BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
DRAFT MINUTES
REGULAR MEETING
FEBRUARY 6, 2024

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 3:00 p.m. on Tuesday, February 6, 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 T. 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; Cheryl Giles, Deputy Clerk; various staff members; and other interested parties.

CHAIR REMARKS

Ms. Bohmke said that last month they had a shortened meeting due to the ice and potential snow; thus, she had a few additional comments as Chairman. She said that in January they experienced a water main break in both the Aquia and Griffis-Widewater Districts. She said that she would like to commend their utility staff for their diligent efforts in finding and repairing the break. She said that she would like to express her gratitude to emergency management and community engagement for their exceptional collaboration during this situation.

Ms. Bohmke said that she would like to acknowledge the utility customer service agents who provided customer service via telephone. She said that Supervisor Gary and she assisted Emergency Management and their CERT volunteers in distributing water to residents in the Boil Alert area. She said that it was a tremendous effort by all parties involved to ensure their residents had access to water. She said that the residents were very appreciative, and she would like to say a great job to everyone.

Ms. Bohmke said that February marked the beginning of Black History Month. She said that this year's federal government theme was "African Americans and the Arts." She said that they were proud that Stafford was home to Palmer Hayden, a Harlem Renaissance artist. She said that several years ago, on February 1, 2020, Mr. Hayden was honored at Widewater State Park, which included a Virginia Department of Historical Resources marker.

Ms. Bohmke said that the event took place in Ms. Allen's district up at Griffis-Widewater, and many of them attended that significant occasion. She said that African Americans have enriched their community in the arts and every segment of life for over 300 years. She said that she invited them to join them at their next meeting on February 20, where they would present a proclamation honoring Black History Month.

Ms. Bohmke said that their Tourism Department had initiated a new program called Stick to Stafford. She said that each month, they released stickers commemorating different historical or geographical locations in Stafford. She said that citizens could pick up materials at designated businesses and attractions throughout the County, and one could find that information by visiting tourstafford.com.

Ms. Bohmke said that the Rappahannock Area Community Services Board (RACSB) and the Rappahannock Area Adult Activities were two of their much-valued and loved community partners. She said that they helped provide services to people in their community with mental illness, developmental delays, substance abuse issues, and more. She said that the Adult Activities Program provided day support for adults with disabilities, allowing them to learn new skills and meet new friends. She said that they were having a Valentine's Bouquet Sale, and one could find more information at rappahannockracsb.org/shop.

PRESENTATIONS

There were none.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Ms. Bohmke asked if there were additions or deletions to the regular agenda.

Mr. Vosburg said there was a deletion to new business, which was Item 20. He said that it had been deleted and would be brought back at a future meeting. He said that more information was available in the folders provided to the Board. He said that there were two additional handouts related to the quarterly General Assembly update, which were also available in the provided folders.

Ms. Allen motioned, seconded by Mr. Diggs, to approve the regular agenda as amended.

The Voting Board tally was:

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

DELETION TO NEW BUSINESS

ITEM 20. CAPITAL PROJECTS PUBLIC CONSTRUCTION; CONSIDER BUDGETING AND APPROPRIATING ADDITIONAL FUNDS TO THE CAPITAL PROJECTS FUND FOR THE COURTHOUSE ANNEX RENOVATION PROJECT.

PRESENTATIONS BY THE PUBLIC – I (3 MINUTES EACH)

Ms. Bohmke read the protocol for public comment.

1. Shannon Fingerholz, 19 Cardinal Forest Drive, Fredericksburg, Virginia 22406, said that three minutes were insufficient to debate the reasons why four members of the School Board, Siegmund, Randall, Halstead, and Healy, voted against the Embrey Mill location for Elementary 19 twice, leaving their fellow Board members and staff in limbo, scrambling for a solution, leading to a rushed vote. She said that their reasons differed. She said that they believed that the Board of Supervisors might not approve the funding for Elementary 19, so they were unprepared. She said that this was a 60-year decision that required careful consideration.

   Ms. Fingerholz said that they cited bus times, overcrowding in Garrisonville due to existing schools, poor land quality, among other factors. She said that despite these reasons appearing valid at first glance, they do not sit well with the rest of the Board, the community, or herself. She said that now, they all feel stuck, much like the other three School Board members and staff. She said that consequently, they must consider their next steps. She asked if they should advocate for reducing the School Board's authority by earmarking school construction funds for specific locations.

   Ms. Fingerholz said that while this could result in delays for this school and the rebuilding of Drew, Hartwood, and Rising Star, which are desperately needed, and it may also exacerbate the adversarial relationship between the boards, which is what led them astray in the first place. She said that the can rolled down the road, growing increasingly expensive each day. She said that they could consider to permit the School Board to make their own decisions, regardless of their quality. She said that after all, they were elected alongside all of them, and schools were part of their job responsibilities.

   Ms. Fingerholz said that this decision could lead to complications during evacuations, lockdowns, or the reconstruction of Brook Point and Stafford Middle in 30 years. She said that both scenarios had significant consequences that would reverberate through generations of elementary students. She said that the choice between Embrey Mill for Elementary 20 and

Elementary 19 did not pass scrutiny. She said that the actions of Siegmund, Randall, Halstead, and Healy had sparked a chain reaction that had led to increased distrust among community members.

Ms. Fingerholz said that these individuals must be held accountable for their decision that contradicted their staff's recommendations. She said that they urgently needed schools and could not afford to hinder the progress they had made thus far. She said that this Board had made their fair share of poor decisions as well. She asked if the state should take away their ability to make their own decisions. She said that she was uncertain about that. She said that both governing bodies were political entities and had personal goals.

Ms. Fingerholz said that neither group was the hero and should stop trying to appear like it by disparaging each other. She said that she understood that their jobs were not straightforward and she appreciated what they accomplished. She said that in response to something she heard this weekend , the Board of Supervisors should not appoint the School Board. She said that she would advise against going there because they would have many discontented constituents. She said that she would suggest that they pick up the phone, sit down, meet with the School Board, and discuss how to address this issue.

2. Jennifer Holmes, 30 Winter Wheat Lane, Fredericksburg, Virginia 2406, said that she was speaking to them not only as a taxpayer and a citizen but also as an employee of Stafford County Schools for 26 years. She said that she had been employed with the Head Start program and the Early Childhood program for all of those 26 years and was there to advocate for the funding request of the School Board to add modulars to North Star and to redo the Rising Star campus. She said that she understood that they were requesting a significant amount of money in addition to whatever other things the School Board was requesting but wanted to emphasize the importance of what Head Start, as well as the special education preschool program, did for their community.

   Ms. Holmes said that not only did they work with some of their neediest families and children but they prepared them for kindergarten and helped their parents become better citizens and better contributors to Stafford. She said that she herself was a parent of children in Head Start, so she could tell them honestly that these programs had been doing a good job. She said that again, they requested that the Board provide them with this additional funding to install modulars at North Star and potentially refurbish Rising Star in the future. She said that she would like to emphasize that she was unsure if they were aware of this; however, at the December School Board meeting, it was mentioned that if this money was not allocated, they would need to prioritize programs.

Ms. Holmes said that for them, this meant that special education was a mandatory program mandated by both state and federal governments, which must be provided. She said that Head Start and the VPI preschool initiative program for Virginia were all grant-funded, not mandated; thus, those two programs would have to be eliminated to make room for the significant number of special education children entering their program. She said that this meant that once they lost those spots, it was extremely challenging to regain them. She said that Head Start had been a program in Stafford since 1967; they were one of the first programs in the nation.

Ms. Holmes said that to stand there before them and say that they were thinking with doing away with something that had been proven since 1967 breaks her heart not only as an educator but also as a parent of children who went through this program. She said that she invited each of the Supervisors to come at any point in the day and see what their programs were like at North Star on 610 and Rising Star on 17. She said that they were constantly working with these families and their children, and they were important programs. She said that K-12 was very important, but the Head Start program was dedicated to their neediest families and children, so she asked the Board again to please allocate the money for the modular trailers and to refurbish Rising Star.

3. Al Watkins, 12 England Run Lane, Fredericksburg, Virginia 22406, said that he had regularly appeared before this Board, and he was certain that many of them had grown accustomed to his presence. He said that they had not yet witnessed the level of passion he now felt for the citizens of this County, who had repeatedly called upon the Board for assistance. He said that in due course, they would be granting a time extension request for a project known as Belmont Park as part of Consent Agenda Item 11. He said that this would mark the fifth extension that they had granted from now until August 7 of this year.

   Mr. Watkins said that that was fine with him, because it would afford him the opportunity to advocate before them for something that would truly benefit the citizens of this County. He said that he would like to emphasize that the majority of Stafford's citizens should not be misunderstood regarding the 132-plus acres in question. He said that getting that strategic prime land developed was acceptable and even essential. He said that the issue lies in the current plan for its development. He said that given the track record, even this current plan could change.

   Mr. Watkins said that in fact, flexibility was built into the drawn plans and proposals. He said that there were no guarantees. He said that he hoped that both Mr. Sills and his representative, Mr. Payne, would modify the plan. He said that he had heard directly from many of the Board about the need for a gymnastics center, an aquatic space, indoor tennis, indoor soccer, lacrosse, volleyball, and flag football, as well as pickleball. He thanked them for acknowledging that. He said that everything that was offered elsewhere in places like the Fredericksburg Fieldhouse brought in significant revenue from teens signing up for their leagues, and many Stafford residents also travel down there for that facility.

Mr. Watkins said that though it was true that the current Belmont plan did include recreation facilities such as a shooting range, he could see the advertisements now. He said that he could imagine the signs that welcomed everyone to Stafford County and encouraged them to bring their handguns. He said that although he did not see shooting guns as an effective cardiovascular workout, he acknowledged that there was demand for leagues and competitions. He said that there was already a shooting range nearby called Quantico.

Mr. Watkins said that he was aware that the previous 350,000 square foot facility planned by Mr. Sills did not happen for some reason but emphasized that such a development must take place in the future. He said that there were numerous better options for this 132-acre area, and it would be wrong to develop it in a wasteful manner, which everyone knew. He said that if not, he would have the time to come in and keep reminding them.

4. Lorraine Walton, 919 Ficklen Road, Fredericksburg, Virginia, 22405, said that she had been a Stafford County resident for 45 years. She said that two and a half years ago, she became a part-time Stafford County employee as a certified pickleball instructor and coach. She said that she had personally witnessed the exponential growth of pickleball and the increasing demand for places to play in their area. She said that she never played any sports before she took up pickleball lessons through Stafford County Parks and Recreation approximately nine years ago.

   Ms. Walton said that she found it so much fun and more social than tennis or other sports that she loved it so much that she decided to retire just so that she could play more. She said that a few years later, she decided she wanted to share her passion for pickleball and teach others how to play, so she became a certified pickleball instructor. She said that now, she was 73 years old and teaches pickleball to 40 new students every single month and also participated in local and national tournaments. She said that the most recent edition of Pickleball Magazine arrived in her mailbox two days ago, featuring the Surgeon General of the United States on the cover.

   Ms. Walton said that in the article about Dr. Murphy, he discussed the unique positive impact that pickleball had on the health and well-being of individuals of all ages. She said that he taught his five-year-old and seven-year-old children how to play pickleball as well. She said that he stated that pickleball had tapped into something that we have known for a long time but need to be reminded of: meeting up in person, getting some exercise, and playing a sport.

Ms. Walton said that these were essential components of what it means to be human, regardless of age. She said that we required connection and time with others to thrive, just as we need water and food. She said that she herself was a testament to the benefits of pickleball, as it has provided her with the joy of connecting with others, making lifelong friends, and staying active. She said that she has discovered her fountain of youth, and its name is pickleball.

5. Gustavo Maya, 267 Choptank Road, Stafford, Virginia 22556, said that he had lived in Stafford for approximately 10 years and was a military retiree with ample free time. He said that his wife suggested he try pickleball about six months ago due to his desire for a sense of community after his time in the military. He said that he was a 100% disabled veteran and that many activities had caused him pain due to his 20-year service. He said that some of the Board members might have experienced similar issues. He said that one of the few activities he could still enjoy with his 12-year-old and 25-year-old was playing pickleball at Kenmore.

   Mr. Maya said that unfortunately, the drive from where he lived, near Mountain View Road, took 25 minutes. He said that he spent an hour of his day just traveling to play pickleball. He said that they thought that there should be parks nearby, such as Willowmere, which was only 10 minutes away. He said that he preferred being able to drive down there instead of making the longer trip to Kenmore. He said that he was not the typical face of someone advocating for pickleball facilities at 42 years old. He said that his children loved playing and the world champions of pickleball were young people. He said that age was not a significant factor; rather, it was the community that brought people together.

   Mr. Maya said that in the last six months, that he had added more individuals to his phone contacts than in the previous 10 years. He said that his wife had noticed that his phone was constantly receiving messages. He said that he needed to put it on silent mode; the sport had become quite popular in his social circle, as evidenced by his busy social calendar. He said that he would appreciate if the County could invest more in supporting this sport for people like himself and others who enjoyed participating in it, as it fostered unity among them all.

6. David Fauth, 18 Antietam Loop, Stafford, Virginia, 22554, said that pickleball appeared to be a positive development. He said that he would like to build upon Ms. Holmes' and the North Star Rising Star comments. He said that he would like to request that they provide the necessary modulars and classrooms required at North Star and Rising Star. He said that these were important. He said that he understood they expected to address this matter during the work

session but were unable to do so. He said that he urged them to listen attentively as more individuals came forward to discuss this topic and to fund these projects as soon as possible.

Mr. Fauth said that although the resolution for the farmers market was not finalized until voted upon, he hoped it would be approved. He said that he was grateful for their efforts in addressing this matter, which he considered vital for the community. He said that Elementary School 19 was the subject of Item 21. He said that he would not repeat his thoughts from the previous work session email but had shared some additional perspectives on this matter. He said that there were individuals in the community who were passionate and willing to contribute. He said that upon entering the Aquia Budget center, Mr. Towery approached him and inquired if he would serve on the CIP subcommittee. He said that he was already busy, so he declined the offer.

Mr. Fauth said that the school had a Citizens Advisory Committee for capital improvement projects. He said that he discovered that Falmouth could benefit from an additional member, as could the George Washington District. He said that he recommended reaching out to their School Board member, urging them to consider adding more people to the committee. He said that they should make an effort to be involved in these discussions. He said that they would hear about the need for schools, buildings, and pickleball courts at elementary schools. He said that to address these needs, they must engage more people who were passionate about contributing to these projects.

7. Morgan Everitt, 49 Melanie Hollow Lane, Fredericksburg, Virginia 22405, said that the last time she attended a Board of Supervisors meeting, she was 15 years old. She said that today, she was 25 years old and had experienced significant growth in her professional life. She said that she participated in girls' lacrosse during her teenage years and now coached at Brook Point High School. She said that upon returning locally, she became a substitute teacher and has since transitioned into a daily building substitute.

   Ms. Everitt said that it had been rewarding to develop her career within the County; however, she was uncertain if she could continue growing while working in schools due to the low pay scale. She said that Phase 1 has been approved for their support staff, and Phase 2 has been approved for educators across Virginia, but not for them. She said that as she commuted daily through Stafford County, she saw numerous new houses being built and worried that she would never be able to afford a home in this area or live comfortably there.

   Ms. Everitt said that she might need to explore alternative living options due to the situation. She said that she had spent the majority of her life in Stafford County, and wanted to stay at Brook Point, but this was contingent upon receiving a pay raise. She said that the situation had changed significantly due to COVID-19, placing immense stress on their staff. She said that financial backing was crucial for them to continue operating effectively. She said that they had not observed improvements in their benefits or other areas. She said that they required financial support to address this issue.

Ms. Everitt said that they needed additional funds for their support staff, which included substitutes, security personnel, cafeteria employees, janitorial staff, and other essential personnel. She said that without their support staff, they could not maintain their teaching staff either. She said that they were all part of the same system, functioning within the same ecosystem. She said that they deserved equal treatment in terms of respect, financial backing, and benefits.

8. Wendy Knight, 60 Blossomwood Court, Stafford, Virginia 22554, said that she had previously sent her remarks in an email, but she was here to reiterate them. She said that she had lived in Stafford County for over 20 years and had been working for Stafford County Public Schools for 17 years. She said that she enjoyed working with children but did not like politics; thus, she did not envy the Board members at all. She said that however, she understood and appreciated the challenging decisions that had to be made during budget season.

   Ms. Knight said that when she first started working for Stafford County Public Schools, she was an hourly employee. She said that after three and a half years, she applied for and was offered a salary position that included pay steps to increase her salary each year. She said that the initial years were successful, as she consistently received her step increases that were consistently approved by the School Board and the Board of Supervisors each year. She said that pay steps were eventually frozen, then eliminated, and service employee salaries stagnated for several years.

   Ms. Knight said that when service employees consistently raised concerns, a survey company was brought in to restructure pay scales and salaries. She said that finally, with the combined efforts of many individuals, including the School Board, service employee salaries began to show some improvement. She said that a few years ago, the Stafford County School Board graciously offered salary increases through a five-phase compromise. She said that Dr. Taylor joined the team and aimed to provide pay raises; however, there was insufficient funding, so he proposed a five-phase pay plan instead.

   Ms. Knight said that recently, in conversation with a colleague, she became aware that service employees have not received any of the Stafford County School Board's five-phase salary increase. She said that however, teachers were preparing for Phase 3. She said that she questioned where the equality was in that equation. She said that she has been a patiently trusting, loyal employee for 17 years, and when she was informed by the Stafford County School Board that she would see a 2% salary increase, she expected to see it in her check.

Ms. Knight said that after the conversation with her coworker, she was shocked. She said that the small bonus was great, but it was merely a band-aid for their issue. She said that she would like to address a specific point: this situation makes her very upset because the Board of Supervisors needs to hear more voices from them in order for them to receive their 2% meager increase. She said that they all need to feel valued. She said that they all deserve salary increases too. She said that they should make the right choice. She said that schools need more funding.

9. Donna Oliver, 74 Ironwood Road, Fredericksburg, Virginia 22405, said that it had been a year since she last discussed the need for pickleball facilities in Stafford County with them. She said that she had presented pictures demonstrating what other counties were doing to meet their pickleball demand. She said that she would like to update them on their efforts. She said that they had been utilizing underutilized tennis courts. She said that Keswick Park in Spotsylvania had tennis courts with lights that they painted pickleball lines on.

   Ms. Oliver said that King George Middle School painted lines on three tennis courts, converting them into six pickleball courts. She said that they had wheeled nets that players could wheel on and off depending on whether they were playing tennis or pickleball. She said that Locust Grove Middle School had four pickleball courts available to the public when school was not in session. She said that communities had been repurposing empty mall spaces, such as the ground level of Macy's department store in the Regency Mall in Henrico County that was converted into a pickleball facility by investors.

   Ms. Oliver said that the facility now housed 12 pickleball courts and a restaurant. She said that she attended a tournament in Macon, Georgia. She said that the County acquired ownership of a mall there and transformed it into a multi-purpose building. She said that they relocated County offices into the mall and repurposed a former Belk department store space into 16 pickleball courts on the lower level and 16 courts on the upper level. She said that these facilities were new, but pickleballers in Chantilly, Virginia had demonstrated that indoor facilities could be successful since 2020.

