a data center by the definition Mr. Mayausky just wrote but was the type of facility they wished to exclude because it was used exclusively for internal business purposes. He said that what he envisioned for a data center was one serving external users. He said that the issue arose when considering Amazon, which stored vast amounts of data and could argue that it was for internal use. He said that therefore, if Geico was an enterprise system using data solely for its internal use, then so could Amazon. He said that suddenly, nobody had a data center; everyone had an enterprise center. He said that this was why he supported trying to establish some sort of size limitation, and if 20,000 was not the right number, that was fine, but there needed to be a reasonable approach to protect these small businesses. He said that he had recently gone on a tour of one of these flex space systems. He said that they had seen a company in one of their small sub-compartments, in a closet, with a server that stored their data. He said that the server primarily functioned as a controller for their computer-controlled equipment; however, it also stored data that was shared with other locations. He said that by the definition Mr. Mayausky read, they would be classified as a data center, and thus, they would be eligible for the low tax rate, which they should not have been entitled to. He said that also, if they decided to construct their own facility instead of being in a flex space, they would be required to meet specific setback requirements, conduct sound studies, and install high-security fencing, even though they were merely a small business. He said that this was why they were trying to avoid this situation, and that is why the 20,000 square foot was given as a best recommendation to approach it that way. He said that he did not know if what Mr. Mayausky read from the state code really solved the problem.

Mr. Mayausky said that the good news was that they were all trying to get to the same solution. He said that there was a question of how they got there, and not being an attorney, all he could rely on was the state code language. He said that there were some nuances there that could be debated, but he would not do so.

Mr. Bain asked if the answer was to throw it all in Ms. McClendon's lap.

Mr. Mayausky said yes.

Mr. Coen said that he suggested that they use hypothetical examples rather than actual names of specific companies in their discussion. He said that for example, they could refer to them as the aardvark company or wombat company rather than specific names.

Ms. Allen said that she had a question regarding the definition and potential unintended consequences in businesses they did not wish to capture. She said that one key component of the code they just read was wattage usage. She asked if there was a way for them to quantify how many of these businesses that they did not want to be affected met the criteria of one megawatt.

Mr. Mayausky said no, there really was not. He said that they were all filing on that equipment as being regular business property, so they did not know if it was a desk they were filing on or if it was a rack of computers they were using to store data. He said that nobody currently was claiming that exemption that had an enterprise system.

Ms. Allen said that she understood, but wanted to know if one of the components of the definition included the utilization of electrical power. She said that what she was inquiring about was whether they could determine how many of them met this requirement in order to be considered a data center.

Mr. Mayausky said that no, because they did not even know whether they were present or not. He said that business property tax was a self-reporting tax, which meant that if one owned a business enterprise and were operating what was believed to be a data center in one's closet for managing their data, it was their responsibility to inform the County and file accordingly. He said that otherwise, it just looked like business property, so they had no way of knowing who was engaging in such activities and who was not until they voluntarily disclosed this information to the County.

Mr. Cummings said that there were a few issues, but he would stick with clarifying the definition. He said that he understood the revenue issue, and the other side of that was when people reporting as a data center when they may not be, and they did not know. He said that the other piece of this in trying to get to the definition was around the use, and whether or not it was for the organization. He said that they could include that into their definition and sort of get to solving the problem. He said that the concern that he had regarding the overall definition and direction they were going in to constrain, he did not need the different zoning classifications that it was allowed in, and requiring a CUP to do it instead of constraining them as a smart city. He said that they were trying to solve a very complex problem with very simple solutions, and that was why they were struggling, so they needed to look at it in a more nuanced way. He said that the definition really needed to speak to and describe it in a more nuanced way. He said that he wished that he was more involved, but that was his own fault. He said that where they were right now was how to define it within the context of the use, which was the best way for them to approach it. He said that they had the computing power, and he could talk about IT infrastructure and had language that he could share that was a little bit more nuanced. He said that the same went with the use of that IT resources and the use of the environmental resources, characterizing water and power. He said that this brought them to a place in which they had a universe and had to decide what it included and what it did not, so where it was being utilized in house. He said that the size was of no moment, because the size would change drastically with the use of the computing power and complex things required that would usher in quantum computing, and quantum computing would put them into smaller facilities. He said that agile computers would become commonplace, and he would note that as the first smart city in the state of Virginia, they owed it to themselves, the

state, and to data center providers such as Amazon to look at this in a more nuanced way regarding the future and not just the current state.

Ms. Barnes said that this issue seemed as clear as mud.

Ms. Vanuch said that she would recommend that Mr. Mayausky take the definitions and consult with the County Attorney's Office, which was present there. She said that they may be able to propose a revised definition that addressed the concerns of the Commissioner of Revenue from a tax perspective while also addressing the concerns of zoning from a broader perspective without expanding the definition of data centers. She said that they could continue their deliberations and open the public hearing for everyone else.

Ms. Barnes said that she agreed with Ms. Vanuch's suggestion.

Dr. Yeung opened the public comment portion of the public hearing. She read the protocol for public comment.

1. Linda Muller said that she resided at 109 Dishpan Lane. She said that she lived within a one-mile radius of one of the proposed data centers near the hospital. She expressed her gratitude towards the staff, Planning Commission, and the Board of Supervisors for organizing informative public forums on data centers. She said that there had been an explosion of data centers in development throughout Northern Virginia, and it appeared that this trend was now spreading to their surrounding counties. She said that many lessons had been learned from other localities regarding the rollout of data centers, and she believed that Stafford had taken a more measured approach.

Ms. Muller said that tonight, they continued to learn about the importance of word choice, particularly in definitions. She said that there was still some ambiguity surrounding what constituted a data center, and she hoped that issue could be resolved soon. She said that as they were aware and had been demonstrated repeatedly, data centers required significant land, substantial amounts of water to cool them, and a large supply of energy. She said that they also necessitated alternative sources of energy generation through large diesel generators to maintain the operations of data centers and ensure a steady source of power during brownouts or power outages.

Ms. Muller said that in her opinion, and she believed they were trying to convey this in the definition, data centers could be considered more like industrial operations due to their size and resource requirements. She said that one proposal for a data center included a substation that was currently zoned in a B-2 urban commercial zone. She said that this surprised her because the B-2 zone also included establishments such as barber shops, beauty salons, and dance studios. She said that the proposed Ordinance A provided for a

conditional use permit for B-2, and she questioned whether it truly belonged in the B-2 zone at all, along with gift shops, drugstores, and florists.

Ms. Muller said that there were concerns related to noise, water consumption, diesel refueling, and diesel exhaust. She said that both proposed ordinances had addressed noise concerns, and she wondered if the same considerations had been made for the significant water consumption. She said that in Stafford, she had seen projected plans for data center reuse or water recycling as mentioned that evening, and hoped that in the case of any proposed projects, they would include this, because during a drought, residents could cut back on their lawn watering, but data centers must maintain their cooling resources.

Ms. Muller said that the proposition of attracting business operations which could potentially generate millions of dollars for Stafford County and provide good-paying construction and related operations was an enviable one. She said that the more they could control or have a say in the process, the better. She said that she recommended Plan B.

2. Mary Hanson said that she resided at Havenswood Way in the Falmouth District. She said that she had reviewed the proposed data center ordinances and believed Option B might be the better choice as it restricted the location of data centers. She said that she still had concerns with this option about the potential for a sudden influx of rezoning applications for M-2, similar to what was happening in Spotsylvania County. She asked if there would be any oversight by the County of said data centers if a rezoning occurred. She said that she also wanted to know which option provided maximum County oversight.

