BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
NOVEMBER 14, 2023

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Dr. Pamela Yeung, Chairman, at 4:00 p.m. on Tuesday, November 14, 2023 in Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

Absent was Supervisor 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 thanked all the veteran families and friends who attended their event at the Armed Services Memorial on Veterans Day last Thursday morning. She said that she especially wanted to thank Steve Cox, President and CEO of Rappahannock Goodwill, for his inspiring keynote speech honoring the over 20,000 veterans residing in Stafford County. She said that she invited all 3,069 counties, parishes, and boroughs across the nation to participate in Operation Green Light, an initiative by the National Association of Counties (NACo) and the National Association of County Veterans Service Officers. She said that by lighting their buildings green from November 6 through 12, these entities could show their support for veterans. She said that by shining a green light, County governments and residents would inform veterans that they were recognized, heard, valued, and supported.

Dr. Yeung said that Stafford had joined this initiative this year by illuminating their entrance in green. She said that they would be hosting a Christmas event, which was the third annual tree lighting ceremony, taking place on Friday, December 1, 2023 from 6:00 p.m. to 9:00 p.m. She said that the location was at the Government Center Campus, situated on 1300 Courthouse Road. She said that all individuals were welcome to partake in the holiday season festivities, which included musical performances, artisans, crafters, family-friendly activities, and a visit from Santa Claus. She said that for further details, people should visit StaffordCountyTreeLighting.com.

Dr. Yeung said that they would be collecting canned goods for SERVE, Stafford's local food pantry, as well as new toys for the Toys for Tots campaign during this event. She said that the Stafford County Social Services Department also oversaw a holiday program for Thanksgiving and Christmas celebrations. She said that community members could sponsor a family with food, groceries, store gift cards, toys, or donations. She said that they should visit www.staffordcountyva.gov/holiday-program for more information. She said that Stafford was also a collection site for Toys for Tots. She said that there was a donation receptacle in the County's lobby, and they would accept new, unwrapped toys through December 7, 2023.

PRESENTATIONS

PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH

Dr. Yeung invited Charles Bullock, representative of the Patawomeck Tribe to the dais for the presentation of a proclamation in honor of Native American Heritage Month. Dr. Yeung stated that Supervisor Coen would present the proclamation.

Mr. Coen said that the Patawomeck Tribe had played a significant role in the establishment and work of Stafford County and this nation for numerous centuries. He said that he truly appreciated their contributions. He said that he would read the proclamation, followed by acknowledging the outstanding work they did. He said that he highly recommended visiting the Tribal Center on Route 3, which showcased their heritage and offered language classes, among other valuable resources for Stafford County. He said that the efforts made to transform this center into a reliable, exceptional resource utilized by the school system and various organizations were commendable. He said that this served as a testament to the dedication of the citizens who had resided there longer than his ancestors who had arrived in the 1600s, and their ongoing commitment to enriching Stafford County.

Chief Charles Bullock said that he would like to make a few remarks. He said that firstly, he would like to acknowledge their great God and secondly acknowledge this Board of Supervisors who placed their entire trust in the Tribe. He said that it had been years of blood, sweat, and tears. He said that their grand opening took place on July 4, and an estimated 1,200 people attended that day. He said that since then, they had opened every other weekend and recently closed for the season. He said that during the final weeks, three public schools, some homeschooled students, and private school children visited them. He said that they ended this year on a phenomenal note.

Mr. Bullock said that staff were now scheduling public schools for next year and planned to open at the end of March or early April. He said that they aimed to share the Patawomeck Tribe's history with County students, particularly those in Stafford, but also those from surrounding areas by involving them in their endeavors. He expressed his gratitude to the Board of Supervisors for placing their faith in them. He acknowledged the support provided by all other departments, including Mike, Brion, and Paul, who had contributed to their promising future. He thanked them all for their assistance and the proclamation they had granted.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Dr. Yeung asked if there were any additions or deletions to the regular agenda.

Mr. Vosburg said that there were none.

Dr. Yeung said that there was a change to the agenda; the Board would address Items 18 and 19 and then hold a closed session before addressing Item 17.

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

The Voting Board tally was:

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

ADD-ON TO CONSENT AGENDA

There were none.

PRESENTATIONS BY THE PUBLIC - I (3 MINUTES EACH)

Dr. Yeung read the protocol for public presentations.

1. Rosemary Roman, 109 Leisure Street, Stafford, Virginia, 22556, said that on August 15, 2023, she appeared before the Board of Supervisors to inform them about fraud alert and its purpose. She said that fraud alert was not a preventive measure against fraud; rather, it served as an early warning system that alerted both property owners and relevant parties when someone attempted to take action or sell a property without proper authorization. She said that on August 16, Crystal Vanuch sent her a thank you note for her thoughtful emails and comments at the Board meeting. She said that Ms. Vanuch emailed her on the same day, informing her that her staff had already begun working on this issue and would collaborate with Anthony Toigo. She

said that Mr. Toigo was copied on the email and informed her the next day that he had spoken to Kathy Sterne, the Clerk of the Circuit Court.

Ms. Roman said that Ms. Sterne informed her that she was familiar with the system and that there were other procedures in place within the Virginia public record system to protect identity and property rights. She said that she dialed the number provided by Mr. Toigo, only to end up taking a complete circle. She said that she always began at the lower rung of the ladder, and she started there before arriving here. She said that she then asked Mr. Toigo if he could provide her with Ms. Sterne's phone number, which he did. She said that she contacted Ms. Sterne and she agreed to look into the matter.

Ms. Roman said to her that the current measures in place had been around for decades, as she has lived in this area for a long time, evident by her age. She said that there was a contractor involved and would reach out to them to see if they had any additional safeguards in place. She said that she waited about three weeks and received no response. She said that she called her back, and she informed her that it was budget season, and she was extremely busy. She said that she asked her to be patient and assured her that she would call her, not the other way around.

Ms. Roman said that despite her experience with budgets, she still had to communicate with others. She said that as a result, she continued waiting for her response, but there was no contact. She said that since then, three agencies have given notice, the VA, Secret Service, and Homeland Security. She said that it was better to be proactive than retroactive in such situations. She said that if she could receive a warning about her septic tank needing maintenance, she should also be able to get a heads-up if someone tries to sell her property.

2. Mary Hanson, 20 Havenwoods Way in the Falmouth District, said that she was present to discuss Musselman Park. She asked why it had taken so long for this park to be developed, as the land was acquired in 2005 and they were now approaching 19 years since then. She said that the park only had a mowed pathway and a parking lot. She said that this was unacceptable. She said that in 2009, a referendum passed by the County allocated $29 million for various projects, with Musselman Park listed as item number three. She asked how it was possible that 14 years after the referendum passed, Musselman Park remained unfinished.

   Ms. Hanson said that she wanted to know where the $29 million went and if the approved funding had been reallocated to other projects such as Embrey Mill Park. She said that the residents of England Run, Falls Run, and the surrounding area were denied a park. She asked if this was an equity issue since the median household income of the area surrounding the park was less than that of Embrey Mill. She asked the Board to stop dismissing the needs of the underserved England Run community and the surrounding area. She requested the Board to implement the restoration of Musselman Park funding now.

Ms. Hanson said that the community had voted on the park within the referendum in 2009. She said that the County had ample time to fulfill its obligation to the voters. She said that in terms of the RTA, she suggested not taxing the residents. She said that a hotel tax was an option. She said that gas tax revenue would decline as electric vehicles increased. She said that maximizing state funds and funds that were appropriated through the infrastructure bill. She said that they should push to get their piece of the pie.

3. David Fauth, 18 Antietam Loop, Stafford, Virginia, 22554, said that he was discouraged that today they had a Board of Supervisors meeting rescheduled to 4:00 p.m., coinciding with a School Board work session at 5:00 p.m., a School Board meeting at 6:00 p.m., and another Board of Supervisors meeting at 7 p.m. He said that he found it challenging for an informed citizen to participate in four different meetings when significant issues were being discussed at both. He said that this scheduling conflict was disappointing, as the meeting was at 4:00 on the same days. However, he acknowledged that they could not change that now; it was water under the bridge.

   Mr. Fauth said that regarding R23-297, he requested their approval for funding the school's teacher salaries tonight or this afternoon. He said that unfortunately, he would be attending the working meeting concurrently, but he asked the Board to please consider approving this matter. He requested the Board to approve the public hearing for the additional $10 million requested by the school to address the ongoing struggle with learning loss. He said that the numbers were still concerning. He said that furthermore, there was an alarming truancy rate of 15% to 18% of students not attending regularly. He said that money could not fix stupid regarding the parents in those situations, but it could help the school develop alternative strategies to re-engage students. He said that he requested approval for the initial $6 million and scheduling a public hearing for the additional $10 million.

4. Clay Mihoulides, 19 Steeplechase Road in the Woodlawn Subdivision, said that he was a small business owner and resident of the Falmouth District. He said that he lived around the corner from the Woodlawn Neighborhood Center, and Considered Care Group's potential 9,100 square foot opioid treatment facility. He said that opioid addiction was a very serious issue, and he believed there was a need for additional treatment facilities within this area and throughout the state. He said that however, Considered Care Group's choice of location was a poor one. He said that it was non-compliant with the County's parking ordinance, it lacked safe pedestrian accessibility with sidewalks and crosswalks on Deacon Road, and was located less than 550 feet from the Bright Beginning Preschool and a Stafford County school bus stop.

Mr. Mihoulides said that Considered Care Group's poor choice of location was a prime example of why the Board and Planning Commission needed to take action and eliminate any ambiguity in the Zoning Ordinance so that the next time a treatment facility looked to open in the County, the Zoning Administrator could respond in a clear and definitive manner. He said that opioid treatment facilities that dispensed methadone and suboxone, such as CCG, were required to be licensed by the Virginia Department of Behavioral Health and Developmental Services (DBHDS). He said that due to this licensing requirement, their former Zoning Administrator should have classified this use as a hospital and determined that a conditional use permit would be necessary for its operation in the B-2 Zoning District.

Mr. Mihoulides said that had this been done, this business would have been subjected to public hearings, and the Planning Commission and Board could have properly evaluated CCG's operations and whether the Woodlawn Shopping Center was an appropriate location for it. He said that the Zoning Administrator, in his opinion, not only administered an incorrect zoning determination but also failed to follow Stafford's own ordinance requirement to notify adjoining property owners of CCG's determination request within a specified time period. He said that the failure to notify resulted in a District Court ruling which has prevented property owners from challenging the CCG's zoning determination through the BZA.

Mr. Mihoulides said that consequently, many of the constituents who were present today have been spending countless hours and tens of thousands of dollars on legal fees for their right to due process. He said that the CCG is on the verge of receiving its licensing and commencing operations. He said that however, the County has another opportunity to rectify its mistake and acknowledge that a County employee made errors. He said that when the County responded to DBHDS regarding CCG's application, he urged them to emphasize the Zoning Administrator's mistakes and stress the reasons why the Woodlawn Shopping Center was not the appropriate location for dispensing methadone and suboxone.

5. Arnold Levine, 135 Lakeshore Drive in the Argyle Heights neighborhood of south Stafford. (comments attached)

6. Shannon Fingerholz, Hartwood District, said that at the last meeting, the Board had approved an expedited process for Belmont Park and questions were raised about its impact on staff workload and whether it was a recommendation by the staff. She said that however, earlier, schools had requested state-provided funds to be approved more quickly, citing increased workload for staff in processing pay raises for teachers by January 1, 2024. She said that however, there were few questions from the Board, so the only explanation she could think of

for approving one County's staff but denying another was that they enjoyed continuing to kick the can down the road.

Ms. Fingerholz said that the Supervisors claimed that schools were a priority, but when it came down to the practical aspects of allocating funds, once the money had been assigned by the state and there was no other purpose for its use, she asked what was the advantage of delaying school funding and teacher pay raises. She said that it seemed the Board merely liked to kick the can down the road, indicating that schools were not a priority in this County. She said that as her fellow community members had mentioned earlier, she said that it was unfortunate that both these meetings and the School Board meetings coincided on the same day. She said that it made it difficult for them to attend both events. She said that she would be attending the School Board's meeting and then would watch the Board meeting later.

7. Linda Musselman, 728 Truslow Road in the Hartwood District, said that she was speaking tonight for herself and on behalf of her neighbors, Mr. and Mrs. Michael Hicks and Mr. and Mrs. Michael Riley, and Mrs. Cynthia Larson. She said that she would like to discuss Musselman Park. She said that as the Board was aware, in 2009, the park was included on a Parks and Recreation bond referendum, which ultimately passed. She said that in 2011, a community meeting took place at Gayle Middle School to collect information from local residents.

   Ms. Musselman said that despite these efforts, no progress occurred for 10 years until June of 2021 when a groundbreaking ceremony was held on the site. She said that some of the Supervisors were present at this event. She said that she, along with many members of the community, believed that development would proceed, and it did. She said that they obtained a parking lot, maintained trails, and implemented other improvements in the area. She said that in June 2023, another community meeting took place at Stafford Junction, where the Space Design Studio Group, the selected team for the master plan, gathered input from local residents.

   Ms. Musselman said that they took that information and conducted a County-wide survey, presenting two master plans for selection in June. She said that the design group did an excellent job in creating a plan that fit well on the site and included most of the amenities requested by the community. She said that she last heard about the funding being part of the 2024 Capital Improvement Plan (CIP). She said that it has been moved to 2027. She said that she is requesting that the Board consider moving the funding to an earlier time than 2027. She said that the community has waited a long time for this park.

8. Laura Sellers, 408 Coneflower Lane in the Garrisonville District, said that as a Commonwealth Transportation Board member representing the Fredericksburg District, which encompassed

Stafford County, Spotsylvania County, and extended all the way to the Chesapeake Bay, she frequently traveled to counties and localities within the 14 jurisdictions and engaged with residents about various topics, including SmartScale. She said that she was confident that the members were familiar with this system, as it was used for prioritizing transportation projects in the state.

Ms. Sellers said that in December, the Commonwealth Transportation Board would review the criteria of SmartScale. She said that the process combined their high priority projects and their district grant projects, ranking them against all other projects across the state. She said that this year, in the Fredericksburg District, they had approved 29 projects, with four of them located in Stafford County. She said that she was there to inform them that changes were being discussed for SmartScale. She said that Mrs. Bohmke was aware, as she spent a significant amount of time with them at the Commonwealth Transportation Board, FAMPO, and GWRC.

Ms. Sellers said that she wanted to ensure that all Board members understood the implications of these changes, as they would affect localities, FAMPO, GWRC, and funding for high priority programs, which typically involved larger projects of statewide significance and considered land use. She said that they were examining land use and economic development. She said that if any Board member was unfamiliar with this topic, she asked them to contact her and let her know. She said that she understood that there had been discussions in Stafford regarding why Garrisonville Road was not considered, and as a Commonwealth Transportation Board member, she had heard various explanations.

Ms. Sellers said that prior to her time in Richmond representing the district, she served in this chamber as a Supervisor for the Garrisonville District. She said that she had graduated from North Stafford High School and was well-acquainted with the issues on Garrisonville Road. She said that she had experienced them as a student, as an adult, and still dealt with them today. She said that it did not meet the criteria or rank high enough to receive funding last year. She said that however, she hoped to see it included in this year's list. She said that hopefully, it would rank better.

Ms. Sellers said that she heard in today's infrastructure meeting that projects needed to be submitted by March. She said that she would like to encourage everyone to consider the December 1, 2023 deadline set by the district and Mrs. Parker, as this was what the district expected so they could provide assistance. She said that she recommended that the Board of Supervisors also consider the December 1 deadline. She said that if they needed help, she was ready to help. She said that she lived nearby and visited frequently, trying to attend FAMPO whenever possible. She thanked the Board of Supervisors for their service.

9. Dave Dieugenio, 124 Jay Road in south Stafford, said that he echoed the sentiments expressed by his neighbor and friend, Arnold Levine, regarding the Kennedy Dam Project. He said that in 2001, he said that he and his wife Heidi built their first home in Stafford. He said that as a Marine Corps veteran, the Marine Corps moved him around for a while until they could return to Stafford in 2010, where they had been residents ever since. He said that in 2018, they purchased their home on Jay Road in Argyle Heights with full knowledge and understanding of the special tax district that had been created to address the Kennedy Dam issue. He said that part of the decision-making process involved recognizing that the County had a plan to address the dam and bring it into compliance.

    Mr. Dieugenio said that he found himself there now, five and a half years later, still waiting to see that plan executed. He said that it had been challenging to hear how the price estimates have changed and how the story has significantly evolved, which would have had a significant impact on their decision in 2018. He said that they genuinely appreciated everything that the Board did for them. He said that they loved living in Argyle Heights, near Lake Carroll, and he valued the benefits of their wonderful neighborhood. He said that however, part of their property taxes was based on the fact that they had access to Lake Carroll and its water resources.

    Mr. Dieugenio said that along with the rest of south Stafford, he relied on this amenity and looked forward to using it, yet the longer they remained out of compliance, the greater the potential consequences became. He said that the state may not only threaten to drain the lake but also remove their access to this valuable resource, which would significantly reduce the value of their homes and affect their property tax revenues. He said that he would truly appreciate the Board's prompt action in moving forward with the project, ensuring that they could continue to enjoy and contribute to the neighborhood.

10. Kristin Maxson, 1816 Richmond Highway, expressed her gratitude to the veterans and everyone present in the room who had family members that had served or were currently serving in the military or any other services. She said that she appreciated the civilians who support the efforts of what they were experiencing worldwide as the number of military personnel decreased and was replaced by civilian contributions. She said that they had received their December 5 taxes, which were 20% higher than those of Prince William County, their neighboring County. She said that on September 5, 2023, a speaker discussed grants that were lost.

    Ms. Maxson said that the year 2008 was a challenging time for everyone there, and the hospital managed to remain open during that period. She said that this accomplishment was likely due to bonds, which were difficult to manage as they must be paid within a specific timeframe. She said that they discussed the financial system, which was implemented in 1999. She said that in the report today, which was replaced every five years, there was a non-taxable debt. She said that a graph on page 20 of 159 pages demonstrated that this debt had increased four times in the past five years. She said that the signals report contained numerous exemptions and open fields.

Ms. Maxson said that the economic development field, now known as the Economic Development Authority, was an area that could not be searched within the minutes and agendas. She said that the minutes and agendas for her area, which was within a five-mile radius area, were completely unavailable. She said that as a result, when discussing land use and economic development, there was no information available regarding minutes or agendas. She said that this may contribute to their confusion about Smart Scale. She said that grandfathering referred to individuals who had been in the area for an extended period but was now being used for expedited margins.

11. Eric Kennedy, 72 Walnut Farms Parkway in the Falmouth District, apologized for not being able to speak at 7:00 p.m. as he was unaware of this schedule. He said that it was crucial to understand that opening a methadone clinic near a daycare center and an elementary school was incorrect, and that this decision posed risks and could potentially harm children. He said that as a concerned citizen with two children, he believed the primary responsibility of government was to protect its citizens, especially the most vulnerable among us. He said that a mistake had been made at the County level. He said that the elected representative had the power to rectify the situation.

    Mr. Kennedy said that their role was to protect children. He stated that they were not opposed to a methadone clinic but its location posed a significant concern. He emphasized that it was unsafe to place a methadone clinic near a daycare center or an elementary school. He said that he hoped that the representative and his Board would collaborate to address this issue. He said that he acknowledged that it may seem like a Falmouth-specific problem, but he argued that it affected Stafford County as a whole. He urged them all to work together in resolving the matter.

REPORTS BY BOARD MEMBERS

Ms. Allen – thanked all veterans in Stafford County on this Veterans Day. She said that their service and sacrifices for their country were truly commendable, as well as those of their families. She said that as someone with family members who had served, she understood the significance of these sacrifices. She said that she also wanted to recognize Oak Grove Baptist Church for their remarkable 150th anniversary celebration over the weekend. She said that this church held a special place in Stafford County's history as the second oldest African American church in the County and had provided exceptional service and ministry to the Widewater community for 150 years.

Ms. Allen said that some of its famous members included their own Palmer Hayden, a renaissance artist. She said that Oak Grove was one of the first places in Stafford County to offer education to African American children before schools were integrated. She thanked them for their continuous service and ministry to Widewater and looked forward to witnessing their impact for the next 150 years.

Ms. Bohmke – remarked that the reason they were holding this meeting was because last week had been Election Day. She said that perhaps in the future, their Board might consider scheduling meetings on Wednesdays or Thursdays of the first week to avoid conflicts with the School Board, which met on the second and fourth Tuesdays. She said that this had led to the current issue. She apologized for any inconvenience caused by the meeting being pushed back by an hour due to her attendance at a conference over the weekend. She said that she had attended the Bay Consortium Workforce Board meeting in Kinsale and had the opportunity to tour the Teal Jones Lumber Facility, formerly known as Potomac Supply. She said that the main point she wanted to bring up was that they continued to face workforce issues.

Ms. Bohmke said that during her conversation with the business manager of the facility, he expressed difficulty in finding skilled workers. She said that as a result, she connected him with their Superintendent of Schools so they could discuss their specific worker requirements. She said that she would like to mention that on the coming Monday, there was a FAMPO meeting scheduled. She said that this meeting focused on transportation-related matters and would take place at 6:00 p.m. downtown with the FAMPO members. She said that on Friday, a VRE meeting was planned for 9:00 a.m. She said that if someone wished to attend virtually, they could easily access the website and submit their public comment.

Ms. Bohmke said that there was also a landfill meeting happening on Thursday at 10:00 a.m. in these Board chambers, with all relevant documents available online. She expressed her gratitude to Dr. Yeung for her comments during the veterans ceremony held last week. She said that the ceremony was beautifully executed, providing an opportunity to honor and remember all veterans and their families who had made significant sacrifices. She said that she appreciated Dr. Yeung's comments and also noted that Greg Cox's comments were very well done, as he was a long-standing Marine.

Ms. Bohmke said that lastly, she had attended the VACo conference over the past couple of days. She said that it was a gathering of representatives from all counties in the Commonwealth. She said they had prepared a legislative platform for the General Assembly, which included one of their legislative priorities, which was allowing localities to implement a 1% sales tax if they chose. She said that in Stafford County's case, these funds would help address their expensive transportation projects. She said that more information on this would be provided.

Mr. Coen – announced that he had three items he would briefly address. He said that's staff was waiting for an update from the residents regarding their support for the plan they had proposed for the Lake Carroll Dam. He said that the survey served as a means to obtain this information. He expressed his gratitude to Brion, who had just returned from meeting with the residents. He said that their goal was to incorporate this plan into the budget process, ensuring that they adhered to the timeline established during Mr. Levine's previous visit.

Mr. Coen said that secondly, he had attended the ceremony in his district celebrating their local veterans group. He said that they were honored by the presence of Colonel Mann, a Vietnam Medal of Honor recipient, who delivered a moving speech. He said that it was important to honor the sacrifices made by their veterans and their families. He said that lastly, he was pleased to announce the addition of a new QR code at their memorial site for their ceremonies. He said that although Mr. Vosburg may have planned to mention this, he believed it was worth highlighting the new feature. He said that one could find the brick for individuals who purchased bricks or specific wars; and it was an excellent idea that came from their staff.

Mr. Coen said that over the past several months, he had interacted with various ministers and parishioners from different churches of diverse faiths and ethnicities. He said that a common comment was regarding that after George Floyd's death, the County held meetings to discuss various issues. He said that many people believed it would be beneficial to conduct these discussions periodically, not just during crises, but in a more proactive manner. He said that whether this was done by their diversity committee or specific citizens, he thought it would be a positive gesture for a growing and increasingly diverse County to be proactive rather than reactive.

Mr. English – thanked all veterans for their dedicated service and wished them a happy Veterans Day. He thanked the American Legion Post 290 for their ongoing efforts in placing a wreath at the memorial in front of the courthouse, calling their work commendable. He said that he wanted to recognize the Stafford High School cheerleading team for winning the state championship and extended his congratulations to them. He said that he also wanted to acknowledge the hockey team for their success in winning their district championship.

