BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
JANUARY 16, 2024

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 3:01 p.m. on Tuesday, January 16, 2024 in Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

CHAIR REMARKS

Ms. Bohmke said that today's meeting would end at approximately 4:30 p.m. due to inclement weather conditions. She said that the public hearings had been canceled and would be readvertised to take place at the February 6, 2024 meeting.

ADDITIONS - DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Vosburg said that he had presented a list in front of the Board from the folder. He said that the first item on the list was a Consent Agenda item, which was the appointment of Mr. Nicholas Kwatnoski. He said that the Board bank application was in their folder to review. He said that this was for the appointment for CTAC in the Falmouth District. He said that next, there were some deletions which pertained to modifying the meeting.

Mr. Vosburg said that the first deletion was the fiscal year 2024 mid-year financial review, which was to be done by Andrea Light. He said that it will be conducted at their next meeting. He said that the next item was the presentation of a proclamation to declare January as Human Trafficking Prevention and Awareness Month. He said that assuming the Board approves it, this would be adopted on the Consent Agenda; however, the actual presentation would be moved to the next meeting.

Mr. Vosburg said that as the chair stated, they had the two public hearings that would be readvertised and added to the February 6, 2024 meeting agenda. He said that the last item was also in their packet. He said there was a minor revision to the resolution related to the school item. He said that this concerned the modular classrooms, which involved a minor correction. It initially called for all of them to be placed at elementary schools, specifically 32 modular classrooms; however, some would actually be at North Star, which was not an elementary school. He said that therefore, they made that correction in the resolution.

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

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

ADD-ON TO CONSENT AGENDA
COUNTY ADMINISTRATION; APPOINT MR. NICHOLAS KWATNOSKI TO REPRESENT THE FALMOUTH DISTRICT ON THE CITIZENS TRANSPORTATION ADVISORY COMMITTEE (CTAC)

ADD-ON TO #19
REVISED PROPOSED RESOLUTION R24-21; CONSIDER A REQUEST FROM THE SCHOOL BOARD TO BUDGET AND APPROPRIATE FUNDS FOR MODULAR ELEMENTARY SCHOOL CLASSROOMS

DELETIONS TO THE REGULAR AGENDA
FY2024 MID-YEAR FINANCIAL REVIEW

PRESENTATION OF A PROCLAMATION TO DECLARE JANUARY AS HUMAN TRAFFICKING PREVENTION AND AWARENESS MONTH IN STAFFORD COUNTY

DELETIONS TO PUBLIC HEARINGS
DEVELOPMENT SERVICES; CONSIDER AN ORDINANCE TO REPEAL AND REPLACE STAFFORD COUNTY CODE CHAPTER 27, "WETLANDS" TO ALIGN WITH STATE CODE

PLANNING AND ZONING; CONSIDER A PROPOSED ZONING RECLASSIFICATION FROM THE R-1, SUBURBAN RESIDENTIAL ZONING

DISTRICT TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 45-98 (PROJECT KNOWN AS RV PARKWAY

PRESENTATIONS BY THE PUBLIC - I (3 MINUTES EACH)
Ms. Bohmke read the protocol for public presentations.

1. Al Watkins, 12 England Run Lane, George Washington District, said that he had developed a sense of what he believed was right and acknowledged that others might hold diverse viewpoints that did not align with his own. He said that he thought there were certain statements most would agree upon.

   Mr. Watkins said that many people would likely concur that Mr. Vosburg had one of the most challenging jobs in Stafford County as he strived to meet the needs of the County without driving himself crazy or angering everyone. He said that it was also widely agreed that the County's growth affected other issues such as transportation and schools. He said that he believed that nearly everyone would concur with him that since their school population continued to grow, they needed new schools built to accommodate this increase in capacity.

   Mr. Watkins said that most people would likely agree that they would like students to live as close to their schools as possible to minimize travel time by bus and reduce the amount of time buses were on their roads. He said that during the joint session of this Board and the School Board earlier this month, it became evident through everyone's comments that addressing the urgent need for improvements at both Drew Middle School and the Rising Star Early Childhood Center was essential.

   Mr. Watkins said that he believed they wanted their children to have the best schools and educators available to work on their behalf. He said that in order to attract and retain these educators, they must significantly improve their compensation. He said that that was the primary motivation of employees everywhere. He said that this was known and had been stated at one time or another by everyone present. He said that from that joint meeting, it became evident that there needed to be enhanced communication between their two boards.

   Mr. Watkins said that there should also be a greater effort in being transparent regarding decisions made on both sides. He said that the lack of trust displayed was likely due to people not communicating with each other and understanding the situations or reasons for decisions having been made. He said that finding solutions was challenging, particularly when balancing the true needs of accounting. He said that all aspects discussed at the joint session should be implemented simultaneously; however, unfortunately, the County would have to bear the financial burden to achieve this.

2. David Fauth, 18 Antietam Loop, Aquia District, said that he wanted to thank the Stafford County Utilities Department for restoring water in their area and for providing water distribution during the boiling water advisory period. He said that they had been using the water since then without any adverse health effects. He said that he wanted to thank Mr. English for posting on the website and answering a question regarding the ongoing meeting. He said that it was quite challenging to find this information prior to the meeting, and he thanked Mr. English for his efforts.

   Mr. Fauth said that he would like to spend the remainder of his time discussing the Staffordboro commuter lot farmer's market new business item, which was on page 261 of the agenda packet. He said that in his opinion, there were two aspects to this topic. He said that the first one was the reason for having this discussion, which was the potential liability that Stafford County would assume in case of damage to the VDOT commuter lot. He said that he had driven by the lot last week and found it full. He said that the commuter lot was particularly crowded in the section near the Long Family Market.

   Mr. Fauth said that if an incident occurred there, Stafford County would be held liable and that situation would create numerous problems for commuters. He said that they could possibly squeeze to the left; however, due to the high usage of the lot, it may not be practical. He said that the alternative perspective was the potential loss of this benefit for the Stafford community. He said that the farmer's market was a nice addition for North Stafford residents, but it was not essential.

   Mr. Fauth said that on Sundays when he returned home, he passed by Weis, Giant, Aldi, Walmart, and Shoppers. He said that he would bypass the non-existent store in Aquia Town Center and proceed past the Weis again. He said that it was primarily a social event, so while he might obtain some food, such as watermelon and a few ears of corn, one could likely encounter someone they knew. He said that it fostered community and was an amenity that Stafford County possessed. He said that if the VDOT lot was unavailable, they did not have an alternative location for events.

   Mr. Fauth said that approximately 18 months ago, they were considering whether Stafford County fireworks could be held in North Stafford, and ultimately determined that there was insufficient space and no suitable venue. He said that the Color-ama or art event took place at a VDOT lot, and the farmer's market was also located at a VDOT lot. He said that they did not currently have a suitable space. He said that while driving, he considered potential locations for this event; however, they could not find one that would meet all the necessary requirements.

Mr. Fauth said that they lacked areas where streets could be blocked off, providing parking for vendors and safe parking for attendees, as well as sidewalks for pedestrian access, which was an unfamiliar concept in North Stafford. He said that these features were essential. He said that if they chose not to assume the risk of damage to VDOT infrastructure, he suggested attending the farmer's market in Fredericksburg instead, contributing to Route 1 traffic and spending money there. He said that he looked forward to hearing the Board's discussion, and suggested that if they did opt to proceed with VDOT, to try to keep this amenity in Stafford.

3. Robin Long said that she was the owner of Long Family Market, which operated the farmer's market in Stafford. She said that on any given Sunday, their farmer's market supported 80 small businesses in Stafford. She said that for the past six years, she had rented the VDOT lot, also known as the 610 commuter lot, with Stafford co-signing for her on behalf of the County. She said that to ensure accountability and minimize any potential damages, she required every vendor to sign a liability agreement. She said that in case of any damage in the lot, it was their intention to rectify the situation promptly.

   Ms. Long said that she believed that this was also part of her rental agreement, which the zoning department had put in place for her. She said she was not really clear what had changed this year to change their use of the lot; however, she appreciated them taking the time to discuss it and figure out what they needed to do going forward so that they could continue to rent the space each year. She said she was happy to help in any way she could. She asked the Board to please provide her with any information or any questions they may have.

4. Bob Rowlett, 76 Cliff Farm Road, Falmouth District, said that he was pleased to witness Stafford County executing the grant agreement to accept funds from the Virginia Land Conservation Foundation for an open space easement for land preservation of 73 acres on White Oak Road. He said that in 2017, the Board was recognized by the National Association of Counties for the efforts in open space preservation of historic, agricultural, and natural resources through the efforts to purchase development rights (PDR).

   Mr. Rowlett said that he was also pleased to see that funding was made available for the Stafford Museum and Cultural Center. He said that last Wednesday, the Planning Commission held a public hearing regarding a proposed rezoning and conditional use for 141 homes to be built on a historic agricultural property located on Cliff Farm Road.

   Mr. Rowlett said that there was a host of reasons why more than 30 residents spoke out against this highly compact, urban development, such as not compatible with the rural setting, concerns with impacts to the environment, and a loss of open space. He said that residents also spoke about the loss of an important piece of Stafford County's civil war history. He said that the property was the site of the former Stoneman Switch, a critical rail station and supply depot for the Union Army before and after the Fredericksburg campaign.

Mr. Rowlett said that while they recognized and supported the family's need to sell the farm to care for their mother, they challenged the Board to consider other options, such as the PDR program, or possibly as the site for the Stafford County Museum and Cultural Center. He said that both of these options would better serve the family and the County. He said that in the coming weeks, they would be asked to vote on this application, and he asked the Board to please remember their commitment to protect and preserve their County's historic and natural resources. He said that they did not need another subdivision.