Ms. Hanson said that she had particular concern about the impact data centers would have on their power grid and water supply. She said that Business Insider stated data centers consumed vast quantities of power, potentially taxing entire energy grids. She said that Prince William Times reported that Dominion had transmission issues in Loudoun County, which led to difficulties providing the power needed for data centers. She said that Dominion responded by stating that power delivery would be severely limited until 2026.

Ms. Hanson asked about the impact on their water supply and mentioned that during a previous County meeting, it was stated that potable water must be used until the infrastructure for a closed system was in place. She asked what would happen in extreme weather conditions like a drought or a bad storm, and which customers would receive priority. She said that they should all be concerned about the potential loss of both water and power, especially during such events. She said that they should not forget the tragedy that occurred in Texas when an ice storm hit and many individuals lost their lives due to a lack of heat. She said that also, humans can only survive without water for three days.

Ms. Hanson said that although she owned stock in Dominion and Amazon, she was not against data centers but did not want them to negatively impact the resources of citizens or the residents of the community. She said that despite previous statements made by County officials, she did not believe that these centers were necessary for national security purposes, as they would be used by tens of thousands of clients across the globe. She asked if they would share their data storage with others if it contained national security information. She said that they live there and should prioritize their own needs and revenue. She asked the Board and Commission to take it slow to learn from the issues being encountered by other counties, and that she was not in favor of grandfathering any applications.

3. Alane Callander said that she resided at 622 Lancaster Street. She said that both Options A and B allowed for some by-right data centers, and therefore, she was going to advocate for no by-right, which would give the County more control over what went in. She said that she also advised against grandfathering data centers currently in the works. She said that the Board was considering asking the Sheriff's Office to give data centers more leeway on noise requirements near residential areas, however, she was not going to support that concept either. She said that when it came to data centers, she believed they should do everything they could to keep them away from residential areas, which was challenging in Stafford given the way their zoning was structured. She said that she would also stress the need for data centers to have a plan for water recycling and electric generation that did not rely on fossil fuels. She said that it may be difficult to achieve given the tremendous demand data centers put on the electric grid. She said that trees that needed to be cut down should be replaced as part of very large buffers and in other parts of the County that were in need of treescape, which could serve as a trade-off of sorts. She said that data centers should be informed that they may eliminate beautiful open spaces only if they are willing to compensate accordingly. She suggested that they could pay for the planting of trees along transportation routes as an example. She said that she found it perplexing why they were led to believe that utilizing internet storage instead of file cabinets for paper storage would save the planet. She said that now, those small file cabinets were being replaced by enormous and unsightly structures that had a significant impact on their environment. She said that beautiful Virginia had become the world capital for data center storage, with plans to eradicate as much of its picturesque landscape as possible in pursuit of the almighty dollar. She said that what was supposed to save citizens money would actually result in substantial increases in energy rates and the complete destruction of Virginia's climate goals.
4. Daniel Cortez said that he resided at 19 Hidden Springs Lane in the Aquia District. He said that life was not a panacea, nor were these energy centers. He said that however, they must live in the world as it was and not in the world they would like it to be. He said that the time for action was now, and they must act responsibly and expeditiously. He asked

them to avoid political theater, especially during election season. He said these definitions should have been addressed prior to this meeting. He said that it was somewhat embarrassing that they were still discussing these matters, and they were embarrassing themselves, and he did not enjoy saying that to them. He said that Plan B appeared to be the most representative option. He asked them to act responsibly and with expediency. He said that they needed the funding, and life was not a panacea, but they could coexist peacefully. He said that they needed these data centers, and they needed the revenue now.

Dr. Yeung asked if there were any other members of the public who wished to address the Board and Commission.

Ms. Vanuch said that the new definition was not yet prepared, but was close to being ready.

Ms. Barnes said that they would undertake the comprehensive plan amendment first, which did not include the definition.

Dr. Yeung turned the meeting over to Ms. Barnes for Planning Commission deliberations.

Ms. Barnes said that they would now consider the comprehensive plan amendments as presented in Resolution R23-214. She said that this was an up or down vote and did not include minor adjustments that would be proposed later. She said that she would bring it back to the Planning Commission for a motion before they proceeded with discussion.

Mr. Bain motioned, seconded by Mr. Apicella, to recommend approval of the Comprehensive Plan Amendments associated with data centers as presented in Resolution R23-214.

Ms. Barnes asked if there was any discussion from Commissioners on the comprehensive plan. Hearing none, she called the vote. The motion passed unanimously by voice vote (7-0).

Ms. Barnes said that since the comprehensive plan came back to them, they had made some recommendations to alter the language of the proposed comprehensive plan, which was included as a letter dated October 4, 2023, as Attachment 16 of the Board package materials for these items. She said that changes include minor alterations initially, such as changing 'Manning' to 'Staffing', under 'Siting Guidelines', they replaced 'Considering' with 'Evaluating', under 'Siting Guidelines', they substituted the word 'If' with 'When', and under 'Siting Guidelines', Section D, they altered it to 'And', followed by a slash, then 'Before'. She said that the last change, which was more substantial, they added a section that reads, 'as part of the submission, the applicant should obtain and provide to the County the load letter received from the cognizant utility provider to demonstrate that it will receive sufficient capacity for its electricity requirements.' She said that this was merely a recommendation on top of the already approved comprehensive plan amendment that they recommended for approval to be sent to the Board.

Ms. Sellers asked if they were adding that language. She said that she did not remember what this was about.

Ms. Barnes said that they had just approved the comprehensive plan that they sent the Board, and when they got it back, staff and the Commission did some minor revisions. She said that it was a recommendation that the Board could accept or decline. She said that the revised document is included in the package, allowing them to review the changes they proposed regarding the changes to wording and whether the applicant should include a load letter in the siting guidelines. She said that that was in the comprehensive plan.

Ms. Sellers asked if that was the one that they had a 5-1 or 6-1 vote, because she had an issue with the load letter.

Ms. Barnes said that she did not recall.

Ms. Sellers said that it was confusing to her that they did not have it in the packet.

Ms. Barnes said that it was included in the Board packet and in the packet the Commission had at their last meeting.

Mr. Bain motioned, seconded by Mr. Martinez, to recommend the Board consider and adopt the additional changes made by the Planning Commission to the comprehensive plan.

Mr. Martinez said that the edits made were technical in nature except for the load letter, which he had no objections to.

Ms. Sellers said that she disagreed with the motion to approve the letter. She said that they were implementing a new procedure that they could not guarantee would be completed by the provider before or after rezoning. She said that it was unfair to hold people in limbo and create a process over which they had no control. She said that tying this to the comprehensive plan and another government process would only cause problems. She said that it was not fair to attach this to a new procedure that neither they nor others could control. She said that she would not support this motion.

Mr. Apicella said that during several subcommittee meetings, they had raised the issue concerning the load letter. He said that he was uncertain why this matter did not appear in the versions of the document that were forwarded from the subcommittee to the full Planning Commission. He said that they had discussions with the applicants regarding this matter, and it was essential for applicants seeking to establish data centers to consult with utility companies and determine whether or not they could provide the necessary capacity to support such facilities. He said that that process should take place prior to any investment being made in the development

of a data center. He said that he was unsure why anyone would wish to proceed with the establishment of a data center without first obtaining confirmation from the utility company that it had the capacity to meet the electrical demands of the facility. He said that they had heard from several stakeholders during the community meetings expressing concerns about whether or not the electrical needs of data centers would impact their own electrical capacity. He asked why they would go through the rezoning process if an applicant did not receive a load letter, spending six months or a year reviewing a package and then finding out that a utility provider had determined that they could not provide the required load. He said that this did not make any sense and was not a smart way to do business. He said that it made sense to obtain the load letter upfront; however, it was not in the ordinance but rather in the comprehensive plan. He believed it was good business practice.