Mr. English said that the Special Olympics' upcoming craft show this Saturday at Brooke Point High School from 9 a.m. to 3 p.m. He encouraged the community to attend and support the event as the funds raised would benefit athletes in Stafford and surrounding counties. He said that Brion would provide an update on Musselman Park during the meeting.

Ms. Gary – remarked that they were undoubtedly dealing with many of the same issues, and this had been a challenging year; therefore, she did not want to overlook that fact. She said that the past year had indeed been difficult. She said that on October 19, she attended the Workforce and Affordable Housing Ad Hoc Committee meeting. She said that on October 20, they had the VRE Operations Board meeting, during which they began discussing the budget for next year. She said that they briefly touched upon this topic earlier in the infrastructure meeting and the budget meeting to understand what it might entail. She said that she hoped that some positive outcomes would arise from these discussions.

Ms. Gary said that she attended the Dahlgren Community Partnerships event that weekend, which was her first time participating, and she found it enjoyable. She said that if any other Board members had not attended before, she suggested they consider going for the first time or returning if they had been previously. She said that it was a really good experience. She said that on October 25, she attended the High School 6 groundbreaking ceremony, which was wonderful. She said that it was evident that much work had been done over many years to reach this point.

Ms. Gary said that to highlight Ms. Fingerholz's earlier comments, they must now complete the necessary tasks to ensure the schools are built before it was too late. She said that these projects took a significant amount of time to complete. She said that on October 27, she attended the Building for Heroes Veterans Home Gifting ceremony, which was another beautiful experience. She said that the home builders collaborated to gift a home to one of the disabled veterans in their community. She said that his family traveled from various locations to attend the event, and they had the honor of celebrating him.

Ms. Gary said that there was another Workforce Housing Committee meeting. She said that workforce hiring remained a challenge in the region, as mentioned by Supervisor Bohmke. She expressed her gladness about having the initiative and looked forward to seeing its progress so they could address the need effectively. She said that it was difficult to employ people if they had nowhere to live. She also wanted to express her gratitude to Dr. Yeung for her dedication on the committee. She said that Dr. Yeung had ensured connections were made and that they had access to the necessary resources to accomplish their tasks.

Ms. Gary wished everyone a happy Veterans Day and thanked them for their service. She said that her husband was a veteran of the Marine Corps, and now they had three active duty members, which was not something she ever planned on. She said that it was a unique experience. She said that she understood that those who served did so for reasons beyond accolades or pay, especially in the beginning. She said that they possessed a unique quality where they faced challenges when many people would avoid them. She said that she honored and appreciated that quality in each of them and expressed her gratitude for their continued service in their community, even after completing their active duty commitment.

Dr. Yeung – remarked that veterans were important members of society. She said that she had a daughter who served in the Air Force, specializing in the medical field, and a stepson who retired from the Army. She said that she had visited some of the same locations that Ms. Gary mentioned. She said that she would like to share her experiences attending various events and initiatives. She said that she would not give specific dates, but could assure everyone that they had been extremely busy. She said that she participated in the United Way Women's Summit, where they discussed pressing issues affecting their community. She said that she attended the workforce housing event with Ms. Gary.

Dr. Yeung said that she had enjoyed attending a few ribbon-cutting ceremonies, including one for Embrey Mill, a planned community established in 1980. She said that she had lived in the area for over 30 years, and had witnessed its growth and development firsthand. She said that in the coming weeks, they would be organizing a Christmas event to celebrate the spirit of giving back to their community. She said that this included initiatives like Give Back Home, which provided homes not only to veterans but also to individuals who could not afford housing on their own. She said that as they discussed the importance of workforce housing and supporting their workforce, it was crucial to remember that many people desired stable living situations without relying on family support.

Dr. Yeung said that it was very important. She said that at the groundbreaking ceremony for High School 6, she focused on the teachers' contributions rather than the building itself. She said that the current situation was challenging for both students and parents. She said that reflecting on the COVID-19 period when everyone collaborated, she now believed that they should concentrate on understanding world peace and its implications. She said that addressing issues like poverty and the impact on children when addressing world peace was crucial. She said that students were traumatized by these challenges, which raised concerns about their wellbeing.

Dr. Yeung said that it was acceptable to be concerned about buildings, parks, and money; however, let them also worry about their health and the individuals who were sacrificing their lives for them and freedom. She said that she attended Band Together for Hunger, ensuring that canned goods were useful. She said that she did not feel good when she had to give a can for someone, and when she went to the store she bought the greenery; nevertheless, it was crucial that they considered their actions when donating.

Dr. Yeung said that she had cut another ribbon for VDOT off of I-95 so that some individuals could travel down 95 or come up for carpooling, vanpooling, and those simply passing through their County. She said that this was significant not only for them in Stafford County but also for those who frequently traveled to Fredericksburg or Potomac based on traffic conditions. She said that with the opening of these roads, she hoped that traffic congestion would improve. She said that regarding the Stafford Christmas Tree Lighting event that she mentioned earlier, it was scheduled to take place on Friday, December 1, 2023. She said that the details could be found on their website at www.staffordcountyva.gov/christmasevent. She said that they were hosting this event for the third time and had also organized a parade.

Dr. Yeung said that Supervisors had received an invitation in their folder that noted they were VIP guests. She said that in their folder, there was a list of individuals who had donated funds to them. She said that these contributors were likely the same ones who supported them last year and they had also welcomed some new donors. She invited everyone to join them for an enjoyable day filled with artisans, vendors, food, and various activities for children. She said that school choirs were involved, they appreciated that local talent.

Dr. Yeung said that performers included Widewater Elementary School, Gayle Middle School Choir, Rodney Thompson, Colonial Forge, a parade of Boy Scouts and Girl Scouts, a float from North Stafford High School Band, and the Stafford High School Choir. She said that additionally, they would have performances by the North Stafford Choir, Stafford Jazz Band, and the tree lighting ceremony. She said that there was a special treat with Chelsea Reed Band, a talented young lady from New Jersey who had generously donated her performance. She said that some of her songs could be found on their website.

Mr. English said that the County had received $60,500 in donations for the event. He said that it would be appropriate to recognize the individuals who contributed to the fundraising efforts.

Dr. Yeung said that there would be a banner similar to what Ms. Vanuch had last year that would recognize those who had made donations. She said that these were not County funds, but were donations given by individuals. She said that she made sure they had the check in hand.

Mr. Vosburg said that the website address was StaffordCountyTreeLighting.com, which was where the date, time, and other relevant information would be available.

REPORT OF THE COUNTY ATTORNEY

Ms. McClendon said that she had no report for the Board this evening.

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said that Mr. Anthony Toigo, Intergovernmental Affairs Manager, would provide a brief presentation to the Board.

Anthony Toigo, Stafford County Intergovernmental Affairs Manager, said that Stafford County was required to undergo a procurement process for their new state legislative consultant. He said that Kathy Burcher from Advantus Strategies was present and would address the Board about her background. He said that Ms. Burcher had an accomplished background that impressed their review team due to her firm's expertise, particularly in education. He said that she worked for the Virginia Education Association and also with state budgeting. He said he would be brief and turn it over to Ms. Burcher.

Kathy Burcher said that she was with Advantus Strategies and was delighted to be able to support the Board as they looked toward the upcoming General Assembly. She said that they also were recognizing the full year ahead that required someone on the ground in Richmond due to the numerous commissions and committees meeting, making decisions and recommendations that ultimately went to the General Assembly. She said that this had become a full-year job, and having a representative present was essential for effective engagement.

Ms. Burcher said that she delighted to represent Stafford County, as she grew up in a Navy family where discussions about veterans were of utmost importance. She said that her parents purchased a house in Dale City, not too far from Quantico, which was their home base. She said that all of their Marine friends lived in Stafford because they did not have to drive to the Pentagon. She said that she only had to go to Quantico, and her father was very jealous of them. She said that she had lived in this area since her parents bought that house in 1971. She said that watching the growth in this region has been extraordinary, and she fully recognized the kind of growth, particularly in infrastructure, transportation, education, and workforce, that had occurred.

Ms. Burcher said that consequently, she understood the need for additional support from the Commonwealth of Virginia to address these challenges and serve their citizens. She said that she would be brief. She said she would provide a quick introduction about their firm, Advantus Strategies, which had been in business for 25 years and specialized in government relations in Richmond, serving clients across the Commonwealth. She said that they had a strong focus on local government and School Boards, with her primary area of expertise along with her partner, Ron Jordan, who would also be supporting Stafford. She said that she would serve as the onsite representative. She mentioned that over the years, they had built a long history in education, public safety, transportation, and appropriations, as Mr. Toigo had mentioned.

Ms. Burcher said that her background spanned 17 years, during which she had participated in 17 General Assembly sessions in Virginia, primarily supporting public education efforts. She said that as a result of this experience, she was well-versed in the intricacies of appropriations and their impact on local government costs. She said that most recently, she had served as the Deputy Secretary of Education for the previous administration before joining Advantus Strategies two years ago. She said that her partner, Ron Jordan, who would work behind the scenes, also had a background in appropriations, having been a member of the Money Committee staff for the House Appropriations Committee for most of his career until he went to work for Governor Gilmore as his Public Safety Deputy Secretary.

Ms. Burcher said that they took pride in having strong relationships across party lines. She said that some of the best legislation she had helped pass involved bipartisan efforts, with Republican and Democratic sponsors collaborating to create effective policies that addressed the needs of those who asked them to sponsor the legislation. She said that this had been important work for them. She said that as a small firm, they prioritized personalized service; there were only seven of them on the team. She said that starting tomorrow, Lauren Gilbert would join their team. She said that she would be working behind the scenes to support Stafford. She said that if any of them visited Richmond, they would ensure that they had someone on the ground to guide them and provide the necessary talking points.

Ms. Burcher said that they strived to maintain a high level of engagement with their clients; they held regular meetings and communicated frequently to ensure they had dedicated support every day in Richmond. She said that yesterday, they attended the House Appropriations Committee retreat. She said that she already forwarded Mr. Toigo an article discussing the negative news about revenues coming into Virginia and the concerns surrounding a potential economic downturn. She said that it was crucial to consider this information. She said that developing a communication plan for them was highly important. She said that they utilized a very robust platform for their bill tracking but recognized the need to incorporate another platform as maintaining a bill tracking system was not one of the Commonwealth of Virginia's strongest suits.

Ms. Burcher said that they ensured that every single bill received attention from their team members. She said that today, she met with their new team member to discuss her involvement in reviewing each bill. She said that although it was possible to miss a bill amidst the large volume, up to 3,500 bills introduced, they would make an effort to track and monitor every bill that may have an impact on Stafford County. She said that if they were uncertain, they would reach out to confirm. She said that they aimed to ensure that they included all of them. She said that one crucial aspect of being present on the ground every day was that their delegation would know that they were the individuals who could inform them about their positions.

Ms. Burcher said that if they were unsure, as sometimes bills arose, and while their legislative program was solid, occasionally bills may emerge that seemed slightly outside of that scope, they would never take a position or represent Stafford without first confirming that it aligned with the Board's intentions. She said that they would submit weekly reports to them, conduct in-person presentations, pre-session, post-session. She said that these were difficult to do during session due to long days, as everyone was aware. She said it was important to recognize that timetables at the General Assembly differing significantly from those in local government, with bills being scheduled for discussion within 24 hours or included on the agenda for four days without actual addressing. She said that they would guide everyone through these processes.

Ms. Burcher said that she wanted to point out a detailed slide and promised not to go too far into it. She said that there were some important timelines that were highlighted, with November 29 as the request for draft deadline. She said that they were working with the new delegation to ensure patrons for both of their key priorities, both the budget side for the 100% cost to compete adjustment and the 1% option on sales tax for school construction. She said that by collaborating with the patrons, they aimed to have these requests ready for bills to be drafted by the end of the month. She said that the next crucial date on this slide was December 20.

Ms. Burcher said that each governor in Virginia got one opportunity to introduce and sign a budget, and Governor Youngkin would present his introduced budget on that day. She said that the Board would receive the most detailed budget report from Advantus Strategies, as they had a long history of working on money committees and with appropriations. She said that this budget report would be released on December 20, and they would promptly convert it into a comprehensive analysis of any budget item that affected Stafford County.

Ms. Burcher said that another significant date was January 9, 2023 when all prefiled bills would be presented, and the session began on January 10, 2023 with an unprecedented new composition at the General Assembly. She said that 40% of the Senate and 35% of the House would be new members, and would be relying on individuals like her for assistance and support. She said that they were eager to provide that, particularly for Stafford County's benefit. She said that she was available to answer any questions the Board may have.

Ms. Allen welcomed Ms. Burcher to Stafford County's team and looked forward to working together. She said that it was crucial for them to ensure that any bills or legislation affecting Stafford County were brought to their attention before they were passed. She said that this would allow them to plan and implement counteractive measures if necessary, rather than reacting after the fact when their hands may be tied behind their backs. She said that she appreciated the commitment to prioritizing this issue and making sure they were informed about any potential impacts on Stafford County.

Dr. Yeung said that Ms. Burcher would be present at the County's delegation dinner. She welcomed her to the team.

Ms. Bohmke said that she would like to reiterate for the public that they have likely reviewed the JLARC study multiple times, and they understood that this would be a significant burden for the state, especially in the event of an economic downturn or reduced revenues. She said that it was crucial to acknowledge that recordation taxes were also important to them. She asked how much conversation they had had with Jim Regimball

Ms. Burcher said that she had four conversations with Jim Regimbal today.

Ms. Bohmke said that at the VACo conference, there was standing room only because everyone wanted to hear what the money expert had to say.

Ms. Burcher said that she neglected to mention that they worked very closely at Advantus with VACo and their partners at VACo. She said that one of her proudest moments in her career was presenting around the federal COVID-19 relief. She said that Mr. Regimball came up to her after her presentation and said that she had gotten all of that right.

Mr. Vosburg invited Mr. Ian Ollis forward to present on the topic of RTA as requested by Ms. Bohmke and Mr. Coen and as approved by the Board.

Ian Ollis, Director of Transportation Planning at Fredericksburg Area Metropolitan Planning Organization, said that this was one of those situations where hopefully they would find out beforehand, as Ms. Allen had just said. He said that this was the beforehand. He said that today, they were discussing a potential transportation authority. He said that the context was that three times in the last three years, a piece of legislation had been presented in the state legislature, specifically in the General Assembly, and one in the Senate. He said that they felt that the region, the counties, and the City of Fredericksburg could have been part of the discussion leading up to that process.

Mr. Ollis said that what he suggested some months back to FAMPO and to the GWRC Board was that they discuss this internally before it got to the General Assembly again because he was fairly confident that those who had recently been elected back to the General Assembly or new faces would sooner or later propose a piece of legislation like this again, and they wanted to be prepared. He said that the way to be prepared was to talk, to think, to look at examples, to discuss, and then to give folks that have been elected there the Supervisors' opinions, and collectively their opinions as a region.

Mr. Ollis said that he was present to discuss some of the topics covered at FAMPO and the GWRC Board meetings to provide additional information for those not involved in these Boards. He said that the yellow, green, and red areas on the displayed map represented transportation authorities, while the blue area represented the GWRC region and the FAMPO region. He said that although the blue region did not currently exist, their area served as a gap in the transportation authority coverage. He said that unlike other regions along the I-95 corridor and Hampton Roads, they lacked a transportation authority. He said that the proposal was to close this gap, which they would discuss further.

Mr. Ollis said that the next slide showed the map without the blue region and was indicative of the current situation. He said that the last sentence on the page required attention. He said that they had all the congestion problems that other regions with transportation authorities experienced, but they did not have access to the funds allocated for addressing those issues because they lacked a transportation authority. He said that FAMPO currently received $6 million annually to distribute among projects in the region. He said that it was essential to note that this amount would not build new roads or widen existing ones; it could only fund minor sidewalk projects.

Mr. Ollis said that consequently, the limited budget must be divided between Spotsylvania, Stafford, and the City, highlighting its insufficiency. He said that to address larger infrastructure needs, they must rely on their general funds or compete with other localities in Virginia for funding through the Smart Scale program. He said that sometimes individuals received funding, while other times they did not, and this program was becoming increasingly challenging to navigate. He said that the rules had changed this year, making it more difficult to secure financial support for projects without contributing a local match.

Mr. Ollis said that the question arose regarding where could one obtain the necessary local match. He said that if one must undertake a $60 million widening project or construct a new road costing $100 million, the question was how one acquired the local match. He said that it is a significant sum of money. He said that this initiative would assist Stafford County, the City, and all participants in obtaining the required local match to afford larger projects that were essential. He said that upon examining the network of roads and other transportation modes in Stafford County, further construction of the network was necessary.

Mr. Ollis said that this endeavor required a substantial financial investment. He said that when considering the establishment of a transportation authority, several factors must be taken into account. He said that they needed to assign it an appropriate name. He said that the names presented on these slides, denoted by black text, were merely suggestions included in the draft legislation for discussion purposes; however, he said that they could choose any name that suited their preferences.

Dr. Yeung asked what the difference was between the first and last names provided on the slide.

Mr. Ollis acknowledged that there was an error on the slide.

Mr. Ollis said that the next slide discussed the membership of the board. He said that if they had authority, it required a board, and some of the Supervisors would serve on that board. He said that the proposal was to have two representatives from each jurisdiction. He said that the other transportation authorities only had one person from each jurisdiction. He said that as staff, they suggested that they have two representatives, but it could be any number. He said that there were no restrictions. He said that one representative should come from the Virginia General Assembly House and another from the Senate, which was similar to other transportation authorities that had these positions.

Mr. Ollis said that the CTB member would be the voting member, while their non-voting members consisted of a representative from the Virginia Department of Transportation, a representative from the Department of Rail and Public Transportation, the person who would occupy the position he did now at FAMPO, and the Executive Director of GWRC. He said that they could mix and match and decide whom they wanted. He said that that was one proposal, but they would be non-voting members. He said that they would only be there to answer technical questions, provide data, and give suggestions.

Mr. Ollis said that the voting process for this proposal would require obtaining the support of representatives from four-fifths of the population within the jurisdictions belonging to the transportation authority when allocating funds. He said that no single jurisdiction could veto projects occurring in other counties. He said that while an individual may veto a project within their own jurisdiction, they could not unilaterally veto a project in another County. He said that the population totals would be divided among the number of Board members representing each jurisdiction.

Mr. Ollis said that in this case, with two representatives from Stafford County, each member would represent 50% of the population, and this method would be used to calculate four-fifths of the total. He said that they must establish a prioritization methodology, as other transportation authorities had done. He said that this involved objectively scoring every project based on its potential for relief, allowing them to support and fund those projects that provided the greatest benefit. He said that projects should be included in a plan. He said that sometimes someone got a great idea, but it had not been studied; it was not in a plan, and it had not been costed properly or measured, so they needed to have all of those characteristics before they started construction anyway.

Mr. Ollis said that therefore, the project must be either in the County plan or in a FAMPO long-range transportation plan, among others. He said that in a plan, so that a project had some work done before funding it, they would fund highway projects, roadways, transit, bike, and pedestrian projects, or a combination, depending on what was deemed necessary for the locality and the region. He said that the next topic was how to fund it. He said that nobody liked taxes, as he too was a taxpayer who paid tax on his salary like everyone else and also paid tax on gas, among other items. He said that they had examined what other transportation authorities did to fund themselves and considered all seven of these options while studying the proposal.

Mr. Ollis said that the software recommended not implementing vehicle taxes, a gas tax, a diesel tax, or a highway use fee. He said that the reason for this was quite simple, in that they had anticipated a gap between what they were currently paying in fuel taxes and what was paid on fuel taxes elsewhere in other jurisdictions within the state, but as they delved deeper into the matter, they realized that this would not be feasible. He said that there was no such gap present because the state General Assembly had extended the gas tax and the diesel tax, as well as the highway use fee, to all jurisdictions across the entirety of Virginia.

Mr. Ollis said that consequently, they believed that adding an additional gas tax was not a suitable recommendation. He said that they were not proposing this course of action because they thought it would result in an excessively high gas tax, which they wished to avoid. He said that they could potentially price them out of favorable business comparisons. He said that what generated the most revenue in terms of taxes was a retail tax, and understood that there were some concerns about this aspect. He said that the proposal included a tax that would be the state recordation tax. He said that this was not a new tax; however, the distribution of the funds had changed. He said that previously some of this revenue was allocated to Stafford County but was later taken away by the General Assembly and used in other jurisdictions like Hampton Roads for projects such as bridges.

Mr. Ollis said that although Stafford still paid the tax there, the funds were not utilized within their region, nor were they given to them for allocation. He said that the construction of the bridge over the bay in Hampton Roads was being funded with money from this tax. He said that if they included it in the legislation, the revenue would be returned to the region. He said that a portion of this amount would go directly to the County, while another part would be allocated to a regional fund managed by a Board they would sit on, which would distribute funds for projects within the region. He said that this proposal aimed to utilize taxes that many residents had paid recently and those who would pay in the future.

Mr. Ollis said that the transient occupancy tax did not bring in a significant amount of money; however, it taxed people who traveled through the area more than local residents. He said that this tax helped recover some funds that could be used to build roads for travelers passing through and who were not paying other taxes. He said there was a grantors tax, which the Board was likely familiar with. He said that the staff recommendation was to cancel the bottom three taxes, so they did not impose taxes on gas or vehicles. He said that instead, they maintained a combination of the remaining taxes that both the County and the City of Fredericksburg could accept.

Mr. Ollis said that the next slide demonstrated how the gas tax operates in Virginia. He said that one square remained uncertain due to its complexity, which further complicated understanding. He said that apart from increasing the gas tax too high for their region, this demonstrated how challenging it was to comprehend. He said that the next slide showed the gas tax they initially expected to have. He said that staff suggested canceling it. He said that the green box at the bottom, which they thought would be available to them, was not, so they were removing that option in their recommended proposal. He said that it was not up to staff to make these decisions; they were merely providing some recommendations.

Mr. Ollis said that they had been asked by FAMPO to conduct further research on the current taxes in the region, their levels, and to use this information to advise the policy committee on which taxes they could tolerate and which ones they could not. He said that shown on the left was the transient occupancy tax. He said that as they may recall, it did not generate a significant amount of revenue. He said that the highest transient occupancy tax was currently in Virginia Beach and Emporia jurisdictions, at 11%. He said that the blue represented the transient taxes in various counties. He said that in Stafford, the rate stood at 7% currently.

Mr. Ollis said that the proposed legislation before FAMPO, intended for discussion that night, recommended a 1% addition to the existing rate, ensuring they remained below state highs. He said that in Prince William County, the rate was 3%, but the revenue went to the Northern Virginia Transportation Authority, another transportation authority similar to the one under consideration. He said that on the right side of the chart, sales tax rates were displayed. He said that across the state, the general sales tax was set at 4.5%, while a 1% local sales tax was also in effect. He said that in the Historic Triangle region of Virginia, an additional 0.5% tax was levied for tourism purposes, and there was a 0.7% tax that went to the transportation authority.

Mr. Ollis said that Hanover County had implemented this 0.7% tax but did not have the tourism tax. He said that the proposal suggested a 0.5% tax increase, which he wanted to emphasize. He said that some individuals had mistakenly believed that the proposal called for a 1% tax increase; however, this was inaccurate. He said to refer to the documents and focus on the orange-colored hash mark. He said that it had always been a suggestion that they only impose half of 1%. He said that not a 1% sales tax, but a half of 1% was the proposal, which was significantly less than what some people anticipated, and on a small purchase, it amounted to pennies.