   Ms. Oliver said that she had also witnessed local pickleball clubs collaborating with their County offices. She said that in Cranberry, Pennsylvania last September, she attended a tournament where the Parks and Rec Committee had 19 dedicated pickleball courts. She said that their local pickleball club grew to over 1,500 members due to their partnership with the Parks and Rec department. She said that they organized fundraising campaigns, events, and membership drives. She said that all funds raised during these activities went directly to the Parks and Rec department, and they paid for the maintenance of those courts.

Ms. Oliver said that the local pickleball club in Stafford, Virginia had over 400 members, with over 200 of them residing in Stafford. She said that last year, the club organized over 150 events, approximately three per week. She said that round robins, featuring eight players at a time, took place for about two hours and input scores into a rating system that allowed for objective grouping of members based on skill level. She said that other events included drilling, CPR training, and social events.

Ms. Oliver said that the club was known as the SFS Pickleball Club, encompassing Stafford, Fredericksburg, and Spotsylvania. She said that members paid an annual fee of $7, while most events were free or had a court fee of $5. She said that the club utilized private courts provided by great cooperation from UMW's Tennis Center and the local YMCA. She asked the Board to consider the impact of these courts, empty malls, pickleball clubs, and communicators in order to develop potential strategies for Stafford County.

10. Molly Denham, 232 Holly Berry Road, Fredericksburg, Virginia 22406, said that she was disappointed in the School Board's decision-making process regarding Elementary 19. She said that she was a vocal advocate for their schools and had been in front of this Board many times requesting funding for Elementary 18 and 19. She said that she too was under the impression that the likely site for Elementary 19 was Embrey Mill, and after this Board approved funding, she went to the School Board requesting quick decisions to get things moving as soon as possible. She said that unfortunately, their decision-making process lagged for many months.

    Ms. Denham said that she attended meetings month after month only to see the public shut out with closed-door sessions and motions forwarded that couldn't get passed. She said that no information was provided or a reason was given for this apparent division within the School Board. She said that she believed many of them were just as upset and frustrated, not to mention surprised, when the plan to use Brook Point was brought up during a working session and immediately voted on without providing an opportunity for public input or since then, any public information has been provided.

    Ms. Denham said that however, she urged them not to allow that frustration to hinder their schools even further. She said that there appeared to be some members of the Board who wished to withdraw funding for Elementary 19. She said that she requested that the Board refrain from making such a hasty decision in response to an already distressing situation. She said that instead, she asked for those responsible to be held accountable; She said that this was the responsibility of the citizens of this County during the next election cycle.

Ms. Denham said that the School Board members who held the rest of the Board hostage should be asked to explain their actions. She said that the public had not yet been provided, in her opinion, a valid reason why Embrey Mill was a suitable location. She said they needed to move forward. She said that money had already been spent or allocated for Elementary 19 at Brook Point, and withdrawing funding would only exacerbate an already dire situation. She said that it was now a matter of accepting an unfavorable decision and resisting the temptation in order to prove a point.

Ms. Denham said that the Board possessed the power to pull the funding and hoped they would keep that in mind during their discussion that day. She said that they may find, as they moved forward, that this was actually a wise decision made by the School Board. She said that she could not predict the future any better than any of them but would tell them that if they withdrew funding from Elementary 19, they would be equally responsible for poor decision-making alongside the School Board. She said that she kindly requested that they maintain the high road regarding this issue, refrain from withdrawing funding, and allow the School Board to continue with their current plan.

11. Craig Miller, 1002 Poplar Drive, said that he was a 30-year resident of Stafford and lived in Lake Arrowhead. He said that he had been a long-time user of vendors in the commuter lot. He said that he understood that there have been further changes proposed, but he would like to particularly point out that the changes in use permits and their extensions before the Board came up due to a previous vendor, unrelated to any of the current extendees, abusing their DMV property. He said that therefore, the state or County ended up being held responsible. He said that he would like to emphasize that when they signed up for this service, they agreed to be held accountable.

Mr. Miller said that he could not find any record that those who abused the pavement were even attempted to be held liable. He said that the Board and the state allows people to park their vehicles in this parking lot for extended periods of time. He said that they regularly see the same cars parked in the same spots for weeks and months. Battery acid and oil spills are natural occurrences of parking a vehicle.

Mr. Miller said that they did not require people to have insurance other than driving insurance for parking their vehicle in this publicly accessible parking lot for 22 hours out of the day. He said that he believed that holding the extendees to a different standard was not fair, particularly when there was an apparent lack of motion from the Board or the County to hold the responsible individuals accountable. He said that there were two extensions under consideration. One of them was similar to a general contractor who sublets spaces to other vendors.

Mr. Miller said that they earned additional income from these vendors they sublet out to, which were not available to other extendees in the nearby parking lot next to Lowe's. He said that they did not skim off the top of other vendors' profits; they earned their money through hard work. He said that it was crucial not to allow this disparity in treatment. He said that he hoped that the Board's actions took these types of issues into account. He said that a vendor was not the same as a contractor.

12. Marshall Locklear, 101 Surry Lane, said that he was in Dr. Yeung's district now was in Ms. Allen's due to redistricting. He said that he was hoping to discuss this matter with Ms. Allen once they identify the person in charge. He said that he would like to observe 15 seconds of silence in memory of one of his vendors, who had been murdered over the weekend, and their three-year-old child witnessed it while they were on the phone with him. He said that it was a heartbreaking story. He said that the last thing that she had said to him was that she wanted to make money.

    Mr. Locklear said that people who were in their district paid taxes just like him; he had been paying taxes since he moved here. In He said that in Aquia Harbor, when they arrived, that there were six houses under construction in the area. He said that they had witnessed numerous changes, some of which they appreciated, while others they did not. He said that considering the people on the wall, they should focus on their accomplishments. He said that he called the attorney to inquire of her what he needed to do. He said that she did not reply until he was present at a meeting.

    Mr. Locklear said that the following morning, he received a text in the middle of the night. He said that he did not require the advice from her. He said that he already had access to DEA, who provided him with all the legal counsel he needed at no cost. He said that he was capable of paying for professional advice as well. He said that as a taxpayer, he expected that she would either provide or grant him the time he requested. He said that it had been quite some time since he last visited an attorney's office. He said that he had a problem with a vendor who refused to pay, which is why he wanted to consult with the attorney.

    Mr. Locklear said that even a call would have been appreciated, but he received a response in the form of a text message. He said that he responded to the text and proceeded accordingly. He said that they needed to determine what action they would take regarding this vendor. He said there had never been an issue with oil in the parking lot. He said that regarding the matters occurring outside, he did not wish to discuss them publicly. He said that they needed to make some changes and ascertain what actions he needed to take since Dr. Yeung responded, and they discovered that the issue lies within Ms. Allen's district.

Mr. Locklear said that he had not received a response from them. He said that he had been in this community for 50-some years; he at least deserved a response from them, whether it be a phone call or a text message. He said that Dr. Yeung had done a lot for him, and they were found out they were in the wrong district. He said that these individuals were unkind. He said that they dumped out stuff from their trailer, swept it out, cooked it in a pot, and served it to their customers.

Mr. Locklear said that he did not know if the Board knew this, but it was absurd and unkind. He said that several of his people had informed him of similar experiences. He said that they had not paid the vendor's fee they were supposed to pay, and they were nasty. He said that they needed to address this issue, and he hoped to speak with Ms. Allen about this at some point.

13. Natalie Richardson, 1003 Wythe Court, said that she had lived in Stafford County for over 50 years and raised her four children there. She said that she had worked for Stafford County Public School for over 12 years. She said that initially, she started as a parent volunteer in special education, then progressed to attendant, secretary, and front office positions. She said that currently, she was based at the counseling center at Dixon Smith Middle School. She said that she aimed to support the support staff. She said that these staff members played a vital role in making their school successful.

    Ms. Richardson said that maintaining consistency in their support staff, particularly for their special education students, was crucial. She said that they required stability and familiar faces. She said that if they did not provide them with raises and keep them up-to-date, they risked losing them. She said that they just could not do that. She said that their schools have been very successful, and she wanted them to continue being successful. She said that the support staff not only supported the school but also supported the community. She said that there was sometimes a wire that connected the community to the school.

    Ms. Richardson said that she knew that many support staff members volunteered for various initiatives, such as Ellie's Elves and other events, which brought them into the school. She said that it was crucial to retain them. She said that when she first started working as a parent, she held two jobs and three jobs during the Christmas season to help support her children. She said that nobody should have to work that much just to maintain a living in Stafford County. She said that she was there to support the support staff.

14. Amanda Black, St. Albans Boulevard, 22556, said that she was involved in Early Childhood programs, both with North Star and Rising Star. She said that she was there to advocate for the importance of having those extra modulars. She said that the $1.5 million allocated for this purpose would provide over eight additional classrooms for their programs. She said that currently, most of their special education staff was over their caseload, which meant they had more students than they were supposed to teach.

    Ms. Black said that one option they had discussed was the possibility of cutting some of the programs they had now if they did not receive additional resources. She said that it was essential for the Board to understand that 75% of the funding for Head Start and VPI came from outside sources rather than the County. She said that when these programs were cut, they could not regain those seats, and this was an integral part of their community. She said that regarding the Head Start program, they were currently in year one of a five-year grant. She said that reducing seats in that program would actually require them to owe that money back.

    Ms. Black said that sometimes it was challenging because their program often went unnoticed, and they did not fully understand how funding worked for the Head Start and VPI programs. She said that another crucial factor to consider was that if they eliminated their VPI program, those teachers would lose their jobs. She said that these teachers might be licensed to teach pre-K three and four but not special education. She noted that as the needs of their special education students increased, and those spots must be available due to legal mandates, the teachers who taught Head Start and VPI could not teach special education.

    Ms. Black said that they had a few ladies in particular who had taught for this County for almost 20 years; they would lose their jobs. She said that they would have to be relicensed or return to being provisionally licensed because something that they had dedicated their entire career to was gone. She said that she would like to express her gratitude for considering their concerns. She said that she was one of those in the profession referred to as a type B teacher, so she did not prepare a statement. She said that she did not even know that she would be speaking.

    Ms. Black said that as everyone discussed the benefits that this program brings to the community, she thought that sharing the perspective of another teacher would be valuable. She said that when it came to elementary schools 18 and 19 that they had heard so much about, she worked at Rising Star. She said that she could confirm that 100% of their student population consisted of at-risk students, either because they had disabilities, they came from impoverished backgrounds, they were refugees, or they spoke another language.

15. Jeff Adams, Kellogg Mill Road, said that Stafford County was currently without an extension agent once again. He said that regarding the turn lane at Poplar and Truslow Road, he understood that this topic would be discussed. He said that it was evident that a turn lane should have been installed when the road was expanded. He said that furthermore, Poplar Road should have been extended all the way down to Kellogg Mill Road, with turn lanes added at Kellogg Mill Road as well.

    Mr. Adams said that concerning the traffic circle at Mountain View and Kellogg Mill, he would request special considerations to prevent construction from occurring on the first and third Tuesday of every month. He said that this would minimize the inconvenience of his commute. He said that there was an alternative route that worked for him, as there were other roads in the County that allowed him to still reach his desired location. He said that as he had grown older, he could now say things that he would not have dared to say 20 years ago.

    Mr. Adams said that he would share one of these unsaid thoughts with them. He said that people often discussed funding. He said that he proposed his funding idea to them. He asked the Board to please consider advertising a tax rate of $15 per $100. He said that this would result in a $60,000 tax bill for a $400,000 house. He said that if they divided 60 by 12, they found that it would be a conveniently manageable $5,000 monthly tax bill. He asked them to stop and think about the potential benefits of this proposal.

    Mr. Adams said that he would point out that one could provide every individual in the County with an automatic $30,000 salary increase. He said that this would enable the construction of two or three schools annually without requiring bonds or financing. He said that new schools could be built and left vacant for five or six years due to the $60,000 property tax bill, which would deter many people from moving to the County, thus alleviating transportation issues.

    Mr. Adams said that the only person significantly affected by the $60,000 tax bill would be Mr. Stanislavsky upstairs, who would have to collect delinquent taxes. He said that it was simply a fact that many of these problems could be resolved. He said that it depended on how much money people were willing to allocate. He said that he would inform them that if his tax bill was $60,000, he would carefully examine his budget and ask, do we truly need this or do we really need that, or was that merely a want. He said that there was a significant distinction between a need and a want. He said that last Monday, the Agriculture Committee approved their portion of the farmer's market that they needed to approve annually.

REPORTS BY BOARD MEMBERS

Mr. English– reported that Hartwood Elementary School was hosting a STEAM night this Friday from 5:00 PM to 6:30 PM. He said that he would be unable to attend due to a Board event that evening. He said that he had conveyed his condolences to Brian and expressed his hope that they would have a successful event. He said that they consistently delivered exceptional events. He said that he would like to express his gratitude to Gordon Torrance of GFL. He said that one of his constituents had reached out to him, stating that Gordon provided tremendous assistance.

Mr. English said that he wanted to pass along this positive feedback as he was doing a commendable job in taking care of citizens as he should. He said that he would like to acknowledge Bill Williams, whose picture was displayed in the back with a black drape. He said that Mr. Williams was a member of the Board of Supervisors for the Aquia District during the 1980s. He said that he had already discussed this matter with Ms. Gary, and she was aware that Mr. Williams was instrumental in starting the Planning Commission and served for 18 years in that capacity.

Mr. English said that Mr. Williams was a member of Post 290, making him a long-time Staffordian, along with his parents and other family members. He said that he wanted to ensure that they recognized him properly. He said that the other individual he wanted to recognize was his constituent Claude Byram. He said that Byram was the first fire administrator for Stafford County and held membership in both the Falmouth Fire Department and Mountain View Fire Department.

Mr. English said that Mr. Byram was affectionately known as the mayor of Mountain View. He said that Mr. Adams was likely aware of this fact. He said that Mr. Byram also owned Byram's Market, located at the corner of Kellogg and Mountain View Road. He said that his family had owned the market before he took over its operation for several years. He said that he would like to extend his condolences to his wife Nancy, daughter Carolyn, and granddaughters Jennifer and Jessica.

Ms. Gary – stated that she appreciated Supervisor English for approaching her and having that discussion. She said that life was short, so they must do their best with it and be kind to one another while working together as much as possible. She said that their purpose there was to achieve this goal. She said that she wished everyone a Happy Black History Month and acknowledged the rich history they had in their community, as mentioned by Ms. Bohmke. She said that during Black History Month, they celebrated the contributions of many talented Black artists in their community. She said that she would share some of their names across her social media throughout this month, so please keep an eye out for them.

Ms. Gary said that she was grateful for staff in the Utilities Department’s efforts in repairing the water main break. She said that although they sometimes faced such issues at the beginning of the year, she appreciated Ms. Bohmke's assistance in distributing water and the excellent work of their CERT team and Emergency Management. She said that she thanked everyone for their patience and orderliness in coming through, obtaining what they needed, and looking out for one another. She said that she had found, particularly in her district, that the way they looked after one another was truly beautiful. She said that she had always been impressed by how everyone had stepped up to help one another, so she was glad to see that again.

Ms. Gary said that she would like to remind everyone that the Aquia District Town Hall this month would be held on February 13 at 7:00 p.m. at the Courthouse Community Center located at 29 Stafford Avenue in Room B. She said that this date also coincided with her anniversary; however, she would be celebrating over the weekend. She said they would likely have cake or something for those who wished to attend and engage in conversation. She said that following that event, in March they would hold the town hall at the same location, 7:00 p.m., Room B, but on the second Thursday, which was March 14, in order to avoid conflicts with School Board meetings. She said that they would continue holding Town Halls on the second Thursday throughout the calendar year.

Ms. Gary said that she would also like to congratulate and thank Ms. Knight for her speech, if she was still present. She said that she recalled addressing this Board and experiencing nervousness, characterized by sweating and trembling. She said that she wanted to express her gratitude for everyone who chose to do so. She said that she would like to emphasize that everyone should stand up for what they believe in, as many of them did consistently week after week.

Ms. Gary said that she was deeply appreciative of their input, which did make a difference; thus, she thanked them all. She said that she aimed to allocate sufficient funding for support staff increases. She said that regarding education, last year she conducted a survey that revealed over 60% of people in Stafford County, regardless of whether they had children in schools or not, were willing to pay a reasonable increase to fund education. She said that this finding aligned with national studies, indicating that it was overdue for them to address this issue. She said that she was looking forward to making progress in this area this year.

<u>Ms. Vanuch</u> – reported that she was providing an update on their FAMPO Policy Committee subcommittee meeting that took place on January 29 regarding the Regional Transportation Authority. She said that she attended that meeting alongside Ms. Bohmke and Ms. Gary. She said that she would provide some context by mentioning that on November 20, they had their newly elected state delegation in attendance, and they had been discussing the options of having an RTA for the region.

Ms. Vanuch said that the purpose of this subcommittee was established after that meeting, aiming to break down the issues and identify potential projects for funding, explore funding sources, and collaborate with their delegation to ensure they do not create a bill that would inadvertently harm localities instead of benefiting them. She said that she was happy to state that this was a bipartisan effort involving both Republican and Democratic delegates who did not want to hurt Stafford County by creating an RTA.

Ms. Vanuch said that they allowed FAMPO to create this subcommittee to discuss some of the challenges and bring back a recommendation to their state delegation after this year and to the next General Assembly session. She said that at that particular meeting, they discussed the potential impact of creating a Regional Transportation Authority on various projects. She said that they acknowledged the political complexities surrounding King George and Caroline Counties' desire to leave if an RTA is established and addressed Spotsylvania's concerns regarding taxing authority.

Ms. Vanuch said that the primary focus of their conversation was centered around these issues. She said that one of her major concerns was identifying potential funding sources that may compete with an RTA. She said that they previously proposed introducing a bill that would implement a 1% sales tax increase to finance the Transportation Authority. She said that their Board unanimously supported submitting a bill to the State General Assembly requesting a 1% sales tax increase for voters to decide through a referendum, which would be discussed shortly by Anthony Toigo.

Ms. Vanuch said that funding would exclusively be allocated for new school construction to address the County's urgent need for additional schools. She said that there had been numerous discussions regarding how these entities may compete with one another and the potential consequences of such competition. She said that Mr. Vosburg would share information regarding the Jail Board meeting, and Mr. Toigo would provide a fuller Legislative Committee update. She said that she would like to address some comments made during the public comment period concerning the perception that one individual felt compelled to attend because they believed they did not hear enough from them or the notion that they aim to cut programs.

Ms. Vanuch said that she was not entirely certain where this message originated, but she had not heard any Board member make such statements. She said that she found it intriguing that this information had been conveyed to her. She said that she wanted to ensure that the public's understanding was that they had not discussed cutting any programs nor had they ever claimed that they do not listen to the citizens' input, although they greatly appreciated their feedback. She said that she would like for Mr. Vosburg to investigate the pay raises. She said that she first joined the Board in 2020, and the School Board's plans for the allocation of incremental pay increases were presented to the Board each year.

Ms. Vanuch said that it started with Dr. Kisner with his first phase of salary increases. She said that they had also been told that there were salary scale increases. She said that she would like to request for Mr. Vosburg to provide the information that had been presented to the Board since 2018, and what had been instituted versus what was actually funded. She said that the Board of Supervisors passed the budget, but the School Board had the authority to give raises. She said that she also wanted to request moving Item 3 aside temporarily and addressing Item 16 earlier in the agenda due to the large audience present for the farmers market discussion.