Mr. Cummings said that he agreed with Ms. Sellers. He said that it did put a burden and put something in the ecosystem that they were unable to enforce. He said that he thought this was not the intention of the comprehensive plan, and the purpose was to guide the direction in which they wanted things to go. He said that if it was not enforceable, particularly where they were in Virginia, they may not be able to obtain the necessary documentation. He said that then, the process would not be able to proceed effectively, and they might hinder the environment. He said that his main concern was that they did not want to discourage development. He was in favor of managing their resources and supporting companies that were mindful of this issue. He said that the load letter did not serve any purpose in the comprehensive plan.

Ms. Barnes said that she would be supporting this. She said that it was in the comprehensive plan, which was not enforceable and served as a suggestion for future development. She said that if they had a company that comes in and wanted to have a data center but could not provide them with a load letter, that was a red flag. She said that it was a good start to have this in the comprehensive plan to ensure that when they saw an application that it was an application they could support.

Ms. Sellers asked if it was called a load letter.

Mr. Apicella said that he reached out to their Dominion contact and asked what the specific terminology was, and he said that it was called a load letter.

Ms. Sellers said that Dominion had the most customers, but the largest lines were not owned by Dominion. She said that she wanted to ensure they were putting precise terminology in the document. She said that she heard them say it was not enforceable, but during comprehensive plan reviews, they often stated that the proposal was consistent with the comprehensive plan. She said that this situation was similar, as they could now argue that it was inconsistent due to the lack of a load letter. She said that they were creating processes. She said that she was unaware about the Board of Supervisors conducting comprehensive plan reviews. She said that they may

need to keep in mind that this would become a process which the Planning Commission would now have to undertake without Board oversight. She said that they could take it to the Board and to the BZA, but she knew that it was just another process over which they had no control. She said that she had heard them say it was not going to be binding, but she had also sat in this room and heard people say that specific ideas should be supported on the merit of being included in the comprehensive plan. She said that she would really like to consider this recommendation before moving forward.

Mr. Martinez said that including a load letter in the comprehensive plan would be beneficial, especially in light of the concerns raised by residents regarding water and electricity output. He said that this would demonstrate that the Planning Commission was doing its due diligence and recognizing the need for sufficient capacity at the proposed data center site. He said that he suggested incorporating a load letter into the comprehensive plan, even though it may not be required.

Mr. Apicella said that regarding Ms. Sellers' earlier question, he asked Dominion if the terminology was specific to Dominion, and they answered that it was used industry-wide.

Ms. Barnes called the vote. The motion passed by voice vote (6-1), Ms. Sellers dissenting.

Ms. Barnes said that they would next look at the zoning ordinance amendment. She said that they could do A and B and wait to look at the definition.

Ms. Baker said that the definition right now was the same in A and B.

Ms. Barnes asked if they were ready to revise it or take a recess.

Ms. McClendon said that while they were obtaining their definitions, she would like to clarify the changes made to the definition presented earlier today. She said that they rearranged the order of the clauses to place the primary use closer to the beginning of the definition. She said that the new definition read that a facility where the principal use is the storage, management, processing, and transmission of digital data, and contained one or more large-scale computer systems and related equipment. She said that such facility may also include air handlers, water cooling and storage facilities, utility substations and infrastructure, backup power generation, fire suppression systems, and enhanced security systems, which may require additional approvals or conditional use permits as applicable.

Ms. Barnes asked if all staff was in agreement that this was the appropriate definition to include in the ordinance.

Ms. McClendon said that was correct. She said that this was coming from staff's definition made through several sources of staff.

Ms. Barnes said that they would now take a look at the zoning ordinance amendment. She said that they had submitted Option A to the Board of Supervisors, but they requested that they consider Option B instead. She said that after reviewing both options, the Commission had reached a consensus that it would be appropriate to send both options to the Board for their consideration.

Ms. Barnes said that Option A was Ordinance O23-19, which required a conditional use permit for data centers in B-2 Urban Commercial and Industrial Light Zoning Districts. She said that it continued to permit data centers by right in M-2 Heavy Industrial Zoning and ICTP Overlay Zoning Districts, and removed data centers as a permitted use from the RBC Recreational Business Campus. She said that special regulations would apply to data centers under this option. She said that they could vote for both or neither or offer to send them both up there as they had discussed.

Ms. Sellers asked if that terminology was in there. She said that she would like to talk about the wording prior to making a motion. She said that regarding the special provisions applicable, specifically number one, which pertained to primary structures. She said that they had setbacks based on USA, when traditionally setbacks and buffers would be based on a use and not whether it was in USA or not.

Ms. Barnes said that they must approach the situation with an up or down vote. She said that they were unable to make any alterations to this, as it was a binary choice between accepting Option A or rejecting it. She said that unfortunately, they did not possess the authority at that time to propose any amendments to this, and that was the directive conveyed to them.

Ms. Baker said that she would like to clarify what Ms. Sellers was asking. She said that it was simply making a distinction between two different setbacks. She said that one was within the Urban Services Area, and the setback would be 100 feet, and one was located outside the Urban Services Area, and the setback increased to 200 feet.

Ms. Sellers said that it was somewhat odd, because they typically would see buffers in those transitional zones based on use. She said that if it was a residential use adjacent to a commercial use, there would be a buffer for that, but now they had introduced the USA, which was quite odd to her. She said that she did not know why they would do it that way. She said that the Board was here to hear it, and they would hopefully take it up for advisement that that section was very interesting and inconsistent with other language and other parts of the zoning ordinance where they would not have an Urban Services Area used in this manner. She said that she understood that they could not recommend it here for a change, so she simply put it on record that she hoped they could consider at least discussing number one.

Mr. Apicella said that to clarify, the ordinance permitted the Board to modify the buffers if a visual impact study was conducted or other reasons for altering the buffers and/or setbacks.

Ms. Barnes asked if there was a motion for approval for Option A.

Mr. Bain motioned, seconded by Mr. Apicella, to recommend approval of Option A, the draft ordinance changes in O23-19.

Mr. Bain said that he was not a lawyer; however, when examining their existing land use in the County and their zoning map, it was apparent that there were very few parcels within the County that were large enough and zoned in a category that would allow for the construction of a data center. He said that the M-2 zone had some parcels that were sufficiently sized but they were currently occupied by other companies. He said that there was one parcel that he could not recall its exact location that may be suitable, but almost all of the data centers that they had observed required either rezoning, whether to M-1, B-2, or M-2, or at least proffer amendments and conditional use permits.

Mr. Bain said that all of these facilities would need to undergo approval processes by both the Planning Commission and the Board of Supervisors before they were finally approved. He said that they would have opportunities to evaluate specific logistical issues related to surrounding development, water usage, and power supply. He said that he was not overly concerned about the wording in the ordinance because he believed that they would have ample opportunity to address any potential issues that may arise.

Mr. Apicella said that he supported option A and would also support Option B. He said that his support of Option A was because it provided an opportunity for the County to consider data center applications in B-2 and M-1 with a CUP that allowed the County to set reasonable conditions associated with the request. He said that in some cases, there may be situations where, even if a property had proffers in B1 and M-1, they still had to go through rezoning and abide by the CUP, which was the situation for two of the applications currently before them that required amendments.

Mr. Apicella said that another issue that Mr. Bain was referring to was that not every B-2 property and M-1 property would be suitable for a data center due to the requirement of being located near a high-voltage transmission line and having sufficient size to accommodate the data center. He said that typically, data centers were at least 250,000 square feet per facility and often consisted of two facilities or even a data center campus. He said that ultimately, Option A provided flexibility, but it was up to the Board to decide between Option A and Option B.