Mr. Ollis said that regarding the grantors tax, they did not have one in any of their jurisdictions, although some staff members in certain jurisdictions mistakenly believed that they do due to the use of the term "grantors tax" in the recordation tax legislation. He said that this created confusion as people were unsure which part of the legislation refers to the grantors tax and which part pertains to the recordation tax. He said they did not have a grantors tax; however, they did impose the recordation tax, resulting in zero at present in their jurisdictions. He said that the proposal was to introduce 0.06%, similar to what was practiced in Hampton Roads but less than in Northern Virginia, such as Prince William.

Mr. Ollis said that on the next slide was what it would look like. He said that this was an estimate of the amount of money that would be generated. He said they used a model designed by the University of Mary Washington for them. He said that they were not proposing for or against the policy but had done some modeling, and one could see there that a 0.5% increase in sales tax would bring in just over $30 million annually. He said that the transit occupancy tax would generate only $700,000, while the grantors tax would amount to approximately $2.7 million to $2.8 million. He said that they had zeroed out the gas tax, the diesel tax, and the highway fee because they were proposing not to use them.

Mr. Ollis said that the recordation tax would return in the form of a state-legislated allocation of $15 million, which was the money one was getting back that one was already paying. He said that while one was not paying the full $15 million, one was paying a portion, and they would receive all of what one was paying plus extra, providing an additional $15 million per year. He said that they therefore could bring in between $49 million and $50 million annually to spend on projects, which the Board, composed of members like the Supervisors, would then determine how to allocate funding for projects.

Mr. Ollis said that moving to the next slide, with the revenue generated, Northern Virginia's authority retained 70% of those funds and returned 30% to the local jurisdiction for their own projects. He said that Central Virginia's authority in Richmond allocated 50% back to the local jurisdiction, 35% for road and sidewalk improvements, and 15% for transit. He said that the Hampton Roads Authority did not return any funds to the jurisdiction; instead, 100% remained in the central pot for large-scale projects under construction. He said that the proposal for FAMPO was a split of 60% in the central pot, with 40% directly returned to the locality for their discretion. He said that he encouraged suggesting alternative allocations. He said that this proposal served as a starting point for discussion and that they were open to considering different splits based on preferences.

Mr. Ollis said that to give all participating jurisdictions some comfort regarding the allocation of funds, each participating jurisdiction should submit projects. He said that they could then sign a

Memorandum of Understanding (MOU) on which projects would be funded in the first round. He said that the people making the decision would be those on the board of the transportation authority. He said that this approach would allow for a say in the selection of the initial five or six projects before any funds were collected. He said that the Board of Supervisors, FAMPO, GWRC, and the transportation authority board could meet to discuss and suggest a set of projects.

Mr. Ollis said that over the course of six months, they could agree on which projects should be funded and how much funding each project would receive. He said that this approach would also enable pursuing Smart Scale funding and federal grants while having a local match pot of money available for use as a local contribution. He said that every federal grant, except for a few very small ones, required a 20% match. He said that they could help pursue federal grants for new roadways, roadway widenings, and Garrisonville Road; however, the stakeholders would need to provide the 20% contribution.

Mr. Ollis said that this was how they assisted in obtaining the required 20%. He said that the example on the slide demonstrated what a Memorandum of Understanding might look like. He said that they should not focus too much on these specific projects, as they were provided as an illustration, and the localities would develop their own projects. He said that this was merely a suggestion to allow each locality to propose potential inclusions, ensuring they had some initial understanding of the process.

Dr. Yeung asked if there would be a work session to discuss this matter further in the future.

Mr. Ollis said that they had been working on this with the policy committee and had held a workshop on funding two months ago. He said that every month since then, they had discussed further the proposals. He said that this would be happening again on Monday night at the FAMPO policy committee meeting.

Dr. Yeung asked when this would be coming up for discussion and not a vote.

Mr. Ollis said that they may need a vote, and that would be up to the members in the House on Monday. He said that the point was the timeline, which was mentioned earlier from their new service provider. He said that the timeline was tight, so the newly-elected representatives of last week would submit their proposals over the next two months. He said that if they wanted to have any input into that process, they needed to start preparing their arguments so that they could suggest to them what they desired before the bill got underway. He said that they had been discussing this for a number of months. He said that they needed to start saying, yes, they wanted to do it or whether they would try and stop it again. He said that it only failed by one vote last time in the Senate.

Dr. Yeung said that one of her inquiries pertained to fuel. She said that another question concerned how Stafford County's larger population, based on demographics, affected the allocation process. She said that she understood how FAMPO operated currently but was unsure if the criteria considered population or not. She said that she wanted to explore this topic further. She asked for clarification on whether questions should be directed to one of their voting members or if they could all participate in the discussion as non-voting attendees.

Mr. Ollis said that the Monday meeting would be open to the public as all of their meetings were, but only three people from the County would be able to make decisions.

Dr. Yeung asked if they should give that person or the team questions that they had.

Mr. Ollis said absolutely, they could do so and would try to have them answered. He said that the Board should give advice to their delegates about what they were doing. He said that the options were to stop this altogether or go forward carefully. He said that some indication should be given to representatives so they had the Board's support on how to move forward.

Dr. Yeung asked if Senator McPike would be at the upcoming meeting.

Mr. Ollis said that he had been invited but had not given confirmation that he would be attending.

Dr. Yeung said that Senator McPike would be the Chair of the Senate Finance Committee.

Mr. Ollis said that there would be others who would be attending on Monday night.

Dr. Yeung said that Mr. English, Ms. Bohmke, and herself would be attending the meeting.

Ms. Allen said that she believed they were doing a disservice because she knew there were individuals present who had concerns about the RTA and may want to hear some of their questions. She said that she was not suggesting they engage in an extensive 12-hour discussion, but rather ask some questions so people could comprehend what the Board intended to do moving forward. She said that not everyone would be able to attend FAMPO meetings due to work commitments.

Ms. Allen said that she was one of those who had requested RTA assistance since 2020. She said that she would support the proposal because it enabled them to access more funds and be more competitive for many projects. She said that they had not been able to act on some bonds due to insufficient matching funds. She said that her stance was this as she understood the question.

Ms. Allen said that regarding the commercial highway usage fee, she asked if they had considered examining commercial trucks. She said that many of them frequently traveled along Route 95. She asked if this could not be a way for them to generate revenue by implementing a weight-based system or something similar in the area that targeted their frequency. She said that this could be particularly effective given the numerous warehouses in their region that relied on larger trucks.

Mr. Ollis said that the current method of taxing them involved a diesel tax, as diesel was already subjected to taxes at rates slightly higher than those for regular gasoline. He said that they were contributing financially to the Virginia Railway Express (VRE) and the Smart Scale pot, where entities could bid for support and financing. He said that they had considered imposing an additional tax on diesel; however, it would result in the region's diesel tax being the highest among others, which they believed was unwise.

Mr. Ollis said that if someone purchased a hamburger, it would fall under retail sales and be subject to sales tax. He said that if delivering goods to stores in the region, the produce being delivered was likely to be bought by others, resulting in taxes being incorporated into the price. He said that people often lowered their product prices to encourage more sales, which may include absorbing some of the tax costs. He said that in a free market, an increase in taxes leads to changes. Consequently, they could implement another diesel tax. He said that establishing tolls on highways would be challenging due to the lack of authority. He said that they already had HOV lanes that charged fees. He said that other lanes were currently free; however, drivers using those freeways contributed to diesel and gasoline taxes.

Dr. Yeung said that she was primarily concerned about understanding various tax types, particularly the fuel tax. She said that to address this concern, she would study the subject extensively. She said that she was not overly worried about the recordation tax since it had already been paid and needed to be refunded, and her main focus was on protecting the middle class from excessive taxation. She said that she recognized the need to consider inflationary pressures in the economy. She said that when making a decision, she believes it was crucial to address these concerns through a public hearing or similar forum.

Mr. Ollis said that FAMPO and GWRC did not possess the authority to approve any of this proposal.

Dr. Yeung said that she wondered why it was not marked as a draft.

Mr. Ollis apologized and said that he should have clarified that the document was a draft. He said that they had marked those submitted to FAMPO as drafts. He said that this proposal served as their starting point for engaging with decision-makers, as they were the ones who would make this decision. He said that those who were elected on Tuesday to Richmond held the authority to decide what course of action to take. He said that their objective was to foster a regional consensus and advise them accordingly. He said that anyone who sought their support in the future and intended to propose this bill, kindly refrain from including certain elements and consider altering others as suggested. He said that they were developing this discussion document.

Mr. Coen said that he thought it needed to come forward so everyone knew about this because not everyone was insane enough to try to cram into that tiny little space or to go into the City and go through all the one-way streets and construction. He said that even if everyone and their cousin wanted to go Monday night, there was no room at the inn, which may be fitting if it was December. He said that for his argument, he preferred Rappahannock Transportation Authority rather than a specific location.

Mr. Coen said that what he would love to get from staff or someone else was information about the controversy surrounding the guarantee that if they went with the recommendation, they would actually get it back. He said that he did not expect them to have the answer now, but that was one of his concerns: He said that they could say they wanted that, but then the state might keep sending it down to Hampton Roads because it was special.

Mr. Ollis said that the good news was that the proposal submitted last year to the Senate included this provision and was just one vote short of passing. He said that therefore, it seemed that there was general support for implementing this measure and recovering some of the funds.

Mr. Coen said that he wanted to inquire about a concern regarding the retail tax increase for school construction. He said that there was discussion of a 1% increase on the retail tax and whether it would be an additional 0.5% on top of that. He said that he understood if they did not have the answer available.

Mr. Ollis said that the slide showed that as it demonstrated what other people had and they could see with the half plus the one that they would not be the highest in the state, and there would be others with higher sales taxes in the state of Virginia.

Mr. Coen said that the one penny generated approximately $24 million, so half a penny would generate around $12 million for roads.

Dr. Yeung said that as she previously mentioned, the population should be weighted between Stafford, Fredericksburg, and Spotsylvania to determine how many voting members they would have versus each locality having the equal numbers.

Mr. Ollis said that if their representatives presented that to FAMPO and there was general consensus, they could amend this, but that was up to them.

Ms. Bohmke said that she agreed with the suggestion that the name should be Rappahannock Area Transportation Authority. She said that she appreciated Mr. Ollis for presenting this information, as she understood that he had a presentation scheduled in King George shortly after this meeting. She said that it seemed that Mr. Ollis would also be doing presentations for Caroline and possibly setting up in other localities such as Spotsylvania and King George. She said that the City of Fredericksburg was on board with the proposal, while the status of the other localities, including Spotsylvania, Caroline, and King George, remained undecided. She said that all they needed to move forward were two localities, such as the City and Stafford County.

Ms. Bohmke said that she wanted to make the point that when attending the Governor's Transportation Conference, she noticed the significant amount of match money generated from Hampton Roads and Northern Virginia. She said that it was crucial not to increase any taxes. She said that they could consider a 0.5% increase within the existing 1%. She said that she was unsure how they could achieve this goal.

Ms. Bohmke said that there was a delegation meeting at the end of the month with all their senators and delegates, both new and experienced, as well as those who had transitioned from Delegate to Senator. She said that in her opinion, this topic must be a primary focus of their conversation during that meeting. She said that by doing so, they could ensure that when they proceeded, they would have either a Republican or a Democrat championing their cause, fully aware of their objectives.

Mr. Ollis said that his suggestion would be that they give a general approval with conditions or rejection so that the three delegates would know.

Dr. Yeung said that it was definitely a yes.

Mr. Vosburg invited Mr. Brion Southall to provide a brief presentation on Musselman Park.

Brion Southall, Director of Parks, Recreation, Facilities, and Tourism said that he would be presenting the results of the Musselman Park concept plan. He said that he would first like to thank Stafford Junction for allowing the community to use their facilities to hold these meetings. He said that they were very gracious. He said that importantly, he thanked the community that attended these meetings and participated in the online survey and those who were present today. He said that they had contracted with Space Design Studios to listen to the community's wishes and concerns to create this plan. He said that he believed they did an excellent job. He said that they had two meetings at Stafford Junction and an online survey that was very well-received by the community.

Mr. Southall said that from that survey, they had some top results for playgrounds, splash pads, walking trails, shelters, dog parks, pickleball courts. He said that from the community meeting, they had similar concerns or desires, and they wanted to maintain the trees, a little bit more conservation of the area, maintain the passive look of the parks, trails, wildflowers, and so on. He said that the survey results were displayed on the slide with the top pictures. He said that shown was a conceptual plan resulting from the meetings and the survey, which demonstrated the busy work leading up to the road and, as one moved toward the rear of the park, it became increasingly quieter, more passive, and more relaxed. He said that the lighter, mid-grade green represented additional trees and conservation area that the community desired.

Mr. Southall said that the next slide showed cost projections based on the projected proffers and the extra funds required from the community. He said that with this information, he was available to answer any questions from the Board. He said that the next slide showed the proffered items that could be purchased initially and the additional amenities that could be planned in. He said that this plan has been submitted for the CIP for the Board's consideration.

Mr. English said that they had told their constituents and had held meetings stating this would happen, giving them false hopes it would occur. He said that they could not proceed until they received proffer money, which was intended for the project across from Drew Middle School.

Mr. Southall said that was called Fox Chase.

Mr. English said that it did not look like Fox Chase would happen, so he wondered what to do next. He asked if they should consult the County Administrator or Ms. Light, or someone else. He said that they owed their residents the project, so he asked what should be done moving forward.

Ms. Vosburg said that he would answer. He said that they discussed it during their work session before the meeting. He said that most of their parks projects were proffer-funded. He said that if they switched away from proffer funds, they would need to go into general fund appropriations or grants. He said that they could explore alternative funding sources, but the quickest and easiest answer was using general fund dollars. He said that they knew this might lead to cutting from other areas or increasing revenue for such projects.

Mr. English said that that would likely not happen. He asked if there was any possibility that they could find some proffer money that was not in use in order to get something done that was greater than a parking lot and mowing some grass. He said that in 2009, the County government made a mistake by sending out incorrect information about a project. He said that as a result, citizens were given false hope that the project would be completed. He said that since then, no progress had been made on the project. He said that proffer funding needed to be found in order to move forward with the project and rectify the situation.

Ms. Gary said that she had a general question regarding funding options for their Board to consider. She said that this was not specifically about the parks but related to Supervisor English's point. She said that they were not discussing raising taxes or anything similar; however, they wanted to explore the possibility of investing in some of their parks. She said that staff could bring back potential options for them to evaluate. She said that it was essential to remember that they cannot expect something for nothing and must take care of the community. She said that specifically this project, which they were currently unable to deliver, highlighted the need for more investment in their parks. She said that she would like to see a variety of options if they were to start investing in their park facilities.

Dr. Yeung said that related to her earlier comment, there were several parks on there. She said that there were proffer monies, which expired. She said that her recommendation was to take the funds to at least get one or two projects done.

Ms. Bohmke asked Ms. McClendon if they had proffer money over on Celebrate Virginia. She asked if any of those proffer monies could be used for Musselman Park.

Ms. McClendon said that when considering proffers, it was essential to examine the precise language. She said that she understood that when the budget staff presented their recommendations, her office collaborated closely with them to analyze the language and determine if any of the proffer funds could be programmed accordingly.

Ms. Bohmke said that she agreed that focusing on a few parks with high priority was necessary. She said that there were operational parks in other parts of the County, and that there was a lack of facilities in the central area where Musselman was located. She said that she concurred with everyone's opinion and believed they should explore alternative options.

Mr. Vosburg said that he believed the suitable time for presenting the matter to the Board would be during their scheduled CIP session in December. He said that they could examine various funding alternatives and assess the proposals to identify other options. He said that the Board would need to make decisions on reallocating resources from other projects dedicated to this project. He said that staff could provide relevant information for the CIP session in December if the Board was so inclined.

Mr. English said that he would like that. He said that he would like to have something in the next meeting because, like the roads, they kept postponing decisions, just as Ms. Fingerholz mentioned moving. He said that the farther they kicked the can down the road, the higher everything goes. He said that they needed to inform people where they were heading with this project. He said that if it was not going to happen, they must let them know; if it would happen, they had to find the necessary funds. He said that he would ensure its success. He said that he was not blaming Mr. Southall but expressed his disappointment in discovering that their progress depends on proffer money.

Mr. Coen asked Mr. Vosburg if he could please provide information on where the bond money went and how it was dealt with. He said that this would allow them to inform the public about the situation.

Dr. Yeung asked if Mr. Coen was asking the same question she had asked earlier referring to the bond money.

Mr. Coen said yes.

Ms. Allen asked Mr. Southall if when bringing back all this information, they would have a design plan so that they could get an idea of what the project would entail. She asked him if there was one available.

Mr. English said that there was one available.

Mr. Vosburg said that his next item was a quick check-in with the Board regarding their logistics for the organizational meeting scheduled for January 2, 2024. He said that this date followed New Year's Day. He said that if any member of the Board required additional time to recover from the holidays, they could consider rescheduling the meeting to January 3, 2024.

Dr. Yeung asked if January 2, 2024 was on a Tuesday.

Mr. Vosburg said yes.

Dr. Yeung said that the consensus of the Board was to keep the January 2, 2024 meeting date.

Mr. Vosburg said that there were two informational reports in the Board’s packet, the first being the Finance, Audit, and Budget Committee action list, while the second was the monthly expenditure listing report.

<u>CONSENT AGENDA</u>

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

The Voting Board tally was:

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

<u>ITEM 1. COUNTY ADMINISTRATION; APPROVE OCTOBER 17, 2023 BOARD OF SUPERVISORS MEETING MINUTES.</u>

<u>ITEM 2. COUNTY ADMINISTRATION; APPROVE OCTOBER 17, 2023 JOINT BOARD OF SUPERVISORS FIVE-YEAR FINANCIAL PLAN WORK SESSION MINUTES.</u>

<u>ITEM 3. CAPITAL PROJECTS; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION OF A PORTION OF TAX MAP PARCEL NO. 21-49 IN CONNECTION WITH THE FIRE STATION 9 PROJECT.</u>

<u>Resolution R23-294 reads as follows:</u>

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER CONDEMNATION IN CONNECTION WITH THE FIRE STATION 9 PROJECT, LOCATED WITHIN THE AQUIA MAGISTERIAL DISTRICT

WHEREAS, the Board identified completion of the Fire Station 9 project (Project) as a critical part of the Capital Improvement Program; and

WHEREAS, the Board approved the acquisition of the property necessary to construct a new fire station for the completion of the Project; and

WHEREAS, Tax Map Parcel No. 21-49 consists of approximately 24.96 acres of land (herein referred to as Property), owned by Mosaic Aquia Owner LLC (Property Owner); and

WHEREAS, due to the location and design of the Project, the Board must acquire a 4.83-acre tract of Tax Map Parcel No. 21-49 in fee simple title (Property Interest); and

WHEREAS, the fair market value for the Property Interest, together with damages, if any, to the remainder of the Property is Two Million Two Hundred Twenty Thousand Dollars ($2,220,000), based upon a 2023 appraisal (Fair Market Value); and

WHEREAS, the Board, through staff, made bona fide but ineffectual efforts to purchase the Property Interest by offering said Fair Market Value on behalf of the County to the Property Owner; and

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

WHEREAS, to determine the necessity for condemnation to acquire the Property Interest for the construction of the new fire station related to the Fire Station 9 project, the Board desires and is required to hold a public hearing, pursuant to Virginia Code § 15.2-1903(B);

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the County Administrator be and he here by is authorized to advertise a public hearing to consider instituting condemnation proceedings to acquire 4.83 acres in fee simple title of Tax Map Parcel No. 21-49, owned by Mosaic Aquia Owner LLC, in connection with the Fire Station 9 Project, pursuant to Virginia Code § 15.2-1903(B).

ITEM 4. CAPITAL PROJECTS TRANSPORTATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE MONTGOMERY & ASSOCIATES, LLP, FOR ENGINEERING AND RIGHT-OF-WAY ACQUISITION SERVICES FOR THE STEFANIGA AND MOUNTAIN VIEW ROUNDABOUT PROJECT.

Resolution R23-308 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE, MONTGOMERY & ASSOCIATES, LLP, FOR DESIGN AND RIGHTS-OF-WAY SERVICES FOR THE STEFANIGA RD MOUNTAIN VIEW RD ROUNDABOUT PROJECT

WHEREAS, the Board identified improvements at Stefaniga Rd (SR-648) and Mountain View Rd (SR-627) (Project), as a critical part of Stafford County's roadway improvement plan; and

WHEREAS, Wallace, Montgomery & Associates, LLP (WM) is authorized to provide on-call engineering services for Category A-Transportation Engineering, pursuant to Contract No. 21-011-9602SP-WM-A; and

WHEREAS, WM submitted a proposal to provide engineering, right-of-way acquisition, bidding, and construction phase services for the Project in the amount of $1,164,518;

WHEREAS, staff reviewed the proposal and determined that it is reasonable and responsive for the scope of work requested; and

WHEREAS, the Board budgeted and appropriated funding in the amount of $600,000 to the Transportation Fund for the Project pursuant to Resolution R22-66; and

WHEREAS, the Board budgeted and appropriated additional funding in the amount of $900,000 to the Transportation Fund in Fiscal Year 2023 pursuant to Resolution R23-76; and

WHEREAS, funding in the total amount of $1,500,000 is available in the Transportation Fund for the Project and can be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November 2023, that the County Administrator be and he hereby is authorized to execute a task order with Wallace, Montgomery & Associates, LLP for engineering, right-of-way acquisition, bidding, and construction phase services for the Stefaniga Road (SR-648) and Mountain View Road (SR-627) Roundabout project in an amount not to exceed One Million One Hundred Sixty-Four Thousand Five Hundred Eighteen Dollars ($1,164,518), unless modified by a duly-authorized contract amendment.

ITEM 5. CAPITAL PROJECTS UTILITIES; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH CHA CONSULTING, INC. FOR THE DESIGN OF THE 310-10 24-INCH WATER LINE PRESSURE ZONE UPGRADE PROJECT.

Resolution R23-291 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH CHA CONSULTING, INC. FOR THE DESIGN OF THE 310-10 24-INCH WATER LINE PRESSURE ZONE UPGRADE PROJECT

WHEREAS, a Water and Sewer Master Plan (Master Plan) was submitted by engineering firm O'Brien & Gere, Inc., now doing business as Ramboll America, Inc., and accepted by the County in 2018, which identified numerous capital improvement projects required over the next several years; and

WHEREAS, engineering design services are required for the 310-10 Pressure Zone Upgrade project; and

WHEREAS, these engineering design services may be procured from CHA Consulting, Inc. via a task order through the County's On-Call Professional Engineering Services Contract for Water Distribution/Transmission and Wastewater Collection/Transmission, Contract No. 22-004-5001-SP-CHA; and

WHEREAS, staff has reviewed the proposal received from CHA Consulting, Inc. in the amount of $547,743.00, and determined it is reasonable for the scope of services proposed; and

WHEREAS, funds are available in the Capital Projects, Utilities Division, Capital Improvement Program fund and may be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the County Administrator be and is hereby authorized to execute a task order with CHA Consulting, Inc. in an amount not to exceed Five Hundred Forty-Seven Thousand Seven Hundred Forty-Three Dollars ($547,743) for the survey and design work associated with the 310-10 24-inch Water Line Pressure Zone Upgrade project, unless modified by a duly authorized amendment.

ITEM 6. COMMUNITY ENGAGEMENT; PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH.