Dr. Yeung – stated that she would like to address the comments made by Mr. Locklear and his supporters regarding this issue in the County. She said that she had indeed heard their concerns and brought them back to the County Administrator. She said that he was currently looking into the matter. She said that she was unable to call back with updates until she received further information due to the various steps and processes that needed to be completed. She said that she would like to clarify that she had met with the Long Farmer's Market yesterday.

Dr. Yeung said that the farmer's market had been operating in the area for as long as she could remember. She said that she first became aware of its existence through her friend Vanessa Griffin, with whom she served on several School Board committees. She said that this was something that had been in existence for quite some time. She said that she would like to mention the various meetings she had attended recently before discussing Black history and the legislative meetings they had had. She said that on January 20, the Fire and Rescue Department held their graduation ceremony for recruit class number 18.

Dr. Yeung said that they recognized the significance of this event, as they had witnessed young men and women dedicating their lives to serving them through this program 18 times already. She said that Sheriff Decatur officiated the swearing-in ceremony. She said that it was courageous of these young students to decide to serve their community. She congratulated each and every one of them once again. She said that on January 23, they held a joint meeting to continue the conversation regarding the capital improvement plan, which was a comprehensive infrastructure plan. She said that the plan was constantly evolving, and she understood that.

Dr. Yeung said that the Joint Land Acquisition Committee consisted of staff members from both the County and the School Board, who made these decisions and bring them back to the respective boards. She said that they did not take their work lightly; they spent a significant amount of time and effort, and they possessed the background, comprehension, and fortitude necessary to identify the needs of their community. She said that she trusted their recommendations. She said that on January 30, Ms. Bohmke, she, and Ms. Gary attended the regional summit hosted by the Chamber of Commerce.

Dr. Yeung said that the summit emphasized the importance of regionalism. She said that Ted Abernathy, who was also the keynote speaker, presented data showing job growth over the 10-year period between 2012 and 2022 for the Fredericksburg region, which included Fredericksburg City, Stafford, Spotsylvania, Caroline, King George, and other areas. She said that the data demonstrated healthy overall job growth in construction, trade, transport and utilities, professional and business service sectors. She said that this information supported the need for workforce housing. She said that on January 31, she attended the Garrisonville-Hartwood Town Hall for the unveiling of the Superintendent's proposed budget for FY25.

Dr. Yeung said that the budget still needed approval from the School Board, which may present changes before another round of town hall meetings. She said that she would like to thank her colleague, Mr. English, who was present and addressed some of the questions posed to the Board of Supervisors. She said that there were two legislative meetings, one on January 26 and another one on February 2. She said that the House Finance Subcommittee, consisting of Stafford, Newport News, and Prince Edward, voted to incorporate all individual locality 1% bills into a statewide 1% bill, HB805, which would enable Stafford and other areas to use that funding to pay down school debt.

Dr. Yeung said that they frequently compared themselves with Prince William but did not discuss their tax rate. She said that she lived in Prince William in Lake Ridge during the 1980s, and every year, their taxes would increase, accompanied by the construction of a new school each year. She said that they had other advantages that they did not have there, such as Potomac Mills Mall and certain areas of Quantico. She said that there were positive aspects to compare Prince William with, but they should also compare themselves with Albemarle or Spotsylvania. She said that Spotsylvania even had large malls.

Dr. Yeung said that they had Stafford Marketplace so far. She said that they had discussed school funding since 2012, which had consistently increased. She said that they may need to examine this further and inquired of the County Administrator, and Ms. Vanuch also mentioned it. She said that she requested a slightly different approach to better understand the situation. She said that the task involved determining how various components fit together. She asked the County Administrator to analyze the budget figures since 2012, taking into account changes made by the School Board during her four-year tenure.

Dr. Yeung said that she knew that during those times, the Board of Supervisors, particularly during Kisner's second year, were fully funded. She said that she wanted to compare their situation with Prince William County, whose tax rate was different from theirs, to ensure they were comparing apples to apples rather than apples to oranges. She said that last year, they considered working at Prince William, which proved successful.

Dr. Yeung said that Mr. Toigo would discuss the COCA. She said that COCA was fully funded in Prince William, whereas they currently stood at 25%. She said that their goal was to reach 100%. She said that the Legislative Committee, which she chaired, had drafted a recommendation to advocate for this increase. She said that they would share this recommendation with their School Board members, delegates, and the community to ensure they listened and provided them with 100% COCA funding.

Ms. Allen – reported that she had received inquiries from some constituents regarding upcoming VDOT plans for repaving and widening in Widewater. She said that she was unsure when Mr. Bates and his staff would be present; however, she would like to communicate that the repaving and widening will occur when the weather becomes warmer, likely in March or April. She said that this timeline would depend on the contractors' availability and VDOT's schedule, as they aimed to optimize weather conditions. She said that she intended to provide more information but that their agenda was quite full; thus, she would reserve her additional comments for another time.

Mr. Diggs – said that he would share a quote by Dr. Martin Luther King, Jr. for Black History Month: "Our lives begin to end the day we become silent about things that matter." He said that he wanted to thank each person who had come forward and shared their perspective and remarks with the Board. He said that this input was crucial and he truly appreciated their contributions. He said that he wanted to express his gratitude to the County Administrator, County Attorney, and staff, including support staff, for the support they had shown him during his first two months in this position. He said that it had been a phenomenal experience working with all of them. He said that he invited everyone to attend his town hall meeting on March 27 at 6:00 p.m. at Stafford High School in the auditorium.

Mr. Diggs said that he also sent out a correspondence letter containing his contact information. He said that he aimed to respond to constituents within 48 hours of receiving their calls, texts, or emails, as he believed this was what he owed to the constituents of the George Washington District. He said that he encouraged everyone to reach out and share their concerns. He said that Black Rifle Coffee was having a soft opening on February 19, and he was very excited about that. He said that they were located at 591 Warrington Road, on Route 17. He said that North Stafford High School was hosting a Black History Month event on February 24 from 2:00 p.m. to 4:00 p.m., and he encouraged people to attend and show their support.

Mr. Diggs said that regarding early childhood development programs, Ms. Vanuch made a brief comment about the rumors circulating in the community. He said that these rumors added stress to an already challenging time in people's lives. He said that he had not heard that these programs would be cut and he would not support such a decision nor did he believe his colleagues would either. He said that if anyone heard any concerning information, they should not wait for the meeting to address it. He said that he attended a graduation at the Phoenix Center and was proud to be there and witness their young people overcome adversity and receive their diplomas and graduate. He said that this was a very special moment for him.

Mr. Diggs said that he would like to address mental health, as they recently experienced a loss in the community in the Sinclair family. He said that the family requested that they raise awareness about mental health issues, as not everyone suffering from mental health issues have visible traits or characteristics. He said that their loss was unexpected, as there was no known history they were aware of. He said that they should ensure that they checked in with their children, spouses, family members, and friends, and provide support when needed. He said that they should create an environment where they can ask for help if required. He said that he would like to pull Item 11 from the Consent Agenda.

Ms. Bohmke – reported that she attended the Fire and Rescue Recruit Academy graduation, which was always a delightful event to witness these young men and women embarking on their careers. She said that unfortunately, there were no women in this graduation class; however, they were eagerly anticipating their new fire station locations. She said that she had been focusing on various legislative items in Richmond recently. She said that it was quite busy there, with numerous moving parts that often impacted their locality and people.

Ms. Bohmke said that Mr. Toigo would provide them with a report on this matter shortly. She said that she wanted to express her gratitude for their attendance and presentation before the Board. She said that she had received inquiries regarding the accessibility of their Board meetings. She said that all meetings held in Stafford County, including those in these Board chambers and activity rooms, were open to the public.

Ms. Bohmke said that however, they did have a Closed Meeting scheduled that afternoon, and closed meetings were not open to the public due to potential discussions involving personnel matters, land negotiations, or contentious topics that may be better addressed privately. She said that all meetings listed on their website were open to the public; attendees may choose to listen without participating in discussions. She said that if anyone was interested in joining one of their committees, they should reach out to the Board to let them know.

REPORT OF THE COUNTY ATTORNEY

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

REPORT OF THE COUNTY ADMINISTRATOR

QUARTERLY GENERAL ASSEMBLY UPDATE

Anthony Toigo, Intergovernmental Affairs Manager, said that he was providing a quick update on the Virginia General Assembly session. He said that they were currently in the midst of the session, as next Tuesday marked the halfway point. He said that he would like to touch upon a few highlights of the session at present and then proceed to discuss Stafford's program. He said that he was pleased to report that the most detrimental local land use and data center legislation had been addressed. He said that the data center legislation introduced had been sent to study and had been continued to the 2025 session.

Mr. Toigo said that it would be studied by either the Virginia Housing Commission or JLARC, specifically focusing on data center legislation. He said that moreover, they learned at VACO Day last week that legislators were increasingly open to the idea of creating an implementation plan for the recommendations from the 2023 JLARC K-12 funding report. He said that this was significant because it did address their COCA situation as part of that.

Ms. Bohmke asked if Mr. Toigo could please explain what JLARC was and also COCA.

Mr. Toigo said that there were numerous acronyms in intergovernmental affairs. He said that JLARC referred to the Joint Legislative Audit and Review Commission, which served as the General Assembly's research and study agency and was comprised of staff members employed by the General Assembly. He said that COCA, or the Cost of Competing Funds Adjustment, was a labor market adjustment provided to areas with high labor market costs, such as northern Virginia, but other parts of the state also benefited from this adjustment. He said that it was implemented in 1995 using 1991 data, which was why Stafford was interested in obtaining it now since the data was over 30 years old.

Mr. Toigo said that if an implementation plan was directed, a joint subcommittee would be tasked with developing recommendations and creating an implementation plan by November 2024 for the K-12 JLARC recommendation study. He said that he wanted to bring this to the Board's attention. He said that they had been tracking several collective bargaining bills. He said that currently, a bill was moving through the General Assembly that aimed to remove certain provisions and open collective bargaining to more public employees. He said that the Governor had indicated that he would veto that legislation. He said that he was monitoring its progress.

Mr. Toigo said that moving forward, the crossover into the second half of the legislative session was imminent. He said that House and Senate money committees must report their budgets by Sunday, February 18, so from that point onward, budget negotiations would begin, and session was scheduled to adjourn on March 9. He said that they had heard that the Democrats would be introducing a budget that would fifer from the Governor’s budget, so there would be some back and forth going into the spring, possibly into April. He said that regarding Stafford's priorities, Dr. Yeung had mentioned the 1% sales and use tax referendum authority. He said that he was pleased to report that Senate Bill 14 by Senator McPike had passed with some bipartisan support (27-13).

Mr. Toigo said that the House companion bill involved several House bills from multiple localities yesterday and House finance. He said that they were all rolled into House Bill 805, which he described as a lighter companion bill to the McPike bill he mentioned earlier and had passed out of subcommittee. He said that the next step was for it to pass out of the full House Finance Committee and then be brought to the House floor for a full vote. He said that in that bill, there was a substitute allowing localities to finance not only capital projects for schools and school infrastructure but also school debt service. He said that the substitute was viewed as helpful by many local government organizations.

Mr. Toigo said that regarding the Cost of Competing Funds Adjustment, all legislators had proposed varying degrees of budget amendments to assist Stafford in reaching its desired position on COCA. He said that these amendments range from full COCA to the JLARC recommendation of converting COCA from its current state to a labor market adjustment of 50% COCA, also known as a supplemental payment. He said that the supplemental payment was an additional $2 million for each year of the biennium over what a locality already received. He said that some localities in the Eastern Shore already received this supplemental payment.

Mr. Toigo said that at their meeting last Friday, they were informed by their consultant that they believe most COCA budget amendments would be incorporated into the study he mentioned earlier to implement JLARC recommendations. He said that however, the supplemental payment option was the most probable choice. He said that the Legislative Committee recommended that the full Board consider providing a shareable template letter, which would enable any interested party to demonstrate their support for these COCA amendments. He said that the committee's intention was for these amendments to be received by members of the General Assembly's money committees.

Mr. Toigo said that they had vetted the request through the County Attorney's Office as part of their standard review process. He said that this request would be classified as lobbying; however, Board members, when acting in their official capacity, could send such a letter. He said that if the Board was inclined, staff would make revisions and provide these letters to them in a shareable format. He said earlier that the current draft of the letter was included as Attachment 3 in their add-on folder. He said that staff recommended, based on their consultant's feedback, that they switch to the supplemental support option.

Dr. Yeung said that she wanted to clarify that she previously mentioned that constituents could send a letter. She asked if that was now considered lobbying.

Ms. McClendon said that was beyond the scope that they could advise on. She said that ultimately, when engaging in lobbying activities, these activities become individual endeavors. She said that they focused more from a Board perspective. She said that she encouraged each constituent to conduct an analysis before they decided to undertake such actions.

Ms. Vanuch said that she would like to make a comment regarding the Legislative Committee she was part of, along with Ms. Gary and Dr. Yeung, who chairs the committee. She said that they asked Mr. Toigo to collaborate with their external lobbying firm to create a letter that they, as Supervisors, could share with their delegation and the School Board, as well as distribute it through social media channels and potentially post it on their personal pages. She said that the document in the Board's add-on folder focuses specifically on cost-to-compete issues.

Ms. Vanuch said that during their recent meeting on Friday, the delegation discussed the term "cost-to-compete" being a sort of tagline for items going to committee for further study, as JLARC was currently undergoing a study period. She said that before this meeting on Friday, she asked Mr. Toigo to contact their external lobbying firm regarding whether they should rephrase that letter. She said that they were authorized to share this information on their own social media platforms. She said that the School Board could certainly share this information as well.

Ms. Vanuch said that anyone could take this topic off the agenda and share it with their delegation, just like they sent them emails regularly. She said that it was permissible for individuals to request their representatives to support something in their personal capacity. She said that her inquiry for Mr. Toigo was whether he had been able to contact the lobbying firm and if they had provided any guidance regarding whether they should maintain this language or amend it to the salary differentials that McPike presented.

Mr. Toigo said that the supplemental payment option was recommended by the consultant.

Ms. Vanuch asked if they would need to amend the letter.

Mr. Toigo said that was correct.

Ms. Vanuch said that she requested her colleagues to allow staff to modify this correspondence to specifically address supplemental salaries related to the McPike bill. She said that during their earlier discussions regarding the drafting of this letter, mentioning COCA was acceptable. She said that however, recent developments in the General Assembly had led to all documents referencing

COCA being sent for further study concerning JLARC issues. She said that as a result, they aimed to address all pertinent aspects in this letter. She said that furthermore, for individuals in the audience advocating for teacher pay raises or service staff, if they did not receive state-funded differentials like Prince William County did, they would be unable to compete effectively in terms of cost-to-compete and salary differentials.

Ms. Vanuch said that Senator Jeremy McPike proposed a bill to permit salary differentials, which this year amounted to a few million dollars as a budget amendment. She said that they planned to request this allocation again next year. She said that after the completion of the JLARC study, they aimed to raise cost-to-compete numbers. She said that she requested that her colleagues at the dais allow the letter to be amended and share it with their constituents. She said that they must understand the importance of this funding for Stafford County, as inadequate resources may hinder additional pay raises.

Dr. Yeung asked if Ms. McClendon could clarify whether or not they could send the letter.

Ms. McClendon said that the Board members were allowed to participate in such activities, and it was not considered lobbying for Board members. She said that however, she was hesitant to offer individual advice to constituents because the advice from their office primarily concerned the Board as a whole, rather than individual lobbying activities.

Mr. Vosburg said that he believed that there is a fundamental component to citizens reaching out to their elected officials. He said that they were not hindering this process. He said that Ms. McClendon's point might imply that there could be individual nuances, such as an individual's workplace or employer, which might complicate matters. He said that each person must evaluate their situation independently. He said that however, citizens have a fundamental right to contact their elected officials, and this was a mechanism for doing so. He said that he would emphasize that it was essential for individuals to be aware of the circumstances that might affect them personally.

Mr. Vosburg asked if the Board would approve of the amendment to the letter before them.

Ms. Bohmke said that there was consensus among the Board to amend the letter.

FY2024 MID-YEAR FINANCIAL REVIEW

Andrea Light, Chief Director of Financial Services, said that she was presenting the mid-year review, which was typically conducted in January but had been moved to February due to the shorter meeting last year. She said that they would discuss General Fund revenues and expenditures. She said that through December, real estate revenue collection was tracking close to the budget. She said that since it was a reassessment year, their Fiscal Year 24 budget assumed an increase in assessment of 3.1%. She said that they had assumed in the budget a flat tax rate of $0.93, which represented a 3.1% assessment increase. She said that essentially, this included a tax rate increase built into the Fiscal Year 24 budget.

Ms. Light said that at mid-year, they were slightly behind the projected revenue by 0.7%, but they were not concerned about this number as it tended to fluctuate throughout the year. She said that personal property continued to be a significant source of revenue and appeared to be approximately 3.4% above budget. She said that she would like to address sales tax briefly. She said that for the first four months of the fiscal year, comparing Fiscal Year 23 to 24 with Stafford and both Spotsylvania and Prince William County, collections had shown a slight flattening of revenues. She said that if the trend continued, they would be a $2 million budget shortfall.

Ms. Light said that meals tax remained slightly above the same period last year but was just below budget projections. She said that recordation continued to decline due to higher mortgage interest rates; however, interest revenues continued to increase. She said that cigarette tax was still projected to align with budget expectations. She said that in terms of General Fund expenditures, unemployment in Stafford County had decreased. She said that in November, it was at 3.3%, compared to 3.1% in November 2022, which had restricted the market pool for new employees. She said that at mid-year, their vacancy savings were projected to provide significant savings by the end of the year, and they would continue to monitor that closely.

Ms. Light said that at the end of Fiscal Year 23, the Board might recall that health insurance expenditures exceeded the budget. She said that they had continued to monitor expenditures as they came in, but in Fiscal Year 24, they had been looking to align fairly close to the budget. She said that all other General Fund expenditures had been trending under budget, and they anticipated some year-end savings.

Ms. Light said that in summary, overall revenue was projected to be approximately 0.5% above budget, which was around $2 million above budget. She said that this assumed maintaining the tax rate at $0.93 with a reassessment of 3.1%. She said that they would learn more about this in the upcoming weeks. She said that expenditures had been trending below budget by approximately half a percent, supporting the trend of continuing to have positive financial results of operations.

Ms. Gary asked if there was a specific number or approximate range for the amount of vacancy savings.

Ms. Light said that in their budget, they had $1.8 million in vacancy savings, which essentially functioned as a negative in their expenditures by reducing their salary line. She said that it was fluctuating month to month due to the market pool of new applicants and their hiring. She said that they were monitoring it and did expect to receive subsidies from it.

Ms. Bohmke said that she was slightly concerned about sales tax. She asked for updates through Mr. Vosburg every month until June. She said that their sales tax appeared to remain the same as in 2010, and they had not experienced a decline. She said that this may indicate something worth exploring further.

Dr. Yeung said that she was concerned about their $2 million budget shortfall due to the tight market conditions for salaries. She said that she recalled discussing this issue with the County Administrator, who mentioned that they might have to bring in individuals above their initially offered salaries. She asked if he anticipated this being a problem.

Mr. Vosburg said that he was trying to understand the question, which he believed was about whether the shortfall would affect their ability to maintain competitiveness in employment. He said that despite having sales taxes down, overall revenues would still be up due to offsetting factors resulting in a $2 million positive outcome. He said that they would likely be able to increase competitiveness in employment; however, they still faced numerous challenges.