Ms. Sellers said that she liked that Option A included a Conditional Use Permit in B-2, which made sense given the commercial node. She said that in a light industrial and heavy industrial,

she did not understand why when it was zoned for industrial use, whether heavy or light, so she would see those uses as being permitted more by right. She said that the other option did not have any by-right uses for those. She said that she believed that Option A should be supported, although she hoped the Board would consider where the Conditional Use Permits were necessary, because it did not make sense to have them in the industrial use places.

Ms. Sellers said that during the public hearing, someone mentioned that they could control it more. She said that in a reclassification process using proffers, they controlled it, but they could not control it to the same extent in a conditional use permit process. She said that there was a false sense of security because they could not condition things as effectively as they could proffer them. She said that she would support Option A but hoped that when it went up for consideration, they would consider keeping everything by-right with the exception of B-2.

Mr. Cummings said that he agreed with Ms. Sellers regarding the inconsistency in the definitions and restrictions on where certain activities were permitted or prohibited. He said that this constraint on the market limited opportunities for both applicants and communities, as it required a significant amount of administrative work without promoting flexibility or agility in Virginia's first smart city. He said that regarding definitions, they must consider the use of resources rather than simply limiting their usage. He said that by encouraging integration and utilizing computing power effectively, they could manage their resources more efficiently and promote sustainable growth. He said that this initiative was part of a larger effort by the federal government for national security, so they must carefully consider what they were doing and why they were doing it. He said that environmental resources should be included in the definition, and he could provide some information to the Board on how to integrate these elements into the definition to make it more nuanced and encourage better adoption.

Mr. Apicella said that his colleagues had said it very well, and he would support Option A.

Ms. Barnes said that she reticently supported Option A to submit to the Board of Supervisors. She said that her personal preference was actually Option B, but she thought it would be best for the Supervisors to decide on this matter. She said that they should review both options and determine which one was more suitable for the County.

Ms. Barnes called for the vote. The motion passed unanimously by voice vote (7-0).

Ms. Barnes said that Option B was the option that the Board sent back to the Commission for consideration. She said that they would move on to Option B, which was recommended by the Board this morning. She said that this option removed data centers as a permitted use from the B-2 Urban Commercial, RBC, and M-1 Light Industrial Zoning Districts. She said that it continued to permit data centers by right in the M-2 Heavy Industrial and ICTP Overlay Zoning Districts, and established special regulations applicable to them.

Mr. Bain motioned, seconded by Apicella, to recommend approval of Option B, draft ordinance changes in Ordinance O23-24.

Mr. Bain said that he supported Option B because he believed that it achieved the same end result as Option A. He said that however, he wondered about the optics of requiring a data center that may be coming in and have surrounding residential areas or commercial areas or hospitals, and all of a sudden they now find out that there was going to be a heavy industry next to them. He said that it kind of gave the wrong impression of what a data center was.

Mr. Bain said that limiting it to M-2 and having that annotation of it being a heavy industry could cause concern among residents and business owners. He said that it led him to think that this was current technology, and might change in five or ten years, and a data center could possibly fit in his pocket. He asked what happened to those buildings or that zoned area that is now M-2 versus M-1 or B-2. He said that he had concerns about future uses if the size of the structure was no longer needed.

Mr. Apicella said that he was supporting Option B as well as Option A. He said that the main difference between them was that Option B provided an opportunity to obtain proffers associated with a data center proposal. He said that staff's presentation showed where the M-2 properties were located in Stafford County, which was essential for a data center to be feasible due to its proximity to high-voltage transmission lines, as demonstrated on slide 19 of the presentation. He said that there were not many M-2 properties in the County that met the criteria.

Mr. Apicella said that if someone wanted to build a data center, they would need to go through the proper process of rezoning to designate or redesignate a specific parcel that met the requirements as M2. He said that this could be done for a property currently zoned B-2, M-1, or A1, and in order to obtain approval, they would have to provide mitigation measures in the form of proffers. He said that Option B was also a viable approach that they should consider.

Mr. Cummings said that he agreed about the constraint of it to just one zoning. He said that what they saw now would not be the same in the near future. He said that furthermore, by limiting it, they must consider that Stafford was not an island; they were surrounded by other localities that ran up and down the I-95 corridor. He said that some of that business may potentially go elsewhere, and that was understandable, however, he thought they needed to examine this holistically and simply contemplate how they could address it.

Mr. Cummings said that he wished it was not so constrained in one zoning, and wished they were more expansive in their thinking about this issue because today was not necessarily indicative of the future. He said that it was essential for the Board of Supervisors to define the resources and integrate those considerations into the definition of the zoning category. He said that also, they must recognize that they were in a competitive environment where they needed to fight for those resources.

Ms. Sellers said that she was not going to support the proposal as she believed it was overly restrictive, and as she looked at the ICTP Overlay, she liked the concept and agreed with Ms. Vanuch's initial thought that they should create a zoning category for it, but calling it an overlay gave her PTSD back to an airport overlay thing that was very traumatic. She said that getting into the nuances of that, and she knew it was in the other one too, they had not really discussed that and should at some point. She said that it was too restrictive to say M-2, and she did like what the other provided, so she would not support this one.

Ms. Barnes said that she would be supporting this option due to the control it provided. She said that control did not equate to opposition towards anyone. She said that wanting to see control did not mean any other piece of land cannot come to them for reclassification that came with proffers. She said that it did not just restrict to M-2, but would force an applicant to go through a zoning reclassification since they were unable to obtain the option to have its own specific zoning category, such as D1 or D2, or whatever that was.

Ms. Barnes said that although it may appear restrictive on the surface, she does not believe it because there is the option of reclassification. She said that reclassification was a straightforward process and when she looked at other localities that were doing this, it would not be an outlier. She said that most of them are doing reclassifications come with proffers and other requirements. She said that she would support option B as well, which was her preferred choice. She said that she knew that the Board would receive both A and B if they voted in favor of it. She said that they were submitting both options to allow the decision-making process.

Ms. Barnes called the vote. The motion passed by voice vote (5-2), Ms. Sellers and Mr. Martinez dissenting.

Ms. Barnes said that the last portion to address alteration of the definition. She said that there was a current iteration proposed by staff and Mr. Mayausky and all the resident experts in the room, which recommended that the Board consider altering the language of the proposed zoning ordinance and amendment shown in the letter recently received. She said that this letter was now null and void, so they would not be using it anymore. She said the recommended definition of a data center was a facility where the principal use is the storage, management, processing, and transmission of digital data, and typically contains one or more large-scale computer systems and related equipment, such as air handlers, water cooling and storage facilities, utility substations, infrastructure, backup power generators, fire suppression systems, and enhanced security systems. She said that any of these may require additional approvals or conditional use permits.

Ms. Sellers motioned, seconded by Mr. Shelton, to recommend approval of the current iteration of the data center definition.

Ms. Barnes asked if there was any further discussion. Seeing none, she called the vote. The motion passed unanimously by voice vote (7-0).

Ms. Barnes said that the last item to discuss was regarding grandfathering.

Mr. Apicella motioned, seconded by Mr. Bain, to recommend that the Board grandfather the rezoning application submitted to the County by June 27, 2023. He said that staff had provided specific language which was on a sheet they had provided showing the applications that had been submitted thus far. He said that he could read it and that it stated, be it further ordained that any application submitted to the Department of Planning and Zoning regarding the development of data centers prior to June 27, 2023 are allowed to continue with their applicable land use review and consideration processes if diligently pursued until such applications expire pursuant to deadlines imposed by the Stafford County Code.

Ms. Barnes asked if there was any discussion.

Ms. Sellers asked why the date specific of June 27, 2023 was recommended and why it would not begin today.

Mr. Apicella said that the date was recommended by staff and provided in order to cover the applications submitted and being scheduled.