Proclamation P23-14 reads as follows:

A PROCLAMATION RECOGNIZING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH

WHEREAS, Native Americans have inhabited the land now known as the Commonwealth of Virginia for thousands of years; and

WHEREAS, Virginia is home to 11 state-recognized Indian tribes: the Cheroenhaka (Nottoway), Chickahominy, Eastern Chickahominy, Mattaponi, Monacan Nation, Nansemond, Nottoway of Virginia, Pamunkey, Patawomeck, Rappahannock, and the Upper Mattaponi Tribe, with the Patawomeck tribe being located in Stafford County; and

WHEREAS, thousands of Native Americans from other tribes across the country have moved to Virginia and call both the Commonwealth and Stafford County their homes; and

WHEREAS, Virginia's Native American community enriches the state with its culture and traditions, while also serving as a significant contributor to Virginia through its commitment to environmental stewardship; and

WHEREAS, American Indian Day was established in Virginia in 1987; the General Assembly expanded to a week in 1988; the General Assembly revised the recognition to "Native American Indian Month" in 1996 and proclaimed the Wednesday immediately preceding Thanksgiving as a Day of Appreciation for American Indians in the Commonwealth of Virginia of each year; and

WHEREAS, Stafford's Native American community contributes to the great diversity and unity of Stafford County, with a rich history of different cultures and ethnic impact;

NOW, THEREFORE, BE IT PROCLAIMED by the Stafford County Board of Supervisors on this 14th day of November 2023, that it be and hereby recognizes the month of November 2023 as Native American Heritage Month, in honor of the contributions of all indigenous peoples to Stafford County

ITEM 7. DEVELOPMENT SERVICES; RECEIVE AND ACCEPT THE WORKFORCE AND AFFORDABLE HOUSING AD HOC COMMITTEE EXECUTIVE REPORT.

ITEM 8. DEVELOPMENT SERVICES; PETITION VDOT TO INCLUDE REGESTER CHAPEL ROAD, JUNCTION LANE, AND CREST COURT, WITHIN BELLS HILL TERRACE SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

Resolution R23-311 reads as follows:

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

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Regester Chapel Road, Junction Lane, and Crest Court, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Regester Chapel Road, Junction Lane, and Crest Court within the Bells Hill Terrace Subdivision, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Bells Hill Terrace, recorded among the land records of Stafford County, Virginia in Plat Map No. PM200000032 with Instrument No. LR200005360 on March 11, 2020; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

ITEM 9. DEVELOPMENT SERVICES; PETITION VDOT TO INCLUDE BRAFFERTON BOULEVARD AND DRIBBLER WAY, WITHIN HAMPTON RUN SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

Resolution R23- 312 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR THE HAMPTON RUN SUBDIVISION, LOCATED WITHIN THE GARRISONVILLE ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Brafferton Boulevard and Dribbler Way, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Brafferton Boulevard and Dribbler Way within the Hampton Run subdivision, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Hampton Run, recorded among the land records of Stafford County, Virginia in Plat Map No. PM220000061 with Instrument No. LR220008193 on April 13, 2022; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

ITEM 10. DEVELOPMENT SERVICES; PETITION VDOT TO INCLUDE PINEY HILL LANE AND HOPEWELL DRIVE, WITHIN SUMMERSET RIDGE SOUTH SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

Resolution R23-313 reads as follows:

A RESOLUTION TO PETITION THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO INCLUDE CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR SUMMERSET RIDGE SOUTH SUBDIVISION, LOCATED WITHIN THE HARTWOOD ELECTION DISTRICT

WHEREAS, pursuant to Virginia Code § 33.2-705, the Board desires to petition the Virginia Department of Transportation (VDOT) to include Piney Hill Lane and Hopewell Drive, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

WHEREAS, VDOT inspected these roads and found them satisfactory for acceptance into the Secondary System of State Highways;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Virginia Department of Transportation (VDOT) be and it hereby is petitioned to include Piney Hill Lane and Hopewell Drive within Summerset Ridge South subdivision, as described on the attached VDOT Additions Form AM-4.3, into the Secondary System of State Highways; and

BE IT FURTHER RESOLVED that an unrestricted right-of-way with necessary easements for cuts, fills, and drainage is guaranteed, as evidenced by Plat of Record entitled, Summerset Ridge South, recorded among the land records of Stafford County, Virginia in Plat Map No. PM150000084 with Instrument No. LR150010869 on June 30, 2015; and

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, shall forward a copy of this Resolution to the developer, and to the VDOT Transportation and Land Use Director, Fredericksburg District.

ITEM 11. DEVELOPMENT SERVICES; AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT A SUB-APPLICATION TO THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES FUND FOR THE BROOKE ROAD FLOOD MITIGATION PROJECT.

Resolution R23-321 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT FOR THE BUILDING RESILIENT INFRASTRUCTURE COMMUNITIES (BRIC) GRANT TO FUND THE BROOKE ROAD FLOOD MITIGATION PROJECT

WHEREAS, the County has prepared a sub-application for the Brooke Road Flood Mitigation Project (Project) to submit to the Virginia Department of Emergency Management (VDEM) for inclusion in the state's application to the Federal Emergency Management Agency (FEMA) for BRIC Grant Funding; and

WHEREAS, the Project will be scored on technical and qualitative criteria in a national competition and grant funding will be awarded based on overall score and available funding by FEMA to VDEM; and

WHEREAS, if awarded, the County may be reimbursed up to $7,500,000 for a portion of the construction costs for reconstruction and elevation of Brooke Road;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the County Administrator, or his designee, be and he hereby is authorized to submit a grant sub-application to VDEM for the Brooke Road Flood Mitigation Project; and

BE IT FURTHER RESOLVED that the Building Resilient Infrastructure Communities grant sub-application shall be approved as to form by the County Attorney's office prior to submission.

ITEM 12. FIRE AND RESCUE; AUTHORIZE CONTRACT RENEWALS AND ADDITIONAL EXPENDITURES WITH TARGETSOLUTIONS LEARNING LLC D/B/A VECTORSOLUTIONS FOR TRAINING RECORDS AND LEARNING MANAGEMENT SOFTWARE SOLUTIONS.

Resolution R23-329 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT RENEWALS AND APPROVE ADDITIONAL EXPENDITURES WITH TARGETSOLUTIONS LEARNING, LLC D/B/A VECTOR SOLUTIONS FOR TRAINING RECORDS AND LEARNING MANAGEMENT SOFTWARE SOLUTIONS FOR FIRE AND RESCUE

WHEREAS, in 2019 the Department of Fire, Rescue and Emergency Services (Department) purchased a new learning and records management software from TargetSolutions Learning, LLC, doing business as Vector Solutions (Vector Solutions); and

WHEREAS, Vector Solutions acquired the company that provides the Department's scheduling software, Crewsense, and now includes the software as a part of its bundled subscription package; and

WHEREAS, pursuant to Resolution R19-317, the Board approved a contract for one year with three additional one-year renewal terms with TargetSolutions Learning, LLC, Rider Agreement No. 22-037-3220CO, in a total contract amount of $111,473; and

WHEREAS, the initial contract amount is no longer sufficient to cover the annual costs for the records management software and the scheduling software; and

WHEREAS, additional expenditures are needed for the remainder of the contract term, which may be extended for four additional renewal terms, ending on March 24, 2027, necessitating further Board action; and

WHEREAS, funding for expenditures with Vector Solutions is budgeted in the FY2024 Department operating funds, and subsequent renewal years are subject to annual budget and appropriation by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the County Administrator be and he hereby is authorized to approve four additional one-year contract renewals with TargetSolutions Learning, LLC, doing business as Vector Solutions, Rider Agreement No. 22-037-3220CO, and approve additional expenditures in the amount of Four Hundred Thousand Dollars ($400,000), for a total contract value of Six Hundred Five Thousand Dollars ($605,000), unless amended by a duly authorized contract amendment.

ITEM 13. PLANNING AND ZONING; APPOINT BRIAN GEOUGE AS ACTING ZONING ADMINISTRATOR.

Resolution R23-326 reads as follows:

A RESOLUTION TO APPOINT AN ACTING ZONING ADMINISTRATOR

WHEREAS, James A. Staranowicz was appointed as the Interim Zoning Administrator on August 15, 2023, pursuant to Resolution R23-238; and

WHEREAS, James A. Staranowicz will be on temporary leave beginning November 13, 2023; and

WHEREAS, there is no Deputy Zoning Administrator to act in the role during the Interim Zoning Administrator's absence; and

WHEREAS, Virginia Code permits and County Code Sec. 28-295 requires, the County to have a Zoning Administrator who shall be appointed by the Board; and

WHEREAS, the Board desires to appoint an Acting Zoning Administrator who is familiar with the enforcement and application of the Stafford County Zoning Ordinance during the absence of the Interim Zoning Administrator; and

WHEREAS, Brian V. Geouge is currently a Principal Planner in the Department of Planning and Zoning and capable of acting as the Acting Zoning Administrator;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that Brian V. Geouge be and he hereby is appointed as the Acting Zoning Administrator effective November 14, 2023, until such time as James A. Staranowicz returns from leave, unless amended by a future action of the Board.

ITEM 14. SHERIFF; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH ARCHITECTURAL PRODUCTS OF VIRGINIA, INC. TO PURCHASE SECURITY CAMERAS FOR MULTIPLE STAFFORD COUNTY GOVERNMENT BUILDINGS.

Resolution R23-320 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH ARCHITECTURAL PRODUCTS OF VIRGINIA, INC. TO PURCHASE SECURITY CAMERAS FOR MULTIPLE STAFFORD COUNTY GOVERNMENT BUILDINGS

WHEREAS, the Stafford County Courthouse has an immediate need to replace security cameras within the building; and

WHEREAS, the Stafford County Government Center, Animal Shelter, and Chichester Building all have aging cameras with outdated technology; and

WHEREAS, the Stafford County Sheriff's Office is responsible for security of the Stafford County Courthouse and Animal Shelter, while also monitoring the Stafford County Government Center and Chichester Building; and

WHEREAS, purchasing security cameras from the same vendor ensures compatibility and interoperability with all security cameras on buildings that are monitored by the Stafford County Sheriff's Office; and

WHEREAS, the County may purchase the security cameras from Architectural Products of Virginia, Inc. through Stafford County Rider No. 23-036-3141CI, which rides Virginia State Contract No. GMU1735-21; and

WHEREAS, funding has been allocated and budgeted for this project in the Fiscal Year 2024 Capital Improvement Program;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the County Administrator be and he hereby is authorized to approve additional expenditures with Architectural Products of Virginia, Inc., Stafford County Rider Agreement No. 23-036-3141CI, in the amount of Six Hundred Ninety-Four Thousand One Hundred Twelve Dollars ($694,112), for a total contract amount of Eight Hundred Sixty-Five Thousand Seven Hundred One Dollars ($865,701), for the purchase and installation of security cameras for the Stafford County Government Center, Animal Shelter, Chichester Building, and Stafford County Courthouse.

ITEM 15. UTILITIES; AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE A WORK ORDER WITH FHP TECTONICS CORP. FOR THE INGLESIDE SEWER PUMP STATION REHABILITATION.

Resolution R23-324 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE A WORK ORDER WITH FHP TECTONICS CORP. FOR THE INGLESIDE SEWER PUMP STATION REHABILITATION

WHEREAS, the Department of Utilities repair, replacement and rehabilitation (3R) projects program include the rehabilitation of the existing wet wells, replacement of the existing piping and valves, and installation of new access hatches; and

WHEREAS, rehabilitation work is needed for the Ingleside sewer pump station to include the re-piping of two existing vault structures, new valves/checks, yard piping between valves, flow meter, pipe support bases, davit arms and access hatches; and

WHEREAS, work may be procured through the County's Job Order Contract with FHP Tectonics Corp., Contract No. 23-SCPS-022-FHP; and

WHEREAS, funds are available in the Utilities Capital Improvement Program (CIP) Fund and can be used for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November 2023, that the County Administrator be and he hereby is authorized to execute a work order with FHP Tectonics Corp. for the Ingleside Sewer Pump Station Rehabilitation project in the amount of Three Hundred Thirty-five Thousand One Hundred Nineteen Dollars ($335,119), unless modified by a duly executed change order.

ITEM 16. UTILITIES; RATIFY THE CONTRACT WITH SJK SERVICES LLC AND AUTHORIZE ADDITIONAL EXPENDITURES FOR TEMPORARY TRAFFIC CONTROL SERVICES AND MATERIALS.

Resolution R23-327 reads as follows:

A RESOLUTION RATIFYING THE CONTRACT WITH SJK SERVICES LLC AND APPROVING ADDITIONAL EXPENDITURES FOR TEMPORARY TRAFFIC CONTROL SERVICES AND MATERIALS

WHEREAS, the Departments of Utilities and Capital Projects (Department) are responsible for the continued reliability of the water production and distribution along with the collection systems and treatment of wastewater; and

WHEREAS, there is a continuous need for flagging and traffic control with the construction and maintenance of water and wastewater infrastructure throughout the County; and

WHEREAS, the County solicited bids for temporary traffic control services and materials on an as-needed basis, pursuant to Invitation for Bid (IFB) No. 22-027-5030-SB; and

WHEREAS, the County award a contract to SJK Services LLC, Contract No. 22-027-5030-SB-SJK, executed on June 16, 2022, for one two-year term with three optional one-year renewal terms to provide temporary traffic control services and materials on an as-needed basis; and

WHEREAS, staff anticipates the total contract costs over the remaining renewal terms will exceed $200,000, requiring Board approval of the contract and additional expenditures; and

WHEREAS, funds are available in the Utilities Enterprise Fund, Fiscal Year 2024 Operating Budget, and costs for renewal terms are subject to annual Board budget and appropriation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November 2023, that the contract with SJK Services LLC for temporary traffic control services and materials on an as-needed basis, pursuant to Contract No. 22-027-5030-SB-SJK, with an initial term beginning on June 16, 2022, and ending on June 15, 2024, with three optional one-year renewal terms, be and it hereby is ratified and approved; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to approve expenditures to SJK Services LLC for temporary traffic control services and materials on an as-needed basis in the amount of Three Hundred Thousand Dollars ($300,000), for a total contract amount of Five Hundred Three Thousand Ninety-Six Dollars ($503,096), unless modified by a duly-executed contract amendment.

UNFINISHED BUSINESS

ITEM 18. 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. Coen motioned, seconded by Mr. English, to approve Resolution R23-297 to budget and appropriate funds and authorize a public hearing.

Ms. Bohmke said that one of the reasons this item was postponed until this meeting is that some members of the Board wished to meet specifically with Ms. Andrea Light. She said that she met with Chris Fulmer, the School Division's Chief Financial Officer, to address a concern raised at the previous meeting regarding whether these additional school funds would increase the existing tax rate. She said that during their discussion, it became apparent that they were not on the same page when he was at the podium. She said that they deferred the decision so she could conduct her own research. She said that she was comfortable with Mr. Fulmer's explanation and was ready to proceed.

Dr. Yeung said that she did not want to answer the question. She said that she met with Mr. Fulmer, Dr. Taylor, School Board members, and with Ms. Light simultaneously. She said that the reason for this approach was not to make everything time sensitive, which was why it came back twice. She said that if they had questions during the first instance, they asked them. She said that if not, they would conduct their own research or consult with the person responsible for that item or the County Administrator. She said that that was the work and due diligence that she believed was necessary as Board members, so was what they did.

Dr. Yeung said that in terms of not doing that simultaneously, the work they performed on the backend remained unknown to individuals. She said that because they completed one task, those same individuals returned to inform them about the necessity for time-sensitive actions. She said that if they failed to notify them, coming to the dais and sharing their thoughts may prevent them from asking certain questions immediately.

Mr. Coen said that for the benefit of viewers at home, he would provide that this was the distribution of funds from the state, along with the authorization of a public hearing for the allocation of additional state funds to be utilized by the school system.

Dr. Yeung called the vote for R23-297.

The Voting Board tally was:

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

<u>Resolution R23-297 reads as follows:</u>

A RESOLUTION TO BUDGET AND APPROPRIATE FINAL STATE BUDGET PROCEEDS FOR STAFFORD COUNTY PUBLIC SCHOOLS AND ADVERISTE A PUBLIC HEARING TO CONSIDER INCREASING THE FISCAL YEAR (FY) 2024 BUDGET IN EXCESS OF ONE PERCENT FOR ONE-TIME STATE FUNDING FOR SCHOOLS

WHEREAS, the State budget was approved on September 14, 2023 and identified additional funding for K-12 education; and

WHEREAS, Stafford County Public Schools (Schools) is anticipating additional state funds in the amount of $4,473,987 to fund support staff at a ratio of 24 staff members to 1,000 students and Schools meets or exceeds this staffing ratio; and

WHEREAS, Schools is anticipating $1,539,149 to support a 2% raise for all Standards of Quality funded positions; and

WHEREAS, the School Board desires these funds be used to support Phase II of the Licensed Teacher Scale Implementation, a 2% salary increase for service staff and additional staff, and technical adjustments for overtime, part-time and stipends; and

WHEREAS, Schools is anticipating one-time funding in the amount $10,433,741 that can be used for the implementation of the Virginia Literacy Act, learning lost recovery, and additional operating and infrastructure support; and

WHEREAS, Schools has identified targeting the following areas with the one-time funding:

- Tutoring, Virginia Literacy Act and chronic absenteeism
- Buses, including activity buses for after-school tutoring
- Retention bonuses for staff

; and

WHEREAS, the one-time funding is in excess of one percent of the FY2024 Budget and requires a public hearing; and

WHEREAS, the Board's By-laws, Section 6-7, prohibits budget amendments in November and December of a local election year; and

WHEREAS, pursuant to By-laws Section 3-10, the Board desires to suspend Section 6-7, to authorizing the public hearing and consideration of the budget amendment described herein;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that additional State funding received to support compensation adjustments for Stafford County Public Schools' staff be and it hereby is budgeted and appropriated as follows:

Fund	**Purpose**	**Amount**
Schools Operating	Support pay raises and adjustments to overtime, part-time, and stipends	$6,013,136

; and

BE IT FURTHER RESOLVED that the Board's By-laws and Rules of Procedure, Section 6-7, pursuant to Section 3-10, is suspended to permit advertisement of a public hearing to considering a budget amendment in November or December of an election year; and

BE IT STILL FURTHER RESOLVED, that the County Administrator is authorized to publish notice and advertise a public hearing to consider increasing the FY2024 Budget in an amount greater than one percent (1%), as a result of one-time funding provided by the State for specific educational purposes in the anticipated amount of Ten Million Four Hundred Thirty-Three Thousand Seven Hundred Forty-One Dollars ($10,433,741).

ITEM 19. FINANCE; CONSIDER APPROVAL AND ADOPTION OF THE STAFFORD COUNTY GRANTS POLICY

Mr. Toigo said that he would address Proposed Resolution R23-301, which aimed to establish Stafford County's first grants policy. He said that since this item was last presented to the Board on October 17, 2023, a few adjustments have been made. He said that he would like to briefly cover these changes. He said that the purpose of these modifications was to provide the Board with greater control when approving grants and offer staff more flexibility when applying for grants at the initial stage. He said that the policy, specifically on pages 4 and 5, stated that grants below $100,000 without a match were not brought before the Board for approval.

Mr. Toigo said that the County Attorney would still review the terms and conditions of the grants. He said that grant applications exceeding $100,000 or involving matching funds would still necessitate approval from the Board of Supervisors. He said that on the back end, all grants, regardless of their amount, that were awarded must be submitted to the Board for approval. He said that the County Attorney's Office strongly believed that grant awards were similar to contracts; thus, having the Board endorse and accept them would be a formality. He said that those were changes that had been made, and he was happy to answer any questions.

Ms. Gary motioned, seconded by Mr. Coen, to approve Resolution R23-301, to approve and adopt the Stafford County Grants Policy.

The Voting Board tally was:

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

Resolution R23-301 reads as follows:

A RESOLUTION TO APPROVE AND ADOPT THE STAFFORD COUNTY GRANTS POLICY

WHEREAS, the Board desires to have a County-wide grants process that alleviates the burden on taxpayer through the use of and maximizing grant opportunities; and

WHEREAS, the Grants Policy (Policy) identifies a cross-departmental Grants Team from County Administration, Finance, and Budget and Management charged with increasing grants in the County and maintaining the Policy in accordance with best practices, and with overall administration of grants; and

WHEREAS, the Policy would require grants not included in the annual approved County Budget that are $100,000 and over or require a match to come to the Board for approval prior to application; and

WHEREAS, the Policy would also require all grants not included in the annual approved County Budget to be accepted by the Board; and

WHEREAS, the Policy permits the County Administrator to make revisions to the Policy that further its purpose but that does not change thresholds specified for Board action or approval; and

WHEREAS, the Board desires to approve and adopt the Policy as provided in **Exhibit A** in the associated Board package;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Stafford County Grants Policy, FIN-100, as included in **Exhibit A** to the Board package, be and it hereby is adopted and approved.

CLOSED MEETING

At 6:00 p.m., Mr. Coen motioned, seconded by Ms. Bohmke, to adopt Resolution CM23-23 to authorize closed session.

The Voting Board tally was:

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

Resolution CM23-23 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel regarding the regulation of medical uses in the County's zoning ordinance and the State law licensing requirements under Virginia Code § 37.2-406, which are specific legal matters requiring the provision of legal advice by such counsel; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

<u>CERTIFY CLOSED MEETING - SEC. 2.2-3711 (A)</u>

At 6:48 p.m., Mr. Coen motioned, seconded by Ms. Bohmke, to adopt Resolution CM23-23(C) to certify the Closed Meeting.

The Voting Board tally was:
Yea: (6) Allen, Bohmke, Coen, English, Gary, Yeung
No: (0)
Absent: (1) Vanuch

<u>Resolution CM23-23 (C) reads as follows</u>:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 14, 2023

WHEREAS, the Board has, on this the 14th day of November, 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 14th day of November, 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.

<u>ITEM 17. PLANNING AND ZONING; CONSIDER AUTHORIZING A JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION AND REFER TO THE PLANNING COMMISSION PROPOSED AMENDMENTS TO THE ZONING ORDINANCE REGARDING MEDICAL CLINICS AND HOSPITALS.</u>

Dr. Yeung asked if there was a motion coming out of the Closed Meeting.

Ms. McClendon asked if Dr. Yeung could read out the title of the item.

Dr. Yeung said that the item was Item 17, Planning and Zoning, to consider authorizing a joint public hearing with the Planning Commission proposed amendments to the Zoning Ordinance regarding medical clinics and hospitals, known as proposed Resolution R23-266.

Ms. Bohmke motioned, seconded by Mr. Coen, to send Proposed Ordinance O23-22 to the Planning Commission to hold a public hearing and provide its recommendation back to the Board.

Dr. Yeung asked if Ms. McClendon could explain the process regarding this item.

Ms. McClendon said that with the motion made by the Board, the Proposed Ordinance O23-22 would be sent to the Planning Commission. She said that then, the Planning Commission would hold a public hearing and provide its recommendation and feedback to the Board. She said that per state code, the Planning Commission had 100 days to hear this particular item, however they may act sooner, and then the item would be held with a public hearing before the Board of Supervisors.

Mr. Coen said that over the course of his 10 years on the Planning Commission and this Board, he had consistently believed in updating codes to ensure they aligned with state law and the 21st century. He said that this belief had been a constant throughout his decade of service, so he would support this item in that spirit.

Dr. Yeung called the vote for Proposed Resolution R23-266.

The Voting Board tally was:

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

Resolution R23-266 reads as follows:

A RESOLUTION TO REFER TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE PURSUANT TO PROPOSED ORDINANCE O23-22 TO AMEND THE DEFINITION OF HOSPITAL

WHEREAS, the Zoning Ordinance contains a definition for "hospital" (Hospital Uses); and

WHEREAS, the Board desires to ensure that the Zoning Ordinance regulates and defines Hospital Uses appropriately; and

WHEREAS, the Board desires to consider amending the definition of Hospital Use to ensure that such uses are properly treated in the County's Zoning Ordinance; and

WHEREAS, the Board desires to refer proposed Zoning Ordinance amendments, pursuant to proposed Ordinance O23-22, to the Planning Commission for it to hold public hearings and provide its recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that proposed amendments to the Stafford County Code Zoning Ordinance, pursuant to proposed Ordinance O23-22, be and they hereby are referred to the Planning Commission for its review, to hold a public hearing, and provide its recommendations to the Board.

Ms. Bohmke said that for clarification, the Board would resume at 7:00 p.m. with public hearings first and then New Business after that.