5. Tim Deere, 54 Cliff Farm Road, Falmouth District, said that he lived next door to Bob Rowlett. He said that it was his privilege and honor to live next to Mr. Rowlett, who was a tenacious and thorough advocate for their community in Cliff Farm. He said that he agreed with the points raised by Mr. Rowlett during his comments. He said that their opposition to the proposal was not based on personal preference but rather the result of a thorough investigation into the cultural and historical value of their area.

   Mr. Deere said that as a relatively recent resident, having moved there in 2017, he expressed his continuous amazement at the significance of where they lived. He said that his friend owned property near the Potomac River, where materials for the first-ever railroad used in war were brought in by boat. He said that the Union encampment was also located on his property during that time.

   Mr. Deere said that he had three huts in his front yard that housed people who fought in this war. He said that he was unaware of its significance until recently. He said that this location played a crucial role in the creation of a rail line connecting D.C. to Fredericksburg. He said that prior to this, individuals had to take a ferry down the Potomac and disembark at Bell Plains before continuing by carriage into town. He said that to him, this place was not merely where bullets were stored; it held historical significance.

   Mr. Deere said that President Lincoln visited here, and one soldier buried on site was later exhumed and reinterred in the Fredericksburg Union Cemetery. He said that there may be others on this land as well. He said that another point he would like to emphasize was that Phase One of this project focused solely on improving access to the school by enhancing the road. He said that no work has been done out in the fields where these huts were located, despite the area being subjected to hunting and relic hunting activities. He said that in conclusion, it was not simply due to them not wanting the development.

6. Peter Ryan, 85 Cliff Farm Road, said that his neighbors included Mr. Rowlett, Mr. Deere, and the Filippo family, who lived adjacent to him and wished to sell their property. He said that as neighbors on that road, they aimed to be good neighbors and assist their neighbors who wanted to sell their land.

   Mr. Ryan said that they desired to see them receive the highest possible offer for their property. He said that however, due to missteps with the School Board in purchasing land and expanding the urban services area to accommodate a potential school site, it had created a bottleneck for potential development or easier sale of this property on Cliff Farm Road.

   Mr. Ryan said that he would propose considering a PDR for that property. He said that he was unsure if removing the property from the urban services area was required for this process. He said that the urban services area was necessary for a school site, but there were no official plans to place a school there according to conversations with various representatives, including the School Board.

   Mr. Ryan said that in fact, the schools were being constructed farther away from them, specifically south, east, and north. He said that this area did not appear to be an ideal location for another school site. He said that the potential issue was that if development occurred at the front of the road and a school was built at the back of the road, those homes would obstruct expanding the road properly to accommodate future traffic from parents, school bus drivers, and so forth.

   Mr. Ryan said that creating a bottleneck and causing problems was an issue, and it was a single point of entry, which was not as safe. He said that in 2018, a traffic assessment report was conducted for the County, and Leland Road to Morton Road received a failing grade. He said that the grade of the area was E to F. He said they would like to enable their neighbors to sell their land and even build homes on it. He said that however, due to the absence of a plan regarding the use of the school property adjacent to it, they faced a challenging situation.

   Mr. Ryan said that few developers were reluctant to purchase property in an urban services area and be forced to construct highly dense housing to meet financial requirements. He said that in the coming weeks, as they examined this issue more closely, he requested that they consider removing this area from the urban services area, specifically the Cliff Farm property, so that the Filippo family could sell their land and potentially receive a better offer for it.

7. Kristin Maxson, 1816 Richmond Highway, said that at this time last year, she recalled there were numerous changes and concerns regarding inherited issues. She said that the rezoning process became extreme. She said that in the provided packet, she found the term

"commissioners of commissioners," which was intriguing. She said that upon investigating the website, she discovered one through 10 pages of commissioner assignments; however, only page one was visible.

Ms. Maxson said that if one clicked 'next,' it did not respond. She said that she wanted to inform the public that George Washington School Board Liaison and Widewater positions were vacant for this year. She said that there were numerous changes occurring and many vacancies. She said that at the bottom of their packet, the standing committees, in quotes, stated they were currently on hold while the committee structure was being assessed.

Ms. Maxson said that a vote was to take place but was on hold because it needed to be assessed. She said that she had concern about the Stafford County Historical Study Form 990, Part 6, Line LB. She said that the statement indicated that no review had been or will be conducted. She said that it also mentioned that no other documents were available to the public. She said that a speaker discussed historical curiosities, highlighting events occurring without public knowledge.

Ms. Maxson said that she had concern about R24-11, the Rowser site and its financial impact, which was defined as Aquia. She said this was an error. She said that the Rowser building served as a voting location for Falmouth. She said that regarding the RV parkway, there was no proffer statement in the application, although it was attached; this did not guarantee that neighbors would be contacted. She said that the legacy farm, scheduled for review this week, had no information displayed on the GIS when clicked. She said that despite clicking in 20 different places within the parcel, no data was retrieved.

REPORTS BY BOARD MEMBERS

Ms. Bohmke noted that Ms. Gary would be sharing one report and all other Board members would discuss their reports at the February 6, 2023 Board meeting.

Ms. Gary said that starting from February 13, 2024, they would be holding monthly town halls for the public in her district. She said that these meetings would take place on the second Tuesday in February, and in March, they had chosen the second Thursday to avoid overlapping with School Board meetings, as requested and in an effort to be more cautious. She said that the meetings would be held at the Courthouse Community Center in Room B at 7:00 p.m. on the second Tuesday of February, followed by the second Thursday in March.

REPORT OF THE COUNTY ATTORNEY

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

REPORT OF THE COUNTY ADMINISTRATOR

Mr. Vosburg said that the mid-year financial review had been rescheduled for February 6, 2024. He said that in their packets, they found the monthly expenditure listing for their consideration. He said that the next item he had was time-sensitive and required discussion that day. He said that Andrea Light would discuss this matter, which concerned the jail budget and juvenile center. He said that the respective boards would vote on these matters before their next Board meeting. He said that they were reporting the current status to enable liaisons to cast informed votes.

Andrea Light, Chief Director of Financial Services, said that she would present the information regarding the Rappahannock Regional Jail's fiscal year 25 budget request and the juvenile center. She said that last year, the Board discussed the jail's budget request and provided feedback to the committee. She said that today, they were expanding that discussion to include the jail and juvenile center as their respective boards approve their budget through the MOU, which required the County to fully fund those facilities. She said that they wanted to gather their input before those votes took place.

Ms. Light said that beginning with a quick overview of the Rappahannock Regional Jail's fiscal year 25 budget request, the uniform salaries increase was approximately 9.4%. She said that this was based on the median of the bailiff salaries for the participating jurisdictions. She said that overall, their budget was increasing by about 10% or $3.8 million. She said that this was driven primarily by raises and benefits, including health insurance. She said that both food services, in accordance with the contract, and health services for inmates continued to increase.

Ms. Light said that increases in the budget request also led to an approximate 2% increase in their portion for Stafford County. She said that they were anticipating about a $1.35 million increase year over year. She said that through the Jail Board's commitment and the respective boards aligning their salaries, they had been able to reduce their turnover issues that they had had. She said that the chart at the left showed their uniform turnover. She said that while their turnover was going down, the recruiting efforts, like many of them, were having a significant issue with recruiting.

Ms. Light said that the applicants that they had through December 2023 amounted to 357, and only 29 of those were still employed, so only approximately 8.1% of individuals had successfully completed the recruiting process and continued to be employed. She said that the chart at the top displayed the bailiff salary as of July 1, 2023, along with the median and where the proposed jail starting salary would be. She said that the Juvenile Detention Center was seeking a uniform salary increase of 4.5%, consisting of a 3% cost-of-living adjustment (COLA) and a 1.5% merit raise. She said that their budget was projected to increase by approximately 12%.

Ms. Light said that the increase was due in part to the rise in salaries and respective benefits, as well as for food expenses. She said that the juvenile center used the jail as a vendor since they did not have a functional kitchen available. She said that health insurance costs were also rising. She said that the participation of the juvenile center was increasing by 5.5% based on historical usage, with an anticipated increase of approximately $660,000. She said it was important to recognize that although these presentations were coupled together, Jail and juvenile center officers held significantly different roles.

Ms. Light said that juvenile centers did not classify their staff as law enforcement officers through VRS or for retirement purposes. She said that this meant that they did not enjoy the same retirement benefits as law enforcement officers. She said that a recent study through JLARC demonstrated that juvenile center employees had a similar number of worker's compensation claims as Sheriff deputies or police officers. She said that the starting pay for juvenile center staff would increase to $52,425, which was still less than what a Stafford bailiff would receive.

Ms. Allen asked if the increases for both salaries resulted from their organization's decision to enhance remuneration, necessitating a match in order to maintain competitiveness.

Ms. Light said that the jail considered the participating localities and calculated the median. She said that as a result, the 15% increase in the Sheriff's pay significantly raised that median. She said that the juvenile center took into account both the jail and the supporting jurisdictions.

Ms. Allen said that she would like to know the average annual percentage increase in salary for these employees prior to the Board taking that action.

Ms. Light said that two years ago, they had an 8% increase. She said that last year, they switched to a step plan, placing everyone on the step and resulting in varied increases. She said that prior to that, it generally ranged between 2.5% to 5%.

Mr. English asked whether the juvenile center received any supplementary funding from the state or if Ms. Light had any information regarding it.

Ms. Light said that they received funding from the state when it paid for state children placed in their care.

Mr. English asked if that was in the case that there was no other housing available in the state, so they were reimbursed for accommodating the juvenile in Stafford.

Ms. Light said that was correct.

Mr. English asked if that was the only supplement provided by the state.

Ms. Light said that they were not a part of the Compensation Board, which was separate from the jail and constitutional officers.