Ms. McClendon said that the date provided was when the Planning Commission submitted its recommendation to the Board, which at that time was Option A. She said that this was the date staff used to demonstrate the applications that were in progress prior to that date. She said that it was up to the Commission and then the Board to decide whether or not to allow grandfathering for those applications. She said that they could select a different date, but this was the line that staff drew based on the direction given for applications that had started the reclassification process.

Ms. Sellers asked if they were looking at the date the application was submitted or the date the application was deemed filed.

Ms. McClendon said that it referred to the date submitted.

Ms. Sellers said that she supported that date.

Ms. Barnes called the vote. The motion passed unanimously by voice vote (7-0).

Mr. Apicella motioned, seconded by Mr. Martinez, to recommend the Board consider directing staff to work with the Sheriff's Department in order to modify the noise ordinance based on the Planning Commission's recommendations for data center noise caps. He said that these

recommendations included a daytime limit of 55 dBA and a nighttime limit of 50 dBA. He said that this was what the subcommittee recommended, as well as the Planning Commission. He said that however, it fell outside of the Planning Commission's jurisdiction, so it would require the Board to take action through a separate ordinance process, working in conjunction with the Sheriff's Department.

Ms. Sellers said that she would not be supporting this because it was not within the Planning Commission's scope to get involved in this. She clarified that she would abstain from the vote.

Ms. Barnes called the vote. The motion passed by voice vote (6-0), Ms. Sellers abstaining.

At 9:29 p.m., Ms. Barnes said that that concluded the business of the Planning Commission. She adjourned the meeting of the Planning Commission.

RECESS

At 9:30 p.m., the Board recessed.

At 9:35 p.m., Dr. Yeung called the meeting back to order. She said that they would continue the Board's discussion regarding Item 6.

Ms. Allen said that she had a question regarding the proposed definition. She said that the Board did not have an opportunity to provide comments on it, and only the Planning Commission was given the chance to do so. She said that she had a query that she intended to ask but could not due to the fact that everyone left before she could ask it. She said that her question was why the term cloud service provider was not included in the definition to differentiate between data centers and enterprises, as they were not, in her understanding, the same. She said that if they were a cloud service provider, their capacity is different from that of an enterprise. She asked if this aspect was taken into consideration when drafting the definition.

Ms. McClendon said that she could at least address part of that question. She said that Ms. Allen had a concern about the issue impacting users. She said that they were looking at a land use definition, and it was unclear whether they would be capturing more than intended. She said that this was something that they could consider and if the Board wished to see it, staff could bring it back to them. She said that there may be an issue with that definition from a land use perspective. She said that she was unsure if it was a land use concept.

Ms. Allen said that she was not certain and felt that she would need to see how this affected the land use aspect of it in order to understand, as data centers were cloud-based computing systems. She said that she was confused by this because there appeared to be a clear distinction between

the two, as enterprise data management involved internal storage and did not have the same capacity for external data collection as cloud-based systems used by other companies. She said that to help differentiate, she wondered why cloud-based storage would not be included in the definition, but that was just her opinion.

Ms. McClendon said that it seemed that some confusion arose from the fact that they were receiving perspectives from multiple staff members. She said that the perspective provided by Commissioner Mayausky regarding taxes would differ from the perspective offered by land use staff. She said that it may be beneficial to draw lines for cloud-based enterprise systems from a Commissioner of Revenue standpoint, but from a land use perspective, they were primarily concerned with the entity and its definitions, as well as the actual land use aspects of the issue at hand.

Ms. Allen said that she was more so referring to Mr. Mayausky's concerns, but understood the land use part. She said that most of Mr. Mayausky's concerns stemmed from the fact that the cloud-based system separated from the enterprise. She said that by including this information in the definition it would address those concerns immediately.

Dr. Yeung asked if there were any additional questions of staff before they continued to deliberate on the comprehensive plan amendment and the zoning ordinance amendment.

Ms. Allen asked if Mr. Summits could address her next question. She said that for item 26 that they had received, she requested that he provide them with the potential revenue breakdown for all five of the applications that had been submitted as of the 17th.

Mr. Summits said that according to their calculations, with the five applications they had submitted, it amounted to approximately 38 buildings at full build-out. He said that assuming an annual tax revenue of around \$3.8 million per year, this would result in a total of \$145 million per year including all 38 buildings they currently had applications for.

Ms. Allen asked if that included the one submitted today.

Mr. Summits said that was correct.

Ms. Bohmke asked if Mr. Summits could describe what full buildout meant. She said that some of these were coming online sooner than others, so she would like to know the timeframe of full buildout.

Mr. Summits said that it was difficult to determine a definitive date. He said that he would estimate 2040 or 2045, with 2040 appearing more realistic due to the pace at which smaller campuses could complete their construction, approximately three to four buildings per year. He

said that larger campuses like STC may take longer. He said that they would likely see one or two buildings per year. He said that depending on factors such as obtaining permission from Dominion to provide power to the site and access to water, a full buildout by 2040 appeared to be a reasonable estimation based on his calculations.

Ms. Vanuch said that she had a few points to raise before proceeding with the motions. She said that first, under the definition, they should consider amending it. She said that specifically, the second sentence, which referred to air handlers, water cooling, and storage facilities, could they add the word 'may' to make it read as 'typically may include.' She said that this change was suggested by one of the applicants who raised concerns about the definition. She asked if this alteration changed their understanding of the term.

Ms. Vanuch said that additionally, she wanted to discuss the differences between Options A and B. She said that while both options were an improvement over their initial proposal, and she believed they had their own merits. She said that from a governance perspective and providing public hearings and inputs, there was not much room for error with either of the options. She said that from her experience on the Planning Commission, she greatly appreciated their focus on planning and zoning because they were looking at what constituted good planning. She said that ensuring appropriate conditional use permit requirements were in place was an essential aspect of good.

Ms. Vanuch said that in their case, they were also considering the needs of their constituents, including first responders and schools, when making this decision. She said that the main difference between options A and B, in her opinion, lay in how they handled these uses. She said that under Option A, most of these uses would require a conditional use permit, whereas under Option B, they would be forced to apply for rezoning in the County, specifically for M-1 or M-2 zones. She said that when a data center sought rezoning, for example, they could eliminate other heavy industrial uses such as quarries and similar activities.

Ms. Vanuch said that they could restrict it to only allow data centers, but the significant difference was that they could obtain proffer funds from them. She said that they still needed to meet all the conditions set by the Planning Commission, including buffering and noise requirements, and must adhere to these standards even under the rezoning aspect of Option B. She said that this was where she was leaning, and she had some questions regarding grandfathering, but they may not be ready to discuss it yet.

Ms. Allen thanked Ms. Vanuch for tackling the definition. She said that she was concerned that they included cloud servicing, and she was not trying to be repetitive, but the industry was moving increasingly towards cloud-based services. She said that as Mr. Cummings stated, they did not need to only think about the current moment, but also thinking about future usage. She said that

therefore, she wanted to see them include some type of definition referring to cloud service providers.

Mr. English said that he understood Ms. Allen's point, but in the future something could change that they had not foreseen, so he wondered if they would have to go back and redo the definition in five years. He said that he did not know where they went with that.

Mr. Coen said that in his opinion, it may be possible that the cloud service providers could be included in the definition, however, he believed they could proceed with what they had at present. He said that if staff later informed them that the cloud needed to be added, they could certainly do so at a later date. He said that they had done this in the past. He said that he preferred not to delay their progress by focusing on the legal interpretation of the term 'cloud' as mentioned by the County Attorney. He said that they should move forward with the other elements tonight.