RECESS

At 6:52 p.m., the Board recessed its meeting.

At 7:02 p.m. Chairman Yeung called the evening session to order. Mr. English gave the invocation. Ms. Allen led the Board in reciting the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS

Dr. Yeung said that there were no presentations this evening.

PRESENTATIONS BY THE PUBLIC

Dr. Yeung said that the speakers who had submitted speaker cards were not present. She asked if there were any other presentations from the public. Seeing none, she moved to the next item.

PUBLIC HEARINGS

ITEM 27. PLANNING AND ZONING; CONSIDER AMENDING THE SUBDIVISION ORDINANCE, STAFFORD COUNTY CODE SEC. 22-168 AND SEC. 22-170, TO UPDATE THE COUNTY'S WATER AND SEWER PRO RATA PROGRAM AND AMEND THE COUNTY WATER AND SEWER PRO RATA POLICY.

Mr. Chris Edwards, Director of Utilities, said that he was there to discuss updates to the pro rata policy, specifically the water and sewer pro rata policy, as well as the subdivision ordinance. He said that Stafford County Utilities Department had a pro rata program in place since the early 1990s, which allowed them to collaborate with developers on cost-sharing initiatives to ensure they could develop master plan projects that benefited all of Stafford County. He said that as part of this system, it was an incentivized approach where they were able to build necessary infrastructure, but a pro rata fee was associated with the installation of each water meter.

Mr. Edwards said that in 2022, Virginia Code § 15.2-2243 was amended, requiring the County to reimburse any developer if another developer tied onto their system that they constructed. He said that this amendment necessitated revising the code section in the subdivision ordinance and the pro rata policy to allow these connections. He said that the current structure involved either granting a reimbursement or entering into a pro rata agreement, which allowed for cost-sharing between the two parties.

Mr. Edwards said that to qualify for a pro rata agreement, three criteria must be met: all improvements must benefit the entire area; improvements must be identified in the water sewer improvement plan; and it must represent a substantial capacity increase. He said that if these conditions were not met, they would not recommend a pro rata agreement, and only the reimbursement from the state-mandated reimbursement code section would occur. He said that while they were updating their pro rata policy, they had added reuse because they knew there was an impending water reuse system or there could be one in the future.

Mr. Edwards said that to examine the differences, pro rata reimbursement was a policy they had had since the early 1990s, while the new state-mandated reimbursement program was created in 2022. He said that the reimbursement program or pro rata truly enabled them to undertake all of their master plan improvements. He said that they were now able to obtain pro rata credit, so as water and sewer personnel came in, they must pay those fees; the credit could cover those fees. He said that this agreement would be valid for 10 years. He said that the reuse reimbursements would be applicable for up to 20 years. He said that the reason behind the difference in duration was to promote the construction of the reuse facility.

Mr. Edwards said that in comparison, the state-mandated reimbursement would be valid for two years for water and sewer, and five years for reuse. He said that the state-mandated agreements would take precedence over the pro rata agreements. He said that Stafford County would receive its reimbursement first, followed by the pro rata agreements. He said that he was open to answering any questions. He said that they required approval of both an ordinance and a resolution. He said that the ordinance was approving the changes to the subdivision ordinance, and the resolution was approving the change to the pro rata policy.

Dr. Yeung opened the public hearing for public comment. She said that she had no speaker cards and asked if any members of the audience wished to speak on this item.

1. Kristin Maxson said that she recalled reading in the agenda that the timeline for completion was 2 to 5 years; however, the information provided now stated 5 to 20 years. She asked if there had been a change in the agenda or if she had misunderstood. She said that she encountered difficulties loading the extensive 1,400-page document and found it challenging to locate specific details. She said that her notes indicated that the sewer and water system were mentioned within the context of a 2 to 5-year timeline.

   Ms. Maxson said that the reason for her interest in this matter was to determine whether these systems would be entirely publicly managed or if they would be prorated and developed by private entities, such as developers. She said that she was grateful for the contributions of developers, and she was concerned about how the government would effectively manage the trade of value to ensure that residents could continue to access and utilize the infrastructure and utilities without facing restrictions.

   Ms. Maxson said that her first question was that if an individual received an agenda stating a 2- to 5-year timeline, as she believed was accurate, could the Board please provide clarification on whether there had been any change in the plan. She said that she did not take a picture, but there were documents regarding the time. She said that now, it was 5 to 20 years later. She asked how this happened. She asked if there was a way for an individual to truly comprehend what was being voted on.

   Ms. Maxson said that regarding the data in their courthouse, as they were proposing another courthouse, they wanted to see that data and that infrastructure remain consistent and understand how it was changing. She said that she acknowledged the need to protect the infrastructure design from terrorists and other threats, and they left this responsibility up to the Board. She said that regarding funding and its impact on people's lives and their ability to afford living in Stafford, these aspects were crucial to the public. She thanked everyone for their consideration. She said that they appreciated dedication and understood that there were specific agendas, and they valued the honesty and directness of certain individuals toward the public.

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

Mr. Edwards said that he would provide some clarification regarding the 2 to 5 year timeframe. He said that there was a state-mandated reimbursement policy for water and sewer infrastructure projects in the past. He said that this policy stipulated a two-year reimbursement period for water and sewer projects and a five-year reimbursement period for reuse projects. He said that under the existing pro rata policy, the reimbursement period was extended to 10 years for both water and sewer projects. He said that a new standard agreement for reuse projects was currently being developed, which would offer a 20-year reimbursement period. He said that this difference in reimbursement periods was due to the varying policies in place at different times.

Dr. Yeung said that the Board must vote on two separate items, the Proposed Ordinance O23-26 and the Proposed Resolution R23-325.

Mr. English motioned, seconded by Mr. Coen, to approve Ordinance O23-26, the subdivision ordinance amendment.

The Voting Board tally was:

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

Ordinance O23-26 reads as follows:

AN 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 (1991 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 1991 Policy to reflect these legislative changes; and

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

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good subdivision practices require adoption of the proposed ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 14th day of November, 2023, that Stafford County Code Sec. 22-168, "Developer contribution to off-site sewerage and drainage facilities" and Sec. 22-170 "Reserved," be and they hereby are amended and reordained as follows, with all other portions remain unchanged:

Sec. 22-168. - Developer contribution to off-site water, sewerage, and drainage facilities.

When a proposed subdivision lies within an area for which a specific water, drainage or sewer improvement plan has been adopted by the governing body, the developer shall pay a pro rata share of the cost of providing such off-site facilities to his site. Pro rata cost will be determined by standards set forth in this Code.

Sec. 22-170. ~~Reserved.~~ Development of off-site and related improvements.

(a) When adequate water or sewerage facilities are not available to serve a proposed subdivision or development, the subdivider or developer of the property may install reasonable and necessary water and sewerage facilities identified in the general water improvement program or general sewer improvement program, located on or outside the property limits of the land owned or controlled by the subdivider or developer, but necessitated or required, at least in part, by the utility needs of the development or subdivision, including reasonably anticipated capacity, extensions, or maintenance considerations for the service area.

(b) Where a subdivider or developer constructs the on or off-site improvements pursuant to subsection (a) above, the developer or subdivider shall be entitled to reimbursement of a portion of its costs through pro-rata fees paid by any subdivider or developer that utilizes the installed water or sewer facilities within the related and common water or sewer service area for a period of two (2) years.

(c) A subdivider or developer that constructs the on or off-site reuse water distribution system improvements shall be entitled to reimbursement of a portion of its costs through pro-rata fees paid by any subdivider or developer that utilizes the installed reuse water facilities within the related and common water service area for a period of five (5) years.

(d) Installation of such water or sewerage facilities and the parameters of the pro rata reimbursement shall be in accordance with adopted department of utilities policies for water and sewer infrastructure construction and pro rata.

(e) The provisions of this section shall not apply to family subdivisions pursuant to section 22-5(a) of this chapter.

Mr. English motioned, seconded by Ms. Bohmke, to adopt Resolution R23-325, the amended pro rata policy.

The Voting Board tally was:

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

Resolution R23-325 reads as follows:

A RESOLUTION TO APPROVE AND ADOPT THE STAFFORD COUNTY WATER AND SEWER PRO RATA POLICY

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 (1991 Policy) to finance the water and sewer infrastructure shown in the current General Water Improvement Program and General Sewer Improvement Program; and

WHEREAS, the 1991 Policy allows subdividers or developers to receive credit for the costs to construct facilities shown on the County's Water and Sewer Master Plan and receive reimbursements of the credits through pro rata fees paid by subsequent developers or subdividers, subject to approval by the Board; and

WHEREAS, recent amendments to Virginia Code § 15.2-2243 entitles a subdivider or developer to receive reimbursement of a portion of its costs through pro rata fees paid by any subdivider or developer that utilizes the installed facilities within a related and common water or sewer service area; and

WHEREAS, in accordance with County Code Sec. 22-170, the Board desires to replace the 1991 Policy, and approve and adopt the Department of Utilities Water and Sewer Pro Rata Policy provided as **Exhibit A** in the associated Board package;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Stafford County Department of Utilities Water and Sewer Pro Rata Policy, included as **Exhibit A** to the Board package, be and it hereby is adopted.

CLOSED MEETING

At 7:14 p.m., Mr. Coen motioned, seconded by Ms. Gary, to adopt Resolution CM23-24 to authorize closed session.

The Voting Board tally was:

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

Resolution CM23-24 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel and discussion with staff regarding a data center project and entering public contracts that involve the expenditure of public funds, which is a specific legal matter requiring the provision of legal advice by such counsel and where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 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 7:35 p.m., Mr. Coen motioned, seconded by Ms. Gary, to adopt Resolution CM23-24(C) to certify the Closed Meeting.

The Voting Board tally was:

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

Resolution CM23-24 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 14, 2023

WHEREAS, the Board has, on this the 14th day of November, 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 14th day of November, 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.

PUBLIC HEARINGS (CONTINUED)

ITEM 28. PLANNING AND ZONING; CONSIDER A PROPOSAL TO AMEND PROFFERED CONDITIONS ON TAX MAP PARCEL NO. 39-71A, CONSISTING OF APPROXIMATELY 49.9 ACRES ZONED B-2, URBAN COMMERCIAL ZONING DISTRICT (PROJECT KNOWN AS OLD POTOMAC CHURCH DATA CENTER).

Mr. Mike Zuraf, Planning and Zoning, said that the topic at hand was the Old Potomac Church Data Center, for which they were requesting a zoning reclassification. He said that this would amend proffered conditions on property that was currently zoned B-2 urban commercial, permitting a data center, public facility, utility, and related accessory uses.

Mr. Zuraf said that last month, on October 17, the Board had adopted an ordinance amendment only allowing data centers in the M-2 zoning district and ICTP overlay as by-right uses. He said that this project was deemed exempt from that ordinance change since it was submitted in April. He said that as a result, the application could proceed under the B-2 zoning district. He said that the property was a single parcel, approximately 50 acres in size, located in the Falmouth District.

Mr. Zuraf said Amazon Data Services was the applicant, and Old Potomac Church LLC was the property owner with Charlie Payne acting as the agent for the applicant. He said that the site was situated on the east side of Old Potomac Church Road, across from the intersection with South Campus Boulevard. He said that the surrounding zoning included A-1 agricultural to the south, east, and north, and then there were B-3 office zoning on properties to the west. He said that the subject property had been rezoned from A-1 to B-2 in 2009, which included proffers.

Mr. Zuraf said that a portion of the site had been acquired by the County for a water tower, which had been constructed a few years ago. He said that there had been no other development on the property. He said the 2009 zoning action and proffers included a site plan that required the development of a medical office campus, allowing up to 531,000 square feet of building floor area. He said the plan identified several smaller office buildings across the site, and the proffers required the construction of South Campus Boulevard with a phasing plan that initially required two lanes be constructed and then future widening to four lanes during later phases of the development.

Mr. Zuraf said that the two-lane section was ultimately constructed with the development of the Abberly Apartments. He said that other proffers required reservation of right-of-way through the site to extend South Campus Boulevard to the east for an ultimate extension and connection to Spartan Drive. He said the development concept would be replaced with the new data center development proposal, which they will discuss in detail.

Mr. Zuraf said regarding the existing conditions, the property was undeveloped and wooded, featuring a high-voltage transmission line that crossed the eastern portion of the site. He said that site topography sloped from Old Potomac Church Road down to a perennial stream that included wetlands and RPA buffers on the eastern side of the site. He said general surrounding uses included residential properties to the north, south, and east, as well as a child care center and developed land to the west of the site across Old Potomac Church Road. He said that the undeveloped properties on the west side of Old Potomac Church Road were subject to two separate rezoning application requests for different multifamily residential development projects, which have not yet reached the public hearing stage.

Mr. Zuraf said that the proposed development plan included two data center buildings. He said that the total floor area of these buildings amounted to 510,000 square feet. He said that each building would consist of two levels with a combined height of 62 feet. He said that in a data center, each floor required 30 feet of height to accommodate the necessary cooling systems involved. He said that between the two buildings, an area designated for backup generators would be located. He said that the buildings were surrounded by access roads. He said that two entrances were proposed off Old Potomac Church Road.

Mr. Zuraf said a critical resource protection area buffer was situated on the eastern side of the property. He said that the data center development was proposed outside of this resource protection area. He said that some clearing of the RPA would be necessary for utility connection purposes. He said that staff noted that an electric substation had been identified as a use requiring a condition use permit in the B-2 zoning district. He said the applicant had listed the use in the proffer statement as a permitted use; thus, accepting the proffers as part of the request would allow the applicant to proceed with constructing the substation without needing a conditional use permit.

Mr. Zuraf said that landscape buffers on the perimeter of the site included variable buffers on the south side that ranged from 25 to 100 feet, preserving some existing trees. He said that on the north side, the majority of the buffer was 25 feet wide with some areas up to 50 feet wide, with minimal preservation of existing trees. He said that along Old Potomac Church Road, there was a street buffer ranging from 40 to 100 feet. He said that retaining walls were proposed around much of the perimeter of the development to provide level development pads on the site.

Mr. Zuraf said that the applicant was proffering to install a sound wall along the northern property line that would be 16 to 23 feet in height due to the narrower buffer on that side of the project and minimal tree preservation resulting from the proposal. He said that the applicant was proffering enhanced buffers on the western and southern property lines by planting at least 90 mature evergreen trees, which would be 20 to 25 feet in height at planting. He said that when looking at the evaluation of transportation issues, the proposal reduced the projected vehicle trips and associated impacts from what was currently approved on the property under the medical office campus.

Mr. Zuraf said that the current approval would support anywhere from 11,500 to 19,000 vehicle trips per day if the site was fully built out as a medical office campus with a mix of retail uses. He said that the proposed data center had an estimated vehicle trip count of 383 vehicle trips per day, which represented a significant reduction in potential vehicle trips. He said that there were numerous transportation proffers being proposed and offered with the new proffers. He said the applicant would improve Old Potomac Church Road across their site frontage to meet VDOT standards, which could be incorporated into the state system. He said they would contribute $150,000 toward a traffic signal at the intersection of Richmond Highway and South Campus Boulevard. He said that they would add a contribution of $500,000 toward offsite improvements to the road as well.

Mr. Zuraf said that the proffer amendment would remove the current commitment to widen South Campus Boulevard and the proffered road right-of-way running through the middle of the site. He said that there was no traffic impact analysis required as the project had less than 1,000 vehicle trips per day. He said that the slide highlighted the planned road through the site, which was part of the proffers and shown in the comprehensive plan, and the adjacent area identified on the comprehensive plan. He said that the property to the east had been subdivided for residential homes, making the current alignment less than optimal.

Mr. Zuraf said that regarding the evaluation of utility impacts, the project would have a total water demand of 530,000 gallons per day. He said that the project included several proffers, which would require the utilization of reuse water as the sole primary water source after infrastructure improvements were completed. He said that separate water reuse lines would be constructed to transport treated wastewater from the Aquia Wastewater Treatment Plant to the site for industrial cooling purposes. He said that the proffers necessitated that the applicant design, permit, and construct all onsite and offsite water, sewer, reclaimed water, and reuse improvements to support the project.

Mr. Zuraf said that this was an extensive infrastructure project that would take several years to complete. He said that initially, potable water would be required for the first four to five years, with proffers limiting its use to only one of the two buildings. He said that once the project connected into the reuse lines, minimal amounts of potable water would be needed for the office component of the facility. He said that a separate water service agreement would be approved by the Board, outlining the required improvements associated with the reuse line and any additional performance standards to ensure timely completion.

Mr. Zuraf said that data centers had the potential to create noise impacts due to their consistent climate control requirements, which were handled by cooling systems operating frequently. He said the facilities could generate lower-level sounds consistently, making them audible from adjacent properties. He said that a sound study was provided with the rezoning application and estimated a maximum decibel level of 55 decibels at the property line and 50 decibels at the closest residential structure. He said that current standards permitted up to 60 decibels during the day and 55 decibels at night adjacent to residential areas.

Mr. Zuraf said that several proffers were included to address sound issues. He said the proffers limited the maximum decibel level to 55 decibels at any time of the day or night, reduced the sound standard for prominent discrete tones by three decibels below the 55-decibel max, required a sound analysis before each building's occupancy and annual sound testing for five years after initial occupancy to confirm compliance with the noise standards proffered. He said the proposals emphasized that sound analysis testing must be conducted from four locations on each side of the property.

Mr. Zuraf said that backup generators must be enclosed, muffled, and located between the two buildings, with walls used to screen them and minimize noise impacts. He said the comprehensive plan identified the property as being within the courthouse targeted development area on the future land use plan. He said that resource protection was also identified in the comprehensive plan where RPA buffers were present. He said that within the courthouse targeted development area, there was a land use concept map that designated the site and surrounding area for mixed-use commercial residential purposes.

Mr. Zuraf said that the proposed data center use would not be consistent with the specific mixed-use commercial residential land use recommendation. He said that mixed-use designation did allow for flexibility between commercial and residential uses, but the intent was for commercial development to serve nearby residences. He said that data centers were viewed as more of a business and industry type of use, which would be more fitting in those types of areas designated in the comprehensive plan.

Mr. Zuraf said that the general character of the area included a mix of various residential uses, as well as office and supporting commercial developments. He said that active rezoning applications proposed additional residential uses across Old Potomac Church Road. He said that there were also amendments to the comprehensive plan adopted last month that included a series of guidelines for the development of data centers. He said the Planning Commission staff report identified how the proposal conformed with many of the newly adopted standards.

Mr. Zuraf said that building elevations were included with the application, and there was a proffer required the buildings be constructed as shown in the elevation exhibit. He said that the proffers included other architectural design standards to ensure a variety in building design features and materials that ultimately matched this elevation. He said that the newly adopted data center guidelines included design recommendations, and the proposed buildings followed many of the recommended criteria which were included in the proffer statement.

Mr. Zuraf said that the proposed proffers for the property included requirements that it be developed in general accordance with the GDP, limit uses to data center use and related facilities, provide at least 30% open space on the site, and restrict maximum building square footage to 510,000 square feet as proposed. He said that existing trees must be preserved wherever possible while restoring impacted areas if necessary. He said that in the case of tree removal, 100% evergreen trees should be planted in their place. He said that mature evergreen tree plantings were required along the west and south property lines, and an eight-foot tall fence adjacent to residential properties was to be installed.

Mr. Zuraf said that a 16 to 23-foot tall sound wall must be installed along the northern property line, with an eight-foot security fence surrounding the entire facility. He said that a $100,000 contribution to the County was required for future construction of a trail along the sewer easement east of the proposed buildings. He said that in their master trails plan, there was a trail network shown heading down from the hospital toward the Civil War Park.

Mr. Zuraf said that efforts were being made to acquire easements from other developments to the south in order to build a trail through this area. He said the $100,000 would contribute toward the future construction of that trail. He said that proffers included repairing any damaged wells or septic systems on adjoining residential properties or paying public connection fees if requested. He said that measures must be taken to maintain open lines of communication between the applicant and residents and the County, as well as minimizing impacts during construction.

Mr. Zuraf said that the overall evaluation and staff findings revealed several positive aspects. He said the proposal was consistent with many newly adopted comprehensive plan guidelines for siting near electric transmission lines, including measures to minimize noise impacts and ensuring high-quality building design. He said that it ensured that the data center utilized reuse water, which would be paid for and constructed by the applicant, thereby negating potential impacts on the County's potable water supply. He said that the data center use would reduce projected vehicle trips and potential road impacts on area roads, provide for future trail extension through the area, and promote economic development goals by bringing high-paying jobs to the County.

Mr. Zuraf said that there were several negative aspects to consider. He said that the use of the site was inconsistent with the mixed-use land use recommendation in the comprehensive plan, as well as the recommendation that data centers be located in business and industry areas. He said that the proposed buffers did not fully conform to the siting guidelines due to limited preservation of existing trees, which may increase visibility from surrounding properties until the landscape matures.

Mr. Zuraf said there was uncertainty regarding how low-level noises may impact surrounding residential uses. He said that the proposal removed a recommended road connection identified in the comprehensive plan and the widening of South Campus Boulevard. He said that despite these issues, staff recommended approval of the reclassification pursuant to O23-27. He said that on October 25, the Planning Commission voted 6-0-1 to recommend approval. He said that at the same meeting, the Commission found the proposed electric substation to be substantially in accordance with the comprehensive plan under a separate action.

Ms. Bohmke said she wanted clarification about the statement regarding prominent discrete tones being reduced by three decibels.

Mr. Zuraf said that specific sounds had higher pitches and a lower intensity but were still perceptible. He said that if the facility was producing certain sounds, the maximum decibel level would need to be reduced from 55 to 52 decibels for compliance.

Ms. Bohmke asked Mr. Zuraf to highlight where the residential uses were. She said that there were several properties located in the south end of the area. She said that the homes to the right were situated off Spartan Drive, which was near the entrance of Stafford Middle School. She said that they also had properties further north on Johnson's Pride Drive and houses behind the water tank. She asked how far these homes were from the southern end of the property.

Mr. Zuraf said that on the southern end, from the proposed buildings, there were three houses at varying distances: one starting closer to Potomac Street Road, approximately 400 feet away, another 330 feet away, and a third 250 feet away. He said that they were closer to the property line since the distances were measured from the buildings.

Ms. Bohmke asked about the properties to the north.

Mr. Zuraf said that to the north, there were two distances: one was 500 feet, and the other was 540 feet.

Ms. Bohmke asked how far away Stafford Middle School and Brooke Point High School were.

Mr. Zuraf said that Stafford Middle School was 1,670 feet away. He said that Brooke Point High School was approximately 2,250 feet away.

Ms. Bohmke said that she wanted to know if their Building Department possessed any capabilities regarding the matter at hand. She asked if anyone from their staff had been able to validate the noise levels mentioned in the Potomac Technology Campus Environmental Noise Assessment report. She said she wanted to know if they were provided with the project's design details to ensure accuracy in validating the environmental noise analysis.

Mr. Zuraf said that they did not.

Ms. Bohmke asked if the study was performed by a third-party.

Mr. Zuraf said that this task was completed by someone on behalf of Amazon.

Mr. English clarified that the fire marshal provided input on every aspect, ensuring that everything met their standards.

Mr. Zuraf said yes. He said that the applicant addressed any concerns. He said that some proffers were added to address certain concerns, ensuring that they had good access to the facility.

Mr. English clarified that the fire marshal had approved the proposal.

Charlie Payne, representing the applicant, said that he had prepared a PowerPoint presentation. He said that he planned to go through some background information about the applicant, Amazon Data Services. He said that while most of them were familiar with Amazon as an online retailer and distribution center, he wanted to provide more insight into this aspect of their data center business and discuss their investments in Virginia and community development.

Mr. Payne said that Amazon had been operating since 2006, with its first data center located in Northern Virginia. He said the region was known as the world hub for data centers, as 70% of global internet traffic passed through it. He said that the data centers in Northern Virginia were a substantial economic development generator. He said that Amazon established its second headquarters in Virginia in 2018 and had employed over 8,800 people in Virginia since then. He said that in 2022 alone, the company generated $334 million in personal property taxes.