Mr. Vosburg said that regarding Ms. Gary's concern about vacancy savings, although it was positive in terms of budget, that it was negative in terms of productivity and workforce. He said that they continued to face difficulties in filling positions, such as the recent example where they could not offer a high enough salary due to concerns about housing costs in Stafford County, which led to them being rejected by the individual in question.

CAPITAL PROJECTS QUARTERLY REPORT

Mr. Vosburg said that they had in their packets the quarterly report, which they would not go over in its entirety, but would discuss the item that they had to pull from the agenda related to the construction on the courthouse annex building.

Mike Overton, Capital Projects, Public Construction Program Manager, said that he was there to present a brief update on the progress of the Courthouse Annex Renovation Project. He said that the project consisted of two main phases: the renovation of Chichester House and the construction of a connecting structure, including an ADA-accessible ramp from the parking lot to the courthouse entrance. He said that the current status of the construction was that the interior renovations had primarily been completed.

Mr. Overton said that the contractor had recently begun working on the exterior finishes of the connecting corridor and was expected to be completed by May 23, 2024. He said that the budget for this project that had been appropriated was just over $3 million. He said that the projected completion cost was expected to exceed this amount due to several notable changes in the project. He said that these changes included impact costs related to the relocation of existing utilities that were not previously considered because of the sidewalk conversion into an enclosed corridor.

Mr. Overton said that he would return at a later date to request additional funding for the project. He said that the second phase involved renovations inside the existing courthouse, primarily focused on JDR Courtroom B. He said that this phase included renovations to storage spaces, replacing the spiral staircase with a vertical lift, and expanding the bailiff's office into a currently unused space in the judges' area.

Mr. Overton said that the estimated cost for phase two was $1.329 million, and they had included a funding request for this amount in the 2025 Capital Improvement Program, which was still under discussion. He said that the plans had already undergone permit review and would be advertised for bids once funding was confirmed. He said that the completion of renovations would be followed by the addition of a new courthouse, as currently scheduled in the CIP.

Ms. Allen said that she would like to ensure that they address any safety concerns from a design perspective before finalizing the product. She said that although they could not see these concerns until the product was completed, she had observed potential issues in other courthouses regarding safety for judges and jurors when they interacted with defendants. She said that from this perspective, they would not have the logistical challenges of the new annex in this design.

Mr. Overton said that there is not actually one; this courtroom was set up for hearings rather than for jury trials. He said that it would primarily be used by the Juvenile Domestic Relations Court.

Mr. English said that Chichester building had required significant funding since he could recall.

Ms. Gary said that she was concerned that perhaps the increased costs were because it was an old building that had complex aging issues. She asked if they should be prepared for additional requests as the project continued.

Mr. Overton said that the existing work at Chichester House was primarily completed in that portion of the project, and they did not expect any further surprises from that construction phase. He said that there may be some uncertainty regarding the second phase of the project when they modified the existing courthouse, specifically JDRB. He said that there was a lack of records about when that section of the building was constructed, which created many unknowns in that area.
Ms. Bohmke said that the second phase of the project was a completely different project. She asked if Mr. Vosburg could provide information for the public regarding this project's renovation,

considering that they were discussing schools and other infrastructure needs there. She said that this project had used CARES Act and ARPA money.

Mr. Vosburg said that they initially did so and subsequently had to transfer some of those funds elsewhere. He said that perhaps Mr. Overton could elaborate on that matter.

Mr. Overton said that was his understanding as well. He said he became involved in the project when he was hired, which was at the end of the COVID-19 period. He said that the monies being utilized for this project actually came from courthouse funds that had been previously allocated for the new courthouse project.

JANUARY 2024 LEGISLATIVE COMMITTEE ACTION LISTS

Mr. Vosburg said that the next item to be addressed was the January 2024 Legislative Committee Action List, which was in everyone's packet. He said that he also wanted to mention Ms. Vanuch's comment regarding the jail discussion. He said that to avoid delving into it extensively here, they could allocate more time for this during the retreat, but they had successfully rescheduled the Finance Committee meeting for February 15. He said that they had today and their retreat session to discuss this matter. He said that the main focus would be determining the compensation philosophy for jail employees and the desired level of support.

Mr. Vosburg said that as they prepared for the retreat, which had a tight agenda, he asked everyone to consider this topic and be ready to share additional information regarding jail salaries. He said that he did not wish to emphasize further the point that some had raised earlier about staff handling of the water main break; he merely wanted to echo those sentiments. He said that he wanted to express his gratitude to the staff who participated in addressing snow and ice activity issues during a busy month. He said that some staff members worked for 24 hours, VDOT performed exceptionally well, the Sheriff's Office provided assistance, and their Emergency Management staff played a crucial role.

Mr. Vosburg said that regarding their federal consultant, Ms. Bohmke had mentioned this matter before, and he thought it would be beneficial for the entire Board to be aware that the Board allocated funding for this consultant in the current year's budget. He said that they went through the RFP process and successfully onboarded the company. He said that they held a kickoff meeting with them, and they fully intended to present their findings before the Board.

Ms. Vosburg said that currently, they were in the data gathering stage, so there was not yet a substantial item to present. He said that they were working swiftly with Anthony and collaborating closely with their departments. He said that they had already held a kickoff meeting where they spent a day gathering information, aligning priorities, and discussing department projects. He said that they would invite them to present their findings once they had progressed further in their process. He said that at present, they were working for them in D.C.

CONSENT AGENDA

Ms. Bohmke said that she had been requested to remove Items 3 and 11. She said that under Unfinished Business, they would move Item 16 ahead of Item 14.

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

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

Ms. Bohmke asked if Ms. Vanuch would like to address Item 3.

Ms. Vanuch said that regarding Item 3, she would request that the item be discussed during closed session at the next meeting as a part of the appointee vetting process.

Ms. Bohmke asked Ms. McClendon if the matter required a motion.

Ms. McClendon said that there was no need for a motion. She said that they would consider it as a direction from the Board and include it in the Board's closed session agenda for February 20.

Ms. Bohmke asked if Mr. Diggs would like to address Item 11, regarding Planning and Zoning, to grant a time limit extension request for a zoning reclassification application for a project called Belmont Park, until August 7, 2024, presented as proposed Resolution R24-49.

Mr. Diggs said that he had serious concerns regarding the request for an extension and its ability to meet the needs of the District and the County. He said that he was going to work with the developer to address some of these challenges. He said that he would recommend approval; however, he acknowledged that it had to be time-sensitive. He said that there were significant challenges associated with both the application and its capacity to fulfill their needs.

Ms. Vanuch clarified that it did not need to be time-sensitive because it was on the Consent Agenda.

Mr. Diggs motioned, seconded by Ms. Vanuch, to approve the proposed Resolution R24-49.

The Voting Board tally was:

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

Nay: (0)

ITEM 1. COUNTY ADMINISTRATION; APPROVE JANUARY 16, 2024 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPROVE JANUARY 4, 2024 JOINT BOARD OF SUPERVISORS AND SCHOOL BAORD BUDGET WORK SESSION MINUTES.

ITEM 3. COUNTY ADMINISTRATION; APPOINT MR. HENRY S. THOMASSEN TO THE IDA OF THE COUNTY OF STAFFORD AND THE CITY OF STAUNTON, VIRGINIA FOR A TERM EXPIRING JUNE 30, 2026.

ITEM 4. COUNTY ADMINISTRATION; APPOINT MR. MARK KAMINSKI TO THE TELECOMMUNICATIONS COMMISSION (TCC) REPRESENTING THE AQUIA DISTRICT FOR A TERM ENDING DECEMBER 31, 2024.

ITEM 5. COUNTY ADMINISTRATION; RESOLUTION R24-60; AUTHORIZE THE COUNTY ADMINISTRARTOR TO ENTER IN TO AN INTERLOCAL SUPPORT AGREEMENT (IGSA) BETWEEN MARINE CORPS BASE QUANTICO AND THE COUNTY FOR OPERATIONAL AND MAINTENANCE MATERIALS AND SUPPLIES.

ITEM 6. COMMUNITY ENGAGEMENT; PROCLAMATION P24-02; PROCLAMATION HONORING AND RECOGNIZING BLACK HISTORY MONTH.

ITEM 7. COUNTY ATTORNEY; RESOLUTION R24-61; APPROVE COURT FORMS FOR ENFORCEMENT OF THE EROSION AND SEDIMENT CONTROL ORDINANCE AND REQUEST IMPLEMENTATION OF THE FORMS BY THE STAFFORD COUNTY GENERAL DISTRICT COURT.

ITEM 8. PARKS, RECREATION, FACILITIES & TOURISM; RESOLUTION R24-43; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MILLENIUM POOLS AND SPAS LLC TO RESURFACE AND REPAIR THE MARK LENZI LAP POOL AND CURTIS MEMORIAL PARK WADING POOL.

ITEM 9. PARKS, RECREATION, FACILITIES & TOURISM; RESOLUTION R24-45; AUTHORIZE A PUBLIC HEARING TO CONSIDER GRANTING AN EASEMENT ON

COUNTY-OWNED PROPERTY AT CURTIS MEMORIAL PARK TO THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY TO MONITOR GROUNDWATER.

ITEM 10. PLANNING AND ZONING; RESOLUTION R24-53; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A PURCAHSE AGREEMENT AND DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS (PDR) ON TAX MAP PARCEL NOS. 47-70, 47-71 AND 48-6A, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT, AND BUDGET AND APPROPRIATE ADDITIONAL MATCH FUNDS FOR THE PURCHASE.

ITEM 11. PLANNING AND ZONING; RESOLUTION R24-49; GRANT TIME LIMIT EXTENSION REQUEST FOR A ZONING RECLASSIFICATION APPLICATION FOR A PROJECT KNOWN AS BELMONT PARK UNTIL AUGUST 7, 2024.

ITEM 12. SHERIFF; RESOLUTION R24-42; AUTHORIZE EXPENDITURES WITH JOHNSON CONTROLS INC. FOR SECURITY UPGRADES, ACCESS POINTS, AND SERVICES.

UNFINISHED BUSINESS

ITEM 13. BUDGET AND MANAGEMENT; RESOLUTION R24-21 AND RESOLUTION R24-62; CONSIDER A REQUEST FROM THE SCHOOL BOARD TO BUDGET AND APPROPRIATE FUNDS FOR MODULAR ELEMENTARY SCHOOL CLASSROOMS AND TO BUDGET AND APPROPRIATE FUNDS FOR FOOTERS FOR MODULARS

Ms. Light said that proposed Resolution R24-21 requested $4,575,000 from the School Board's fund balance for 34 modulars. She said that the schools currently had $3,450,000 of unused prior year fund balance held in the County's General Fund. She said that the remaining amount would be sourced from the County's capital projects at $1,125,000.

Ms. Light said that Resolution R24-62 asked the Board to budget and appropriate $350,000 for footers for modulars, which were required for the installation of the last sets of modulars for stabilization purposes. She said that school staff was available for questions related to this matter, and she was there to address any questions regarding budget appropriation.
Dr. Yeung said that they had two requests. She said that one was for $4.5 million, which included $350,000 for the footers. She asked if this was correct.

Ms. Light said that the $4,575,000 in proposed Resolution R24-21 initially represented the School Board's request for 34 modulars. She said that following the joint CIP meeting's discussion, this was no longer a request from the School Board. She said that instead, they had prepared Resolution R24-62 for the budget and appropriation of $350,000 for the footers of the modulars if the Board decided to adopt it together.

Dr. Yeung said that she would motion to approve the requests; however, she had concerns regarding the allocation of leftover funds each year. She said that previously, these funds were used for turf fields in high schools, and the subsequent year, they discussed investing in buses and tablets due to changes in high school start times and bell schedules. She said that this year, the entire contingency fund was being utilized, and she would like to consult Mr. Fulmer about this matter. She said that when depleting financial resources, this might not be the optimal strategy for utilizing these funds, particularly when constructing new schools.

Dr. Yeung said that she understood that sometimes budgets may be tight, but she questioned whether this was the best course of action. She said that as financial resources diminished and emergencies arose, it was uncertain if they would return for additional funding. She said that her primary concern was whether this was the most suitable plan for managing the remaining funds. She said that she mentioned that this was the funding that had been set aside, and they could choose to do this; however, this was taxpayers' funding.

Dr. Yeung said that she wanted to ensure that they used the funds wisely. She said that they should consider the allocation of funds. She said that sometimes, they claimed that this was what it was being used for, but it was not. She said that her concern was not that, but she wanted them to be aware that taxpayers and individuals contributed, just like the school, some of whom came and said that they did not receive a raise but were provided funds to give one. She said that she simply wanted to ensure that they used the money prudently.

Dr. Yeung motioned, seconded by Ms. Allen, to approve Resolution R24-21.

Ms. Bohmke asked if there was discussion on the item.

Ms. Vanuch asked if it was correct that the schools were utilizing $3,450,000 and the County's capital reserves were used in the amount of $1,250,000.

Ms. Light said that was correct.
Ms. Vanuch asked if there were any fiscal impacts where that money was competing on the County side.

Ms. Light said that it was unrestricted funds, so it could include any one-time project that the County may have. She said that the County's capital project reserve right now was at $20 million available for projects, so there was a significant amount left if the Board chose to approve the item. She said that as they were building the CIP, they were looking at that to help program different projects.

Ms. Vanuch said that she had a follow-up question regarding R24-62. She said that these were prepared separately as resolutions because it was her understanding that Planning and Zoning indicated that footers may or may not be built in with these. She said that she recalled from her conversation with the County Administrator that the Building Inspector had decided that the footers would have to go in.

Mr. Vosburg said that during the joint meeting, it was discussed that the building official had determined that for safety purposes, footers needed to be installed. He said that the School Board was considering utilizing an appeal process to challenge this decision. He said that to address timing concerns that were mentioned at the joint meeting, the resolution had been prepared. He said that if the appeal process delayed the installation of the portables, it could impact children occupying them sooner. He said that the resolution offered an alternative based on the building official's assessment that the Board could allocate funds for footers in this situation. He said that at this point, that the School Board was not requesting that allocation.

Ms. Vanuch asked what happened if the funds were allocated but the School Board appealed the decision and did not utilize the funding.

Ms. Bohmke said that it was best if they put something in the resolution.

Ms. McClendon said that once the funds were appropriated to the School Board, they had the authority to utilize them for any purpose. She said that consequently, the Board could not impose restrictions on the usage of that money if the Board proceeded with the resolution today.

Ms. Vanuch said that she recommended that they proceed with Resolution R24-21. She said that she would like to know if the School Board intended to appeal or withhold funds for footer installation in trailers, especially since they did not request those funds. She said that from a safety perspective, she believed that they should provide this support. She said that they had sufficient funds for this purpose, as Ms. Light mentioned. She said that she would like to move forward with only Resolution R24-21 and not the second one.

Mr. English said that he was planning to make the same statement. He said that he was worried if they did not comply with the County's request and they appealed it, they would not know about it. He said that was what he wanted to find out. He said that he believed the parents should also be informed of this.

Ms. Bohmke said that she read the information while preparing for the joint meeting by reviewing their minutes. She said that she discovered that they did not require the funds for the footers and subsequently raised this issue at the joint meeting. She said that this led to the creation of the resolution.

Ms. Allen said that she wanted to know if there was a way that they could stipulate that if the monies were not needed for the footers, they would be returned. She said that this would ensure that they did not have to worry about them coming back and forth between them.

Dr. Yeung said that she would like to clarify a point regarding the School Board's decision. She said that she had been informed that regarding North Star, the School Board mentioned they could place some students in Rock Hill due to its availability. She asked whether this contradicted their stance. She said that the School Board stated that they could transfer some students into Rock Hill from North Star because there was space available. She said that she understood that they did not immediately identify these students; instead, it took a few months.

Dr. Yeung said that before providing additional funds, she asked if they could share their plans for addressing this situation. She said that she was not concerned about the extra funding request because she was more worried about the potential depletion of their financial resources and the request for an additional $1.5 million from the General Fund, which had not yet been finalized. She said that she had concern that they might postpone making that decision and first determine what actions they have planned.

Dr. Yeung said that after that, they could return to discuss securing $1.5 million instead of receiving everything now and potentially not utilizing it for that purpose due to a different plan. She asked if the children were not identified at present, the timeline for ordering them was unclear. She said that she would like to see timelines and written information presented to her. She said that she was no longer satisfied with receiving updates solely through bulletins or paper documents. She said that her trust had been somewhat shaken in this regard.

Chris Fulmer said that Dr. Yeung mentioned that their School Board had mentioned available space at Rock Hill; however, they did not have 15 classrooms, but there were five or six potentially. He said that it was essential to clarify that a classroom did not imply that they were not being used; rather, they could consider reallocating space at Rock Hill. He said that the School Board had not yet endorsed this idea due to several challenges that arose when opening up a third site for early childhood special education.

Mr. Fulmer said that their staff was already split between two sites, which included directors, assistant principals, counselors, and other support staff. He said that they spent half their time at

Rising Star and half at North Star. He said that transportation concerns arose due to some half-day programs at ECSC requiring multiple bus schedules throughout the day. He said that previously, when ECSC programs were located at elementary schools, they were set up to handle transportation needs. He said that they wanted to keep students together for better service, which was why they avoided splitting them between separate sites. He said that this solution was temporary, not intended for one or two years.

Mr. Fulmer said that they did not have plans to expand elementary early childhood capacity for many years, and he was not certain if it was funded in the Board of Supervisors' Capital Improvement Program. He said that when they opened North Star, they knew that they would have to expand North Star, which was approximately a $15 million or $16 million project. He said that they were currently attempting to implement eight classrooms in a modular complex to help them address early childhood special education needs for the next few years without facing constraints or concerns.

Dr. Yeung said that she was very fond of the work that everyone had been doing regarding North Star. She said that no one stated that they were closing down any programs; that was the School Division's responsibility. She said that however, there would always be waiting lists for entering these programs. She said that they could not accommodate everyone. She said that their focus was on maintaining a steady pace at certain points in time and completing the necessary tasks they had been assigned. She said that they discussed growth when possible, but if they could not grow due to insufficient funding or being spread thin, they reassessed their situation.

Mr. Fulmer said that he would like to clarify that their School Board never advised that they would close any programs. He said that the concern was that if they did not allocate space for ECSE students, their only option would be to turn away Head Start and VPI children due to their obligation to serve ECSE students, which included pre-K special education students. He said that this was the primary concern raised by the constituents. He said that before they proceeded with further questions, he would briefly address the footer issue. He said that the School Board and staff were committed to ensuring that any trailers used were safe, prioritizing safety and security concerns.

Mr. Fulmer said that the pads that they planned to use were engineered, stamped, and certified. He said that they understood the concerns of the building official. He said that their primary concern would be that if they wanted to go that route, he would advise that the Board approve the resolution to provide those funds. He said that they would then withdraw their appeal and proceed directly with the footers, which would keep them on a better timeline. He said that if they were to go through the appeal process and subsequently complete the footers, they would face a timeline that could potentially prevent them from opening before the school year began.

Ms. Vanuch asked if they had the authority to do so.