Ms. Bohmke said that she agreed that they would be going back and making amendments to this as technology advanced. She said that she appreciated Ms. Allen's point of view but believed it would be prudent to review and update the document within the next year or so. However, if the County Attorney advised against including certain aspects at present, she found it challenging to proceed with those changes.

Ms. McClendon said that firstly, staff required additional time to investigate cloud service providers as this was not part of their current analysis, therefore it was not included in their findings. She said that they could certainly look into this matter further, however, they did not have an answer for her today. She said that secondly, regarding the proposed change in definition, she said that her office had consulted with Commissioner Mayausky and they were agreeable to the alteration. She said that 'may include' within the definition would not result in a significant change, so there was no issue with the modification.

Dr. Yeung asked if Option B included M-1.

Ms. Baker said no. She said that Option 2 was just the M-2 and ICTP.

Ms. Vanuch motioned, seconded by Ms. Bohmke, to approve Resolution R23-214, the comprehensive plan amendment. She said that she would like to change the definition in the first paragraph of the comprehensive plan. She said that the Planning Commission did not get to that because the Commissioner was not out yet. She said that this definition should mimic the same definition given by the County Attorney with the minor change of 'may include' but were not limited to air handlers, water coolers, etc.

Ms. McClendon asked for clarification of where the proposed definition would be placed within the document, as it would be beneficial for their staff to understand the specific location in order to implement the necessary changes.

Ms. Vanuch said that it was the first paragraph.

Ms. Baker said yes, it was the very first section. She said that it was not a definition but rather describing.

Ms. Vanuch said that it was the same language as the previous definition.

Ms. Baker said that it starts out with data centers are facilities that house computer systems designed for the purpose of storing and processing data. She said that the supporting equipment includes batteries, backup power generators, and cooling systems. She said that they come in various sizes, ranging from small equipment cabinets to large-scale warehouse facilities that can occupy multiple buildings with a total floor area of millions of square feet. She said that for the purposes of this section, they will focus on large-scale facilities, where each building is typically greater than 100,000 square feet in floor area. She said that this description is not intended to be a definition.

Ms. Vanuch said that it was on page 2.

Ms. Bohmke asked if staff spoke with the Data Center Alliance regarding their definition of a data center, or if it was known whether the Planning Commissioner had a discussion with them.

Ms. Baker said that she did not specifically recall that organization.

Ms. Bohmke said that they were a large organization in northern Virginia that they should connect with.

Ms. Baker said okay.

Dr. Yeung asked Ms. Baker what page she was on.

Ms. Baker said that she was on page 1, but Ms. Vanuch said that it was on page 2. She said that the heading for that page was titled 'land use compatibility' and stated that data centers were typically associated with industrial uses due to their large buildings and cleared areas. She said that again, this passage provided a general description of data centers.

Ms. Vanuch said that under the comprehensive plan amendment on page 400 of the 532-page document, which is also page 1 of exhibit A, it stated that data centers were facilities that housed

computer systems used for the purpose of data storage and processing, supporting equipment included batteries, backup power, generators, and cooling systems. She said that it stated that data centers came in various sizes from small cabinets to large warehouse-scale facilities, there were multiple large buildings that could total millions of square feet in floor area. She said that for the purpose of this section, the focus was on large-scale facilities, which typically consisted of buildings greater than 100,000 square feet in floor area. She said that the first and second sentences of this paragraph differed from their current definition. She asked if the new definition could be put in lieu of the first and second sentence.

Dr. Yeung called the vote for approval of Resolution R23-214.

The Voting Board tally was:

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

Ms. Vanuch motioned, seconded by Ms. Bohmke, to approve Ordinance O23-24, also known as Option B. She said that she wanted to talk about the grandfathering before calling the vote.

Ms. Allen made a substitute motion, seconded by Mr. Coen, to approve Ordinance O23-19, also known as Option A.

Ms. Vanuch said that the grandfathering question varied depending on the option that they select, which was why it was essential to examine them one at a time.

Ms. Allen said that Option A was the least restrictive option, and she had always maintained that they needed to be more inclusive in terms of data centers in terms of opening up for business, and Option B made it extremely restrictive. She said that she was concerned that Option B would send the wrong message. She said that Option A still provided them with flexibility, as it allowed for the use of a CUP and additional offsets. She said that she did not understand why they needed to limit them in Option B and force them to be either M-2 or ICTP. She said that sometimes they needed to get out of their own way when making long-term economic decisions. She said that Option A would maximize their potential for attracting interest, revenue, and potential partnerships. She said that she felt that Option B restricted them in terms of how much potential they could achieve.

Ms. Vanuch said that it was better than where they started, but she would rather choose Option B due to the proffer aspect of it as well as the change from the grandfathering perspective.

Ms. Gary said that she agreed that from the conversations she had had, she did not believe that Option A would have support, but it was important to her that they have the right exemptions for those that were already in process. She said that that was very important at this stage.

Dr. Yeung called the vote for approval of Ordinance O23-19, Option A.

The Voting Board tally was:

Yea: (2) Allen, Coen

Nay: (5) Bohmke, English, Gary, Vanuch, Yeung

Dr. Yeung said that the original motion for approval of Option B was on the floor.

Ms. Vanuch said that regarding grandfathering these applications, there were some of them that they knew must come before them out of the five. She said that in fact, some of them they had only just become aware of today, and so she would ask staff to present their findings on how they were zoned and whether or not they required proffer amendments based on their current proffers and land use. She said that this would be extremely important. She said that they had been working closely with many of these applicants, particularly those whose applications were submitted prior to the deadline, which were essentially applications one and two, those applications must come before the Board for approval regardless of whether or not they required proffer amendments, so it was not as though they could proceed without any oversight or approval from the Board of Supervisors.

Ms. Vanuch said that she was confident in their ability to assist with the reduction of noise pollution and traffic disruption or water usage, etc. She asked if Ms. Baker or Mr. Zuraf possessed this information. She requested a summary of the five applications, their zoning categories, and whether they required approval from the Board of Supervisors or could proceed by right based on their current zoning status. She said that following the presentation, she would provide a summary of what they were doing with regard to item number two and how it may impact the grandfathering process.

Mr. Zuraf said that the first project at Stafford Technology Campus, which was zoned A-1, required a zoning reclassification to rezone the property to M-1 Light Industrial. He said that the next project involved the Potomac Church Data Center, which was currently zoned B-2 and had proffers in place. He said that they had already submitted an application for a zoning reclassification to amend their proffers. He said that the third project was the Centerport Gateway Pemberton Tech Center, which was also zoned B-2 and had proffers. He said that staff had provided comments on some of these proffers, suggesting that it may be necessary for them to seek a proffer amendment.

Mr. Zuraf said that the applicant had submitted a proffer determination yesterday to determine and confirm whether some improvements were necessary. He said that this particular case was undetermined at this point. He said that the fourth project, Melrod, which was zoned M-1, did have proffers but they were not overly restrictive, and he believed that it would not require any proffer amendment. He said that the last one, Cranes Corner Data Center, also zoned M-1, he had

not had a chance to review it yet, so he was unable to provide an answer. He said that it was only submitted today, and he was uncertain whether there were proffers or what they entailed.

Dr. Yeung asked if they should include M-1 in Option B.

Ms. Vanuch asked if she meant that it should be included as a by-right use. She said that everything was up for discussion, but she would prefer it to go to M-2, because if developments 4 and 5 came with by-right status, they would not even need to meet the minimum buffering requirements, noise requirements, or any other conditions, which could potentially be an issue.

Dr. Yeung asked what grandfathering meant to these applications.

Ms. Baker said that if grandfathering applications were in progress, then they did not need to meet the new ordinance requirements that she would implement. She said that they would be exempt from these new rules and would continue to operate under the current guidelines.