Mr. Payne said that over the past 10 to 13 years, Amazon had invested more than $51.9 billion and its gross domestic product in Virginia exceeded $8.2 billion. He said that in February of that year, the governor of Virginia, along with Amazon, announced a new investment incentive for the company in Virginia, totaling over $35 billion. He said the investment was expected to create 1,000 jobs, which may potentially double. He said the majority of the investment had been allocated to the Stafford-area region so far.

Mr. Payne said that workforce development and educational programs were essential aspects that Amazon brought to the community as long-term investments, corporate citizenship, job training, and community support were highly valued. He said that regarding education and training, Amazon offered a Future Engineer Program, a childhood-to-career initiative aimed at increasing access to computer science education in local schools and underserved communities. He said that the company had a military training program that assisted veterans and their spouses by providing new job opportunities and training.

Mr. Payne said that the AWS Restart Program was a full-time classroom-based skill development and training program for adults seeking career changes. He said the AWS Educate program offered self-paced online training resources tailored to local communities. He said that the company had established the AWS Academy, which provided cloud computing curriculum for higher education institutions, including community colleges such as Germanna in Stafford. He said that there was the AWS Spark Program, designed to introduce high school students to potential careers in the cloud field.

Mr. Payne said that cloud infrastructure referred to any job that supported the function of physical components of data centers and did not take place in the cloud, such as building maintenance and operation. He said that their economic development analysis examined the construction investment and jobs generated from the investment and ongoing operations. He said the operations included both the build segment of it and the connect segment of it, which involved running cable between data centers, operating and maintaining the center once it was up and running in the IT arena, and providing power for it.

Mr. Payne said that data centers were key 21st-century infrastructure, if not one of the most important in their society today. He said that they were critical infrastructure that affected every industry and component of their society, from cell phones to computers used in workplaces, all relied on data centers. He said that this was evident in various industries such as first responders, government, energy, pharmaceuticals, national defense, entertainment, healthcare, sports, financial services, and more.

Mr. Payne said that 70% of the world's internet traffic passed through a location just 50 miles away from where they were today. He said that AWS constructed data centers by focusing on several aspects, such as energy efficiency. He said Amazon was committed to powering its operations with 100% renewable energy by 2025. He said that if they considered what drove the renewable energy market, it was the data center industry. He said that water stewardship was another aspect, as Amazon aimed to become water positive by 2030. He said that by reusing wastewater that would typically be discharged, it would now be part of the cooling system for data centers.

Mr. Payne said that this approach would create a new utility opportunity for the County and open doors for other data center projects. He said that a low carbon footprint was another priority, with AWS aiming to achieve a low carbon emission by 2040 and net zero emissions by then. He said that these were secure sites.

Mr. Payne said that the project consisted of two buildings totaling approximately 510,000 square feet and was located on around 50 acres, and it was zoned B-2. He said that the purpose of applying for a proffer amendment was to modify the proffers for a specific use. He said that according to the staff's assessment, the current usage would permit approximately 550,000 square feet of office and retail space on the site. He said that they believed this project would have less of an impact compared to what was currently approved without any Board intervention.

Mr. Payne said that an example of the potential impact was if no action were taken by the Board, the existing approval would allow 15,000 to 19,000 trips per day at full buildout. He said it was crucial to note that such traffic levels in the location could lead to congestion throughout the area. He said that the project would be developed in accordance with the County's comprehensive plan, which included recent updates to the plan. He said that it would serve as a significant economic and job generator while maintaining low industrial impact from a traffic perspective. He said that the project, as demonstrated by the proffers, aimed to mitigate traffic-related consequences.

Mr. Payne said they had proffered specific general architectural features and sound limitations. He said that as staff noted, they had proffered a 55 dBA noise level along with a discrete tone component to reduce it by an additional 3 dBA if necessary. He said that if one considered 55 dBA as the baseline for this project, the residential neighbors could generate noise up to 60 dBA. He said residents could be louder, technically, but still within the County's ordinance. He said that the 55 dBA proffer represented the most restrictive noise ordinance in the County, and reducing it further to 52 dBA would be even more restrictive.

Mr. Payne said that it was essential to note that this ran with the land as a proffer. He said that the enclosure for the generators would reduce sound, and there were shrouds around exhaust stacks. He said there would be a sound wall to the north, which ranged from 16 to 23 feet near the substation. He said that they had provided cash proffers of $25,000 for the County to purchase one or more sound level meters and annual calibration.

Mr. Payne said that the applicant would provide the funding for the County to purchase the equipment to verify the noise levels. He said the project included adequate electric infrastructure and that they had received a will-serve letter from Dominion, which was provided to the County. He said Dominion felt very confident that the load capacity was well within their means to provide.

Mr. Payne said that they provided 30% open space, and one could see in the GDP that there was plenty of open space available. He said that the project design and construction included positive environmental features aimed at reducing carbon emissions and energy usage. He said that extensive restrictive areas, buffer zones, and setbacks were implemented, including additional tree planting. He said that if the County believed that they had not adequately screened from their adjoining neighbors, they could step in and ask them to provide additional screening.

Mr. Payne said that they proffered $100,000 to support a 30-foot wide pedestrian access easement and dedicated the access area. He said that the applicant agreed to install at least 90 mature evergreen trees, approximately 20 to 25 feet in height, along the western and southern property lines to enhance screening and mitigate any further impacts regarding noise. He said that if the County determined that additional screening was necessary, they would add the required screening and plantings at the County's discretion.

Mr. Payne said that the building exteriors will primarily consist of the features proffered by the applicant. He said adjacent residential properties shall also install and maintain an eight-foot fence in addition to the trees and buffering for further reduction of impacts. He said that the applicant had included in their proffers that they will build, finance, and design the utility infrastructure, including the water infrastructure and reuse system for this project. He said that they had proffered $125,000 to conduct an independent utility impact study.

Mr. Payne said that the County had likely already expended those funds; therefore, the proffer would be a reimbursement. He said that regarding the fire department and emergency services, before the first site plan was approved for the project, they would develop an emergency action plan in collaboration with the County Fire Rescue and Emergency Services and the Zoning Administrator to obtain approval. He said that before breaking ground, they would have an emergency action plan in place.

Mr. Payne said that they had proffered a fire suppression system in both buildings, which had been reviewed by fire and rescue. He said that prior to construction, they would establish a construction mitigation plan to ensure that the construction did not impact their neighbors and was properly carried out and addressed. He said that they had proffered that if there were any damages during construction and operation to their immediate neighbors' wells or septic fields, they would repair them and replace them.

Mr. Payne said that they had proffered that if public utilities were available in this area for their neighbors, they would cover their connection fees, which were estimated to be around $18,000 to $20,000 per for water and sewer. He said that to the north, the substation was situated. He said that there were two buildings located further southwest. He said that to the southeast area remained open space and would be left undisturbed. He said it was important to mention in the GDP that situated in the southeast, there was a 100-150 foot wide transmission easement and facilities currently in place.

Mr. Payne said that they had intentionally positioned these data centers near transmission facilities. He said that the reason for doing so was to avoid requiring additional offsite electric facilities. He said the strategy involved siting the data centers close to major transmission facilities. He said in the upper northwest corner, the County's water tower was located. He said that they were situated between two large utility corridors.

Mr. Payne said that regarding distances to the neighbors, the distance from the corner of the proposed building to the hospital property line was over 1,000 feet. He said that from the southeast corner of their building, which was the furthest corner, to Stafford Middle School was approximately 1,670 feet. He said that Brooke Point High School was about 2,250 feet away. He said that the Potomac Church Apartments were 850 feet away. He said that to the Amberleigh Apartments, it was over 700 feet from the corner of their building.

Mr. Payne said that to the north, they were 500 plus feet away from the neighbor next to the water tower. He said that they were over 540 feet away from their northern neighbor and 400 feet away from their southern neighbor. He said that in the southern area and western portion of the property, they planned to plant 90 or more mature evergreen trees measuring 20 to 25 feet in height. He said that these trees would be brought in from out-of-state, and they intended to plant them as soon as possible.

Mr. Payne said that the topography dropped off from the north to the south and then gradually sloped down toward the east. He said that there was a significant drop-off in the area. He said that looking north from this location, one would see the County water tower and trees. He said that the view from the Sharp Families property to their southeast aimed for complete screening, with large trees being considered.

Mr. Payne said that the illustrative concepts proffered included various elements such as enclosures for generators. He said that the intention was to make it look like an office building rather than an industrial one, with attractive features and quality elements. He said that all of these had been proffered. He said that economic impacts were also considered, as the project's value extended beyond just generating annual tax revenue. He said the project encompassed a totality of impacts, specifically the positive effects it will bring. He said that the construction site will be substantial and ongoing for several years.

Mr. Payne said that the initial estimated economic and fiscal impact from the first phase of construction alone will result in over 3,200 jobs, generate more than $112 million in labor income, and produce an output of $673 million. He said that the second round included indirect and induced economic activity, such as jobs creating other jobs in service, trade, restaurant, and professional positions, which was estimated at over $757 million. He said that the figure represented the first level of investment.

Mr. Payne said that during operations, at full buildout, with two buildings housing approximately 30 employees each, a total of 61 direct onsite jobs would be created, generating nearly $10 million in labor income and producing an output of $96 million. He said that during the second round of activities, 61 jobs were created, resulting in an additional investment that generated 220 more jobs. He said that this project generated approximately $159 million in economic output annually for Stafford County.

Mr. Payne said that using the current tax rate of 93 cents per real estate and $1.25 for data center equipment, at full buildout, the project would generate an additional $10.5 million annually in tax revenue for the County. He said that in the context of the overall tax generation for Stafford County in 2022, which was $265 million, it was a substantial increase. He said that with these additional funds, the County could address various obligations and demands, such as infrastructure improvements and school construction projects like the $183 million new high school currently underway.

Mr. Payne said that the project not only helped offset the costs of these developments but also reduced the tax burden on citizens. He said that the County had a 70-30 goal: 70% residential tax revenue generation and 30% commercial. He said that currently, they had not achieved this ratio, but this project could help establish a baseline for increasing it. He said that transportation impacts, as staff had noted, were not significant since this was not a large traffic generator. He said that the two data center projects at 510,000 square feet generated very low traffic, with approximately 46 trips during the morning and 15 during the evening, totaling 383 trips for the full day.

Mr. Payne said that it was a 24/7 operation, consisting of three shifts; but they would not have more than 30 employees at one time. He said that they had proffered never exceeding 1,000 trips. He said that access to the project would be off Old Potomac Church Road, and it was anticipated that there would be no negative impacts. He said that by-right, a project could generate anywhere between 19,000 to 11,000 vehicle trips per day at full development.

Mr. Payne said that the principal internal access points would be improved, focusing on emergency access, as demonstrated in the GDP. He said the improvement would involve enhancing the portion of Old Potomac Church Road that lay within their right-of-way by constructing curb and gutter, sidewalks, and pedestrian walkways. He said that they were contributing $150,000 toward a future traffic light at South Campus and Route 1.

Mr. Payne said that the contribution would be made not when the traffic light warranted installation but rather when the first certificate of occupancy permit was issued. He said they were contributing $500,000 toward transportation improvements on Old Potomac Church Road or any other transportation projects that the County may have in mind.

Mr. Payne said that when comparing their traffic generation to other uses, such as medical and dental facilities, they generated 48 times less traffic. He said that their project generated about 0.75 trips per thousand square feet, indicating low traffic. He said that the project was revenue positive, created high-paying jobs with minimal community resources, and had fewer drawbacks compared to commercial projects. He said that commercial projects could not match these benefits, while industrial projects were positive but did not check all the boxes. He said that residential projects always faced criticism.

Ms. Gary said she wanted to ensure that the proposed sound mitigation would be met. She said she had some information in front of her and found concern that it might not be possible. She asked how they could assure her of meeting the sound mitigation and what would happen if they could not. She said that if people from the community reported issues, she wanted to know where they stood on the matter.

Mr. Payne said that they would cap the sound level at 55 decibels, ensuring that they did not exceed this limit. He said that this was the most restrictive sound level in the County and considered one of the most restrictive levels within the industry. He said that their sound modeling indicated that they could meet this standard. He said that they would not invest $2 billion dollars if they could not adhere to it. He said that each building cost approximately $1 billion dollars, so they would not risk shutting down their operations due to zoning proffers violations.

Mr. Payne said that the County Zoning Administrator had the authority to shut them down, which carried a more significant impact than a fine. He said that this was not a noise violation that would result in law enforcement. He said that they had proposed proffering their sound analysis to demonstrate compliance with the requirement before the CO was issued. He said that they were conducting annual tests at all four boundary locations of their site for five consecutive years to show adherence to the standard.

Mr. Payne said that they provided $25,000, which they understood was the Planning Commission's estimated cost for acquiring sound metering equipment to ensure compliance with the requirement. He said that there would be no need for annual visits; they could visit whenever necessary according to the County's requirements for assessing their sound proffer.

Dr. Yeung said that she would like to begin by discussing the allocation of $25,000 toward sound measuring equipment. She asked if it was necessary to hire someone new or if one of their staff members could handle this task. She asked why a certified audit or something similar was not provided for the sound metering process.

She said that regarding various funds allocated for different purposes such as traffic and lights, utilities, and installation, she expressed her appreciation for a comprehensive list of all the items these funds would cover. She said that this way, they could avoid any confusion about which expenses were being covered and which ones were not. She requested that an update on the progress and a final list of items be provided once the project was completed. She said this would eliminate the need for them to conduct separate audits for each aspect of the project.

Mr. Payne said that they had proffered each of those items. He said that they proffered conducting a sound study with a DBA level not exceeding 55 as the first measure. He said that they agreed to reduce any potential tone frequency impact further if necessary, based on the recommendations from a Prince William County case. He said that as a second measure, their team would carry out sound testing before issuing the first CO for each building. He said that they proffered that they would annually provide sound analysis at each boundary and present the results to the County.

Mr. Payne said that the Planning Commission requested an independent verification. He said they conducted their own analysis, which included the equipment and an estimated the cost of this at $25,000. He said that they agreed to provide them with $25,000 so that they could conduct their own independent analysis. He said that staff would be utilizing the equipment to verify that they were meeting the requirements.

Mr. Payne said that another crucial aspect of this, particularly during construction, was the involvement of a third-party contractor component. He said that the third-party contractor component entailed that if the County required an additional reviewer or someone to ensure enforcement or assist with permitting, they would reimburse the County for those expenses as well. He said that any additional costs during the construction of their project would not be borne by citizens; instead, they would reimburse for those costs.

Dr. Yeung said that regarding tax generation, she understood that it was either on the fifth or seventh year. She asked if it was based on the amounts mentioned in the document. She said she wanted clarification on whether it referred to the fifth year, the seventh year, or the first year.

Mr. Payne said that the figures presented were gross numbers. He said that these numbers did not consider any potential performance agreements the County might enter into. He said that he was unsure about the specific schedule, but the displayed data represented gross amounts during full buildout.

Dr. Yeung asked what they were doing regarding utility connections. She said that they did not want developers to leave unfinished projects that staff would have to complete.

Mr. Payne said that at community meetings, they addressed neighbors' concerns about potential damage to their wells or septic fields during construction. He said he believed this was highly unlikely, but they committed to repairing any damages caused by their actions. He said that a question was raised regarding public utilities; so, they agreed to cover connection fees for the County and availability charges. He said that they did not wish to be involved in bringing utility lines into people's homes or determining their placement for the County.

Dr. Yeung said that her concern was that when there was a problem, she did not want constituents to approach them and say that they must resolve the issue. She asked if they were seeing it all the way through.

Mr. Payne said yes, they would do it not only during construction, but also during operations.

Dr. Yeung asked if they were able to bring their own water supply until they were able to use the reuse water. She asked if they were able to refill the water tower and use it.

Mr. Payne said that he would allow the County utilities to answer the water question regarding capacity. He said that his understanding was that there was adequate temporary capacity for the first building. He said they proffered that the reuse system would be constructed, and they must construct it, design it, and finance it. He said they needed to have it in place by the second quarter of 2027. He said that if they failed to do so due to their fault, there may be a proffer issue. He said that they could not open the second building without it.

Mr. Payne said that the reuse system would replace potable water used for cooling at each site. He said by that time, a minimum amount of potable water would be used as there were only 60 employees in two buildings. He said that by 2027, the reuse water should be complete and serve as the sole cooling water source. He said that instead of discharging cleaned wastewater, a new utility would be created. He said that the County would manage the utility, charging for its use and potentially allowing other data center users to benefit from it.

Dr. Yeung said she had attended some of the meetings, and all homeowners had been identified and community meetings had taken place. She said that regarding the traffic study, she inquired if it was accurate that it was not necessary due to the number of car trips.

Mr. Payne said that was correct.

Dr. Yeung asked if that was true during construction.

Mr. Payne said that during construction, a construction mitigation plan must be obtained and approved by both the County and VDOT. He said that this plan included aspects such as access points and delivery timing for heavy equipment. He said the plan outlined hours of construction operation, ensuring that large trucks were not on the road during school arrival and departure times. He said that before site plan approval, all these factors were considered and agreed upon. He said that the County enforced the plan throughout the construction process. He said that proffered measures included dust control, delivery timing, and a 48-hour notice requirement for large deliveries to the County. He said that all of these details would be addressed before the site plan was approved.

Dr. Yeung said that "partially conforming" was problematic language. She asked for clarification about why it was "partially conforming."

Ms. Bohmke asked, regarding VA Code § 15.2-980, if it was possible for this legislation to lead to the closure of the facility.

Mr. Payne said that he was unfamiliar with the code and he needed to conduct research on it. He said that he was not certain about its purpose.

Ms. Bohmke said that the answer was no, they were unable to shut it down. She said that they would impose a maximum fine of $250. She said she did not see where noise would be an issue in the building zone. She said her primary concern, however, was related to the noise. She asked how many generators were analyzed in the analysis. She asked if they performed the analysis with 20 generators running and whether they were able to meet the 55 decibel requirement.

Mr. Payne said that generators were used during emergency periods. He said that the County had an exemption, similar to other facilities, hospitals, County government buildings, and individual residences, from the noise ordinance during emergencies. He said that they would also be exempt, just like anyone else.

Ms. Bohmke asked what that noise would be during an emergency situation.

Mr. Payne said he believed it to be within the 50 to 65 decibel range, depending on the situation.

Ms. Bohmke said that another concern was regarding the depreciation schedule. She said she had requested a five-year and seven-year depreciation schedule analysis from staff. She said that recently she had discussed this topic with some friends in Loudon County who mentioned that they were not receiving 100% of their typical revenues due to changes in the depreciation schedule. She asked about the possibility of future changes to the depreciation schedule and its impact on revenue generation, particularly when replacing equipment after five years.

Mr. Payne said that he did not know what depreciation schedule Ms. Bohmke was referring to for Loudoun and could not identify what it was for the applicant because it was not relevant to the rezoning application. He said he believed that the industry standard was for equipment to be replaced every five years.

She said that if the equipment was replaced every seven or 10 years, it would impact the revenues of the project.

Mr. Payne said that it might, but he added that this would be atypical for the industry standard.

Ms. Bohmke said that she did not see how it would not.

Mr. Payne said that he did not say it potentially could not, but merely stated that this was not typical to the industry standard. He said that inconsistency with the industry standard was demonstrated by changing technology every 10 years. He said that he would not believe they would continue using computer systems that were 10 years old. He said that these are highly advanced technology systems, constantly evolving; however, the standard was approximately every five years.

Ms. Bohmke asked why the noise impacting the nearby daycare center was not taken into account. She said that this would directly affect the children in the facility.

Mr. Payne said the analysis indicated that at the property line, the noise level would not exceed 55 decibels. He said that the distance to the daycare center was about 400 to 500 hundred feet. He said that the noise level at the property line will not exceed 55 decibels. He said that they did not anticipate that the daycare center would be able to hear it from such a distance, especially considering all the mitigation factors they were implementing. He said that it was essential to clarify that 55 decibel was the peak level, and generally, their goal was to maintain lower noise levels than this. He said that their aim was to be below 55 decibels.

Ms. Allen asked what Amazon's standards were regarding equipment replacement. She asked how many noise complaints Amazon had received due to their operations in the Commonwealth.

Mr. Payne said it was just one.

Ms. Allen asked how long they had been operational.

Mr. Payne said since 2006.

Ms. Allen clarified that in 17 years, they had received only one complaint.

Mr. Payne said that of 300 data centers in Northern Virginia, they had received two complaints, which had been addressed.

Dr. Yeung opened the public hearing for public comment. She read the rules for public comment.

1. Tim Sharpe, 1910 Old Potomac Church Road, said that their primary concern was noise. He said that Amazon was guaranteed a maximum of 55 decibels at the property line. He said that since their house sat right at the property line, they would be subjected to the full blast of noise directly at their front door. He said he was very doubtful that Amazon could meet their proffered 55-decibel limit, but even if they did, it was only one aspect of the issue.

   Mr. Sharpe said that 55 decibels was not low enough for them to tolerate. He said that they would be unable to endure even the proposed level of noise due to it being broadcast from over 60 feet above ground level. He said that this constant noise would affect them everywhere, 24/7. He said that it was not just about the noise; it also involved vibration, which could be very irritating to the human brain.

   Mr. Sharpe said that he lived only 250 feet away from the source of the noise and vibration, so it would penetrate right through the walls and windows of his home. He said that it would penetrate through any home that was constructed using standard building codes, leaving him with no sanctuary. He said he requested that they consider whether this was an environment they would be willing to subject their own family to. He said that his plea to them tonight was to please hit the pause button on the project.

Mr. Sharpe said that this development would cause real harm to the families whose properties encircled the Amazon parcel, including his own. He said that during the Planning Commission meeting last month, Mr. Payne stated that 55 decibels was the lowest level Amazon would guarantee, and as a remedy, they offered to plant mature trees in the buffer area. He said not to accept that as a solution. He said that Amazon's own acoustic engineer stated during a meeting on August 24 that trees did not effectively block sound.

Mr. Sharpe said that houses can be retrofitted to reduce some of the noise from data centers, and Amazon should pay for this modification. He said he requested that they refrain from repeating the mistake made by communities such as the Great Oaks subdivision in Manassas. He said the residents there and the County had spent two years negotiating with Amazon over noise issues. He said he was requesting that they postpone their final decision on the project until they can guarantee that homeowners will be protected from excessive noise.

2. Raymond Shaw said he resided on the property line of the proposed development. He said that if the building was constructed there, there would be continuous noise from the generators and pumps, as well as other equipment. He said that the generators did not turn off; they operated day and night. He said that the property they owned would become useless. He said he simply did not understand why they must proceed with this plan in the rural district. He said that they were only about 50 feet away from the school. He said that there was the college; it was approximately 120 feet away. He said that it should be stopped.

3. Alane Callander, 622 Lancaster Street, said that she did not live near the area but expressed her concern about the lack of vision for the development in that part of the County. She said that they were right near Stafford Hospital and suggested planning a medical complex to cater to the growing population's need for various medical facilities, including nursing homes. She said she was surprised that the proposal had progressed this far without considering the appropriate use of the area. She said a comprehensive bus service in a medical complex to reduce individual car trips was important. She said that the vehicle trips during construction would be very problematic.

   Ms. Callander said that the registrar's office had already been moved over there, and early voting would also take place there. She said she was an advocate for the preservation of natural spaces, and they were going to take down all the natural trees. She said that the wildlife would be displaced and their climate would become hotter due to the data center's construction. She said there were appropriate places for data centers, but this was not one of them. She said that it should not have gotten this far in the decision-making process. She said she appreciated the suggestion to put a pause on the project. She said that she had been talking to industry people who were not being very visionary.