Ms. Vanuch said that the Jail Board meeting was scheduled for the upcoming weeks, during which they would likely present their budget for this month and next month. She said that they could provide additional information after the meeting. She said that often these budget increases required matching funds from localities. She said that two years ago, there had been a plan to implement a step plan for pay raises; however, it could not be funded by other localities such as Fredericksburg, Spotsylvania, and King George.

Ms. Vanuch said that as a result, they had been making incremental increases over the past few years, depending on the support from these peer localities. She said that she was unsure if Mr. Vosburg had any additional meetings with other County administrators. She said that everyone was expecting to face a challenging budget year. She said that their decision would be based on the actions of other localities since they could not cover the entire bill alone if some of the other localities backed out.

Mr. Vosburg said that last year, they temporarily halted the process to bring it back to this Board for input. He said that this year, they attempted to incorporate that more effectively into the process. He said that the scheduling of meetings was not entirely successful. He said that the upcoming meeting on the 25th aimed to have a vote on the budget, which was why it had been rescheduled.

Mr. Vosburg said that Ms. Light and he had attended all the Finance Committee meetings, which included Ed from Spotsylvania, Tim from the City, County administrators from each County, as well as a few sheriffs and finance or budget directors. He said that the initial budget process began with an increase request well over $2 million.

Ms. Light said that it was over $3 million.

Mr. Vosburg said that they had worked to reduce the number, so from a fund balance perspective, they found a position where they felt comfortable utilizing the fund balance. He said that they considered vacancies and positions, leading to some positions being cut, not necessarily filled ones or those expected to be filled within a year. He said that by focusing on realistic staffing numbers, they felt that this was a good position for the final budget. He said that as part of the Finance Committee, there were concerns all around, as Ms. Vanuch was saying.

Mr. Vosburg said that they all needed to be on the same page, otherwise it threw a wrench in it if one jurisdiction did not pay their share. He said that they had votes from the City, all counties represented by County administrators, and the Finance Committee agreed that this was the best approach for the budget. He said that however, due to timing, it had not been presented to the full Jail Board. He said that they attempted to arrange various meetings and adjust the schedule but ultimately, that was what they were left with.

Ms. Vanuch said that as the Jail Board appointee, she was comfortable presenting the proposal because there was likely to be turnover in King George due to their relatively new Board, and from Spotsylvania. She said that it may be necessary to hold an extra meeting this year to review the budget.

Dr. Yeung asked if the purpose of the presentation was to inform them about the current status or to address an issue within the budget that required immediate action. She asked if they were looking for a resolution today.

Ms. Light said that any form of Board feedback that individuals wished to provide would be considered as they proceeded with these commission meetings and subsequent votes on budgets, ensuring that their decisions accurately represented the Board's requests.

Dr. Yeung said that she would like to ask a follow-up question since an answer had been provided. She said that she had uncertainty about whether the information provided was sufficient for her assessment. She said that after examining it, she required further clarification from staff. She said that she was unsure of the Board's current perspective regarding the budget.

Dr. Yeung said that they were currently receiving budget-related information, and she initially believed this would be a matter addressed while determining their own budget and assessing its compatibility. She said that it appeared they must make a decision on this prior to even convening their budget discussions to determine the extent of its impact.

Ms. Light said that the timing of both the jail and the juvenile center budgets, much like many of their other partner agencies, occurred before they presented their budget. She said that they did not have the complete picture. She said that this was a significant concern and issue. She said that one of the things Mr. Vosburg had attempted to address with the jail and was not fully addressed.

Ms. Bohmke said that indeed it was quite early in the process for all jurisdictions, and she did not believe that anyone had heard their budget yet. She said that they were considering allocations of $1.3 million for the jail and $660,000 for juvenile facilities. She said that combining these figures resulted in approximately $2 million. She said that currently, a one-cent increase in their tax rate generated around $2.3 million. She said that the investment was substantial but understood their current situation and was grateful that they raised this matter.

Ms. Vanuch said that it was evident that the Jail Board would be seeking a vote on the 25th. She said that in regard to the aspect that the Board wanted to weigh in, she would like to know if she should state that their Board was not prepared to take action on this specific budget and that a special meeting was required as they progressed through the budget process. She asked if it was correct that the Jail Board had until March 31 to approve their budget.

Mr. Vosburg said that they scheduled it on the 25th as they informed him by February 1st that they needed to have it adopted. He said that timing had been difficult, and they expressed their concerns and attempted to include more information in the process to facilitate a full Jail Board meeting.

Ms. Vanuch asked if Ms. McClendon could review that timeline. She said that she understood that it was state law that dictated they had to have an adopted budget for the Jail Board to present to localities by a certain date. She said that one of the challenges, if she recalled correctly from last year, is that if one votes to say yes, this was the adopted budget, other localities may then sue those that did contribute as much money.

Ms. Vanuch said that the Board was obligated with the passage of that budget. She said that last year, she was able to halt the vote because there were only two elected officials and Board members on the committee, while the rest consisted of County administrators, County attorneys, sheriffs, or police chiefs. She said that she did not feel comfortable taking a vote last year since the Board had no idea that increases were coming, so they were able to delay it.

Ms. Vanuch said that this year, they attempted to refine the process, but it remained challenging due to timing. She said that to represent the full Board during the upcoming meeting, it was essential for them to be well-prepared. She said that if the Board believed that they lacked sufficient information, she was willing to serve as a liaison and communicate that Stafford required more time, specifically until February 1, before making any decisions.

Ms. Gary said that it appeared that multiple Board members were expressing their desire for more information. She said that she recalled the diligence in addressing this issue last year when she was the alternate and attended the meeting. She said that as they entered the budget discussions and considered funding various initiatives, she requested that they take into account any second and third order effects, such as those experienced with the increase in funding for their Sheriff's Department, which might impact this issue. She said that it was crucial that they hear about these potential consequences during the upcoming budget season so that they could make informed decisions moving forward.

Mr. Diggs asked what the decision would be if the deadline was February 1.

Mr. Vosburg said that he had sent a message to Colonel Hudson. He said that he believed the timing was February 1, but he would confirm with Colonel Hudson. He said that their Finance Committee concluded at the beginning of the month, following the first Board meeting. He said that they intended to hold a Jail Board meeting, have the budget endorsed by the Jail Board, and then distribute it to the localities for feedback. He said that after receiving their input, they planned to bring it back to the Jail Board for a final vote. He said that unfortunately, these steps were not scheduled as initially intended.

Ms. Vanuch said that last year, the superintendent presented the desire for a median salary scale to the Jail Board, similar to what Ms. Light proposed during her presentation. She said that as with all scales, and as seen with the implementation of the public safety pay scale over a two-year period, they could roll that back. She said that they could negotiate and say they were not willing to commit to the 8% increases plus 3% COLA.

Ms. Vanuch said that they should examine the state COLA guarantee in their budget. She said that this was an area where they could potentially negotiate since they were attempting to reach the median salary level. She said that it was within their discretion as Jail Board members and representatives from each locality serving on the Jail Board. She said that although that was what they wanted to do, they were not obligated to endorse that.

Ms. Vanuch said that while discussing the secondary effects of their Sheriff's office pay raise, such as doing this for their law enforcement officers, it also affected the jail. She said that the superintendent of jails wished to have a median salary, but the Jail Board must authorize it. She said if the Board did not want them to authorize that on behalf of the jails, then they did not have to do so. She said that it was a negotiation avenue.

Mr. Vosburg said that he could provide to the Board that they subjected it to rigorous scrutiny during the budget sessions they attended. He said that they held a few different Finance Committee meetings. He said that they had emphasized pushing the utilization of reserves or fund balance to its maximum limit, possibly even beyond what they initially considered comfortable. He said that that part was now complete.

Mr. Vosburg said that regarding revenue, Ms. Light had provided input at their last meeting and pushed it as far as possible on that side. He said that then, they focused on expenditures. He said that from the expenditure category, salaries, as Ms. Vanuch pointed out, constituted the majority of where they stood in terms of expenditures. He said that when examining those expenditures, it was necessary to reduce staffing levels to a realistic level due to the existing staff ratios required.

Mr. Vosburg said that they did not want to cut into the current staff. He said that the majority of these salary costs stemmed from the raises given, which was where they had flexibility. He said that regarding the median slide, it appeared that they may be above one jurisdiction in terms of pay based on their position's number. He said that the final consideration was where they wanted them in terms of salary competitiveness to attract and fill positions, which was the bulk of the expenses.

Ms. Vanuch said that at least one law enforcement agency previously expressed opposition to reaching that rate due to their strong belief that they did not want the jail to exceed that specific locality's limit. She said that she did not think there was unanimous support for that among all the Jail Board members.

Ms. Allen said that even though they may not prefer it, they may need to accept it, considering it involved an increase of at least one penny on the tax rate, which was significant. She said that they had to face this situation due to past decisions made by previous boards. She said that external factors contributed to their current circumstances, such as adjusting salaries and other aspects, but they had limited flexibility in addressing these issues. She said that Ms. Vanuch suggested some room for negotiation, but ultimately, they must do what was necessary. She said that she reluctantly agreed because their options were quite limited.

Ms. Bohmke said that Ms. Vanuch had indicated that they had until March 1.

Dr. Yeung said that she wanted to mention that if they served as the fiscal agent responsible for providing funds, she believed they should be transparent and have sufficient time to make informed decisions by discussing it during a work session prior to making those decisions. She said that she understood that Ms. Vanuch attended these meetings, and from Mr. Vosburg, she knew that he was putting pressure on them in these meetings as well.