Ms. Vanuch said that the most important thing was that project number one, which was M-1, must be presented to the Board prior to its rezoning as it was currently zoned A1. She said that this project would be brought before the Board for a rezoning classification anyway. She said that at that time, they could voluntarily bring forward all the conditions in the data center ordinance and meet all of those requirements, which she believed would likely be beneficial if they were seeking rezoning approval from the Board. She said that number two required an amendment to the proffers. She said that everyone was very familiar with this particular project as it was already scheduled for a public hearing before the Planning Commission. She said that they knew that this project must come before them for proffer amendments, and again, if they wished to do so voluntarily, they could provide all of the setback requirements. She said that otherwise, they may not meet the changes. She said that number three was a newer one that they had not discussed. She said that they needed to determine whether or not this project required approval from them prior to any proffer changes, but if they grandfathered them and they did not have to meet the minimum setback requirements, then they would not even have to comply with the regulations. She said that this could pose a challenge, and the same applied to items four and five. She said that her preference would be to grandfather items one and two while not applying this to items three, four, and five. She said that she could see from a fairness perspective recommending that any applications submitted before they authorized this public hearing, which was on September 5th, should not be eligible for grandfathering, meaning that projects three, four, and five would not be grandfathered.

Dr. Yeung said that was correct.

Ms. Gary said that they should include project three in that because it was already in progress, and the review was completed the day after they authorized the public hearing.

Mr. English said that he concurred that project three should be included.

Mr. Coen said that he was amenable to project three being included.

Ms. Bohmke said that she definitely agreed with projects one and two. She asked when the cutoff was.

Ms. Vanuch said that she suggested the date of the authorization of the public hearing, which was September 5, 2023, excluding projects three, four, and five. She said that Since number 3 has to come to them for a proffer change, she was not inclined to die on her sword for that because they were likely to have to come before the Board anyway.

Ms. Gary said that project three was submitted in August, but it was before then that they advertised, so she would still hold that project three should be included. She said that it was not something that they slipped in at the last minute.

Ms. Bohmke asked if they did not grandfather them what additional paperwork they had to do.

Ms. Vanuch said that they would have to change the zoning classification to M-2.

Mr. English said that the fourth project was Melrod, which came in on September 8.

Ms. Vanuch said that she was not referring to when it came in, but when it got first review.

Mr. English said that he thought that four was.

Ms. Vanuch said no, she was saying that it had completed its first review by the time they had authorized the public hearing. She said that the public was aware that they were proceeding with modifications to the data center ordinance on September 5th for a joint public hearing with the Planning Commission. She said that in her opinion, this seemed like an equitable date to draw a line in the sand and assert that those before it should be grandfathered, while all others must come to them anyway.

Ms. Bohmke asked if a major site plan for project three would entail a grading permit. She asked if the grading permit would be obtained prior to that.

Ms. Baker said that typically, a grading permit is included in the site plan unless an earlier one was submitted, however, she would need to verify whether they had a separate grading permit application.

Ms. Bohmke asked Ms. Baker to confirm that to ensure they were being fair on all of these.

Ms. Gary asked if projects four and five were by right.

Ms. Vanuch said that four and five would be by right if they did the Option B and grandfathered them. She said that she had issue with that.

Ms. Gary asked about project three.

Ms. Vanuch said that Mr. Zuraf had noted that they probably would need a proffer change but was unsure if it was major enough to require Board approval. She said that they did not have enough information on that particular one. She said that when grandfathering these, they were also grandfathering them from meeting the noise requirements, all setback and buffering requirements as well.

Ms. Gary said that she understood. She said that because the application was already in when they advertised, it would be justified to include that one.

Ms. Vanuch clarified that that was where she was willing to be amenable to what the right thing to do was.

RECESS

At 10:11 p.m., the Board recessed the meeting.

At 10:27 p.m., Dr. Yeung called the meeting back to order.

Ms. Vanuch said that they were back to discussing Option B, O23-24, and what to grandfather. She amended her earlier motion to confirm the new definition that aligned with the comprehensive plan, which was seconded by Ms. Bohmke.

Dr. Yeung asked Ms. Baker to read the new definition.

Ms. Baker said that the modified text read that a data center was a facility where the principal use was storing, managing, processing, and transmitting digital data. She said that the facility contained one or more large-scale computer systems and related equipment. She said that such facility or use may include but were not limited to air handlers, water cooling and storage systems, utility substations and infrastructure, backup power generation, fire suppression systems, enhanced security systems, and any other necessary systems that may require additional approvals or conditional use permits as applicable.

Dr. Yeung said that she would like to clarify that the Comprehensive Plan Amendment regarding data centers was previously approved by them, and this information could be found on page one of the document, as well as on page 400 out of 532, in Exhibit A. She said that they had a motion and a second for Option B, Proposed Ordinance 023-24. She said that they would like to discuss grandfathering some of the pending applications for data centers that are currently before them. Ms. Vanuch said that she would provide the recommendation. She said that Mr. Zuraf pulled up the information, and Item 26 was in front of them and had some different dates. She said that applications one through four had been engaging with staff since earlier this year. She said that even item four had been submitted for a grading permit and was engaging with staff. She said that she felt comfortable that they could grandfather those items in and that they would ultimately come before the Board anyway.

Dr. Yeung said that the grandfathering clause, which pertained to applications submitted to the Department of Planning and Zoning for the development of data centers prior to September 5th, 2023, allowed these projects to continue with their applicable land use review and consideration processes as long as they were diligently pursued within the deadlines imposed by the Stafford County Code.

Ms. McClendon asked if Dr. Yeung was stating the motion that was the intent of Ms. Vanuch's direction.

Dr. Yeung said that she was reading the grandfathered clause at the bottom of this sheet.

Ms. McClendon said that the September 5th date would not be accurate for that, and ultimately to accomplish what was stated, she recommended that data center applications submitted prior to today.

Ms. Vanuch said that she agreed with that amendment.

Dr. Yeung called the vote for approval of Ordinance O23-24, Option B.

The Voting Board tally was:

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

Ordinance O23-24 reads as follows:

AN ORDINANCE TO AMEND AND TO REORDAIN STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS;" SEC. 28-35, "TABLE OF USES AND STANDARDS;" AND SEC. 28-39 "SPECIAL REGULATIONS" REGARDING DATA CENTERS

WHEREAS, the Stafford County Code defines data and computer service centers, but does not provide development standards or regulations for such uses; and

WHEREAS, the Board desires to establish zoning and development regulations for data center uses; 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 finds that public necessity, convenience, general welfare, and good zoning practices require the adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17th day of October, 2023, that Stafford County Code Sec. 28-25, "Definitions of specific terms;" Sec. 28-35, "Table of uses standards;" and Sec. 28-39 "Special regulations;" be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

Sec. 28-25. - Definitions of specific terms.

~~*Data and computer service centers.* A use where the majority of the space is occupied by computers and/or related equipment, and where electronic information is processed, transferred and/or stored. Data and computer services centers may contain data technology centers, internet service providers, network operations centers, web hosting facilities, and other similar establishments primarily engaged in providing direct access through telecommunications networks to computer held information.~~

Data center: A facility where the principal use is the storage, management, processing, and/or transmission of digital data, and containing one or more large-scale computer systems and/or related equipment. Such facility or use typically may include but is not limited to air handlers, water cooling and storage facilities, utility substations and infrastructure, back-up power generation, fire suppression systems, and/or enhanced security systems, any of which may require additional approvals or conditional use permits, as applicable.

Sec. 28-35. - Table of uses and standards.

Table 3.1. District Uses and Standards

B-2 Urban Commercial.

(a) *Uses permitted by right:*

~~Data and computer service centers.~~

RBC Recreational Business Campus.