4. Lavette Bumbrey, 44 Johnson's Pride Lane, said she agreed with the need to pause the project. She said that they were 150 feet from the substation at their property line. She said that it had been discussed that many measurements had been taken to front doors; however, she said that they did not live in their front doors. She said they spent time outside in their yards and often gathered near their property lines. She said it was unrealistic to assume everyone would be 700 feet away from the noise.

   Ms. Bumbrey said she would like to clarify the discussion about the 55 decibels and the 24-hour duration. She said there had been discussion at the last meeting on October 25 regarding monthly generator testing during daytime hours, which would be up to 60 decibels. She said she did not believe replacing or adding more trees or a sound wall would alleviate the situation. She said it would result in a constant level of low-level noise. She said that Amazon mentioned they lacked preventive measures for low-level noise and electromagnetic fields, thus causing an impact on residents, daycare facilities, and nearby schools.

   Ms. Bumbrey said there were suggestions of permanent noise monitors and self-monitoring being brought up at the last public hearing. She said she believed that this approach was reactive rather than proactive, leading to residents filing complaints about noise levels as a solution. She said that continued noise pollution had been proven to have physical and mental health impacts, which would likely affect the quality of their lives. She said she wanted to bring up the limitation for South Campus Boulevard.

   Ms. Bumbrey said Amazon was requesting two entrances on Old Potomac Church Road. She said she urged them to limit these to only the South Campus Boulevard entrance. She said that Old Potomac Church Road was a one-lane road, allowing only one car to pass at a time. She said the implementation of a water reuse system would take five years and require residents to endure 530,000 gallons of water usage from the facility daily during that period. She said she requested a pause on the proposal.

5. Sparkle Raymond, 53 Old Potomac Church Road, said that to hear Amazon discuss the noise issue, they had no understanding of the matter. She said that she had to contact them and express her concerns about the noise from the water tower at 3 and 4 a.m. in the morning. She said that suggesting that they would plant trees as a solution was unhelpful.

She said that she possessed numerous trees, yet they had not mitigated any sound. She said that she could hear announcements from Brooke's games at her residence. She said their proposal made no sense whatsoever.

Ms. Raymond said it was disconcerting to believe that individuals thought it was acceptable to intrude into a residential area where senior citizens resided. She said that three schools were also located in the vicinity. She said that assuming $500,000 or $125,000 would make a significant difference was misguided. She said that money may be acceptable, but displaying it was an insult. She said that in various locations, one encountered job advertisements everywhere. She said that people no longer found jobs impressive. She said that one should consider the age of the community when making decisions.

Ms. Raymond said it was crucial to prioritize the wellbeing of the community and its residents. She said she did not object to development; rather, she was concerned about the quality of life. She said one must question what held greater importance: the people being represented or the financial gains. She said she believed that they all prioritized the individuals they represented over monetary profits. She asked that they stop the proposal.

6. John Lyver, Gainesville, Virginia, said he had been conducting noise studies on data centers in Prince William County for two years. He said he had studied AWS sites in Loudoun, Prince William, and Fauquier counties. He said that the information presented tonight was incorrect. He said that after reviewing the noise study submitted with the application, it was not credible and should be rejected. He said that the noise proffers did not adequately address the issue.

   Mr. Lyver said that human auditory systems did not shut down when one slept. He said that the software used, Cadna A, was a reliable piece of software. He said that it was noticed that there was no data on where the inputs originated from, making it an entirely input-driven model without standard parameters such as attenuation rates, noise backgrounds, or certification. He said that academically, this lack of credibility raised concerns.

   Mr. Lyver said that he had developed his own software code, which had been validated to within half a decibel of actual readings based on data collected from multiple data centers across Loudon, Fauquier, and Prince William counties. He said that he used a nominal data center with an average noise level of 65 decibels. He said that he had analyzed AWS's Tanner Way site in the Great Oak neighborhood near Manassas Airport. He said that initially, the data center measured 65 decibels at a distance of 500 feet, which aligned with the design presented in the documents.

Mr. Lyver said he took their model that they had provided in Figure 6.1 and worked it backward to determine what they were using for their nominal data center. He said that they claimed it would be 35 decibels for the building. He said that a Manassas National Battlefield Park study stated that the natural noises were 44 decibels. He said that Amazon was asserting that its facility would be 7 decibels quieter than the birds and rabbits at Manassas National Park. He said he did not believe either claim. He said that the attenuation rate used was 190 decibels per kilometer.

Ms. Gary called a point of order.

7. Kristin Maxson, 1816 Richmond Highway, said that when one enters a jet engine plane, they strive to minimize noise; however, by the end of the day, passengers can feel exhausted due to the persistent noise. She said that noise remained an issue even with good technology. She said that in the 21st century, she wanted to be practical for the public. She said that they received the application dated March 1, 2023, coinciding with various events affecting the public, such as budget discussions. She said that earlier, she mentioned the hospital construction in 2008, which had not been easily overcome. She said that the community continued to struggle with its aftermath, and this had negatively impacted schools.

   Ms. Maxson said that there were 35 adjoining homeowners on the list, and it would likely be utilized for the university, which would be welcoming, as well as the registrar's office, which would also be welcoming. She said that the daycare center was far too close, so another type of business must take over that location. She said that at the same time that this application was submitted, the Director of Planning was retiring.

   Ms. Maxson said commissioner acknowledged a conflict, which was documented on page 335 in the 1,466 pages that the public had to review today. She said she felt it was progressing too rapidly, and people struggled to adapt to the changes taking place, and it appeared that data would be stored for the registry and courthouse. She said that they knew little about this, and no one seemed to voice their concerns; it was just silent. She requested that they delay the project.

Mr. Payne said that they wanted to ensure that this Board understood their commitment to engaging with the community. He said that Ms. Bohmke had been diligent in organizing meetings with the community, keeping them informed about the changes in their application, and providing online access to their continuing submission of application materials. He said that the County had also held two broad community meetings on data centers, as well as a dozen Planning Commission subcommittee meetings, which were open to the public. He said that as a result, the topic of data centers and their engagement in Stafford County had been prevalent today.

Dr. Yeung asked if there were revised proffers that they needed to discuss.

Mr. Vosburg said that the changes were in reference to changes since the Commission hearing.

Ms. Bohmke said that she was expecting a copy of the revised proffer. She said that as they always received one in their packet when voting on rezonings, she inquired if there was anything physically present.

Dr. Yeung asked if it was in the email they received.

Mr. Vosburg said that he emailed the Board yesterday regarding the documents submitted by Mr. Payne.

Ms. Bohmke said that she did not have a physical copy in front of her.

Mr. Payne said that he provided some revised proffers yesterday, pursuant to the request of staff and Ms. Bohmke, regarding addressing any assistance that adjoining property owners may require for connecting to public utilities. He said that the proffered solution involved reimbursing the County for extending public utilities so they were available for each property owner to connect. He said they proffered reimbursing the property owner to extend the public utility to their homes. He said that the County Utilities Department was not supportive of having to extend the utilities and make them available to the property owners.

Mr. Payne said that they suggested that the alternative would be simply reimbursing the property owner for extending utilities to their home when there were existing available utilities onsite. He said that to clarify this matter, there were no public utilities available today that would enable these property owners to connect. He said that they must be extended to the site. He said that they would reimburse the County for the extension costs.

Mr. Payne said he believed that the County did not currently wish to extend utilities for this purpose. He said if the County accepted their proffer, they would submit it. He said that they had submitted a revised proffer after the Commission meeting and addressed additional comments and concerns. He said that the first version was submitted on November 9 and published by the County, which they had in their packet. He said that yesterday, they were asked to make changes and resubmit the proffer to address further issues.

Dr. Yeung asked who requested the changes.

Mr. Payne said that they were requested by staff to review additional comments raised yesterday. He said that they promptly submitted their response, believing it to be reasonable. He said that this was not satisfactory to the utilities, and it had nothing to do with their intentions regarding reimbursement or profit. He said that the primary concern was the County's obligation to extend utility services and bear the associated costs upfront. He said that they have proffered to cover both the connection fees and the cost of extending utilities to those who wished to connect in the future.

Mr. Payne said that the primary concern at the beginning of this issue was related to potential damage to wells and septic systems. He said they believed it was highly unlikely, but if any damage occurred, they would take responsibility. He said that the subsequent request was regarding the possibility of connecting public utilities. He said they agreed to cover the connection fees, which amounted to approximately $18,000 to $20,000 for water and sewer. He said the proffer had been approved by the Commission and was included in the packet on November 9.

Ms. Bohmke said that the utility staff did not wish to be held responsible for extending water and sewer infrastructure to these property owners.

Mr. Chris Edwards said that they had requested that Amazon, as they were constructing water and sewer infrastructure, extend it if necessary as part of their project.

Ms. Bohmke clarified that Amazon did not want the responsibility.

Mr. Payne said that they would compensate the County for the expense. He said there were numerous uncertainties because it was a last minute request. He said they did not know how much right-of-way might be required, and this had not been designed or examined. He said that this was merely a guessing game for them to assume. He said that they suggested the County make the assumption and they simply reimburse them. He said that they were not suggesting that the County's stance was incorrect, they were merely stating that they were not the appropriate party to handle this matter.

Ms. Bohmke asked why the County did not want to do it.

Mr. Edwards said that they did build water and sewer infrastructure. He said that it was more advantageous not to be responsible for upfronting the money and constructing all of the infrastructure, especially since they were designing improvements for the area. He said they thought it would be easier and more straightforward for them to construct the improvements.

Ms. Bohmke said that the case was that they could construct these two buildings, and it might take up to four years before any constituents requested a connection to water and sewer services. She said that at that point in time, based on the proffer, it would have to be done. She said that by then, AWS could be offsite, so it would not be completed then. She said that many people currently using wells and septic systems did not want to switch to water and sewer connections because they were concerned about receiving a water bill.

Dr. Yeung said that there was a point of clarification regarding the matter at hand. She said that it was not a matter of choice whether or not to connect, as the issue being discussed was that if a well was not functioning properly due to construction, then it would be necessary to make a decision such as fixing the well and providing the funds. She said that what appeared to be implied was that with Amazon's arrival, they should transition directly from relying on the well to using water.

Ms. Bohmke said that she did not believe that the proffer was constructed in that manner. She said that instead, she understood it to mean that if someone's well or septic system was damaged during construction, then they would be responsible for fixing the issue. She said that two and a half years could pass before someone would request to connect to water and sewer.

Dr. Yeung said that they could only connect if there was a problem with the construction.

Ms. Bohmke said that no, it was a proffer offered to those constituents.

Dr. Yeung said that she had misunderstood.

Ms. Gary clarified that if Amazon came near her house and installed a water line, she could say a couple of years later that she wanted to connect to it, and then Amazon would pay for it. She asked if this kind of arrangement was possible. She said she did not understand where this was going. She said that she knew that there was repair if there was damage to the wells. She said she knew that the County did not want to take on projects that they had no idea what would entail or how much it would cost. She said that they knew the terrain in their area, and Amazon probably did not want to take on that either.

Mr. Edwards said that it would be slightly different. He said that they would build the water lines directly around their site, and although these sites were near it, constructing separate water and sewer lines was necessary to serve those properties.

Ms. Gary said that they were not going to do it, and Amazon was not going to do it either.

Mr. Edwards said that he believed the issue at hand was whether Amazon should complete the task or if the County should. He said that they were attempting to clarify their stance on this matter, as he was unsure of what Amazon's intentions were.

Ms. Gary asked if anyone wanted to currently connect. She asked how the proffer had arisen.

Mr. Edwards said that the homeowners were not required to convert. He said that if they wished to connect to the water and sewer systems, Amazon would cover the connection fees.

Dr. Yeung asked if there was a motion to continue the conversation. She said she needed a motion just so she could have control.

Ms. Bohmke motioned, seconded by Mr. English, for the Board to defer the item to a date certain on November 28 or November 30.

Ms. Gary said that she was not in favor of deferring this decision. She said that she had conducted her due diligence. She said that she had not only listened to industry professionals but also visited data centers personally. She said that she requested to visit another center across the street, which others claimed made more noise, and found that it did not make as much noise as expected based on her personal experience.

Ms. Gary said that she would not react to someone making faces at her from the audience while texting Board members during the meeting. She said that she would make a professional decision with people who conduct good business, using the research she had done in collaboration with many staff members and experienced individuals from the region.

Ms. Gary said she understood that it was a difficult situation. She said that it was hard for people to watch them make these decisions, and those who disagreed were likely upset. She said she believed in putting people first and would not have made this decision if she thought it was detrimental to the community or her neighbors. She said that they were her neighbors, and she cared about their wellbeing. She said the decision was not based on money but rather what she considered the right thing to do.

Mr. Coen made a substitute motion, seconded by Ms. Gary, to approve the Ordinance O23-27.

Mr. Coen said that he empathized with their neighbors and was concerned that they might advertise this by the 28 to continue or take necessary actions. He said that when he first joined the Board five and a half years ago, he toured one of their water facilities and observed how they were simply dumping water into the Rappahannock River. He said that they could reuse this water for data centers instead of just discarding it in the river. He said that over these past five and a half years, he had been diligently researching, examining successful practices elsewhere, and identifying mistakes made in other places, likely causing some frustration among staff members.

Mr. Coen said that on this matter, he concurred; this area was intended for residential and commercial development, but unfortunately, they had witnessed numerous instances in the County where promised retail never materialized. He said that the County bore the burden of the increased traffic and additional school children in the area without any offsetting benefits. He said that this situation did not seem sustainable, as it appeared to be a repetition of the same actions despite their negative consequences. He said that people were aware of his efforts to protect the environment, but building medical facilities and nursing homes would necessitate cutting down trees and harming the environment.

Mr. Coen said it was inevitable that something would be constructed in the area, but he was hesitant about it being more residential homes. He said that he believed that the screening issues addressed had been more significant than those he had encountered elsewhere during his visits or research. He said that the sound limits and buffers implemented were stricter than what had been done in Northern Virginia. He said that throughout this process, they had been extremely cautious and thorough, learning from the mistakes made in other places.

Mr. Coen said that their legal team had also been diligent in examining the intricate details of the issue. He said that he believed it was essential to recognize the fact that retail establishments would not be present there. He said that retail had undergone significant changes. He said that the County's residents expressed their disapproval of additional warehouses, as there was already an adequate number of them.

Ms. Allen said that over the past couple of years, she had visited numerous data center sites and spent a significant portion of her time in Loudoun County, specifically around these facilities. She said that her daily commute involved being within close proximity to these sites for three years, spending between eight to 10 hours a day in a building where noise was not an issue for them.

Ms. Allen said that according to La Salle University, the average bark of a dog is approximately 80 to 100 decibels. She said that a television viewed from a distance of three feet produces sound levels ranging from 60 to 70 decibels. She said that the average conversation held at the same distance generated noise levels between 40 to 60 decibels. She said that the ordinary car, situated 32 feet away, emitted sounds within the range of 60 to 80 decibels. She said that traffic on a busy road produced noise levels of 80 to 90 decibels. She said that a typical electric hand mixer operated at around 65 decibels.

Ms. Allen said that when engaging in various activities within one's home, it was unlikely for individuals to be exposed to sound levels of 55 decibels or less, as the noise generated by everyday household activities far exceeded this threshold. She said that in 17 years, only two noise complaints were received at decibel levels higher than what was requested, demonstrating that, as an organization, they had made a concerted effort to be better neighbors to their community.

Ms. Allen said that at the five-year budget session, they were informed that in five years, their tax rate, based on all the needs they had, including three schools, a fire station, staffing, and transportation needs, amounted to about $1.18 per $100 of assessed value. She said that if they did not start making significant progress in expanding their commercial and business base to generate more revenue and alleviate the burden on citizens, then taxes would have to be significantly higher to afford these necessities.

Ms. Allen said that considering all the information she had gathered and the due diligence conducted by their staff, and given the discussions held during their early meetings, which were open to the public, they had openly stated that they did not want to experience a repeat of Loudoun County or Prince William's situation. She said as they progressed, she believed they were in a better position than those two counties in addressing the concerns posed by data centers. She said that in five years from now, they should not have to look at an increase of $1.18 per assessed value. She said that to avoid this, they must start making significant investments in the County, and for those reasons, she supported the project.

Ms. Bohmke said she would not be supporting the motion. She said that the proffer for sound mitigations covered only five years. She said she believed that the sound proffer should extend for the duration of the entire project. She said she did not disagree with many of the points regarding economic development and tax rates. She said that this process began in March when they held a joint meeting with the Planning Commission.

Ms. Bohmke said that what caused her to hesitate was two and a half weeks ago when she watched Spotsylvania County's Board of Supervisors meeting, during which a constituent referred to Dr. John Lyver conducting an analysis of the Digital Gateway Project and other sound studies. She said she immediately contacted him because it was the one thing they had not done for their residents - a third-party study analysis on noise levels. She said that she understood their concerns and had reached out to Dr. Lyver, who agreed to come down that day.

Ms. Bohmke said that this happened quickly in the last two weeks amidst other challenges in both their lives. She said she sent the Board the noise analysis Dr. Lyver did for other communities as soon as she received it, along with his resume. She said that the Digital Gateway Project in Prince

William County was also utilizing him, also in Northern Virginia, and she did not believe his work should be dismissed.

Ms. Bohmke said that they did not do an independent sound study, and she did not believe the facility would be able to meet the 55 decibel requirement. She said she did not believe any harm was done in simply pausing this until the end of the month. She said that they could conduct additional research, and perhaps she would be able to get on board; however, she could not get on board based on what she knew about the sound at present. She said that she could not subject her constituents living nearby to that. She said that she supported the transmissions, the water, and all other aspects of the project, but she could not support the noise study, and for that reason, she must vote against this project.

Ms. Bohmke said she could not support this project. She said that she did not believe there would be any issue with deferring it until the end of the month, either to November 28 or November 30. She said she thought that such a decision would benefit their constituents living in this area and fulfill their responsibility to the public, as public safety was the top priority for Stafford County and every county within this Commonwealth.

Mr. English said that there was not enough time for advertisement if the item was deferred to November 28.

Ms. McClendon said that was correct

Dr. Yeung said that her background was in IT with security clearance for a large company, specializing in technology and data centers. She said that this issue was not limited to a specific area; it concerned the entire County. She said that with over 20 years of experience in this field, she supported the motion.

Ms. Bohmke asked for clarification about extending the sound requirement through the life of the project.

Mr. Payne said that they had proffered annual studies for five years and the funds for the County to purchase the equipment for sound metering. He said that the issue was adequately covered with those proffers.

The Voting Board tally was:

Yea:	(5) Allen, Coen, English, Gary, Yeung
Nay:	(1) Bohmke
Absent:	(1) Vanuch

Ordinance O23-27 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN THE STAFFORD COUNTY ZONING ORDINANCE BY AMENDING PROFFERED CONDITIONS ON TAX MAP PARCEL NO. 39-71A, ZONED B-2, URBAN COMMERCIAL, LOCATED WITHIN THE FALMOUTH ELECTION DISTRICT

WHEREAS, Amazon Data Services, Inc. submitted Application RC23154991, requesting to amend proffered conditions on Tax Map Parcel No. 39-71A, consisting of 49.9 acres, zoned B-2, Urban Commercial, located within the Falmouth Election District; 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 the requested zoning amendments are compatible with the surrounding land uses and meets the criteria for a rezoning in Stafford County Code Sec. 28-206; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this Ordinance to amend proffers on the subject property;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that the Stafford County Zoning Ordinance be and it hereby is amended and reordained to amend proffered conditions on Tax Map Parcel No. 39-71A, zoned B-2, Urban Commercial, as specified in the proffer statement entitled “STAFFORD COUNTY, VIRGINIA PROFFER AMENDMENT STATEMENT,” dated October 27, 2023 and completely signed October 30, 2023.

NEW BUSINESS

Dr. Yeung said that they had moved Item 24, discussion of Micah Ecumenical Ministries, to be referred to the CEDC.

Ms. Gary said that she believed it was to be determined because they had another matter to discuss. She asked if they could return to that topic to determine which committee it would be sent to.

Dr. Yeung requested to refer Item 26 to the legal team and Anthony Toigo. She said that the only remaining topic was the discussion on creating a Workforce and Affordable Housing Standing Committee, which had been requested by her. She said that at this time, she proposed a motion.

Ms. McClendon stated that New Business started at Item 20.

ITEM 20. CAPITAL PROJECTS TRANSPORTATION; SUPPORT AND ENDORSE FAMPO'S CONGESTION MITIGATION & AIR QUALITY IMPROVEMENT PROGRAM (CMAQ),

CARBON REDUCTION PROGRAM (CR), AND SURFACE TRANSPORTATION BLOCK GRANT PROGRAM (STBG) APPLICATIONS FOR FY30 FUNDING

Mr. Lehane said that the presentation covered several aspects, including the schedule and funding for CMAQ, CR, and STBG funding programs, potential scoring for various project types, application recommendations, and a decision that needed to be made during the meeting so that they could submit applications by November 20. He said that it was essential to note that the application period ran from September through November. He said that CMAQ, or Congestion Mitigation and Air Quality, Carbon Reduction (CR), and Service Transportation Block Grant (STBG) were the primary focus of their discussion.

Mr. Lehane said that these were all federal funding sources. He said that the application deadline was November 20, and they had five applications for each program. He said that approximately $5 million was available for FY30 funding. He said that the allocations were approximately $2.6 million for CMAQ, $2.1 million for STBG, and around $200,000 for CRP. He said that a Board resolution of support was required to apply for these funds, which could be found in their packet. He said that the existing CIP projects and potential master plan projects had been scored based on FAMPO's prioritization methodology, with Garrisonville Road, Butler Road, and Route 1 projects receiving high scores.

Mr. Lehane said that the projects had been ranked against their own projects as well as those in Spotsylvania and the City of Fredericksburg. He said that not all projects were eligible for all application types. He said that North Stafford had a bike-ped set-aside allocation. He said that through the FAMPO methodology, approximately $300,000 was available for bicycle and pedestrian projects.

Mr. Lehane said that 15 percent of the total STBG funding per year was allocated to bike-ped projects for North Stafford. He said that if they failed to submit a project proposal, the funds would be lost and redirected toward other FAMPO initiatives. He said that they had funding available in FY28 and FY29 that they did not apply for last year. He said that they chose to wait for the results of the Transportation Master Plan. He said that they possessed three years' worth of funding that could be allocated to one or multiple bicycle and pedestrian projects in North Stafford.

Mr. Lehane said that to secure this funding, they must submit an application to FAMPO, becoming the sole applicant. He said that Transportation Alternatives Program (TAP) funds were also available for such projects as set-asides. He said that STBG applications were made five to six years in advance, so their current focus was on FY30. He said that TAP funding applications must be submitted sooner, such as for FY28, which they would apply for a few years from now. He said that in FY28, through both funding programs, over $500,000 would be available annually for bicycle and pedestrian projects in Northern Stafford County.

Mr. Lehane said that Northern Stafford primarily referred to Courthouse Road North. He said that they conducted a data analysis at the request of the last Infrastructure Committee meeting. He said that they examined two data sources: Streetlight Data, a comprehensive platform, including data from 2021 and 2022. He said that this information provided an understanding of pedestrian and bicycle volume in specific areas within the County, which they used to assign low or high volumes. He said that they had data from traffic counts completed at intersections. He said the counts were taken during a single day or peak hour and recorded vehicle activity, sometimes including pedestrians as well.

Mr. Lehane said that the available counts he possessed were quite old. He said that streetlight data volume was assigned based on generalized ranking, with low to high amounts of volume in a given area. He said that they collected pedestrian count volumes for the available projects. He said that they used this data to score bicycle and pedestrian projects, similar to roadway projects, by pulling methodology, conducting GIS analysis, and assigning a general score that ranked their projects against each other.

Mr. Lehane said that the US-17 sidewalk project was an existing initiative with a budget of approximately $486,000 and was included in their CIP. He said that they had several studies from the Transportation Master Plan, including an update scheduled for six years from now. He said that following discussions at the Infrastructure Committee, they made some edits and proposed additional ideas to help them move forward effectively.