Mr. Fulmer said yes. He said that they were adjusting their designs for submission to the County. He said that they could withdraw the appeal if necessary, and if they did not withdraw it, it could potentially result in the reversal of the appropriation. He said that he would like to clarify that if they delayed for a month or two months before allocating the $350,000, they would not be able to open the modulars on time.

Mr. English said that his question was regarding whether they would withdraw the appeal if they undertook a specific action. He said that his question arose because he believed that the County was focusing on safety features, and if they withdrew the appeal, it may appear that they were cutting corners. He asked if they had decided to withdraw the appeal. He said that this was what they wanted to hear.

Mr. Fulmer said yes. He said that they found a safe method, and this ABS pad, without requiring in-depth footers, had been implemented across the state. He said that they were not inventing anything new; it was engineered, stamped, and approved. He said that they believed they were safe. He said that if the Board argued that footers were safer, they would install them.

Ms. Gary said that it seemed that the priority in this situation was still to have these prepared before the children returned to school, as had been discussed previously. She said that they would work toward achieving that goal.

Mr. Fulmer said that it would. He said that there was still no guarantee, but they would attempt to clamp down and complete them as quickly as possible. He said that their goal will be to open them before the school year begins.

Ms. Gary said that she understood that if they approved the funding and he proceeded with the footers and removed the appeal, it was more likely that the timeline changed, making it more likely for them to be ready before the school year.

Ms. Bohmke said that it appeared that they did not wish to revisit their challenges from last year. She said that it seemed that everyone was in support of approving the footers and avoiding the appeal. She said that they could then proceed with both resolutions.

Ms. Vanuch said that since she raised the issue regarding the footer, she was fully supportive of that solution and wished that it could have been communicated to their staff prior to being considered as an option. She said that they were concerned about the safety aspect for the children, which was why they prepared a second resolution to be able to fund it at a later time. She said that there was no need for anyone to provide extensive details about the situation.

Mr. Fulmer said that the primary reason for adopting this method was its approval by other divisions and its cost-effectiveness. He said that they aimed to select the most cost-effective and safe approach.

Ms. Bohmke said that she had another question regarding their minutes from their meeting. She said that they stated that they did not require the $350,000 in their School Board's documentation. She asked if they mentioned this because they intended to proceed with the appeal or if it was for another reason. She asked why that particular paragraph was included.

Mr. Fulmer said that if they chose the ABS pad option, their budget was based on implementing the ABS pads, which was an engineered and approved method. He said that if they opted for the footer method, they required an additional $350,000.

Ms. Bohmke said that perhaps there could have been more clarification in the discussion. She thanked Mr. Fulmer for his help. She called the vote for Resolution R24-21.

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

Dr. Yeung motioned, seconded by Ms. Gary, to approve Resolution R24-62.

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

ITEM 16. DISCUSSION ON FARMERS MARKETS IN VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) COMMUTER LOTS IN STAFFORD COUNTY; RESOLUTION R24-77.

Ms. Bohmke said that they would be discussing Item 16 prior to the rest of the agenda.

Ms. McClendon said that this item was previously discussed by the Board, and she wanted to ensure that they spent a brief time educating both the Board and the public about how farmers' markets operate in Stafford County and address the issue that was presented before the Board. She said that in Stafford County, farmers markets are permitted based on their zoning ordinances in accordance with County code. She said that when a farmers market wishes to operate in the County, they must seek approval from the Agricultural Land Conservation Committee.

Ms. McClendon said that this process is solely from a zoning perspective and does not regulate or enforce farmers market regulations. She said that once the committee approves the market, they receive a zoning permit. She said that for farmers markets that will be located on private property, the process concludes there, and they must ensure compliance with all other state regulations in place. She said that however, when the farmers' market wishes to be located in a commuter lot, meaning they prefer to be in the parking lot that is actually owned by the Commonwealth of Virginia, there was an additional process that must be followed, which is why they were there today.

Ms. McClendon said that the Virginia Department of Transportation was the state agency that regulated the use of commuter lots. She said that VDOT had indicated that it would not issue permits for private use of the lots to market managers. She said that in the past, they had required the County to submit a general land use permit so that private market managers could use the commuter lot. She said that consequently, the locality was required to submit that application and also be the permittee. She said that this had raised some concerns that had brought this matter before the Board. She said that she would not read all of that to them but ultimately, when the County was required to be both the applicant and the permittee, this was the language that was in the general land use permit that the County would be required to fill out.

Ms. McClendon said that the text generally discussed responsibility, indemnification, holding harmless another party, and dealing with liability and damage. She said that ultimately, the primary concern regarding this language lay in indemnification and hold harmless requirements. She said that there were multiple legal reasons for this and that it was essential to clarify that this was not an individual determination. She said that this issue was common to all localities in the state of Virginia when dealing with language like this.

Ms. McClendon said that when examining indemnification and hold harmless provisions, they faced an initial problem: the potential violation of the Virginia Constitution. She said that localities could incur debt only in accordance with the state Constitution. She said that the Virginia Supreme Court had stated that unknown potential liability was considered an unknown or uncapped debt that contradicted the locality's ability to incur debt in accordance with the Constitution. She said that consequently, agreeing to indemnification and hold harmless provisions may violate the Virginia Constitution.

Ms. McClendon said that when discussing sovereign immunity, when the Board was acting in its normal public business for the County, the Board only had the authority to waive immunity when the General Assembly provided that permission, and they did not have that in this case. She said that an impermissible waiver of sovereign immunity may violate the Virginia Code when agreeing to indemnification and hold harmless language. She said that the last part she would discuss was that they were discussing the Board stepping into the shoes of a private property owner. She said that ultimately, this was outside of a traditional public function, which raised concerns regarding whether or not the Board or the County's insurance would cover actions that happened there.

Ms. McClendon said that they had contacted the County's insurance carrier, and they had advised that they should not be indemnifying or agreeing to take on the liability of another under their insurance policies. She said that these were the general provisions they faced, and the reasons why they recommended against indemnification and hold harmless language for all the reasons they had laid out, which were not something they could easily correct or fix. She said that however, they did take the Board's request at the last meeting to attempt finding a way to make this work and move forward.

Ms. McClendon said that the resolution that was in their packet today, R24-77, was a method for farmers markets to continue operating while ensuring that the County and Board did not assume any undue risk. She said that if the Board approved this resolution, it would first express the support that the Board expressed at the last meeting for farmers markets in Stafford County, which was important for VDOT to have in the resolution of support. She said that VDOT had another type of special permit, known as a land use permit or special events permit.

Ms. McClendon said that this particular permit was significant because it excluded indemnification and insurance language for localities, meaning that all the concerns they discussed could be addressed without requiring the County to agree to terms it could not fulfill. She said that she had contacted VDOT, and they were accepting of the County utilizing this permit for farmers markets in Stafford County and commuter lots. She said that the last part was that to ensure that any damages incurred were covered, VDOT was also agreeable to the County adhering to the same insurance requirements that it would impose on any other private group using a County facility.

Ms. McClendon said that these requirements would be for market managers to carry a minimum of $1,000,000 per occurrence in comprehensive general liability insurance and $2,000,000 in generate aggregate coverage, and to name the County and the Commonwealth as additional insured. She said that all of this information was included in the resolution presented before them. She said that consequently, they sought Board direction regarding the preferred course of action. She said that if they wanted to endorse the alternative they proposed today, that would be Resolution R24-77. She said that if the Board had further inquiries regarding the specific market in Stafford County, Kathy Baker, Interim Director of Planning and Zoning, was present and could assist them with those answers. She said that they would be glad to address any questions they may have.

Ms. Vanuch motioned, seconded by Mr. English, to approve R24-77.

Ms. Vanuch said that she wanted to express her gratitude to Mrs. Long for her patience when she approached her in November regarding this issue. She said that it took some time for them to include it on the agenda so that staff could conduct their due diligence and due to the Board turnover during this period. She said that she appreciated Mrs. Long's patience very much. She said that it was evident that if she ever wanted to achieve anything, she needed their email list.

Ms. Vanuch said that they had received more emails about the farmers market than they had ever received about any other topic, which demonstrated the strong community support for their farmers market. She said that this entire Board had been supportive of their farmers market and had been working diligently to address this issue while ensuring its constitutionality and legality. She said that she would like to thank Ms. McClendon for her work in this matter.

Dr. Yeung said that the importance of having a farmers market was emphasized, and she discussed this matter with the County Administrator. She said that they also needed to consider individuals who do not grow anything but wished to sell, such as those participating in flea markets. She said that while this topic was for another day, they should explore the possibility of providing a space for these individuals as well. She said that currently, she had been directing them to Ms. Long and Mr. Locklear for selling opportunities in that area. She said that she believed that they should establish a designated space for these sellers, whether they called it a flea market or not, to ensure that everyone had a chance to sell their products.

Ms. Allen thanked Ms. Vanuch for addressing this matter and bringing it to their attention, as well as the Long family for their persistence in achieving this outcome. She said that they all agreed that this had been a significant part of their community, not just for fostering a sense of community but also for promoting economic development. She said that she was pleased that they had found a resolution.

Ms. Allen said that she would like to extend her congratulations to their County Attorney for her diligent work. She said that it was important to recognize that when they received legal advice, people often assumed that their County Attorney was working against the community. She said that in reality, she was working to protect them and ensure that their actions served the best interests of not just the Board but also Stafford County at large.

Ms. Allen said that often, when statements were made, she felt compelled to address this issue because people did not understand the role of the Attorney's job and her office in protecting them. She said that the fact that they were willing, as Ms. Vanuch mentioned, to thoroughly examine every aspect to ensure that all requirements were met and all details were addressed properly, demonstrated their commitment to doing things correctly. She said that this way, they would not have to face this situation again. She said that she commended Ms. McClendon and her team for their efforts.

Ms. Gary thanked everyone for their patience as they worked toward a solution. She said that she would like to extend her gratitude to the entire community for their support and participation in addressing this issue. She said that their attendance and emails had been invaluable in demonstrating the significance of their market and community. She said that they should continue to work together in this manner for various aspects of their community. She said that she congratulated Ms. Vanuch for bringing the matter forward. She said that she also wanted to thank Ms. McClendon and her office for their work.

Ms. Bohmke said that she lived in South Stafford, so she traveled into the City. She said that she would come to their farmers' market, but she needed directions. She said that she loved growing things and everything about eating healthily, so she felt crushed when reading all those emails because it was an integral part of the community. She said that she knew it was not just about people coming and buying things; they wanted to come and say hello.

Ms. Bohmke said that she appreciated the testimony of the young girl selling her products and becoming a young entrepreneur. She said that they received that email yesterday, in which her father mentioned that it had significantly helped her personal growth; she used to be quite shy but is now outgoing. She said that she would like to inform everyone that Kyle Bates from VDOT was a very big supporter of farmers markets. She said that he did not want to be an obstacle in the entire process, and it was unfortunate what happened with the prior event.

Ms. Bohmke called the vote for approval of R24-77.

The Voting Board tally was:

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

ITEM 14. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-32; CONSIDER APPROVAL OF ROUND 6 SMART SCALE PRE-APPLICATIONS FOR TRANSPORTATION MASTER PLAN PROJECTS.

Matthew Lehane, Transportation Planning and Funding Manager, said that he was there to discuss Smart Scale Round 6. He said that they were currently in the Smart Scale pre-application period in January, February, and March of 2024. He said that their timeline previously discussed projects in September, October, and November, and they spoke about this in January as well. He said that their next steps involved having a scoring methodology for master plan projects. He said that this had identified benefits of projects and funding levels, and they would need a resolution of support sometime in February so that they could work on applications in February and in March.

Mr. Lehane said that final commitments were due in July, and they would look for a resolution of support for those final applications and their funding levels in their May time frame. He said that he had previously mentioned that they had their master plan projects there. He said that they had the benefits of the projects and estimated costs, as well as their cost-benefit score. He said that further information regarding these projects could be found in the provided packet. He said that during the discussions in September, October, and November, they reviewed these projects in conjunction with the master plan and additional funding applications at that time.

Mr. Lehane said that they had decided not to proceed with some of these projects at this time. He said that instead, they would study them further or apply in future rounds of Smart Scale or explore additional funding opportunities. He said that among those they planned to move forward with currently, they were listed on the current slide. He said that the next slide demonstrated a possible representation of leverage funding based on potential future funds availability. He said that they would discuss this further during their May meeting.

Mr. Lehane said that they had potential pre-applications for Stafford County projects, as well as those being considered for FAMPO and GWRC. He said that notably, Route 1 in Foreston Woods, Route 1 in Potomac Hills, Route 1 in I-95 Coachman Circle, Poplar Road and Truslow Road, and Garrison Road widening were included in their local projects list. In their recent efforts, they compiled all of their master plan projects and submitted those eligible for FAMPO consideration. He said that as a result, this list was generated, featuring projects on Sonora Parkway, Exit 136, Butler Road, Warrington Road, and the connector road between Enon and Sonora Parkway.

Mr. Lehane said that he would next discuss the improvements along Garrison Road. He said that their goal was to discuss potential enhancements for this section of roadway, which was listed on the Stafford application. He said that this inclusion ensured its eligibility for various funding sources, such as high priority projects (HPP) statewide and district grant programs (DGP) for the Fredericksburg District. He said that he would like to highlight that their Garrison Road project was valued at $25 million in 2019. He said that in round four of Smart Scale in 2021, its value increased to $56 million. He said that in round five of Smart Scale in 2022 to 2023, its value further rose to $78 million.

Mr. Lehane said that they anticipated that both phases of the project would now require $80 to 90 million in funding if they split them accordingly, as demonstrated in this slide. He said that their objective was to explore potential targeted approaches for this specific stretch of roadway, extending from Eustace Road to Shelton Shop Road. He said that what was displayed on the screen was a targeted approach where they would not look to widen the road but would have a project that would have similar benefits in reducing congestion, improving throughput, and making safety benefits along the roadway that were similar to the widening benefits described in the Smart Scale scoring methodology.

Mr. Lehane said that land use and growth in the County would depend on how growth occurred in the Rock Hill District, which would determine the potential need for widening Garrison Road and the increase in traffic on that road, as well as their land use decisions. He said that decisions such as how they got people to travel on Courthouse Road instead of Garrison Road would have significant impacts on their land use and where people traveled. He said that all the new commercial development in Embrey Mill near Courthouse Road had significant impacts on their land use and travel patterns. He said that less people might travel to Stafford Marketplace, while more people might get off at I-95 at Courthouse Road instead of up on that section of Garrison Road.

Mr. Lehane said that this analysis had determined that there was a targeted approach that had similar benefits. He said that this approach involved implementing innovative intersections at Parkway Boulevard, Wolverine Way, Joyce Street, and medians already identified in the project, as well as U-turns on Garrison Road between Eustace and Parkway Boulevard. He said that the project would still have all the multimodal benefits, such as sidewalks and crosswalks, but instead of widening, they would look at a more targeted approach for the intersections. He said that this was one item they wanted to bring up for discussion with the Board as well, as a potential significantly cheaper project with similar benefits.

Ms. Vanuch said that as the sole Board member residing directly on Garrisonville Road, she could assure everyone that there was no way to prevent people from accessing 610. She said that the road served as a major cut-through for individuals coming from Fauquier and other northern areas en route to Manassas, which was experiencing significant growth. She said that there was no way that this trend would not continue. She said that they could explore interim solutions, but ultimately addressing road widening would be necessary.

Ms. Vanuch said that during the COVID-19 pandemic, her commute from her house near the Fauquier County line to I-95 on Route 1 took only 10 minutes. She said that since then, traffic had become increasingly congested, particularly in the mornings when school resumed at North Stafford. She said that it was a dangerous situation. She said that while she was on her way here, she observed two students leaving the high school. She said that they were attempting to cross Shelton Shop Road to enter the shopping center at Weis from McDonald's.

Ms. Vanuch said that she stopped her car, blocked all lanes of traffic, and waved them on because she believed they were at risk of being hit by passing vehicles. She said that this incident ironically coincided with their discussion about Garrisonville Road today. She said that they must address this issue and explore potential solutions. She said that the changes made at Smart Scale this year and some funding adjustments may make phase one more feasible, but inaction was not an option. She said that she shared this concern with Ms. Allen and Dr. Yeung in their respective districts, and they must take action.

Mr. Lehane said that in phase one, one of the changes introduced was that Smart Scale now considered congestion not just in the present day but also 7 years or 10 years into the future. He said that this would have an impact. He said that another option was to incorporate some targeted approaches into both phase one and phase two projects while still widening roads. He said that however, implementing these additional improvements would significantly increase costs. He said that the main focus was to develop a more cost-effective project while understanding the implications of these changes.

Dr. Yeung said that she was also aware of the issues related to Garrisonville Road. She said that it was not an option. She said that she understood that Smart Scale had changed; they were unaware of this during their meeting. She said that she had inquired about its implications, particularly considering their shift from 50 to approximately 90. She said that they must address this issue, even if they needed to do so in two phases. She said that they did have a bond in place.

Mr. Lehane said that the amount of funding currently allocated for Garrison Road widening phase one was $31 million from local sources. He said that they anticipated receiving approximately $10 million in revenue sharing funds that had been previously approved for application. He said that this brought the total funding for the project to approximately $40 million. He said that the estimated cost of the project was $65 million.

Mr. Lehane said that as they progressed through the pre-application process, they would refine these figures further and provide more accurate cost estimates when they returned in May. He said that based on the information presented in the slide, they could analyze potential funding sources for the project. He said that based on leveraged funding, they would look at $30 million to $40 million for this project, and they would apply for Smart Scale for another $20 million to $30 million. He said that consequently, there would still be a significant amount of funding they would need to make up with Smart Scale.

Dr. Yeung said that she preferred to maintain the option of splitting it into A and B rather than choosing the alternative to stay with the Garrisonville widening. She said that she recalled when it was merely a two-lane sand road, and now looked at its current state, which demonstrated its evolution over time. She said that she firmly believed that this project was very important, especially considering the numerous developments and increased traffic in Garrisonville off of 95. She said that they could not continue down this path without addressing the infrastructure issues.

Ms. Allen asked if the first five items represented the Board's suggestions, while items six through ten corresponded to the recommendations from FAMPO.

Mr. Lehane said that Stafford County had five pre-applications and four final applications. He said that FAMPO had five pre-applications and four final applications, and GWRC had the same. He said that this was based off the FAMPO and GWRC list as of a few days ago. He said that it had combined numbers six and seven, but still had the same components. He said that it would be approved by the FAMPO Policy Committee and the GWRC Board.

Ms. Allen asked if they were approving numbers one through five.

Mr. Lehane said no, they were not approving one through five. He said that they would provide them with a resolution of support in a few months; however, at that time, it was the County's responsibility to approve items one through five. He said that items six through 10 would be approved or should be up for approval at the FAMPO Policy Committee and Judiciary boards in February or March.

Ms. Allen thanked Mr. Lehane for the clarity. She said that from her understanding, being that one of the districts that touches 610, she comprehended the need to develop a solution due to the expensive price tag. She said that however, when considering the future, she must be truthful. She said that during summertime, she used 610 to travel from Gainesville to backtrack toward Loudoun sometimes. She said that in the summertime, when 95 experienced an accident, many people chose to bypass Independent Hill and utilize 610 instead. She said that nevertheless, this thought process, although logical for approximately five months of the year, was not practical to disregard Garrisonville as an alternative.