Dr. Yeung said that while she acknowledged the urgency, it would be preferable for them either to receive a weekly bulletin detailing the decisions made after each meeting or schedule a work session to discuss this matter thoroughly rather than addressing it immediately. She said that she aimed to be transparent, so having more time to review and understand the information was crucial. She said that she still had questions regarding this matter and wanted to emphasize that such transparency should apply to all departments during budget season.

Ms. Bohmke asked if Mr. Vosburg had anything further to add.

Mr. Vosburg said that he believed the stance they would take back was that even though it was the intention for the Jail Board to vote on the 25th, considering the current situation, they would now suggest postponing this decision and applying pressure instead. He said that although they might not succeed in this change, it was the position he had heard from the Board regarding extending the deadline. He said that once they gathered more information, they could present it back to the Board. He asked if there was anything in particular that they should bring back to the Board to fill in those gaps.

Ms. Bohmke said that she believed that the Board was seeking additional information regarding what other localities had accomplished, and they might discuss this during a work session.

Ms. Light said that regarding the juvenile center, she asked for any specific directions or clarification if they were the same.

Ms. Bohmke said that she believed that would be the same. She said that in the future, they should obtain more information for February rather than March, because there was a significant difference between these months. She said that she was aware that other localities faced the same situation as theirs.

CONSENT AGENDA

Ms. Vanuch motioned, seconded by Ms. Gary, to approve the Consent Agenda as amended.

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

ITEM 1. COUNTY ADMINISTRATION; APPROVE JANUARY 2, 2024 BOARD OF SUPERVISORS ANNUAL ORGANIZATIONAL MEETING MINUTES

ITEM 2. COUNTY ADMINISTRATION; APPROVE DECEMBER 28, 2023 BOARD OF SUPERVISORS SPECIAL MEETING MINUTES

ITEM 3. COUNTY ADMINISTRATION; APPOINT MR. JAMES TULLY TO THE PARKS AND RECREATION ADVISORY COMMISSION REPRESENTING THE GRIFFIS-WIDEWATER ELECTION DISTRICT FOR A TERM ENDING DECEMBER 31, 2027

ITEM 4. COUNTY ADMINISTRATION; APPOINT MR. MATTHEW CAVALIER TO THE PARKS AND RECREATION COMMISSION REPRESENTING THE GEORGE WASHINGTON ELECTION DISTRICT FOR A TERM ENDING DECEMBER 31, 2027

ITEM 5. BUDGET AND MANAGEMENT; RESOLUTION R24-08; APPROPRIATE THE REMAINDER OF THE FY2024 GENERAL FUND AND SCHOOLS' OPERATING BUDGETS, RELEASING THE ANNUAL FIVE PERCENT APPROPRIATION HOLD; BUDGET AND APPROPRIATE FUNDS TO SUPPORT TRANSPORTATION; AND BUDGET AND APPROPRIATE FUNDS FOR REPAIRS AT PATAWOMECK PARK

ITEM 6. BUDGET AND MANAGEMENT; RESOLUTION R24-22; BUDGET AND RE-APPROPRIATE FY2023 YEAR-END ENCUMBERED FUNDS FOR FY2024

ITEM 7. BUDGET AND MANAGEMENT; RESOLUTION R24-39; BUDGET AND APPROPRIATE YEAR-END FUNDS HELD IN FUND BALANCE AND EARMARKED FOR THE STAFFORD MUSEUM AND CULTURAL CENTER

ITEM 8. CAPITAL PROJECTS; AUTHORIZE SUBMISSION OF A LETTER SUPPORTING FREDERICKSBURG AREA METROPOLITAN PLANNING ORGANIZATION'S (FAMPO) REQUEST TO PROPOSE ROUTE 3 AS A CORRIDOR OF STATEWIDE SIGNIFICANCE

ITEM 9. CAPITAL PROJECTS UTILITIES; RESOLUTION R24-11; A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE CHANGE ORDER NO. 1 TO TASK ORDER NO. 5 WITH W.C. SPRATT INCORPORATED FOR CORRECTIVE WORK ON THE LOWER ACCOKEEK SEWER CROSSING OF US ROUTE 1 AT THE ROWSER SITE

ITEM 10. CAPITAL PROJECTS UTILITIES; RESOLUTION R24-12; RATIFY A CHANGE ORDER TO TASK ORDER NO. 1 WITH GANNETT FLEMING, INC. FOR ADDITIONAL DESIGN ENGINEERING FOR THE REPLACEMENT OF OBSOLETE ELECTRICAL SWITCHGEAR AT THE AQUIA WASTEWATER TREATMENT FACILITY

ITEM 11. COMMUNITY ENGAGEMENT; PROCLAMATION P21-01; PROCLAMATION TO DECLARE JANUARY AS HUMAN TRAFFICKING AWARENESS MONTH IN STAFFORD COUNTY

ITEM 12. ECONOMIC DEVELOPMENT; RESOLUTION R24-06; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER THE TRANSFER OF COUNTY-OWNED PROPERTY TO THE ECONOMIC DEVELOPMENT

AUTHORITY (EDA) FOR THE SALE, DEVELOPMENT AND EXPANSION OF FIRST LINE TECHNOLOGY

ITEM 13. PLANNING AND ZONING; RESOLUTION R24-24; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A GRANT AGREEMENT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA LAND CONSERVATION FOUNDATION FOR ACQUISITION OF AN OPEN SPACE EASEMENT ON TAX MAP PARCEL NO. 56-112A, THROUGH THE PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM, AND BUDGET AND APPROPRIATE GRANT FUNDS

ITEM 14. SHERIFF; RESOLUTION R24-33; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROVIDING BONUSES TO STAFFORD COUNTY'S EMERGENCY COMMUNICATIONS OFFICERS

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

ITEM 15. DISCUSSION ON STAFFORDBORO COMMUTER LOT FARMER'S MARKET

Ms. Vanuch said that she had requested this item to be placed on the agenda. She said that a couple of months ago, while socializing and shopping at more than their 80 small businesses at the farmer's market, Mrs. Long recognized her and shared similar comments to what she shared earlier today. She said that Mrs. Long mentioned that she has been a joint applicant with the County to rent out the VDOT lot for many years. She said that this year, unfortunately, through their planning and zoning department, she was notified that the County would not provide the legal approval for the County to be a co-applicant on that.

Ms. Vanuch said that she contacted Mr. Vosburg and inquired about the situation. She said that he subsequently investigated it with his staff and also reached out to Ms. McClendon, their County attorney, to gather additional information. She said that she believed it was necessary for this issue to come before the full Board since she was not aware that they were providing any guidance to their planning and zoning staff that they could not be a co-applicant, despite having done so for many years.

Ms. Vanuch said that she strongly believed that presenting the issue to the entire Board was essential. She said that if there was anything they could do to expedite this process to support the farmer's market and enable it to remain in Stafford County, she would wholeheartedly endorse such actions. She said that at this juncture, she would pass the discussion to Mr. Vosburg and Ms. McClendon, who could address the research they conducted and the information provided to her.

Mr. Vosburg said that the permit process required applicants to go through a series of steps with VDOT for approval. He said that the permit was valid for several years but was now due for renewal. He said that as part of this renewal process, VDOT had taken the position that they were willing to allow the space to be used for community events or farmers markets, provided that the County accepted liability. He said that this condition was a requirement for re-permitting the farmer's market in this location. He said that consequently, their legal team had been involved in negotiations regarding what they can and cannot do at the site.

Ms. Vanuch said that this condition pertained to any event that they would hold, such as the Christmas tree lighting, Via Colori, or National Night Out.

Mr. Vosburg said that Via Colori served as a good example due to an issue involving a paint type used in the commuter lot, which proved difficult to remove. He said that this led to Virginia Department of Transportation (VDOT) having to address the problem. He said that he contacted other jurisdictions regarding this matter and discovered that they had not encountered it yet; however, their farmers market permits might still be pending. He said that some surrounding areas may face similar challenges in the future, although they had not experienced this situation yet.

Ms. McClendon said that the other information staff would present was detailed in the background report. She said that essentially, it concerned the fact that these commuter lots were owned by VDOT and not County property. She said that ultimately, as a party involved, the County would be essentially a permit holder, which placed the County in accepting liability. She said that they had concerns that VDOT was requesting the County to illegally indemnify the public in a manner that they were not legally allowed to do.

Ms. McClendon said that their primary concern regarding that application or being the permit holder involved the County accepting liability in an area where they were not operating as a public body. She said that by accepting this liability, there was a possibility that it would waive their sovereign immunity, making the County liable if something were to happen. She said that from their perspective, they had dealt with this issue by requiring insurance for public organizations using County-owned property. She said that this insurance indemnified the County and transferred liability since it was a County facility.

Ms. McClendon said that they questioned why VDOT could not have insurance that covered the public directly, as it was VDOT property and they were contracting with the public. She said that the County was not a property owner in this case. She said that this approach allowed the public to use public facilities in the County differently from how VDOT operated. She said that that was one area where they differed in their approach concerning the use of County property versus state-owned County property, as the County was not a co-owner in the latter case.

Ms. Vanuch said that addressing the farmer's market situation required considering the legal aspects involved, which had been present for many years but were now coming to light due to recent events with Via Colori. She asked their County attorney if there was a way to modify the existing lease agreement so that the applicant assumed liability and held the same insurance coverage as they would for the County.

Ms. Vanuch asked whether they could be added as a co-beneficiary of that insurance alongside VDOT. She said that she was unsure regarding how this worked. She asked if it was possible to arrange something so that they could still be the applicant while also assisting in saving costs without putting themselves at risk in the process.

Ms. McClendon said that she believed they could explore potential solutions to reduce the County's liability. She said that she did not think it was possible to bypass the issues related to assuming the liability of another. She said that even when they were insured or co-insured, it still necessitated them to essentially indemnify another party. She said that there appeared to be a legal obstacle that they could not overcome easily. She said that there may be ways in which they could lessen that liability if the Board decided to accept that risk.