Mr. Lehane said that at the Infrastructure Committee meeting, there were some questions regarding how they could proceed with a smaller set of projects or focus on one or two or three projects. He said one suggestion was to consider recommendation number one, for example, concentrating on a single roadway project such as Route 1 at Coachman Circle, one study, the Transportation Master Plan update in FY30, and three bicycle and pedestrian projects were also mentioned.

Mr. Lehane said that these were all smaller-scale projects. He said that the idea from the Infrastructure Committee discussion was to explore less costly projects and concentrate on a smaller subset of projects. He said that this approach did not submit for all the number of applications they were eligible for; they would only be submitting for four CMAQ, four CR, and three STBG applications. He said that in reality, they could submit up to five. He said that the study recommended focusing on three projects: one roadway project, one bicycle and pedestrian project, and one study project. He said that the projects were chosen from a list of master plan projects and were more affordable than the highest-scoring projects. He said that the Board would need to select one or a version of these projects for implementation tonight, which would require updating the resolution accordingly.

Ms. Allen asked if Mr. Lehane could briefly remind her of what the Aquia projects were.

Mr. Lehane said that the projects were for Route 1 at Coal Landing, which included a turn lane. He said it was specifically a left-turn lane at Coal Landing, and this project could also include the shared-use path along the northern side of Route 1. He said that it was a SmartScale application from Round 4 that was close to receiving funding but did not initially receive it. He said that it was part of their Transportation Master Plan.

Ms. Allen asked if Foreston Woods was the sidewalk project.

Mr. Lehane said that it would include the sidewalk as well, but the main scope of the project would be roadway improvements. He said the improvements would focus on turn lanes at the intersection.

Dr. Yeung requested a motion to deem the matter time sensitive.

Ms. Allen motioned, seconded by Mr. English, to deem Resolution R23-315 time sensitive.

The Voting Board tally was:

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

Ms. Allen motioned, seconded by Ms. Gary, to approve Recommendation 3.

Mr. Coen said that the Chatham Heights to King Highway project had the same amount of available funding, $265,000, as the Quarles Road on Route 17. He said that in theory, if there was a preference for option three, they could replace the Quarles with that one.

Mr. Lehane said yes. He said that in the methodology, it stated that $500,000 was available. He said that the methodology allowed for receiving up to 50% of the available funding. He said that with Recommendation 3, these were not the highest-scoring projects in the staff analysis conducted; however, they represented a more affordable set of projects. He said there was a better chance of securing funding for some of the highest-scoring projects.

Ms. Bohmke asked if Mr. Coen recommended switching the White Oak with Item 5 on Recommendation 3.

Mr. Coen said that he would replace item number five, which was Quarles Road and 17, with the Chatham one on Kings Highway.

Ms. Gary said she supported the amendment.

Ms. Allen said she supported the amendment.

Dr. Yeung asked Ms. Allen to repeat the motion.

Ms. Allen motioned, seconded by Ms. Gary, to approve application recommendation number 3, subject to the condition that US-17 EB at Quarles to Solomon Dr Bike/Ped Improvements was replaced by the Chatham Heights and Kings Highway Bike/Ped Improvements suggestion from application recommendation number 1.

The Voting Board tally was:

Yea:	(5) Allen, Bohmke, Coen, Gary, Yeung
Nay:	(1) English
Absent:	(1) Vanuch

<u>R23-315 reads as follows:</u>

A RESOLUTION OF SUPPORT FOR FAMPOS CONGESTION MITIGATION AND AIR QUALITY (CMAQ), CARBON REDUCTION (CR), AND SURFACE TRANSPORTATION BLOCK GRANT (STBG) PROGRAMS APPLICATIONS FOR FY28, FY29, and FY30 FUNDING

WHEREAS, the Fredericksburg Area Metropolitan Planning Organization (FAMPO) has issued a call for projects for Fiscal Year 2028 (FY28), 2029 (FY29), and 2030 (FY30) funding; and

WHEREAS, funding is available for FY30 from the Congestion Mitigation and Air Quality (CMAQ) and Carbon Reduction (CR) programs, as well as in FY28, FY29, and FY30 for the Surface Transportation Block Grant (STBG) program for allocation to eligible projects; and

WHEREAS, applications for CMAQ, CR, and STBG funding are due to FAMPO by November 20, 2023; and

WHEREAS, a resolution ensuring local support for the funding applications is required as part of the application process; and

WHEREAS, the Board supports and authorizes County staff to submit FAMPO CMAQ, CR, and STBG funding applications contained herein below;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 2023, that it be and hereby does endorse and support the following Fredericksburg Area Metropolitan Planning Organization (FAMPO) project applications:

Congestion Mitigation and Air Quality (CMAQ)/Carbon Reduction (CR)
1. Route 1 at Coachman Circle Roadway Improvements
2. Route 1 at Coal Landing Roadway Improvements
3. Route 1 at Foreston Woods Roadway Improvements
4. Chatham Heights and Kings Highway Bike/Ped Improvements
5. Mine Rd and Greenspring Dr Bike/Ped Improvements

Surface Transportation Block Grant (STBG):
1. Route 1 at Coachman Circle Roadway Improvements
2. Route 1 at Coal Landing Roadway Improvements
3. Route 1 at Foreston Woods Roadway Improvements
4. Transportation Plan Update Study
5. Mine Rd and Greenspring Dr Bike/Ped Improvements

;and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, is authorized to submit FY28, FY29, and FY30 FAMPO project applications for the above-listed projects and to submit and execute all other documents necessary to secure funding from FAMPO through the CMAQ, CR, and STBG programs.

ITEM 21. PLANNING AND ZONING; CONSIDER SUSPENDING BY-LAWS TO AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING ON AND CONSIDERATION OF, APPLICATION CUP23155014, REQUESTING A CONDITIONAL USE PERMIT ON TAX MAP PARCEL NO. 19-31J, FOR DECEMBER 12, 2023 (PROJECT KNOWN AS NORTH STAFFORD OFFICE COMPLEX FIRESTONE).

Kathy Baker, Assistant Director of Zoning, said that the Board was to consider advertising and conducting a public hearing for suspending its bylaws for a conditional use application for North Stafford Office Complex Firestone. She said that this application pertained to an automobile service and repair facility in the B-2 District. She said that the conditional use permit had been approved by the Planning Commission on October 11, and the applicant had requested that the action be considered before the end of the year. She said that due to time constraints, they had to waive the Board's bylaws, which restricted any action during an election year, in order to advertise the public hearing for December 12.

Dr. Yeung requested a motion to deem the matter time sensitive.

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

Ms. Allen asked what would happen if they did not deem the matter time sensitive.

Ms. Baker said that it would not be possible to advertise it in time for the December 12 meeting, and she clarified that it was the only meeting that month.

Ms. Allen asked why they had to hear the application before December 12. She asked if there deadlines or other time constraints.

Ms. Baker said that she did not have the details on what the time constraints were.

Ms. Allen said that because she was unaware of their time constraint, she could not make a decision regarding time-sensitive matters.

Mr. Vosburg said that he had a conversation with Supervisor Vanuch, who the request was made to. He said that they requested that it be heard by the end of the year, and that it would follow the normal schedule. He said it would normally be heard by November or December. He said that this was their request for putting forward the matter.

Ms. Gary said that it was very difficult for her to vote on this matter because she was uninformed about its details. She said that she had not received any calls regarding it and did not know if anyone else had been informed either. She said that she was hoping someone would provide some information. She said that she could not vote on something where she lacked knowledge of the situation's specifics. She said that if anyone possessed relevant information, they should share it with her.

Mr. English said that it was clear what he meant. He said they appeared to want to hear the matter earlier, but due to the Board's bylaws, they were not able to get on the agenda.

Ms. Gary asked if Ms. Vanuch considered the matter time sensitive and wished to proceed with it.

Mr. English said yes.

Ms. Gary said that at least they had established that. She said that what followed was the applicant's request, and Ms. Vanuch agreed to it, as far as they knew.

Mr. Vosburg said that Ms. Vanuch was supportive.

Ms. Allen said that she had understood the point but was curious about the reason for holding the hearing by November. She asked if going past November and into December would affect the application process. She asked whether the application would be impacted if it went through the normal processes.

Ms. Baker said that the applicant did not specify it to their office. She said that the request was just to authorize the public hearing.

Ms. Gary said that when she was unable to attend the meeting, she had made efforts to call in. She said she never wished to be placed in a situation where she could not make decisions for their County due to a lack of information. She said that she would proceed with this based on the trust of a few individuals there who claimed that Ms. Vanuch wanted it. She said that in the future, she hoped they could communicate effectively about even seemingly ordinary matters. She said it should proceed, but they still needed to know. She said that she did not believe any of them wanted to sit up there and make decisions about matters where they lacked more information. She said that in the future, she would prefer more information.

Dr. Yeung called the vote on the motion to deem the matter time sensitive.

The Voting Board tally was:

Yea:	(5) Allen, Bohmke, English, Gary, Yeung
Nay:	(0)
Abstain:	(1) Coen
Absent:	(1) Vanuch

Ms. Allen motioned to reconsider.

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Mr. English, to approve Resolution R23-328.

The Voting Board tally was:

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

Absent: (1) Vanuch

Resolution R23-328 reads as follows:

A RESOLUTION TO SUSPEND THE BOARD'S BY-LAWS AND RULES OF PROCEDURES TO ADVERTISE, HEAR, AND PERMIT BOARD ACTION ON APPLICATION CUP23155014, WHICH REQUESTS A CONDITIONAL USE PERMIT TO ALLOW AN AUTOMOBILE SERVICE AND REPAIR FACILITY ON TAX MAP PARCEL NO. 19-31J, LOCATED WITHIN THE ROCK HILL ELECTION DISTRICT

WHEREAS, Dearborn Land Investment, LLC (Applicant) submitted application CUP23155014 (Application), requesting a conditional use permit to allow an automobile service and repair facility in the B-2, Urban Commercial and HC, Highway Corridor Overlay Zoning Districts on Tax Map Parcel No. 19-31J, located within the Rock Hill Election District; and

WHEREAS, the Planning Commission conducted a public hearing and recommended approval of the proposed Application on October 11, 2023; and

WHEREAS, the Applicant has requested that the Application be considered by the Board prior to the end of December 2023; 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 authorize advertisement of a public hearing to consider the Application at its December 12, 2023 meeting; 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 December pursuant to the Applicant's request;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November, 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 CUP23155014, which requests a conditional use permit to allow an Automobile Service and Repair Facility on Tax Map Parcel No. 19-31J (Application) in December of 2023.

ITEM 22. UTILITIES; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS WITH VARIOUS VENDORS FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) MAINTENANCE, PARTS, REPAIRS AND REPLACEMENT ON VARIOUS EQUIPMENT.

Chris Edwards, Director of Utilities, said that the contract was relatively straightforward, being a solicitation for parts or multiple parts for their utilities infrastructure, including pumps, pipes, lab equipment, and everything else. He said that this would have been a contingent item if they had bid it out as one thing; however, this included 12 different contracts with a total expenditure of approximately $9 million.

Mr. Edwards said that the initial contract was good for five years, with an additional renewal option for another five years, making it a ten-year total contract. He said that since the contract was 10 years long, each vendor could not provide them with a locked price. He said that instead they offered a locked discount off their list prices for the required equipment. He said that this equipment was needed now for their operations, so this should be considered time sensitive.

Ms. Bohmke asked if they could please explain why a $9 million contract had been presented to them now, when it appeared to be time sensitive. She asked why they were not made aware of this opportunity last month.

Mr. Edwards said that as far as procurement was concerned, he believed the bid opening took place in the last couple of weeks. He said that they had only recently initiated this process. He said that if one examined the resolution, each individual contract amounted to $1 million. He said that often when they bid these out, they would do so one at a time; however, in this case, they issued a much larger solicitation encompassing almost every piece of equipment required.

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

The Voting Board tally was:

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

Ms. Gary motioned, seconded by Ms. Allen, to approve the Resolution R23-322.

The Voting Board tally was:

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

Absent: (1) Vanuch

Resolution R23-322 reads as follows:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) MAINTENANCE, PARTS, REPAIRS AND REPLACEMENT ON VARIOUS EQUIPMENT

WHEREAS, Department of Utilities staff require various replacement parts and equipment for the maintenance of water and sewer infrastructure throughout the County; and

WHEREAS, to maintain the essential services, there is a reliable need for parts and equipment to repair and replace assets as they become operable and/or damaged; and

WHEREAS, equipment purchases may include supplying materials, installation, repair, replacement, and warranty work from each vendor or manufacturer; and

WHEREAS, pursuant to Information for Bid (IFB) No. 24007 the County solicited competitive proposals from qualified bidders to establish a five-year contract with one five-year renewal term to provide as-needed original equipment manufacturer (OEM) repair and replacement parts and equipment for the maintenance of water and wastewater infrastructure; and

WHEREAS, staff evaluated the proposals and determined the below vendors to be the lowest responsive and responsible bidders to provide the OEM maintenance parts, repairs, materials, installation, repair, replacement, and warranty work; and

WHEREAS, funds for these supplies and services were budgeted and appropriated in the FY2024 Utilities Capital Improvement Program (CIP) Fund and Utilities Operations Budget and future years are subject to annual budget and appropriations by the Board;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 14th day of November 2023, that County Administrator be and he hereby is authorized to execute contracts with following vendors for five-years with one optional five-year renewal term, in the total contract amounts listed below, for the provision of Original Equipment Manufacturer (OEM) maintenance, parts, repairs and replacement of various equipment for the Department of Utilities:

Vendors	Contract Number	Contract Sum
Commonwealth Engineering & Sales, LLC	24007-COM	$500,000
Ferguson Enterprises, LLC	24007-FER	$1,000,000
Fortiline, Inc.	24007-FOR	$500,000
GAGE, LLC	24007-GAG	$500,000
Heyward Incorporated of Virginia, Inc.	24007-HEY	$1,000,000

JWC Environmental Inc.	24007-JWC	$500,000
Sherwood Logan & Associates, Inc.	24007-SHE	$1,000,000
Sydnor Hydro, Inc.	24007-SYD	$500,000
Tencarva Machinery Company	24007-TEN	$1,000,000
Tidewater Fleet Supply, LLC	24007-TID	$500,000
Winschel Environmental, LLC	24007-WIN	$1,000,000
Wood Equipment Service Co.	24007-WOO	$1,000,000

ITEM 25. DISCUSSION ON CREATION OF A WORKFORCE AND AFFORDABLE HOUSING STANDING COMMITTEE.

Dr. Yeung said that she would pass the gavel to Vice-Chairman Coen so that she could make a motion.

Dr. Yeung said that they had been working on the matter in committee for nearly a year. She said that housing was essential, and Governor Youngkin and his predecessor, former Governor Northam, both acknowledged its necessity. She said that during a conference in 2021, he stated that if one wanted economic growth, they need a workforce. She said that some discussed workforce housing, while others focused on the workforce itself. She noted that Ms. Bohmke recently mentioned workforce as well.

Dr. Yeung said that to ensure employees, teachers, firefighters, and family members could live, work, and thrive near their jobs, she proposed forming a workforce affordable housing committee. She said that this initiative could lead to numerous benefits, such as reduced commuting time, improved employee retention, increased economic growth, and enhanced quality of life.

Dr. Yeung motioned, seconded by Ms. Gary, to deem the matter as time sensitive.

Mr. English asked why the matter was time sensitive.

Dr. Yeung said that she wanted the matter to be time sensitive so that it would become a regular committee by the end of the year. She stated that they were bringing forward the final report, and she did not want the work to take a pause. She said she wanted the committee to start by the beginning of the year.

Ms. Bohmke said that she was concerned about time sensitivity at the meeting and mentioned that one Board member was absent. She noted that in past Board meetings, when a member was not present, they had held off on considering the matter. She asked where the minutes were from the meetings of the committee. She asked what the distinction was between a workforce and an affordable option.

Mr. Vosburg said that he confirmed the existence of the minutes, as he had seen them before. He said that he would provide the Board with those documents.

Ms. Bohmke said that she believed it was essential for them to review the minutes before voting on such matters, as she was unaware of what transpired at those meetings. She said that other members of the Board had also used similar phrases with her. She said that she must be educated on the committee's work to make an informed decision.

Mr. Vosburg said that there had been much discussion in the committee about workforce versus affordable housing. He said that affordable housing referred to a specific qualification and definition, with federal programs supporting it. He said that workforce housing, on the other hand, catered to those who did not qualify for affordable housing but still faced housing challenges due to earning too much for such programs.

Mr. Vosburg said that the ALICE population was mentioned as potentially falling into this workforce category. He said that there had been debates about the definitions and usage of these terms by developers and federal criteria. He said that GWRC provided input with their report. He said that affordable housing targeted those who qualified for specific programs, while workforce housing addressed the needs of those not eligible but still facing housing difficulties.

Mr. Coen stated that the matter of discussion was the time sensitivity of the motion, not the details of the proposal.

Mr. English said that he did not support deeming the matter time sensitive since it was under New Business.

Ms. Gary said that she would like to address the fact that they had just motioned to suspend bylaws and make a time-sensitive matter for a supervisor who was not present. She said that since all the committee members attending had been able to answer questions, she would like to proceed with this being considered time sensitive.

Ms. Bohmke asked whether the bylaws stated that if they were to change standing committees, the matter had to go before the bylaws committee.

Ms. McClendon said that no, the bylaws provided for the existence of a standing committee; however, it was the Board that ultimately created and appointed its members. She said that in the future, the bylaws would be updated to accurately reflect the Board's actions and decisions.

Mr. Coen called the vote on the motion to deem the matter time sensitive.

The Voting Board tally was:

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

Dr. Yeung motioned, seconded by Ms. Gary, to form the Workforce and Affordable Housing Standing Committee by January 1.

Mr. English said that he was confused about the committee as he could not recall any reports being submitted. He said that he had not seen any minutes either and found it difficult to understand the direction. He said that he believed when discussing affordable housing, there were numerous programs available. He said he wished to have a say in their decisions and receive a report on their progress. He said that he was unsure about the purpose and direction of the motion.

Ms. Gary said that the report would be submitted soon. She said that they had put in considerable effort with their team members to finalize it for presentation to the entire Board.

Ms. Bohmke said that she would like to express her concern regarding the lack of information provided about the standing committee vote. She said that although she understood that they were voting on it, there had been no report from anyone regarding its progress. She said that she was still uninformed about the details, so she was unable to support something she knew nothing about.

Ms. Allen said that one reason she was in favor of making it a standing committee was that in October, she had attended the base commander's briefing to the public. She said that during the briefing, they discussed that in November, Quantico would be conducting an updated study on its housing issues, marking the first time in 10 years they had done one. She said that with this study underway to understand their true needs, the base also indicated that they were struggling with housing not only for their Marines and families but also for the civilian population.

Ms. Allen said that their report had been completed and was awaiting final edits, it was challenging to follow up on critical information from Quantico and GWRC reports and implement meaningful policy changes or programs to address affordability issues in the County. She said that there was no way that they could maintain an ongoing standing committee after completing the initial work.

She said that transitioning to a standing committee would enable them to continue their work and provide recommendations not only for their group but also for any developmental projects in Stafford County moving forward.

Ms. Allen said that implementing a policy-based initiative focused on housing affordability could be integrated into many of those development plans as they assessed the situation. She said that was why she supported this idea, based on her conversations. She said that the Quantico conversation influenced her perspective due to their updated study, which would take some time to provide them with the data. She said it would be a disservice if they did not attempt to analyze that data and determine how Stafford County could contribute to addressing the base's affordability issue as well as the civilian population's needs.

Mr. Coen said he hoped that the military component would be included in the committee's work. He said that if this was to be a standing committee, it should be done so that people could keep it in mind as they headed into January with committee appointments and other matters. He said that regarding the previous item, he had no knowledge about the issue, as no one had reached out to him on it, which is why he abstained. He said he did not have information to go one way or another, so he felt that it was best to just abstain from it. He said that in this case, they had members who provided them with information, presenting it in different meetings in the past, so he felt adequately informed on this issue.

Mr. Coen called the vote on the motion to form the Workforce and Affordable Housing Standing Committee.

The Voting Board tally was:

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

Mr. Vosburg said that Item 7 on the Consent Agenda was the completed report from the ad hoc housing committee.

<u>ITEM 24. DISCUSSION ON MICAH ECUMENICAL MINISTRIES</u>

Ms. Gary stated that the item would be referred to the Workforce and Affordable Housing Committee.

CLOSED MEETING

At 10:18 p.m., Mr. Coen motioned, seconded by Ms. Allen, to adopt Resolution CM23-25 to authorize the Closed Meeting.

The Voting Board tally was:

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

Resolution CM23-25 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding cable fees, which is a specific legal matter requiring the provision of legal advice by such counsel; (2) consultation with legal counsel pertaining to a class action lawsuit against certain PFAS chemical manufacturers, where such consultation or briefings in open meeting would adversely affect the litigating posture of the Board; (3) consultation with legal counsel pertaining to *Stafford County v. Realty Income Properties 13, LLC*, where such consultation or briefings in open meeting would adversely affect the litigation posture of the Board; and (4) consultation with legal counsel regarding the acquisition of public property pursuant to proffers, which is a specific legal matter requiring the provision of legal advice by such counsel and where discussion in an open meeting would adversely affect the negotiating strategy of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(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 14th day of November, 2023, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

At 10:48 p.m., Mr. Coen motioned, seconded by Ms. Allen, to adopt Resolution CM23-25(C) to certify the Closed Meeting.

The Voting Board tally was:

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

Resolution CM23-25(C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON NOVEMBER 14, 2023

WHEREAS, the Board has, on this the 14th day of November, 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 14th day of November, 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.

Mr. Coen motioned, seconded by Ms. Allen, to approve the Resolution R23-333, resolution authorizing the County Administrator and the County Attorney to execute any and all documents necessary to settle Stafford County Board of Supervisors v. Realty Income Properties 13 LLC, case number CL 23-3358.

The Voting Board tally was:

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

Resolution R23-333 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. REALTY INCOME PROPERTIES 13, LLC*, CASE NO. CL23-3358

WHEREAS, the Board and Realty Income Properties 13, LLC are parties to the condemnation case*, Stafford County Board of Supervisors v. Realty Income Properties 13, LLC,* Case No. CL23-3358; 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 14th day of November, 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. Realty Income Properties 13, LLC,* Case No. CL23-3358, under the terms and conditions discussed in closed session.

ADJOURNMENT

At 10:50 p.m., Chairman Yeung adjourned the November 14, 2023 Stafford County Board of Supervisor's meeting.

Randy Vosburg

Randal E. Vosburg
County Administrator

Yeung

Dr. R. Pamela Yeung
Chairman

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#18]
Date: Tuesday, October 31, 2023 3:07:39 PM

Name *	Deidre Reitwiesner-Doyle
Address *	44 Heritage Road Falmouth, VA 22405 United States
Email *	minxboo@cox.net
Election District	George Washington
Topic (please see the Public Hearings page for specific topics coming up) *	Rezoning for data center (RC23154991)

Online Comments: *

I object to this rezoning. I do realize that data centers appear to be lucrative in terms of producing revenue, but at what cost to the environment and quality of living in the county?

Data centers have been shown to put an oversized strain on water systems (can be over half a million gallons of water each day), and the electrical grid (they draw more than 10 times the average power use of a single family home per day). Where will these resources come from? Our reservoirs only contain a certain amount of water, and these businesses are going to get first priority over residents. And who will pay for the improvements to the electrical grid needed for this?

In addition, data centers generate an inordinate amount of noise. This will degrade the quality of life for those unfortunate enough to live near the data center along with lowering the value of their property.

I feel that data centers do not produce the return on investment that they advertise to localities - instead they produce a slew of problems for the county to deal with.

Please do not approve this rezoning!

Thank you,

Deidre Reitwiesner-Doyle