Ms. Allen said that even just that one lane alone became congested when traffic had to backtrack through that section. She said that she did not think it was necessary to attempt removing motor vehicles from the roads. She said that another reason she would not consider alternative options sensible at present was due to Prince William County establishing their data center alley to the west of them. She said that this would drive significant growth in the area, not just in housing but also in businesses.

Ms. Allen said that consequently, the entire region would experience growth through diffusion over time. She said that she did not want to spend $30 million on a rubber stamp approach that may only be a temporary solution. She said that a long-term development may become more complex and expensive due to uncertain impacts on their design process. She said that she preferred that they address the issue of 610 fitting into a puzzle now rather than facing potential difficulties seven years later.

Ms. Allen said that she was unsure of how they could achieve this goal, but she did not want them to spend half of phase one creating temporary solutions. She said that considering that CAWS was situated north of 610, she knew that many homes connected to 610, which had numerous blind turns and merges. She said that as traffic volume increased, these issues would worsen. She said that she believed that they should focus on widening 610 to address turning lanes and safety concerns.

Mr. Lehane said that the project's approach involved adding medians and addressing issues related to merging traffic, left turns, and preventing crossovers. He said that when widening was completed, there would be six lanes without turn lanes and seven or eight lanes when turn lanes were added. He said that the project, whether option B was implemented or not, still included significant safety improvements. He said that they could consider incorporating these target improvements into the widening of phase one and phase two, which would provide some additional benefits.

Ms. Allen asked if they could not, to some extent, consider implementing a six-lane widening solution. She said that they should attempt to explore alternative methods of widening the area, while incorporating option B, which would reduce costs significantly without requiring both solutions.

Mr. Lehane said that there has always been an option of widening only one side of the road; however, considering the traffic patterns during both morning and evening hours, it did not significantly alleviate congestion. He said that either way, they would have a significant need if they were looking at widening both sides of the road, which they were looking at.

Bryon Counsell, Chief Director of Infrastructure, said that Mr. Lehane referred to working on solutions to alleviate traffic from 610, and he believed that they could potentially achieve both objectives; however, there were numerous options and tools available for the Board to promote growth in other areas and modify transportation patterns slightly. He said that if they completed the total widening of 610 up to Shelton Shop Road and potentially beyond that, in approximately 10 to 15 years, they may need to consider another widening project, which would require relocating most of the businesses along 610 due to lack of space.

Mr. Counsell said that one solution that Mr. Lehane proposed was to work on implementing both significant changes and comprehensive plans simultaneously. He said that he suggested considering partial widening or the previously discussed widening. He said that while doing so, the Board should bear in mind that they would approve future plans and understand that there may be no more affordable widening options left for 610. He said that if widened again, it would become an empty streetscape. He said that the goal was to attempt both actions over time.

Ms. Vanuch asked if Mr. Lehane was referring to option C as a combination in order to give them the best rating for Smart Scale.

Mr. Lehane said yes. He said that option C would be option B, which involved implementing targeted improvements, plus the new widening.

Ms. Vanuch asked if that was what was contained in the resolution.

Mr. Lehane said that what was included in the resolution was solely the widening of Garrison Road. He said that they could change this if the Board so wished. He said that they could modify the plan to incorporate elements from both option A and option B to include the phase one widening and targeted intersection improvements.

Ms. Gary said that she noticed that sidewalks had been added, which she found beneficial. She said that she wanted to know if there had been any discussion about incorporating multi-use paths instead of sidewalks to accommodate people who might prefer to use bikes.

Mr. Lehane said that the project involved sidewalks on both sides of the road. He said that he could not recall the specific details of their bike ped plan regarding that road at that moment. He said that if their bike ped plan specified differently, they could update it accordingly. He said that currently, the plan consisted of sidewalks on both sides of the road. Additionally, the multi-use path required more right-of-way. He said that the Garrison Road, as it is today, up to this section features sidewalks on both sides of the road. He said that they will aim to continue this design all the way out to Shelton Shop.

Ms. Gary said that she was wondering if that would impact their scoring at all if they were multi-use paths instead of sidewalks.

Mr. Lehane said that he could check and confirm that. He said that he did not believe that it had had any significant impact thus far. He said that one of the major changes implemented by the Commonwealth Transportation Board was in the scoring of land use, which is where they primarily obtained their multimodal score. He said that sidewalks still had an impact, but their influence was considerably reduced. He said that multimodal improvements still had an impact, but their effect was now less substantial than before.

Dr. Yeung asked if Mr. Lehane had stated there were sidewalks on both sides of 610.

Mr. Lehane said not currently. He said that a majority of that section of road was without sidewalks.

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve R24-32 with the amendment that they choose Mr. Lehane's option for Smart Scale with Garrisonville.

The Voting Board tally was:

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

ITEM 15. 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 this matter was discussed at the previous meeting. She said that proposed resolution R24-25 requested the Board to allocate funds from the prior year balance for purchasing vehicles. She said that since the FY23 audit had now been completed, they had confirmed their year-end balances. She said that development services, revenues, and excess of expenditures had been set aside over time. She said that they had available funds in fund balance amounting to $400,000. She said that the Sheriff had year-end savings of $367,310. She said that it was a common practice for them to ask the Board at mid-year to budget appropriate amounts from the Sheriff's savings for vehicles, as they consistently required funds in that line to fund that item.

Dr. Yeung said that she had a quick question regarding their previous conversation about cars that were out of service. She said that she would like to clarify if there was a sales process for them or if they had been disposed of in some other manner.
Ms. Light said that the out-of-service cars were sold at auction, and they received the proceeds from those sales.

Ms. Vanuch asked if any of the development services vehicles acquired for their project included large trucks capable of transporting all of the housing development signs that were out of compliance.

Ms. Light said that one may be able to.

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve Resolution R24-25.

The Voting Board tally was:

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

Nay: (0)

NEW BUSINESS

ITEM 17. DISCUSS MOVING MAY 21, 2024 BOARD OF SUPERVISORS MEETING DATE TO MAY 28, 2024.

Ms. Vanuch asked if they could discuss this item at the Board's retreat.

Ms. Bohmke said there were some other dates on the calendar they would discuss at the retreat, so she would ask that everyone bring their calendars.

ITEM 18. PLANNING AND ZONING; RESOLUTION R24-55; CONSIDER A REQUEST TO REDUCE THE FIVE-YEAR TIME LIMIT REQUIREMENT FOR A FAMILY SUBDIVISION ON TAX MAP PARCEL NO. 46-72 (HENDERSON FAMILY).

Dylan Palmer, Planner I, said he that he would present a waiver request for Section 22-5A of the subdivision ordinance, which established time limitations for when family subdivisions could be created and how long the family member must retain the subdivided parcel before it could be sold. He said that specifically, Section 22-5A2 requires an owner to own their property for a period of five years before they could create a family subdivision. He said that the property in question was Tax Map Parcel number 46-72, located at the far eastern end of Cranes Corner Road in the Falmouth District. He said that it currently consisted of 111 acres, and they intended to split off 3.5 acres while also conducting some minor boundary line adjustments with their plat.

Mr. Palmer said that the Henderson family acquired the property in 1969, and it was recently bequeathed to David Henderson Jr. in April. He said that the five-year ownership requirement would not be met until April 2028. He said that according to current code regulations, the property must be held by the current owner for five years. He said that although the property had been within the family since 1969, David Henderson Jr. must wait five years before undertaking any subdivision of the property. He said that similarly, a family member who receives a lot must retain that lot for five years, preventing them from selling it to someone outside of the family immediately after subdividing it.

Mr. Palmer said that staff were working on a code update to address this inconsistency in the rules. He said that the update would align the code with state code by including immediate family in the subdivision definition, resulting in a more stringent code than the state code. He said that the Board would be voting on Section 22-5A14 tonight, which stated that the code stipulated that the Board may reduce the five-year time limit period upon finding that it created an extraordinary hardship for the family.

Mr. Palmer said that staff recognized the hardship faced by the Henderson family in this situation. He said that the establishment of a family subdivision would assist them in achieving their family objectives of preserving the land for future generations to continue growing in Stafford County. He said that he could address any inquiries, and the Henderson family had joined them there tonight; they could any answer questions as well.

Dr. Yeung motioned, seconded by Mr. English, to deem the matter time-sensitive.

Ms. Allen asked why the matter should be time-sensitive.

Ms. Bohmke said that her understanding was that it would allow the family to avoid coming to another meeting regarding this issue.

Ms. Gary said that she was grateful for the opportunity to approve these items but she would like to clarify that there was a hardship involved. She said that they had not yet heard specific details about this hardship. She said that perhaps others had questions regarding this matter.

Ms. Bohmke said that she was unsure if they must state if there was a hardship or not.

Ms. Vanuch said that part of the ordinance stated that they had a hardship due to their inability to develop it. She said that this hardship arose simply because they could not proceed with development. She said that in the past, the primary objective of downzoning and restricting developers from building subdivisions on lots smaller than six acres was to protect existing family subdivisions. She said that these subdivisions could still apply for waivers to build on lots under three acres, utilizing the precedent they had established.

Ms. Vanuch said that they had approved every single family subdivision presented to them, often making decisions time-sensitive to ensure that families were not unduly delayed in their building endeavors. She said that last time, when she had a resident in her district who had to state on the record why his family had a hardship, she did not think it was appropriate for people to make personal pleas about their health issues.

Ms. Vanuch said that she believed that if staff members came to them and said that it was a hardship for the family, they should trust staff's judgment that they had vetted them and that they were not big developers trying to manipulate the system. She said that she was not supportive of making families come up and state why they believed it was a hardship. She said that she was supportive of making the process time-sensitive and moving it forward.

Ms. Gary said that she was amenable to that, but she would like to revisit the topic they discussed previously regarding making this process more administrative to avoid repetition in future meetings. She said that she would like to propose that they bring this matter up for consideration at their next meeting.

Mr. Diggs said that he recalled reading the background information regarding this matter and he did not require the applicant to come forward and explain their hardship. He said that he did not find any hardship in the paperwork he reviewed, unless he overlooked something. He said that he was aware that staff claimed it was a hardship; nevertheless, it appeared to him that it was considered a hardship simply because they could not do it.

Dr. Yeung said that the hardship involves financial aspects as well; if they do not complete the task soon, it will cost more money later.

Mr. Diggs said that he found the standard for hardship acceptable but questioned how it translated across the community in terms of hardships. He said that he was having difficulty reconciling this issue. He said that he would not oppose the proposal, but it did not align logically for him.

Mr. Vosburg that Ms. Vanuch explained the unique characteristic of this situation. He said that staff's position was that they were not presenting a hardship, like in variance cases where there was a more concrete reason for the hardship. He said that the lack of criteria for evaluating hardships had been discussed, and Ms. Gary brought up this point as well. He said that to address this issue, that they could establish specific criteria for staff to handle these cases administratively. He said that the Board could potentially delegate authority to staff for such cases, pending Ms. McClendon's approval. He said that currently, this was a Board action without a clear checklist for hardship evaluation, followed by staff recommendations if appropriate.

Ms. Bohmke asked Ms. McClendon if this was something that they were able to do administratively for state code.

Ms. McClendon said that they could investigate that matter and report back to the Board. She said that they did not currently have that information prepared for tonight's meeting. She said that she would note that regarding this issue, the question before the Board was not primarily focused on whether or not the family had subdivided the property. She said that it was about whether or not they wanted to shorten the time frame within which the family must own the property in order for the subdivision to proceed. She said that this was not about preventing or supporting the subdivision from moving forward; rather, it was about adjusting the time frame. She said that the hardship in this case would be allowing the family to develop the subdivision prior to holding the property for the required five-year period.

Ms. Bohmke said that she had known the Henderson family since their time together on the PTO at Falmouth Elementary in the 1990s. She said that she did not want them to develop their family's farm into housing. She said that the farm had been in their family for generations. She said that granting permission seemed appropriate. She said that she understood that everyone was busy; thus, she thought it would be unnecessary for the family to return for another Board meeting just for them to approve their request. She said that they aimed to make things easier for long-time community members in their area.

Ms. Allen said that she would like clarification regarding the reasons for making this matter time-sensitive, without implying that she did not support it. She said that in the past, when they had subdivisions, some individuals experienced issues with time sensitivity for previous subdivisions they had had. She said that she would like them to be consistent in establishing some criteria.

Ms. Allen said that she agreed that they should consult staff through Ms. McClendon and find a way for them to vet it so that they did not have to determine whether something was time-sensitive and put people in awkward positions to share information that they did not necessarily need the general public to be aware of. She said that until these criteria were established, she was unsure of what made this matter time-sensitive, and she was simply being honest. She said that she was not against it; she just did not know why it should be time-sensitive.

Ms. Bohmke asked if Mr. Vosburg could return with more information regarding this issue.

Ms. Gary said that she agreed with Ms. Allen's point. She said that she would support the time sensitivity to be courteous to the family; however, she believed this should be handled administratively in the future.

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

The Voting Board tally was:

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

Ms. Bohmke motioned, seconded by Mr. Diggs, to approve Resolution R24-55.

The Voting Board tally was:

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

<u>ITEM 19. UTILITIES; RESOLUTION R24-56; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A PRO RATA AGREEMENT WITH NORTHPOINT DEVELOPMENT.</u>

Chris Edwards, Director of Utilities, said he was present to discuss a pro rata agreement with Northpoint Development. He said that each year during the budget sessions, they reviewed the CIP. He said that one of their major initiatives was transmission improvements to get the water supply from Lake Mooney to the northern part of Stafford County. He said that one of the major projects was the 370-03 project, which involved moving water from Centreport Parkway to Courthouse Road, approximately 9,700 feet in length.

Mr. Edwards said that the project consisted of a 24-inch water line with an estimated cost of $69 million. He said that the northernmost portion of this project, approximately 4,700 feet, passed through the North Point development area. He said that the rezoning for this development was completed in December 2022. He said that upon reviewing the plans, they realized that both projects shared similar alignments with the 370-03 project and North Point's waterline requirements for their development.

Mr. Edwards said that North Point required a 12-inch waterline, while their master plan necessitated a 24-inch waterline. He said that during the review process, they approached them regarding upsizing their waterline. He said that they agreed to do so but required the cost differential refund. He said that they proposed addressing this through a pro rata agreement, which was allowed under their pro rata program. He said that their pro rata program is a cost-sharing initiative for developers, who must pay a pro rata fee for connecting to the system.

Mr. Edwards said that developers would receive a credit that can be used for their pro rata fees. She said that when funds become available, they will also receive reimbursements through the pro rata program. He said that these funds will come from other fees paid by developers, not from water sewer user fees. He said that while this project has a $900,000 cost to the County, it was significantly less than half of another project that costs $2 to $3 million. He said that this decision would likely save the County $1 to $2 million overall.

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

The Voting Board tally was:

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

Ms. Vanuch motioned, seconded by Ms. Allen, to approve Resolution R24-56.

The Voting Board tally was:

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

ITEM 20. CAPITAL PROJECTS PUBLIC CONSTRUCTION; RESOLUTION R24-51; CONSIDER BUDGETING AND APPROPRIATING ADDITIONAL FUNDS TO THE CAPITAL PROJECTS FUND FOR THE COURTHOUSE ANNEX RENOVATION PROJECT.

Item deleted from agenda.

ITEM 21. DISCUSSION ON ELEMENTARY SCHOOL #19.

Ms. Bohmke said that this item was regarding the discussion of Elementary School Number 19. She said that she wanted to inform the public that in 2018, the County and schools formed a joint school site selection committee. She said that the committee consisted of County and school staff members, without any elected officials involved. She said that they conducted evaluations and assessments for potential elementary, middle, and high school sites from 2018 to 2019. She said that their recommendation for High School Number 6's location was based on thorough site analysis using specific evaluation metrics.

Ms. Bohmke said that at the conclusion of their assessment period, they compiled a list of all evaluated school sites, with Embrey Mill, specifically the Embrey Mill number one site off Coastal Road, ranking at the top. She said that there was no mention of Brook Point on the sheet of the sites they looked at. She said that the meeting between the joint School Board and Board of Supervisors discussed the capital improvement plan. She said that she conducted extensive research by reading a year's worth of School Board minutes related to this topic. She said that she compiled a comprehensive spreadsheet, which she would not present today.

Ms. Bohmke said that in April and May, the School Board voted against the Embrey Mill site despite the recommendation from school staff. She said that the School Board had the authority to make this decision. She said that from May to October, no action was taken regarding this site, which led to her concern, frustration, and aggravation regarding the School Board's inaction. She said that during this period, they increased the capacity of the next five elementary schools, calling it a prototype, which went from accommodating 964 students to 1070 students.

Ms. Bohmke said that this had never been discussed or voted on by the School Board. She said that they essentially spent taxpayer money without obtaining approval. She said that the school size increased from 100,001 to 128,000 square feet of a building, adding an art lab and creating a room for an SRO. She said that for five months, they held closed session meetings to discuss and likely determine where they would build Elementary School 19. She said that they already knew that 18 would be built next to the new High School Number 6. She said that her concern was that there was no communication with the public regarding the increasing costs of the schools.

Ms. Bohmke said that one could examine the figures which had significantly increased over the last couple of years due to the expansion of the school's capacity. She said that she believed that, having been on this Board for 14 years and having served on the School Board for four years, it was the responsibility of the Board of Supervisors to fund their partner agencies, including their largest partner agency, the School Division in Stafford County. She said that she respected and appreciated the education that their children received in Stafford County Public Schools.

Ms. Bohmke said that her issue did not lie with teachers or anything else transpiring in the schools. She said that she had an issue that the School Board failed to take appropriate action. She said that during a work session on October 10, they discussed the test fit for Brook Point, which was the proposed new Elementary School Number 19, set to be built on top of the existing high school parking lot. She said that at their meeting on October 10, the School Board voted 6-1 in favor of approving Elementary School 19 on top of that site.

Ms. Bohmke said that this decision did not represent public transparency, and she was not satisfied with it. She said that she dedicated eight hours of her time over one weekend to better understand and share this story. She said that her primary concern was that when examining the enrollment numbers for Embrey Mill, there would be over 3,000 students within two miles of that school, while Brook Point High School would have 1,000 students. She said that all relevant data and details, including the chiclet charts they referred to, had been provided.

Ms. Bohmke requested that the County Administrator present at their next meeting the total amount spent by the School Division on architectural, engineering, and design expenses for Elementary School Number 19. She said that no action should be taken at this meeting, and they needed to review that information. She said that the architect's contract was approved at the October 10 meeting; thus, she wanted to see the exact expenses incurred since then.

Mr. Vosburg said that he provided Mr. Fulmer's sheet to the Board members. He said that some of this information was related to the cost to date. He said that he had not thoroughly reviewed this particular sheet, but Mr. Fulmer was present and available to discuss its contents. He said that if there were any missing details from this sheet, they could consult him regarding those aspects.

Ms. Bohmke said that she did not have time during this meeting to thoroughly examine the sheet provided.

Ms. Gary said that she had reviewed the information provided in their initial packet. She said that although she understood that time was limited, she had requested additional time to analyze these details. She said that she would like to make a few comments regarding this matter. She said that she acknowledged that this location was not her preferred choice but understood its impact on families and students since her children attended schools that would be affected by this decision. She said that her primary concerns revolved around two main points: whether this proposal saved money and whether it aligned with their objectives. She said that she was curious about the total cost of deferring the project, which was $8.6 million. She asked for clarification regarding how this amount related to the tax rate.

Mr. Vosburg said that it would amount to between $0.03 and $0.04 on the tax rate.