Ms. Allen said that she encountered this situation approximately one year ago during a conversation with Ms. McClendon regarding another matter. She said that at that time, staff informed her that VDOT was changing its policy due to increased awareness of ensuring policies are reflective of the current situation. She said that those who held older permits would be exempt until they expired.

Ms. Allen said that regarding potential solutions, since this was a VDOT issue and Mr. Vosburg suggested that other jurisdictions may face similar challenges in the future, it might be beneficial to approach their state legislator and request an exemption for farmers' markets within the Commonwealth. She said that the markets contributed significantly to the local economy and fostered community engagement. She said that the state could justify changing the code for an economic aspect by allowing it somehow.

Ms. Allen said that she suggested this as a long-term solution. She said that since the session was currently ongoing, she was uncertain if they would have sufficient time to implement it, but perhaps it could be addressed in the following session. She said that as a short-term solution, if applicants were struggling, they could consider using the old Moncure parking lot in front or County properties close enough to help them bridge until they found a long-term solution.

Mr. English said that he did not want to see them lose the farmer’s market, and he did not want to see it moved again, as it first started out at the hospital parking lot. He said that he was unsure if the County building parking lot would suffice, but he was willing to do whatever necessary to keep the farmer’s market in Stafford.

Dr. Yeung said that she loved the farmer’s market, but there was another market to consider. She said that a gentleman had approached her regarding his license, and she had mentioned this to Ms. Vanuch. She said that she would like to understand the process for individuals who held licenses but rented out space at their markets. She said that she knew the license cost was $61, but she was unsure about the rental fees for a small market area. She said that if someone decided to sell tomatoes on a lot licensed to a market, it might be against the rules.

Dr. Yeung said that they did not want to be event planners. She said that she supported the farmer's market, but they required more information. She said that if they could not do something now, perhaps it could be done later. She said that one issue raised was that some taco trucks and similar vendors may not be going through health inspections. She said that whatever actions they took must address this concern and ensure that all necessary licenses were obtained for the future.

Ms. Gary said that she believed addressing the issue long term was necessary, and there were likely multiple ways to achieve it. She said that in the short term, she wanted to ensure they explored alternative options so they could continue if they could not assist them at their current site. She asked if economic development or the EDA, or whoever was responsible, could assess what actions could be taken in the short term to ensure the operation continued for the community, even if it may be inconvenient temporarily. She said that it was unfortunate that they could not do more at present and thanked Ms. Vanuch for bringing the matter forward. She said that while awaiting further information, they should focus on finding a solution.

Mr. English asked when the application expired. He asked if it was possible for them to request an extension of the expiration for one more year until they could find a solution.

Ms. Allen said that she had previously asked staff if special exemptions could be granted for specific applications and was told no, because it created a revolving door situation in which they continuously granted special exemptions.

Ms. Vanuch said that this issue would not solely affect the farmer's market; it also concerned any other entities utilizing commuter lots since they had consistently been a co-applicant. She said that in the case of Via Colori, the County was a co-applicant as well. She said that this represented a shift in their legal determinations regarding whether or not they were suitable to become a co-applicant. She said that she felt it necessary for this matter to be presented to the Board due to its distinct nature. She said that no laws had been altered; no rules had changed.

Ms. Vanuch said that their decision had merely shifted from a legal standpoint. She said that as a result, the Board must determine where their tolerance for risk lies. She said that she would like Ms. McClendon to present alternative ideas at the February 6 meeting for reducing their liability. She said that this could help the Board feel more comfortable with continuing as a co-applicant and supporting ongoing business activities while minimizing risk. She said that they must explore long-term solutions due to the continuous occurrence of such issues related to various activities utilizing commuter lots in the future.

ITEM 16. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-31; DISCUSSION ON APPLYING FOR (1) REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT FUNDING, AND (2) SAFE STREETS FOR ALL (SS4A) GRANT FUNDING, BOTH THROUGH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT)

Matt Lehane said that he was present to discuss the RAISE grant and the Safe Streets for All grant. He said that he would provide brief information on each program. He said that the RAISE grant was from the USDOT and had a deadline of February 28. He said that applications for the Safe Streets for All grant would open in February, with a three-month window to submit. He said that they had also applied for the PROTECT grant regarding the Brook Road flooding issue, which was currently under review.

Mr. Lehane said that the RAISE grant supported various transportation projects and offered rewards between $1 million and $25 million. He said that urban areas north of Courthouse Road generally required a 20% match, while rural areas south of Courthouse Road typically did not need a match. He said that evaluation criteria for the RAISE grant included project readiness and several merit criteria.

Mr. Lehane said that the Safe Streets for All grant focused on safety projects and required a 20% match as well. He said that additional criteria for this grant included an action plan completed by their MPO. He said that they had several projects that they believed might be eligible for RAISE funding; however, federal grants were challenging to attain. He said that these grants differed from CMAC and STBG, which they applied through the Metropolitan Planning Organization (MPO). He said that they were highly competitive, as there were hundreds, if not thousands, of applications every year.

Mr. Lehane said that they had a few projects that may be possible, but due to the one-month time frame between the release of the notice of funding opportunity and the grant application deadline, they must carefully consider their options. He said that one possibility was to prioritize certain projects for funding this year and apply for additional grants next year. He said that the safety improvements on Truslow Road related to High School 6, low-cost safety improvements and wedge widening, and Route 1 and Enon Road improvements would require a significant amount of local funding.

Mr. Lehane said that they could attempt to reduce the amount of local funding by applying for the project in question. He said that two other multimodal projects included a shared use path at Coal Landing up to Foreston Woods, as well as the Belmont Ferry Farm Trail. He said that only one of these projects currently had local funding to meet the 20% match if necessary, which was the Route 1 at Union Road improvements. He said that regarding Safe Streets for All, FAMPO had developed an action plan and identified five projects. He said that the action plan was a requirement of Safe Streets for All.

Mr. Lehane said that the five projects included safety improvements to Truslow Road, low-cost safety improvements in wedge widening, improvements on Poplar Road, Joshua Road, Mountain View Road, and White Oak Road. He said that he had included Safe Streets for All in these notes because they would need to discuss it in the future; however, RAISE was the only item that they might consider moving forward with today. He said that with that, they would potentially be considering a grant application for RAISE and/or Safe Streets for All. He said that RAISE required immediate action today, whereas Safe Streets for All could wait.

Mr. Lehane said that if they opted for RAISE, it would entail hiring a consultant to write the grant, which took four to six weeks as it was a significant effort to complete federal grants. He said that they should consider their backup plan if funding was not received for the project. He said that they had two options, which were to either proceed today with a RAISE grant for one of those projects or another project, or take direction from the Board to explore two or three other projects and submit a RAISE grant application in advance of the next application cycle, allowing more time for preparation.

Ms. Allen asked what the deadline was for submitting the proposal for Safe Streets for All.

Mr. Lehane said that Safe Streets for All would open in February and typically took around three months. He said that based on this timeline, they should hear back by April or May.

Ms. Allen asked if there would be a consultant required for that as well.

Mr. Lehane said that potentially yes, but this was an aspect that they could address internally and return to them with their findings if the Board was interested in moving forward with the project.

Ms. Allen said that regarding the RAISE grant, considering time constraints, she would support the option with matching funds already in place, which was for $10 million. She said that she believed this choice might increase their chances of achieving the $25 million goal rather than spending time figuring out alternative solutions.

Mr. Lehane said that federal grant applications were a considerable undertaking. He said that it was a possibility, but undoubtedly something that they must consider.

Ms. Gary asked if they were to construct only the pedestrian bridge over Austin Run, what would be the estimated cost for that specific project. She said that this seemed to be her primary concern at this time.

Mr. Lehane said that the bike-ped path, or shared use path, served as a connection from the bridge to Coal Landing and up to Foreston Woods. He said that this would be a requirement, so they would need to construct both the bridge and the path.

Dr. Yeung said that last year, it proved beneficial to have meetings as they did not possess a transportation committee or conduct transportation work sessions. She said that these gatherings were quite helpful. She said that when they engaged in the two-on-two discussions, they were able to get additional information prior to making a decision. She asked if they would have those.

Mr. Lehane asked if Dr. Yeung could repeat her question.

Dr. Yeung said that she was referring to meetings with one or two Board members to make a more concise decision on the Smart Scale.

Mr. Lehane said that in terms of Smart Scale, RAISE, and Safe Streets for All, this would indeed be an opportunity if the Board wished to engage in two-on-two discussions with the Board members. He said that regarding RAISE, there would not be enough time to conduct such discussions before needing to make a decision. He said that for Safe Streets for All, Smart Scale, and for the master plan in general, they did have sufficient time to proceed with these two-on-two discussions if that was the Board's preference, as was done previously.

Mr. Vosburg said that he wanted to add information regarding the RAISE grant. He said that the Board had funded their federal consultant in their current budget, focusing on grants in general rather than specifically on RAISE. He said that they held a kickoff meeting with the consultant, who was knowledgeable about RAISE and agreed to assist them. He said that the consultant acknowledged that the timeline was tight but was willing to help them navigate it.

Mr. Vosburg said that he was not saying that as a replacement for the consultant, as their role was more focused on technical specifications. He said that as far as handling the grant process and working it in D.C. for them, their new federal consultant was on board and would be leveraging connections related to RAISE.

Ms. Bohmke said that that was exciting because they had never had that before.

Mr. English said that they discussed the costs for the application, which would range from $30,000 to $50,000, but it did not guarantee that they would get anything.

Mr. Lehane said that he had received a quote that was around $30,000.