(a) *Uses permitted by right:*

~~Data and computer service centers.~~

M-1 Industrial Light.

(a) *Uses permitted by right:*

~~Data and computer service centers.~~

M-2 Industrial, Heavy.

(b) *Uses permitted by right:*

~~Data and computer service centers.~~

Data center.

ICTP Integrated Corporate and Technology Park Overlay.

(a) *Uses permitted by right:*

~~Data and computer service centers.~~

Data center.

Sec. 28-39. - Special regulations.

(q) ~~Reserved.~~ Special provisions applicable to data centers.

(1) All primary structures shall be set back at least one hundred (100) feet from any property line abutting non-commercial or non-industrial zoned properties for sites located within the Urban Services Area, and at least two hundred (200) feet from any property line abutting non-commercial or non-industrial zoned properties for sites located outside the Urban Services Area.

(2) For sites abutting or across a road from non-industrial or non-commercial zoned properties, a vegetated buffer shall be required consisting of a landscaped strip at least fifty (50) feet wide. Any buffer required pursuant to this subsection may be located within the setback required pursuant to subsection (q)(1) directly above.

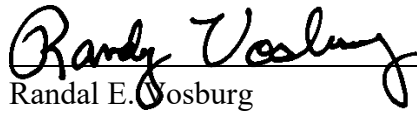
- (3) Required buffers and/or setbacks may be modified by the board of supervisors as part of the approval of zoning reclassification or conditional use permit applications based on considerations specific to the site including, but not limited to, a viewshed analysis and/or noise propagation study that demonstrates that such reduction is reasonable.
- (4) A minimum of thirty percent (30%) open space shall be maintained for sites located outside the Urban Services Area.
- (5) The site shall be enclosed with security fencing at least seven (7) feet in height, include an appropriate anti-climbing device, and shall be secured with gates. Security fencing shall be installed interior to any required buffer.
- (6) All mechanical equipment, both on ground and roof-mounted equipment, shall be attenuated through sound mitigation measures including, but not limited to, sound muffling materials.
- (7) A series of sound propagation studies shall be submitted as outlined herein.
 - a. The sound study shall be specific to the proposed site layout and building type shown on the site plan.
 - b. The sound study shall be prepared by an environmental noise professional and submitted to the County (i) prior to final site plan approval for each phase of the project and (ii) if approval of a conditional use permit is required, with the conditional use permit application.
 - c. The sound study shall evaluate (i) the noise conditions at the site prior to project development, and (ii) model-predicted noise conditions at the site resulting from the project after project development.
 - d. The sound study shall include recommendations for mitigation measures, which mitigation measures may be incorporated into conditions of approval for the conditional use permit by the board of supervisors.
 - e. Post-development noise conditions at the site will be evaluated and compared to local code requirements within ninety (90) days after the issuance of the occupancy permit for each phase of the project, and annually thereafter for a period of ten (10) years. Such evaluations shall be conducted by planning and zoning staff, or other appropriate staff as determined by the county administrator, on a weekday. In the event that the report shows that the use emanates sound that exceeds the maximum allowable decibel levels, all legal avenues available to obtain compliance shall be pursued.

; and

BE IT FURTHER ORDAINED that applications submitted to the department of planning and zoning regarding the development of data centers prior to October 17, 2023, are allowed to continue with their applicable land use review and consideration processes, if diligently pursued, until such applications expire pursuant to deadlines imposed by the Stafford County Code.

ADJOURNMENT

At 10:32 p.m., Chairman Yeung adjourned the October 17, 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. Pamela Yeung", written over a horizontal line.

Dr. R. Pamela Yeung
Chairman

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#15]
Date: Wednesday, October 4, 2023 2:20:10 PM

Name *	Adam Fairchild
Address *	☐ 40 Norfolk St Fredericksburg , Virginia 22406 United States
Email *	adamfairchild7@gmail.com
Election District	Hartwood
Topic (please see the Public Hearings page for specific topics coming up) *	CUP22154573; Conditional Use Permit – Enon Road Solar Farm

Online Comments: *

The of the land on at the intersection of Truslow and Enon should not be utilized for the creation of a solar farm. The vast preponderance of solar panels and batteries are built in China and from rare Earth minerals that our country does not have. In order to build them vast amounts the burning of vast amounts of fossil fuels are utilized to super heat coal and very high-quality silica that is strip mined in North Carolina, not the kind you find on the beach are used to create panels that create panels that last approximately 10 years, and then go to a land fill to sit forever. The "green" argument that this is environmentally friendly is just not true.

In places that are far sunnier than the mid-Atlantic like California these solar farms have not proved to be as useful and generating the types of so-called green energy that has been promised. They end up abandoned eye sores on the community, look at Solar 1 and 2 in Dagget California (Martin & Querolo, 2020). If it can't work in the Mojave, it certainly won't here in Stafford.

Building a solar farm here will see the same if not worse results regardless of advances.

Fredericksburg sees sunny days 53% of the year less than the national average (Best Places, N.D.). Our community is not one that will benefit from a solar farm, our climate is not supportive of it. Why would anyone put a solar farm in a place that sees less sun than the national average? It's bad business. It just doesn't make sense, if I wanted to build a hydro facility, I wouldn't do it in a desert. This will end up being a green boondoggle that will look poorly on anyone who supported within 10 years. Don't allow these grifters to take valuable land and turn it into a money pit. Be smarter than that, patting yourself on the back and saying: "We support green initiatives," is not real solution or something that is worthwhile, it's just virtue signaling.

Martin, C. & Querolo, N. (2020). "A \$1 Billion Solar Plant Was Obsolete Before It Ever Went Online." Bloomberg. <https://www.bloomberg.com/news/articles/2020-01-06/a-1-billion-solar-plant-was-obsolete-before-it-ever-went-online#xj4y7vzkg>

Best Places (N.D.) "Climate in Fredericksburg, Virginia." Best Places.
<https://www.bestplaces.net/climate/city/virginia/fredericksburg>

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#16]
Date: Wednesday, October 4, 2023 8:51:58 PM

Name * kathy robinson

Address * ☐ 33 fox run lane
fredericksburg, va 22405
United States

Email * krobmom@aol.com

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

Online Comments: * I once again attended the BOS meeting today (Oct 4). I could not believe my ears when it was decided that you once again decided to not vote on the zoning issues concerning the methadone clinic. You have had three months to talk about this. I suggest you do a little less hand shaking and do more talking to each to get the needed information.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#17]
Date: Sunday, October 15, 2023 9:29:50 AM

Name * Laura Raimund

Address * ☐ 53 Buttgens Ln.
Stafford, va 22554
United States

Email * lsraimund@hotmail.com

Election District Aquia

Topic (please see the Public Hearings page for specific topics coming up) * Civil Rights Violations at Anne E. Moncure Elementary School

Online Comments: *

10/15/23. I am a small group teacher at Anne E. Moncure Elementary School. We have a long-term trans substitute who is forcing 5th grade students to use her cross-sex pronouns in class and to call her "Mister". This lady teacher goes by "Rae Mearns".

Currently, students have been punished and sent home with referrals for calling a actual woman "Miss" or "Ma'am". They have been threatened with further punishment. Another classroom teacher has also yelled at the students and threatened punishment. The sub has worked in other classrooms and I don't know how many students' rights have been violated.

This is a violation of religious rights and the right against compelled speech. My students have told me that they are confused and afraid to call a woman "Ma'am".

I sent the principal an email, he said that he would investigate, but that the trans lady "has rights too".

Parents of these children have a right to know that employees of the school system are forcing and threatening students to affirm trans ideology.

Governor Youngkin's order clearly establishes that parents have a right to know when their child is involved in trans situations in school. I think this is being kept from them.