Ms. Gary said that was a significant amount of money to be potentially wasted. She said that she did not view this as her job. She said that it was not her decision, although she would have made it differently if it were. She said that delaying this did not save money; instead, it wasted money. She said that it did not increase capacity; rather, it delayed their students from being in proper buildings instead of trailers, closets, and hallways. She said that she would not support further efforts to persuade the School Board to act differently from what they have already decided. She said that she was not thrilled about their decision, but she believed that constantly bringing this issue back up and attempting to delay or change it was counterproductive to her role.

Ms. Vanuch said that last year, during all the budget sessions, they discussed cost savings in the ABC conference room. She said that the school proposed that bundling High School 6 and Elementary Schools 18 and 19 together would result in projected cost savings. She said that she could not recall the exact amount offhand but believed it was around $5 million. She said that many of them thought that combining these schools was necessary to achieve these savings. She said that she remembered making a statement that building a high school and two elementary schools simultaneously would be challenging.

Ms. Vanuch said that they voted to proceed and allocated funding for these projects based on the promise that they would save money for students and address capacity issues. She said that it now appeared that keeping this promise had led to a poor decision regarding the school's location. She said that it had long-term implications. She said that she examined the documents that Ms. Bohmke prepared, and it was evident that Embrey Mill was the best location. She said that it was where the majority of children resided, which would reduce transportation times. She said that they planned to build two new elementary schools. She said that Countywide redistricting would be necessary to place children in appropriate locations.

Ms. Vanuch said that the primary objective of constructing these new schools was to minimize travel time for young students on school buses. She said that unfortunately, the decision to locate another elementary school at Brook Point was unfavorable. She said that she attended Brook Point High School and Stafford Middle School. She said that she struggled to envision an elementary school situated there. She said that recently they experienced a lockdown for the entire day due to fights. She said that placing an elementary school between a middle school and a high school seemed unwise.

Ms. Vanuch said that she could not fathom the consequences if a serious incident were to occur. She said that the number of children that would need evacuation in such a confined area, along with the multitude of parents that would have to arrive there, would be challenging. She said that last year there was insufficient space on the road for Brook Point's graduation ceremony. She said that some parents missed their children's graduation due to traffic congestion.

Ms. Vanuch said that consequently, she harbored significant concerns regarding this location's safety. She said that she had no personal stake in this matter. She said that the school's decision-making process appeared to be poor budget management and planning. She said that it was disappointing, and she supported Ms. Bohmke's investigation. She said that she was uncertain about the solution but hoped they could rectify this situation and relocate the school.

Mr. English said that he was unsure of how the $8 million would be wasted if they delayed this. He asked if it was possible for them to request the School Board to rework this. He asked if the land at Embrey Mill was cleared and prepared for development.

Ms. Bohmke said no, only 11 acres had been cleared.

Mr. English said that Brook Point would also have to be cleared. He said that he would like to talk about the matter more with the School Board so they could potentially reconsider this.

Ms. Allen said that she was not happy about the elementary school’s proposed location. She said that her child would be going to Brook Point during the time of construction, and she was well aware of the existing traffic congestion in the area. She asked Mr. Fulmer when Elementary School 20 was scheduled to open based on the CIP.

Mr. Fulmer said that the Board approved the construction of Elementary School 20 at the Embrey Mill site for completion in 2030.

Ms. Allen said that the timeline was important, but at this point, it was up to constituents to make their voices heard by attending every School Board meeting and holding elected officials accountable for their decision-making. She said that delaying would not help schools mitigate congestion or overcrowdedness. She said that she understood that building larger schools further out allowed for increased capacity without having to build schools at a quicker rate. She said that nevertheless, the decision regarding location was not within her control. She said that the decision was in the hands of the School Board.

Ms. Allen said that if they were not satisfied with it, she had already expressed her vote as a constituent in Griffis-Widewater. She said that for all residents of Griffis-Widewater and every part of Stafford County, if they were dissatisfied with the location, they should protest this to the School Board and encourage them to change the site. She said that this was not something the Supervisors could directly influence because they had been elected to make those decisions, and she could not undo her stance on that matter.

Ms. Gary said that it appeared that some of the Board members were interested in moving the school site. She said that she was unsupportive of that initiative. She said that she was curious if those Board members would support moving and delaying the school as well as supporting an additional $0.02 or $0.03 on the tax rate in addition to what they were already planning to do. She said that they were talking about $8.6M that was paid by their constituents.

Ms. Allen asked how many more modular classrooms would be necessary to address the overcrowding of the schools if they delayed the site selection for Elementary School 19.

Mr. Fulmer said that he could provide that information to the Board.

Ms. Bohmke said that the Board must consider that in the 2021 and 2022 CIPs, they all reflected an opening date for Elementary School 19 in August of 2027. She said this was the original request of the School Board. She said that when they proposed merging schools to save money, the Supervisors agreed to move the opening date up. She said that the approved CIP in October mentioned that the opening date for Elementary School 19 would be August of 2027. She said that their own records were not even accurate. She said that they believed that it was their ability and their fiduciary responsibility as a Board of Supervisors to withhold funding and request changes from them. She said that when all these Board members sitting up there said that this was a terrible location, something had to change.

Mr. Diggs said that he had considered everyone's input regarding this topic and was now questioning what consequences they may face if they chose to withhold funding and demand that they place the school at Embrey Mill. He said that he agreed that Brook Point High School was not an ideal location; he had expressed his concerns both to the School Board and at the meeting. He said that while he disapproved of the way this was handled, if they decided to dictate where schools should be built, he would like to see schools in the George Washington District. He said that he wanted a middle school in that area and a site selected. He asked how they could prevent this from occurring in the future.

Mr. Diggs said that capacity was an issue, and they all knew that. He said that they wanted to build schools as quickly as possible. He said that he believed the School Board should have been more transparent about increasing the size of the school. He said that his understanding was that the school was 33% larger but would only accommodate 11% more capacity for students. He said that this was an issue for him as well. He said that he wanted to be cautious when discussing selecting school sites because he did not believe it was the Board of Supervisors' position.

Ms. Vanuch said that she would like to reaffirm their commitment to taxpayers regarding their responsibility to ensure that funding is allocated appropriately and that they receive the best return on investment for decisions made. She said that they did this across various sectors, including schools, partner agencies, the Sheriff's Office, and Fire and Rescue. She said that they question all these departments about their funding decisions. She said that regarding Mr. Diggs' statement, one reason she was passionate about conducting a bond referendum for new school construction was that it allowed them to specify the locations of these schools, which would be tied to specific areas.

Ms. Vanuch said that one of the advantages of the 1% sales tax referendum was that if it passed at the state level, as they advocated and asked their constituents to advocate, she would like to see them spell out which schools and their locations in the referendum so that they could prevent such challenges from occurring in the future. She said that she understood from County staff that there needed to be a right-of-way for access to facilitate the building and the setbacks. She said that this would have to be presented before staff and possibly even the Board, but she was unsure.

Ms. Vanuch said that this would be a challenge. She said that she believed that they could agree to have County Administrator Vosburg explore some options regarding the available tools for addressing the location change, such as funding adjustments or other alternatives. She said that she did not know what to do in this particular instance. She said that she would request that Mr.

Vosburg return at the next meeting and provide some of those options for them so that they could better understand their options, decisions, and their implications.

Ms. Gary asked what was specifically being requested. She asked if Ms. Vanuch was referring to options to get the school moved.

Mr. Vosburg said that they could examine strategies regarding influencing where the school was located. He said that it would be finding the process, whether it be through funding or what procedure needed to be presented to the Board. He said that they could identify the critical points that the project may have and see where that may be impacted.

Ms. Gary said that she did not support that, as she thought that was the School Board's job.

Ms. Allen asked Ms. McClendon if the School Board could uphold their decision to not build the school at Embrey Mill even if the Board of Supervisors voted to withhold funding for the school.

Ms. McClendon said that the Board could express its desire, but if the funds were appropriated, the School Board could use them within the appropriation limit. She said that it would not be limited to whatever changes may be placed on it.

Ms. Bohmke asked if that would depend on whether they issued bonds for the school in the spring or fall.

Ms. McClendon said that it would depend on the funding mechanism. She said that they could research what exactly the parameters were on that.

Ms. Bohmke said that she understood from the Superintendent's bulletin to the School Board from this week that they were planning to begin cutting trees down at Brook Point starting this month.
Ms. Vanuch asked if this information could be brought back to the Board at their retreat. She said that she believed the issue was that they did not know the consequences nor did they know what they did not know in this situation. She said that they understood there was unhappiness about the location, and they knew it was within the CIP. She said that she was unsure if they should take it and move it out of the CIP if they did not like it. She said that they did not want a school to be built at Brook Point for all the reasons they had expressed. She said that this presented a challenge for her because she could not say that they had any authority in this matter.

Ms. Vanuch said that if they returned and presented the tasks that needed to be completed, at least they would know which votes were required. She said that she was unsure if the Board would also authorize sending a letter requesting collaboration to find a better long-term solution for the school's location. She said that the Board's support for this was uncertain, but she would support halting work temporarily. She said that she believed that it was unwise for them to continue spending money when they were aware of the issues and concerns regarding the location.

Mr. English said that he believed they needed to meet again with the School Board to have a constructive conversation in order to work this out. He said that since they had until 2027 anyway, they might have 30 days to find a solution.

Mr. Diggs said that he believed that they had all had conversations with School Board members regarding this issue, and they appeared quite resolute in their decision. He said that based on his discussions, they would not change their stance. He said that they found themselves engaged in a conflict between them and the School Board members. He said that when he took a step back, it was clear that the children who would be the ones affected by this situation. He said that their focus should be on their well-being rather than the ongoing disagreement.

Mr. Diggs said that his stance was that if the Board was willing to fund the Embrey Mill school for the School Board members, he believed they may reconsider their decision. He said that however, their response was no. He said that he was disappointed by their stance since they should also be concerned about the children's welfare, but regardless of their actions, if there was a delay in this process, they would continue to be locked in this battle. He said that they must refocus their attention on the children's needs.

Ms. Bohmke said that she appreciated his perspective. She said that she thought they needed to gather additional information from Mr. Vosburg.

Mr. Vosburg said that there was a consensus for him to gather some information. He said that they could certainly work to provide him with the information by the retreat. He said that there may be additional things after that, but they would do their best if there was consensus for them to complete them for the retreat.

Ms. Gary said that she would like to request the fiscal impacts on the tax rate also be included in Mr. Vosburg’s response.

ITEM 22. DISCUSSION ON BROOKE ROAD STUDY.

Ms. Gary said that regarding Brooke Road, the road had been raised so that the S-curve was now much safer now. She said that unfortunately, continuous streams persisted in other areas of the road. She said that she had thought that Mr. Bates would be present to share this information but was unsure if he was able to make it.

Mr. Vosburg said that Mr. Bates had a conflict with the meeting schedule.

Ms. Gary said that they could come back to this issue because she would really like for him to be present to address it. She said that he had more intimate knowledge, but generally, the idea was that they were facing other challenges in other sections of the road now. She said that she was unsure if Ms. Allen had experienced similar issues and flooding in her district as well. She said that her district's issue was quite severe.

Ms. Gary said that she had experienced a lot of runoff from recent building developments, where there was pooling in people's driveways and they were shoveling sludge out of their driveways just to be able to drive out. She said that the stormwater management was horrendous down there. She said that once they had raised the road, which was excellent and safer, they would face other areas having issues. She said that they would come back to this when Mr. Bates could join them and discuss it.

RECESS

At 6:27 p.m., the Board recessed its meeting.

At 7:00 p.m. Chairman Bohmke called the evening session to order. Mr. English gave the invocation. Dr. Yeung led the Board in reciting the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS

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

Ms. Bohmke said that she would present a proclamation recognizing Human Trafficking Prevention and Awareness Month. She said that due to inclement weather conditions, they had shortened one of their Board of Supervisors meetings last month, so they had deferred the item to this meeting. She said she would invite Michele Trampe, Executive Director of the Central Virginia Justice Initiative, and Ms. Silver, to the dais. She said that the Central Virginia Justice Initiative was an organization dedicated to addressing human trafficking in Central Virginia and Stafford County.

Ms. Bohmke said that human trafficking was prevalent everywhere, and everyone needed to be vigilant against it. She said that there were two types: forced labor and sex trafficking. She said that if someone suspected someone was in one of these situations, they could call the National

Human Trafficking Confidential Central Hotline at 1-888-373-7888. She presented the proclamation.

Ms. Trampe said that CVJI had been in operation since December 2013, over 10 years. She said that their primary focus was on two key areas: raising awareness and prevention education. She said that to raise awareness, they participated in events such as Human Trafficking Awareness Month and the Red Sand Project. She said that recognizing the issue was crucial because addressing it became challenging without awareness. She said that their second focus was prevention education. She said that they had collaborated with some schools and were working closely with a school district in another County to implement prevention education curriculum in their schools.

Ms. Trampe said that they offered vocational education. She said that this month, they would be working with the forensic nursing staff at Mary Washington Hospital to educate them on potential indicators they may encounter in their work that others might not notice and how to address such situations. She said that they also served as advisors to the Virginia Coalition Against Human Trafficking, which was a 501(c)(4) organization. She said that the first standalone human trafficking law in Virginia was not passed until 2015.

Ms. Trampe said that there were numerous cases in this area, and one of the largest cases ever in the Eastern District of Virginia Federal Court was broken by a deputy from Stafford County. She said that they continued to collaborate closely with Stafford County and the Stafford County Sheriff's Office, valuing their relationship. She said that they were grateful for the opportunity to work directly with human trafficking victims. She said that at times, it can be very challenging when working with other parties who do not understand the extent of trauma experienced by these victims. She said that she would like to acknowledge that there were some individuals in the Stafford County Sheriff's Office who excelled at assisting victims of human trafficking.

Ms. Trampe said that the work was not easy; sometimes, all one can do is ensure their survival for another day. She said that they have had clients who progressed significantly, attending college, obtaining educations, and starting families. She said that their work spanned various situations.

PRESENTATIONS BY THE PUBLIC

1. Mark Ellis, 80 Spring Lake Drive, said that he was there to discuss pickleball. He said that he was a member of the Stafford Fredericksburg Spotsylvania Pickleball Club. He said that previously, Donna Oliver, their club president, had discussed the types of pickleball facilities available in other counties and cities. He said that he would like to highlight their current offerings, planned developments, and recommendations for the Board's consideration.

Mr. Ellis said that typically, pickleball players could use County facilities indoors for five days a week, from noon to 3 p.m. He said that they could also play at the Rouse Swim Center during approximately the same time frame during the day. He said that there was no evening play or weekend play. He said that there were outdoor courts, but they were inadequate due to their surface. He said that these facilities did not offer the County opportunities for sports tourism.

Mr. Ellis said that planned for the capital improvement budget in FY2027 was a conversion of Pratt Courts into pickleball courts at an estimated cost of $136,000. He said that in 2027, there was also an opportunity to include pickleball courts in the Musselman Park buildout; however, there was approximately $1 million in proffers money available for this project. He said that he suspected that half of this amount would be allocated for roads, sewer, water, a bathroom, and possibly a disc golf course. He said that the $8 million buildout was not included in the capital improvement plan, which he found problematic.

Mr. Ellis said that in 2023 for the capital improvement plan, there was an opportunity to build additional pickleball courts somewhere in the County. He said that the need was urgent because he believed that the capital improvement plan did not adequately address meeting the needs of pickleball players currently. He said he would offer some recommendations for the Board's consideration.

Mr. Ellis said that since the elimination of the opportunity for the County to require proffers had significantly reduced funding for parks and recreation, along with roads and schools, they must prioritize parks and recreation in the capital improvement plan. He said that they needed to develop a funding mechanism that allocated more resources toward new parks and recreation facilities. He said that they should explore ways to leverage the existing agreement between County parks and recreation departments.

2. Howard Rudat, 10 Hayes Street, - (comments attached).

3. Julia Lewis, 40 Air Park Boulevard, said that she had brought two books with her: the Holy Bible and the Stafford County Comprehensive Plan. She said that the comprehensive plan was the Bible for development. She said that she was aware that not everyone read the Bible, and not everyone read the plan. She said that the Bible served as their moral compass, with the Ten Commandments guiding them. She said that she would like to discuss one of these commandments that night: "Thou shalt not steal from thy neighbor." She said that this principle was also reflected in their development plan, which outlined rules for responsible growth.

Ms. Lewis said that they lived in an ecosystem, and predators played a role in maintaining balance within that ecosystem. She said that when predators were in balance, the ecosystem thrived. She said that when their numbers grew too large or their actions became unchecked, the ecosystem could collapse. She said that she was there to address the Cliff Farm development proposal because some developers, like piranhas, sought to consume vast amounts of land for development without considering the potential negative impact on their ecosystem.

Ms. Lewis said that what the developer at Cliff Farm Road wished to do was rezone from A1, which covered six acres, to medium density R2, which was one-tenth of an acre, with houses spaced only six feet apart. She asked the Board to consider this carefully, as allowing such rezoning at Cliff Farm development could set a precedent for similar developments in their area. She said that this could result in developers encroaching upon their district like piranhas.

Ms. Lewis said that a supervisor did not engage in discussions due to legal advice from the County Attorney to not be present at meetings with JPI. She asked the Board to consider their position and understand the significant change in zoning. She asked that the Board vote against it. She said that they were currently in deferment with the Planning Commission and had meetings scheduled.

Ms. Lewis said she was requesting that they consider their concerns, which they had presented to the Planning Commission regarding their failure to adhere to the rules. She said that this situation reminded her of Star Wars, specifically Princess Leia's plea for assistance when she said, "Obi-Wan Kenobi, you are our only hope." She said she was requesting that they align their moral compass with hers.

4. Jessica Pierce, 360 Pepperidge Drive, said that she was a resident of Embrey Mill where she lived with her husband and their five children. She said that their community did have a pickleball court; however, they did not have an elementary school. She said that as a parent of school-aged children, they had concerns regarding overcrowding and continuous redistricting. She said that children were being moved from one school to another like playing cards, some not even close to their homes, some spending over an hour on a bus one way, and many children were without a designated classroom inside a building.

   Ms. Pierce said that this was far from acceptable. She said that it took time to build additional schools so that children had suitable learning environments. She said that much of that time had been wasted due to poor decision-making and lack of collaboration. She said that the Embrey Mill site was voted upon twice by the School Board and failed both times for no substantial reason that she could find after numerous emails and one-on-one conversations.

She said that staff recommended the Embrey Mill site months ago, and it was initially at the top of the list of options.

Ms. Pierce said that it was ironic that some members of the School Board felt offended by the Board's lack of trust in them when considering that four out of seven of them did not trust the staff or the solid data presented for their decision-making. She said that if they did, they would have chosen Embrey Mill instead of Brooke Point as the next site. She said that being a good leader sometimes involved admitting when one did not know and relying on those who do. She said that each delay cost the schools and County money, and the School Board wasted eight months by not adopting the Embrey Mill site.

Ms. Pierce said that while this was happening, students and educators continued to pay the price. She said that the Garrisonville was largely overcrowded. She said that they should review some facts based on data received via FOIA request. She said that there were 1,122 elementary students within a one-mile radius of the Embrey Mill site, compared to 232 elementary students within one mile of the Brooke Point site. She said that they currently had six modular classrooms at Park Ridge with four more on the way. She said that these alone nearly equaled half an elementary school. She said that building it in Embrey Mill would address overcrowding and decrease bus transportation costs for the nearly 539 students within walking and biking distance of the Embrey Mill site.