Mr. English asked if that meant that if they did not get it, they would lose $30,000 that could have been put toward the road.

Mr. Lehane said that was correct.

Mr. English asked if they had no one on staff who could write this out.

Mr. Lehane said that they had considered the matter, and as he mentioned earlier, it involved a considerable amount of work. He said that it would likely take four to six weeks for someone like himself to dedicate their entire time to coordinating, completing grant applications, creating all the necessary materials, and conducting the benefit-cost analysis, which was the most time-consuming part of this process. He said that this required a significant financial investment.

Ms. Bohmke said that it appeared that a significant amount of money was involved, but considering the potential reward, it could pay off. She said that it could be challenging to write grants effectively, and they really had to know how to write the grant.

Mr. Diggs said that he was going to agree with what Ms. Allen stated. He said that if they secured matching funds and this increased their chances of receiving the grant, particularly considering they were investing $30,000, he would support it.

Ms. Bohmke said that the Enon and Route 1 road project had been outstanding for an extended period. She said that it was initially planned to be funded; however, due to inflation costs, their expenses significantly increased.

Ms. Allen motioned, seconded by Mr. Diggs, to make the matter time-sensitive.

Ms. Allen motioned, seconded by Mr. Diggs, to approve the submitted grant proposal for Enon Road for RAISE, R24-31.

Dr. Yeung said that she would like to comment on the idea of having a consultant, as she previously recommended bringing one in when she joined the School Board. She said that she believed this had been a good decision so far. She said that she supported ensuring that the best choice was made for them.

The Voting Board tally was:

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

Nay: (0)

ITEM 17. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-32; DISCUSSION ON ROUND 6 SMART SCALE PRE-APPLICATIONS FOR TRANSPORTATION MASTER PLAN PROJECTS

Mr. Lehane said that the Smart Scale program was being presented again. He said that they had presented Smart Scale one to two years ago. He said that it was a major funding program for transportation projects by the state's VDOT, operating on a two-year cycle. He said that in the previous round, Round Five, over $1.5 billion was allocated for transportation projects, including several in Stafford County. He said that the Board had seen versions of the presented table before; the top half was for odd calendar years, and the bottom half was for even calendar years in 2024. He said that they were now in January 2024, starting the Smart Scale pre-application period. He said that pre-applications must be submitted by March.

Mr. Lehane said that the following slide provided more details on the timeline. He said that in September, October on two occasions, and November, they discussed projects and submitted applications for CMAQ, CR, and STBG to FAMPO. He said that they were now in January and February to discuss and approve pre-applications for Smart Scale. He said that based on the Smart Scale scoring methodology, staff collaborated with a consultant to explore advancing certain projects.

Mr. Lehane said that this approach was employed to identify the highest benefit in projects considered for funding levels. He said that by February, the Board must make a decision. He said that consequently, staff would have time in March to prepare pre-applications and any additional materials required. He said that funding commitments and final applications were due later, by the June and July timeline. He said that these were the 15 projects they had previously seen; however, two projects had been combined into one: Route 1 and Foreston Woods and Route 1 and Coal Landing.

Mr. Lehane said that the project type, benefit score based on analysis, and potential cost, which was still being refined, were displayed. He said that by June, they would have 100% accurate details regarding the cost, with some additional information expected by February as well. He said that the analysis presented the cost-benefit score. He said that Smart Scale scores were based on the cost versus the benefit. He said that the cost was divided by the benefit, for example, in the first project, which resulted in a score of 3.53.

Mr. Lehane said that when examining Smart Scale, in previous rounds, projects with a benefit greater than three generally performed well. He said that they were often recommended for funding, although this depended on the round. He said that these figures did not include any potential leverage funding. He said that moving forward, they looked at their 15 projects and asked how they could narrow down the number of potential applications to a manageable level. He said that the highlighted red projects were those being considered.

Mr. Lehane said that for instance, the three-roundabout project was included in this list. He said that based on discussions with the Board regarding safety improvements and during their transportation work session, they could explore alternative options for these intersections instead of roundabouts. He said that some lower-cost alternatives, such as option number two, may cost around $15 million. He said that in the next round of SmartScale, they could consider a more cost-effective alternative to the $15 million roundabout at the intersection, which required a significant amount of right-of-way.

Mr. Lehane said that it was noted that there were safety issues at these intersections, and they would prioritize future improvements, whether or not they involved roundabouts. He said that they would bring this back over the next year or two as part of the next round of Smart Scale in their transportation master plan. He said that regarding Garrisonville Road Phase Two, they planned to complete Phase One first and apply for funding in a future round of SmartScale. He said that in previous rounds four and five, they applied for Garrisonville Road.

Mr. Lehane said that for the purposes of this analysis, Smart Scale, and the master plan, they split it into two separate projects. He said that project number 14 at the bottom was part of a bond project that did not receive funding in the last round of SmartScale. He said that based on the analysis, it did not have a significant number of benefits in the Smart Scale program. He said that for instance, one option was to consider VDOT's revenue-sharing program, which did not score projects in the same benefit way.

Mr. Lehane said that they added a project in phase three, which was one of the more feasible phase three projects and thus was added for their consideration. He said that as an example of what that local funding would look like, if they were to allocate about $15 million in local funding for the first six projects, they could potentially be successful since those cost-benefit scores were over three. He said that the goal of the analysis was to determine how close they could get to the amount of local funding required without wasting any money when applying for projects.

Mr. Lehane said that they were not overdoing it or underdoing it based on the projects that they wanted to proceed with. He said that this would be an example of what it could look like. He said that as he mentioned, they did not need to make decisions on local funding until the late spring, early summer timeframe. He said that they would not have detailed cost assessments until that timeframe, but they did need to make pre-application decisions much sooner than that.

Mr. Lehane said that again, more local funding equaled a better opportunity for success. He said that there was an explainer in the packet that described how the Smart Scale process worked, and there were a couple of slides in there about cost-benefit. He said that the more local funding they had, the better they scored. He said that if they had projects that they really wanted to move forward with, their goal would be to add more local funding to those projects.

Mr. Lehane said that the next slide provided an example of what their pre-applications could look like. He said that Stafford County had five pre-applications and four final applications, and they also had their MPO, FAMPO, and PDC, JBRC, each with five pre-applications and four final applications, totaling 10 and 8, respectively. He said that based on the list through the Technical Advisory Committee, they presented them with projects from a mass program list that might be eligible.

Mr. Lehane said that these were projects they had identified that they could potentially move forward with. He said that the decision regarding which projects to proceed with would not be made by this Board but rather by the FAMPO Policy Committee and the GWRC Board, of which several members were present. He said that the list for FAMPO and GWRC was not for a decision today. He said that the Stafford County pre-applications in the blue section were the ones that Stafford County would apply for as part of the resolution included in the packets.

Ms. Allen asked if Mr. Lehane could explain what access management was.

Mr. Lehane said that access management included closing driveways and modifying left and right turn lanes.

Ms. Bohmke asked Mr. Vosburg if they would be having a transportation work session.

Mr. Vosburg said that he would ask whether the Board wanted to have a work session or having a two-on-two meeting.

Ms. Vanuch asked if Mr. Lehane could repeat the timeline for making the decision.

Mr. Lehane said that pre-applications were due by the end of March; however, staff would review them during the month of March in the VDOT portal. He said that they anticipated a decision by this Board in February.

Dr. Yeung said that if the Board could decide on a date, they could have a work session, otherwise they should have a two-on-two meeting.

Ms. Allen said that she felt that a meeting was not necessary because she was supportive of the staff recommendations regarding transportation. She said that they had delivered on many requests, such as cost analysis. She said that if staff claimed that these four projects ranked highest in terms of cost analysis regardless of districts, she would support them since they offered the best chances. She said that they should focus on completing tasks without being overly concerned about district boundaries. She said that if a project had a score above three and was eligible for funding, she was all for it.

Ms. Gary said that she agreed with Ms. Allen and was unsure if this required a separate work session. She said that she could meet individually.

Mr. Diggs said that he trusted staff's recommendations.

ITEM 18. REGISTRAR; RESOLUTION R24-33; CONSIDER AUTHORIZING THE ADDITION OF A FULL-TIME DEPUTY REGISTRAR POSITION AND BUDGET AND APPROPRIATE ONE-TIME FUNDING FROM THE STATE TO SUPPORT THE PRESIDENTIAL PRIMARY ELECTION

Anna Hash, General Registrar, said that elections were upon them, as early voting began Friday for the presidential primary. She said that presidential years, there had been an increase of 9,000 registered voters in that year alone, as opposed to the usual 2,000 to 3,000 per year. She said that it was a dual primary, so there was likely to be at least 40% turnout. She said that they needed to get started so they could ramp up for the presidential election. She said that in October, the Electoral Board voted to add two new positions for the upcoming year, as stated in section 24.2-112.

Mr. Hash said that they approved funding from the state for the presidential primary, which would be used throughout this fiscal year. She said that currently, their office had four full-time staff members, including herself. She said that they were the least staffed among localities of varying sizes in the area. She said that they had been extremely busy recently. She said that in Alexandria City, there was nearly an equal number of registered voters as in Stafford, and they had seven full-time staff members, including the registrar, while their County had four full-time staff members.

Ms. Vanuch said that the state provided funds for managing the presidential primary. She asked what happened after that.

Ms. Hash said that Ms. Light could discuss the budgetary aspects of that.

Ms. Light said that it would have to be included in the budget for the Board to consider.

Ms. Vanuch said that the state funds would not be available if they did just a contract position, unless they determined the addition of this headcount. She asked if it was a mandatory hiring position or if they provided them with funds to contract someone.

Ms. Hash said that the funds they received were for the presidential primary election.

Ms. Vanuch asked if they had to hire someone or could subcontract.

Ms. Hash said that due to security concerns and the need for extensive election-related training, having a contract employee work for just a few months did not make much sense and was not particularly advantageous in the long term for her office.

Ms. Vanuch asked about the annual budget impact for the position, including both the salary and healthcare costs. She asked about any additional expenses that would be added to the budget outside of the regular budget cycle.

Ms. Bohmke asked if this was for two full-time positions.

Ms. Hash said that there was one now and one to be considered during the FY25 budget cycle, which began July 1, 2024.

Ms. Gary said that the local taxpayers did fund these primaries for political parties, and thus, she had asked a few people at the state legislature to reconsider examining this issue. She said that perhaps it was something they should consider looking into for future discussions regarding lobbying efforts next year.

Ms. Allen motioned, seconded by Ms. Gary, to deem the matter time-sensitive.

Dr. Yeung said that her suggestion would be to hire temporary staff until they could make an informed decision. She said that she believed that these types of monetary requests should be considered during their regular budget cycle.

Ms. Allen said that the issue was that the primaries occurred before their budget season did.

Dr. Yeung said that was why she would recommend temporary workers.

Ms. Hash said that the Electoral Board in Virginia Code 24.2-112 determines the number of full-time employees or employees per year overall in the office. She said that they voted on this matter in October to increase the number of positions for the next fiscal year. She said that they were requesting one of these positions immediately. She said that they did hold a properly noticed meeting and voted to approve adding two additional staff members.

Ms. Gary said that she was aware of potential legislation regarding the possibility of holding a vote on the Sunday preceding Election Day. She asked that they be prepared to address this situation should it become mandatory.

Ms. Hash said that it would not be possible on the Sunday before because, as of now, early voting ended on the Saturday before. She said that there was a provision in the law for early voting on Sundays if the Electoral Board voted for it. She said that their Electoral Board had not voted to have Sunday voting.

Ms. Gary said that she recalled that, but there was a new development regarding the potential mandatory implementation on Sundays.

Ms. Hash said that she would monitor the situation and keep the Board informed.

Mr. Diggs said that he had reservations about supporting the proposal because they were just starting to examine the budget. He said that over the past year, he had collaborated with Ms. Hash and her staff, and they had done an exceptional job. He asked if $50,000 was what was requested for this position.

Ms. Hash said that this year it would be covered, and next year it would require $50,000.

Mr. Diggs said that despite his reservations, he would support the request.

Ms. Bohmke asked if Ms. Hash could please review the financials once more because there appeared to be some confusion regarding the costs for the remaining fiscal year, which ended on June 30. She asked what the total cost would be during this period.

Ms. Hash said that it would be $26,690, which would be covered with the reimbursement from the state.

Ms. Bohmke asked if that included benefits as well.

Ms. Hash said yes.

Ms. Bohmke said that the Board would decide in their budget session whether or not they would support the request for the next new employee. She asked if the first employee would be temporary or permanent.

Ms. Hash said that they would be a permanent employee.

Ms. Bohmke asked if this person would have security clearance.

Ms. Hash said yes, any person who worked in the office and had access to the database and system had to go through the security training that the County provided. She said that they had additional security training mandated by the State Board of Elections, and there were additional things her office had to go through to gain access to the system they used.

Ms. Bohmke called the vote to deem the matter time-sensitive.

The Voting Board tally was:

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

Ms. Gary motioned, seconded by Ms. Allen, to approve R24-23, authorizing the addition of a full-time deputy registrar position and budget and appropriate one-time funding from the state to support the presidential primary election.

The Voting Board tally was:

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

ITEM 19. BUDGET; RESOLUTION R24-21; CONSIDER A REQUEST FROM THE SCHOOL BOARD TO BUDGET AND APPROPRIATE FUNDS FOR MODULAR ELEMENTARY SCHOOL CLASSROOMS

Ms. Light said that Mr. Fulmer was present to discuss the details of proposed resolution R24-21. She said that the School Board had requested a budgeted appropriation for the modular classrooms at elementary schools and North Star. She said that they believed that this was a time-sensitive item in order to construct and install them before the school opened next August.

Mr. English asked why this matter was to be considered time-sensitive when they had a scheduled meeting on January 23.

Chris Fulmer, Deputy Superintendent and Chief Operating Officer, said that last year when they installed modular classrooms, they were on a similar schedule and had experienced delays. He said that they could not open the majority of the modulars until the open house week, which was after the event but before the start of the school year. He said that they were unable to complete the fencing around them until another month later.

Mr. Fulmer said that to address this issue, they attempted to expedite the approval process with the School Board by requesting it in December instead of January. He said that due to the holiday schedule and other constraints, they could not get it on the Board of Supervisors' agenda in December. He said that as a result, it was pushed to January. He said that they were now hoping to establish a schedule that allowed them sufficient time to complete and open all modular classrooms before the school year began.

Mr. English asked if the modular classrooms were being constructed at Centreport.

Mr. Fulmer said yes, some of them, but they were actually using two different modular companies. He said that the other company was Box Modular, which they did not use last year. He said that he could not remember the name of the company used in Stafford prior to that but he could look it up and provide it to them. He said that he believed it was called Modular Solutions. He said that they had conducted their own Request for Proposal (RFP) process about two years ago and received a few suggestions for them to consider.

Ms. Gary said that to provide some context for Mr. Fulmer's statement, she would like to share her daughter's experience. She said that during the open house, they discovered that her classroom was not yet prepared because she was in a modular classroom. She said that they had to return later to see it. She said that this minor inconvenience led to further complications as all the children were removed from the trailer due to the need for fence construction. She said that as a result, the situation became more complex than initially anticipated.

Ms. Bohmke said that she understood that their County staff recently met with the school staff regarding the relocatable structures and had discussions about them. She asked if these meetings had commenced or been completed.

Mr. Vosburg said that he would say that it was an ongoing process. He said that they had held multiple meetings and were anticipating another one soon. He said that there were a few items to address during these meetings, which continued to evolve. He said that they had held multiple meetings thus far.

Dr. Yeung asked if Mr. Fulmer could explain the resolution as it pertained to North Star. She said that she was confused about the $3 million specifically allocated for the elementary school and the eight modules designated for North Star. She said that she would appreciate clarification on why they were expanding North Star with these eight modules. She asked whether they were intended for the VPI and Head Start programs or for their County's internal program catering to children with disabilities.

Mr. Fulmer said that the cost for constructing 34 classroom modulars at elementary schools. He said that the project involved several sites, with four classrooms being added to each site except Conway, which would only receive two due to an existing unit. He said that an additional two classrooms could be added to the existing unit in Conway if needed.

Mr. Fulmer said that North Star had Head Start, VPI, and ECSC Pre-K programs; the majority of these classrooms were for ECSC Pre-K students who required special education services before reaching kindergarten age. He said that these expanded classrooms would serve these ECSE Pre-K kids that they were required to accommodate. He said that their capacity limit had been reached with their Head Start program and BPI. He said that those classrooms were almost 100% funded by the state and federal Head Start program.

Mr. Fulmer said that due to funding limitations, there was a waiting list for admission into these Head Start classrooms. He said that the funds they received would be nearly impossible to regain if they decided not to offer programs at North Star due to space constraints. He said that these programs were crucial in providing Pre-K options for students in need before they entered kindergarten. He said that Ms. Massey, the former Head Start Director, and their elementary school principals had praised the students who graduated from this program as well.

Dr. Yeung said that she completely agreed with Mr. Fulmer's statement. She said that she named North Star, and she understood that it was the federal program. She said that the growth was not coming from their students in terms of the federal program; instead, they provided funds but did not offer financial assistance for physical expansion. She said that when discussing the placement of a cap or inability to do so, it was essential to clarify that they were not turning individuals away.

Dr. Yeung said that the program's popularity would result in a waiting list due to its success. She said that as children continued to migrate from south to north and vice versa, Rising Star required additional space, potentially even a new location. She said that she was more focused on prioritizing their efforts to address elementary schools 18 and 19. She said that they had discussed school 20 and planned to revisit the topic. She said that now they were addressing modulars. She asked how many modulars were added last year and where they were placed.

Mr. Fulmer said that they currently had 34 existing modulars, with 26 added last year. He said that at present, there were four each at Conway, Falmouth, Hampton Oaks, Heartwood, Park Ridge, Rocky Run, Stafford, and Winding Creek.

Dr. Yeung said that it was important that they let the taxpayers know with transparency that they were either going to expand their elementary schools with modular classrooms and say it was expanding, and then next they would be needing the teachers due to the creation of spaces that needed teachers. She said that to ensure everyone's understanding, she proposed adding this topic to the upcoming meeting agenda.

Ms. Bohmke said that there was a joint meeting with the School Board scheduled for the upcoming Tuesday to continue the conversation from their previous one. She said that they could address topics such as relocatable classrooms, buses, and reviewing their locations within the entire school division. She said there would be an opportunity to have this discussion with colleagues.

Ms. Bohmke asked whether this plan may create any issues since it was only a week away. She clarified that it was next week. She said that especially since it appeared that the County and the schools were still addressing some building official issues, so she would like to expand on this conversation during their meeting next Tuesday, ensuring that they fully understood everything happening within the school division.

Ms. Vanuch said that what was brought back from the School Board and Board of Supervisors in a three-on-three format, this was precisely the purpose. She said that they could discuss these issues together, then report back to the Board regarding their deliberations, ensuring better alignment between the two bodies. She said that she believed Supervisor Bohmke's suggestion of incorporating this into the agenda and utilizing the School Board's three-on-three discussions to address some of the questions they had and gain a clearer understanding of the School Board's stance was an excellent idea. She said that she was supportive of that request.

Ms. Gary said that the request for the modular classrooms was brought forward in order to avoid creating further issues. She said that space was required due to there already being children, and their presence would not change regardless of any delays in addressing the issue. She said that they had experienced difficulties when constructing temporary fences around school premises during open houses. She said that this had led to disruption for both students and teachers.

Ms. Gary said that children may be displaced from their classrooms or forced to attend classes in less than ideal environments, and teachers were often required to perform tasks other than teaching, such as moving students and supplies between locations. She said that these actions wasted valuable resources and time that should be dedicated to education. She said that she advocated for the Board's consideration of expediting the process to avoid these issues in the future.

Ms. Allen asked what the School Board's vote was on the modular classrooms.

Mr. Fulmer said that the vote was either 7-0 or 6-1.

Ms. Allen asked if Mr. Fulmer knew who the dissenting vote was.

Mr. Fulmer said that he believed it was Dr. Chase.

Ms. Allen asked if the amount being requested was already included in the allocated funds. She said that this meant they were not providing any additional assistance, but rather enabling them to spend the money that they already had.

Mr. Fulmer said that the $3.5 million allocated for elementary schools in the capital reserve fund was held on the County's books. He said that financing the North Star modulars was estimated to cost around $1 million. He said that during the last meeting he attended, there was a discussion regarding utilizing one-time funds.

Mr. Fulmer said that to avoid delaying the elementary school modulars, the Board specifically passed a resolution. He said that the debate surrounding North Star's funding arose because it exceeded the available capital reserve fund and required additional County support of $1 million from its capital reserve funds to fully cover the $4.5 million required for these projects.

Ms. Bohmke said that she went back to their budget discussions regarding capital projects, and was no different than the topic of the jail. She said that the decision was preliminary and funds were taken from the capital projects account. She said that to ensure that all aspects were considered, she had a conversation with Dr. Chase and understood why she voted no regarding the modular classrooms.

Ms. Bohmke said that she had also voted against the capital improvement plan for various reasons, including insufficient discussion about elementary schools 18 and 19, which had expanded capacity without being presented to the School Board or the public. She said that concerns existed regarding moving forward at this time; however, a vote could be taken if Supervisor Gary deemed it time-sensitive and secured a second on the motion.

Ms. Gary motioned, seconded by Ms. Allen, to deem the matter time-sensitive.

Mr. English said that he was not opposed to the request, but had a few more questions he would like to ask to the School Board in a seven-on-seven meeting.

Ms. Allen said that if they did not achieve making the matter time-sensitive, the school division would likely face the same scenarios as last year in February, where she may not make her deadline or come very close to having a repeat. She said that everything their Board did to prevent such an occurrence would happen again.

Mr. Fulmer said that it was possible.

Ms. Gary said that they would not subject their own staff to such circumstances. She said that the School Board had been diligent in ensuring they adhered to a timeline while wisely utilizing available resources, including teacher time. She said that they could ask questions and seek answers, but these actions would not alter the situation or timeline. She said that she wanted to emphasize this point clearly.

Mr. English asked why this information had not been brought to the Board in October or November. He said that they needed to stop doing this time-sensitive stuff so they could get it out of the way and have these conversations.

Mr. Fulmer said that he would like to avoid requesting time-sensitive status for every item as well. He said that he had hesitation regarding this matter. He said that to answer Mr. English's question, they commenced the new school year and waited until September 30 for their official counts, which they compared to prior year enrollment projections. He said that after that, Mr. White began his September 30 enrollment projections for the following year. He said that these projections extended into late October and were finalized at the end of that month.

Mr. Fulmer said that they covered the next 10 years, with a more immediate focus on the following year's projections, which projected an addition of over 600 students next year. He said that then, from mid-October to November, they examined these projections and identified where they needed to add modulars to accommodate that additional capacity. He said that by mid-November, they presented these plans to the School Board twice, leading them into December. He said that unfortunately, due to the holidays, it was challenging to arrange an earlier meeting for the Board.

Dr. Yeung said that she trusted Mr. Fulmer and had trusted the staff of the school division. She said that it was essential that they listened to their input and made decisions they supported. She said that if they did not receive the necessary data to understand the School Board's decision-making process, they could vote in good conscience on time-sensitive matters or any other issue. She said that currently, she was not supporting this proposal until she had access to the relevant data. She said that the shifting requirements and expectations were confusing, and transparency was crucial for taxpayers.

Mr. English said that they only had one meeting per month, which did not help them.

Mr. Diggs said that he heard Dr. Yeung's statement and understood the lack of transparency or trust. He said that at the end of the day, the children would bear the brunt of this situation. He said that when they could enter their trailer or learning cottage, they would be the ones ultimately impacted. He said that regardless of whose fault it was, and while he would like more information as well, as he listened to these conversations, he was thinking about the unfairness to the children they were trying to educate and protect.

Ms. Gary said that the data she presented was based on her lived experience. She said that there was evidence available online, which demonstrated her claims. She said that her child did not have a classroom when attending school; instead, she was moved from one room to another and then back again. She said that this wasted teacher time and disrupted students' learning experiences. She said that she would like to draw attention to this issue. She said that their decisions were not only about money but also about people and children. She said that she had deep concern that they were not doing enough to care for their children.

Mr. Fulmer said that he had two more items to address. He said that following their conversation at the previous meeting regarding modular classrooms, they did return to the state authorities and inquired whether they would permit them to utilize one-time funds. He said that the state informed them that they would not approve this use of one-time funds. He said that secondly, their objective was to avoid adding any modular classrooms next year due to the anticipated increase in elementary school capacity in the near future.

Mr. Fulmer said that consequently, they were planning to incorporate these units this year and would make every effort to refrain from adding any additional ones the following year. He said that this had been a topic of discussion with their Board. He said that there may be some exceptions in specific areas if they experienced significant growth; however, they would be quite limited, necessitating no action for the upcoming year.

Dr. Yeung asked if it was possible to rent the modular classrooms.

Mr. Fulmer said that they had considered leasing the items, and after examining the options, it became clear that going beyond two years resulted in it being more financially sensible to pay for the item instead.

Ms. Bohmke called the vote to deem the matter time-sensitive.

The Voting Board tally was:
Yea: (3) Allen, Diggs, Gary
Nay: (4) Bohmke, English, Vanuch, Yeung

Ms. Bohmke asked Mr. Vosburg to ensure that this item was included in the agenda for their meeting on Tuesday, January 23, 2024.

Mr. Vosburg said that it would be up for discussion, but would actually be scheduled for the February 6, 2024 Board meeting.

ITEM 20. BUDGET AND MANAGEMENT; RESOLUTION R24-25; CONSIDER BUDGETING AND APPROPRIATING PRIOR YEAR-END FUND BALANCE FOR THE PURCHASE OF VEHICLES FOR DEVELOPMENT SERVICES AND THE SHERIFF'S OFFICE

Ms. Light said that proposed resolution R24-25 was before the Board. She said that as the audit had been completed and they had confirmed the year-end figures. She said that this item was not time-sensitive; thus, they would not request a vote from the Board today. She said that it was for the purchase of vehicles by the development services department. She said that there was an available fund balance due to permit revenue exceeding expenditures.

Ms. Light said that these funds were restricted for development services purposes only. She said that it was typical for them to bring such actions to the Board at mid-year to ask the Board to budget and appropriate the Sheriff's year-end funding for vehicles to maintain their fleet. She said that Major Dombrowski and Mr. Santay were present to address any specific questions regarding their department.

CLOSED MEETING

At 4:57 p.m., Ms. Allen motioned, seconded by Ms. Gary, to adopt Resolution CM24-02 to authorize closed session.

The Voting Board tally was:

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

Resolution CM24-02 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel pertaining to a class action lawsuit against certain PFAS chemical manufacturers where such consultations or briefings in an open meeting would adversely affect the litigating posture of the Board, and (2) consultation with legal counsel regarding probably litigation and the acquisition of public property pursuant to proffers where such discussion in an open meeting would adversely affect the litigation posture and negotiating strategy of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 16th day of January, 2024, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

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

At 5:28 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-02(C) to certify the Closed Meeting.

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

Resolution CM24-02 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON JANUARY 2, 2024

WHEREAS, the Board has, on this the 16th day of January, 2024, 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 16th day of January, 2024, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Ms. Allen motioned, seconded by Dr. Yeung, to approve Resolution R24-47, a resolution authorizing the execution of a settlement agreement regarding proffered conditions in Embrey Mill subdivision.

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

COUNTY ATTORNEY; RESOLUTION R24-47; A RESOLUTION AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT REGARDING PROFFERED CONDITIONS IN EMBREY MILL SUBDIVISION.

Ms. Allen motioned, seconded by Ms. Gary, to approve Resolution R24-48, a resolution authorizing participation in a common interest and information sharing agreement with the Commonwealth of Virginia and other interested parties related to claims in a national class action lawsuit regarding PFAs, authorized by the Board of Supervisors by Resolution 23-153.

The Voting Board tally was:

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

Nay: (0)

COUNTY ATTORNEY; RESOLUTION R24-48; A RESOLUTION AUTHORIZING PARTICIPATION IN A COMMON INTEREST AND INFORMATION SHARING AGREEMENT WITH THE COMMONWEALTH OF VIRGINA AND OTHER INTERESTED PARTIES RELATED TO CLAIMS IN A NATIONAL CLASS ACTION LAWSUIT REGARDING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS) AUTHORIZED BY THE BOARD OF SUPERVISORS BY R23-153.

ADJOURNMENT

At 5:30 p.m., Chairman Bohmke adjourned the January 16, 2024 Stafford County Board of Supervisor's meeting.

Randy Vosburg

Randal E. Vosburg
County Administrator

Meg G. Bohmke

Meg Bohmke
Chairman