Ms. Pierce said that the Embrey Mill location had the infrastructure in place at Coastal and Mine and was the most sensible choice for constructing a school promptly. She said that there was consensus that Stafford County required another elementary school urgently but disagreement regarding its location. She said that focusing on the facts would lead to Embrey Mill as the optimal choice. She said that they had already delayed constructing Elementary School 19. She requested that funding for Elementary School 19 be withheld until the School Board made the decision to place it in Embrey Mill.

5. Doug Van Sant, 970 Coastal Avenue, said that he was there to discuss the elementary school situation. He said that he was a digital strategy professional who used analytics extensively in his daily work to analyze pain points on websites, where traffic went, and how that traffic navigated through the website. He said that he found it intriguing when he examined the numbers for the Embrey Mill proposed site versus the Brooke Point site. He said that he would provide them with some figures for the two-mile radius around the Embrey Mill site and the Brooke Point site.

   Mr. Van Sant said that within a two-mile radius of the Embrey Mill site, there was a projected 3,364 elementary students for the fall of 2026. He said that within a two-mile radius from the

Brooke Point site, there were 1,064 students. He said that as a digital strategy professional and analytics expert, he looked at these numbers and concluded that there was overcrowding. He said that his three-year-old daughter would eventually attend these schools, and his six-year-old daughter was at Park Ridge.

Mr. Van Sant said that overcrowding was a significant issue due to the high number of students in that area. He said that the School Board had chosen a site with fewer students for the new school. He said that the decision appeared logical and easy to rectify by placing the next school where existing infrastructure already existed. He asked that the Board reconsider funding Elementary School Number 19 until they received transparency from the School Board regarding their decision-making process. He said that there should be more input from residents and taxpayers regarding where the funds would be spent.

6. Matt Pruitt, 1059 Forsythia Lane, said that he was a taxpayer and parent in their County and he wanted to express his deep concern regarding the decision to construct Elementary School 19 at Brooke Point High School. He said that his concerns stemmed from his commitment to the well-being of their community's children and the efficient allocation of resources. He said that his primary concern was that the population considerations for the new school were not adequately factored into the decision-making process. He said that upon reviewing FOIA documents, a troubling pattern emerged. He said that the primary focus of the new school seemed to be relocating approximately 500 children that lived east of I-95 from Anthony Burns.

   Mr. Pruitt said that these children also disproportionately made up the free and reduced lunch population of that school. He said that this raised concerns about the potential socioeconomic impact, particularly when School Board members and staff acknowledged the new school as a less favorable location for these children. He said that he was concerned that the School Board might be embracing a field of dreams mentality in the construction of schools, placing preconceived biases above sound and logical decision-making.

   Mr. Pruitt said that the decision to forego the highest-graded location of Embrey Mill in favor of spending six months to select a site that was not graded or previously considered without transparency left him perplexed. He said that the claim of spending millions of dollars on this decision, rendering it infeasible to reconsider, raised serious questions about the decision-making process. He said that the use of magisterial districts and I-95 as rigid dividing lines appeared to be a false justification, preventing the consideration of more practical and logical alternatives.

Mr. Pruitt said that it appeared evident that the most suitable and logical location might involve crossing from Aquia to Garrisonville over I-95. He said that when their community invested over $70 million in a new school, transparency and logical decision-making became essential. He said the Brooke Point location lacked the clarity required, in stark contrast to Embrey Mill, where nearby schools, including Park Ridge, were already struggling to accommodate the existing student population. He said that he urged the Board to reconsider funding for the construction of Elementary School 19 until its location aligned with logic, fairness, and the best interests of the students it aimed to serve.

7. Christopher Fox, 85 Boxelder Drive, said that he was there to contribute his perspective to the ongoing discussion regarding Elementary School Number 19. He said that he found it perplexing that this matter had not been resolved or decided upon already, given the discussions he had had with parents within Embrey Mill and members of the Board. He said that the school's location was clearly where it should be. He said that children spent excessive time on buses, schools were overcrowded, and Embrey Mill had the necessary infrastructure.

   Mr. Fox said that placing the school at Embrey Mill was the most logical decision. He said that his children, currently four years old and four months old, would not attend these schools immediately; however, by the time this project was completed, they would be enrolled in whichever school was chosen. He said that Embrey Mill remained the most suitable option. He said that he anticipated that as more parents in the neighborhood became aware of this issue, they would attend these meetings and voice their concerns. He said that he would also strive to contribute to this effort.

8. Crystal Kwatchey, 3 Mahone Drive, said she lived within a two-mile radius of Embrey Mill. She said that she was there on behalf of Embrey Mill because she was invested in having the school in Embrey Mill due to its impact on their community. She said that when one school was neglected, everyone suffered. She said that when considering the 1,100 students within a one-mile radius, placing the school in Embrey Mill made sense because the children could walk to school.

   Ms. Kwatchey said that they already faced a bus driver shortage. She said that they aimed to match Prince William County and other counties in terms of rates. She said that if they had the school in Embrey Mill, the 1,100 students could attend a school within a half-mile or even a mile radius, which was still manageable. She said that even within half a mile, these children could walk to their neighborhood school. She said that there would be no need to hire buses that contributed to traffic congestion.

Ms. Kwatchey said that neighborhood schools would foster community. She said that they all moved there to create a community where they felt supported by their neighbors. She said that this promoted safety within the neighborhood, as there would be more eyes and ears on the ground. She said that by allowing children to walk to school, they could save money by not hiring bus drivers and reducing traffic.

9. Michael Parkyn, 15 Palace Lane, said that he was not an expert in anything and particularly avoided engaging in public discussions regarding mathematical concepts. He said that over the past 15 years, he had volunteered in various capacities most of the time. He said that he was growing weary because trust was low and dialogue was almost non-existent. He said that they seemed to lack focus where it should be. He said that he attended a School Board town hall meeting and watched Supervisor English and Supervisor Yeung being subjected to prolonged insults by individuals present at the meeting. He said it was not casual, not brief, and not acceptable.

   Mr. Parkyn said that he attended the seven-on-seven meetings, which presented a different scenario altogether. He said that he watched the School Board address a severe budget crisis, and he watched the Supervisors change the topic to a school site. He said that at a subsequent meeting, he heard allegations of racism. He said that between the tone of the dialogue and mentions of mistrust, he was embarrassed. He said that both incidents involved a lack of kindness and professionalism, which were deeply embarrassing and should cease.

   Mr. Parkyn said that the school system was focused, and that based on his recent year of volunteering with the Citizens Budget Advisory Committee. He said that they had a plan, they were executing it, and they were doing a decent job considering their catastrophic underfunding. He said that there was $63 million in real, unmet needs this year alone and every year. He said that it was essential for people to realize that every department in Stafford was underfunded. He said that the County was full of great professionals who were doing more with less every year.

   Mr. Parkyn said that the primary issue at hand was not merely a focus problem; rather, it was a revenue problem that underlay everything. He said that this was a business revenue issue driving everything. He said that if they failed to concentrate on this matter and could not maintain civility or restore trust, there was no reason for him to continue volunteering. He asked that the Board strive for excellence in their actions. He said that they should focus on staying within their area of responsibility and allow the School Board to do the same. He said that if they did not adhere to their role, he could utilize his right to participate in elections and replace them.

10. Daniel Cortez, 19 Hidden Springs Lane, said that Hispanic Heritage Month was significant and that they must always respect their minority communities. He said that unlike Delegate Paul Milde, who disrespected the Hispanic community when he was chairman and refused to acknowledge Hispanic History Month, Chair Bohmke had preserved their reputation. He said that this community would never forget her actions and the integrity she displayed. He said that they would never forget what Mr. Milde did or failed to do before the Board and their community.

    Mr. Cortez said that he wholeheartedly honored Black History Month and the remarkable progress made. He said there was concern about the increasing educational costs, particularly when they had a failed immigration policy that overwhelmed their schools with undocumented individuals who were not asylum-worthy or properly vetted. He said that this created additional school needs and costs. He said that they had consistently heard their Superintendent demand more funding, catering to educators and their support staff for additional funding while lacking the courage to come before the Board and demand that immigration laws be adhered to.

    Mr. Cortez said that the education financial debate would continue. He said that like previous Boards, they had demanded taxation and possibly pandered to special interests for the sake of political advancement, supporting development that unfortunately would never pay its own way. He said that their President had failed the nation in terms of immigration. He said that as an independent voter and Hispanic Prosperity Presidential Commissioner under President Biden and President Trump, utilizing the legal concepts of stare decisis, it should be crystal clear that President Trump's administrative programs regarding immigration were effective.

    Mr. Cortez said that the reality was that President Biden's immigration program was failing, which was failing them and adding costs to school needs. He said that was where the pay raise for educators was being wasted. He said that funds should not go to the unworthy sponsored by drug cartels. He asked them to continue making themselves available to constituent concerns. He asked them to promote true morality, not self-validation. He asked them to expect no words of praise to feed egos but to accept when they were missing the mark, needing experience, maturity, and adult composure. He said that they worked for the people, not the other way around.

Ms. Bohmke said, regarding the Elementary School 19 site issue, that they had this item scheduled for discussion at the 3:00 p.m. meeting. She said that they had quite a bit of discussion during which all Board members weighed in on the matter. She said that four Board members provided direction for the County Administrator to bring items back to the Board, and this could happen as early as their retreat that weekend or at the next meeting, which was scheduled for February 20.

She said that the School Board was responsible for selecting the site. She said that the Board was the funding agency for the schools.

Ms. Vanuch said that considering the significant public comment received during the 7:00 p.m. session, she asked if the Board would be open to addressing the follow-up to this item at the 7:00 p.m. session of the next Board meeting. She said that she understood that Mr. Vosburg would present options at the retreat on Saturday; however, perhaps this item could be discussed instead of being marked as Unfinished Business at the 3:00 p.m. session. She said that it would have been beneficial for their comments to be considered and for them to take action accordingly; she said that the item may be up for action at the meeting.

Ms. Bohmke said that there was consensus to have the item come back at the next 7:00 p.m. meeting.

PUBLIC HEARINGS

ITEM 23. SHERIFF; ORDINANCE O24-05; CONSIDER AN ORDINANCE TO ACCEPT THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT PUBLIC SAFETY ANSWERING POINTS GRANT FOR STAFFING RECOGNITION, TO BUDGET AND APPROPRIATE GRANT FUNDS, AND TO AUTHORIZE BONUSES FOR EMERGENCY COMMUNICATIONS OFFICERS.

Major Jason Dombrowski, Stafford Sheriff's Office, said that he was presenting Ordinance O24-05 for approval to accept the VDEM public safety grant for staffing bonuses for emergency communications officers. He said that this was a grant they had applied for and been awarded, totaling $102,500. He said that the grant aimed to provide each emergency communications officer with a one-time bonus stipend of $2,500. He said that they were seeking approval of this ordinance, and it was a reimbursable grant, so there would be no fiscal impact to the County. He said that the County would use a line for grants that they would utilize and then reimburse those funds. He said that this would allow them to provide the bonus for up to 41 emergency communication officers.

Ms. Bohmke opened the public hearing. There was no one to address the Board, so she closed the public hearing and brought the matter back before the Board.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve O24-05.

The Voting Board tally was:

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

ITEM 24. DEVELOPMENT SERVICES; ORDINANCE O24-01; CONSIDER AN ORDINANCE TO REPEAL AND REPLACE STAFFORD COUNTY CODE CHAPTER 27, "WETLANDS" TO ALIGN WITH STATE CODE.

Paul Santay, Chief Director of Community Development, said that he was presenting the proposed repeal and replacement of the County's wetlands ordinance, Chapter 27 of the County Code, and reestablishing the County's title wetlands fund. He said he did not have a formal presentation. He said that the County originally adopted a wetlands ordinance in 2007. He said that a year ago, the state updated the model wetlands ordinance, which was what Virginia localities used to adopt their own local ordinance.

Mr. Santay said that this was a clerical type of update involving redefining a few outdated definitions, going through and reiterating what exactly were allowable uses in wetlands, what allowable uses or activities in wetlands were described as, and also reestablished the framework necessary for a wetlands permit and the application process. He said that the Wetlands Title Fund was established in 2007 by the Board. He said that over time, the County had collected approximately $170,000 in funds within that account.

Mr. Santay said that the amount was accumulated from wetlands permit application fees, civil penalties, and criminal penalties related to enforcement. He said that the fund had grown over the years and could now be used for projects within Stafford County that aimed to reestablish and stabilize shoreline management projects and similar initiatives. He said that though no projects had been necessary yet, the fund remained available with revenue in place.

Ms. Gary asked when the state code was changed.

Mr. Santay said that it was back in July 2023.

Ms. Gary said that she did not know the specifics of how that occurred. She asked if he believed it was stable. She said that there had been much discussion regarding the environment, and changes could occur due to legislative actions. She asked if this was something that they would need to reassess soon or not.

Mr. Santay said that he did not think so. He said that the state update was clear that local wetlands boards should have a framework for appeals of any kind or construction activity.

Ms. Bohmke opened the public hearing. There was no one to address the Board, so the public hearing was closed and the matter was brought back before the Board.

Ms. Allen motioned, seconded by Ms. Gary, to approve Ordinance O24-01.

The Voting Board tally was:

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

ITEM 25. PLANNING AND ZONING; ORDINANCE O24-03; CONSIDER AMENDING THE ZONING ORDINANCE, STAFFORD COUNTY CODE SEC. 28-25, TO AMEND THE DEFINITION OF HOSPITAL.

Kathy Baker, Acting Director of Planning and Zoning, said that they were considering an amendment to Stafford County Code § 28-25, which would amend the definition of hospital. She said that the actual ordinance was O24-03, which listed the revisions to the ordinance. She said that on November 14, the Board referred this ordinance to the Planning Commission for public hearing and their recommendation. She said that subsequently, the Planning Commission held their public hearing on January 10 and recommended approval unanimously.

Ms. Baker said that the Board had discussed this particular issue over the last year regarding medical-related uses and had requested staff to provide information regarding various definitions and how these uses are permitted. She said that currently, the zoning ordinance classified medical-related uses within one of three different terms: medical dental office, medical dental or psychiatric clinic, or hospital. She said that the uses were permitted within various zoning districts in the County either by right or by conditional use permit.

Ms. Baker said that focusing on the hospital definition, hospitals were typically required by conditional use permit. She said that there were seven distinct districts, primarily commercially related, that required a conditional use permit. She said that the proposed definition, as amended, would maintain the state code definition of hospital but add language regarding facilities that were licensed under the Virginia Code § 37.2. She said that as requested by the Board, they submitted this information to their consultant, the Berkeley Group, to further assist in refining the definition.

Ms. Baker said that their recommendations were to further qualify how certain uses were included and excluded under the definition. She said that the amendments clarified how the uses were associated with the definition of service or services in Virginia Code and also further qualify that hospitals would not be considered, what would constitute a hospital, and discuss what they cannot constitute. She said that staff were recommending approval of the ordinance.

Ms. Bohmke opened the public hearing.

1. Kristen Halstead, 279 Deacon Road, said that this topic had been ongoing for over eight months, and the Board had consistently deferred addressing this issue. She said that their community had experienced limited support from the Board in addressing the matter. She said that they were there today to request their vote on a new ordinance that would prevent future methadone treatment centers from being established through by-right use in areas where they may currently be allowed.

   Ms. Halstead said that the ordinance would enable the County to have more control over where treatment centers would be located and ensure that they had proper community planning in place to address all citizens' concerns and safety matters. She said that there was another methadone treatment center reportedly being established in another district due to this Board's continued delay in addressing this issue. She asked that the Board fulfill their responsibilities by voting to pass the ordinance.

Ms. Bohmke closed the public hearing and brought the matter back before the Board.

Ms. Vanuch motioned, seconded by Ms. Gary, to approve Ordinance O24-03.

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

ITEM 26. PLANNING AND ZONING; CONSIDER A REQUEST FOR A ZONING RECLASSIFICATION, WITH PROFFERS, TO ALLOW FOR AN ASPHALT PLANT ON TAX MAP PARCEL NOS. 58-5A, 58-5B, AND 58-5G (PROJECT KNOWN AS KINGS HIGHWAY ASPHALT); PROPOSED ORDINANCE O24-06.

Amy Taylor, Planner III, said that the item was a request for the reclassification of Kings Highway Asphalt. She said that the request aimed to rezone 73.33 acres from A1 Agricultural and B2 Urban Commercial to M2 Heavy Industrial. She said that this change affected tax map parcels 58-5A, 58-5B, and 58-5G, all located in the George Washington District. She said that the applicant and owner was Allan Myers Virginia, Inc. She said that the site was situated along the south side of Kings Highway, approximately 1,700 feet east of Blue and Gray Parkway.

Ms. Taylor said that most of the property was currently zoned A1 Agricultural, with the exception of a small portion that was currently zoned B2 Urban Commercial. She said that a small portion of the property was also located in the Highway Corridor Overlay District. She said that surrounding zoning districts included R1 Suburban Residential, HI Heritage Interpretation to the north, B2, A1, and M1, all to the east and south. She said that there were no abutting uses to the west, which was bordered by the Rappahannock River.

Ms. Taylor said that most of the subject property had been zoned A1 since before 1978, with the exception of a small portion that was previously rezoned to B2 in 2005. She said that the property was developed and had been used as an asphalt plant since the early 1960s, which predated the enactment of the County zoning regulation in 1964. She said that the facility was considered an existing nonconforming use. She said that the property also previously operated as a sand and gravel mine but ceased mining operations. She said that the site was currently undergoing reclamation activities to restore previously mined areas of the site to their natural state.

Ms. Taylor said that the Generalized Development Plan illustrated the existing site layout and identified the location of all the buildings and areas associated with the existing asphalt plant. She said that it included the reclamation areas of the former sand and gravel mines. She said that access to the site was provided by way of a single entrance on Kings Highway, and a paved access road that ran through the center of the property. She said that gravel and sand stockpile areas encompassed much of the site, and multiple buildings and equipment associated with the asphalt plant operations were located primarily within the central and northeastern portions of the site.

Ms. Taylor said that reclamation areas associated with the former sand and gravel mines were located just to the south, and that the area associated with the asphalt plant was approximately 100 feet from the closest residential properties, located along Enola Road to the north. She said that the applicant had further indicated that no new entrances were proposed, nor was any expansion to the site's existing footprint proposed, nor was there any increase in their existing asphalt production. She said that the site had a single existing access point on Kings Highway, featuring very limited frontage in the area.

Ms. Taylor said that the asphalt production operations were located in the central and northeastern portions of the site, while reclamation areas associated with the former sand and gravel mines were situated in the southeastern portion. She said that berms and wooded buffers were present in several locations around the perimeter of the property, effectively screening most of the site from abutting uses.

Ms. Taylor said that the eastern side of the property was largely open, while the western side along the river was densely wooded. She said that the site topography was relatively level but sloped gently toward the west along the river. She said that there was a RPA located along the western property line, adjacent to the river, and a 100-year floodplain that affected much of the site.

Ms. Taylor said that the comprehensive plan classified the property within the Suburban Land Use Designation and was adjacent to a commercial node along Kings Highway. She said that while residential and commercial retail and office development was typical within suburban areas of the County, the comprehensive plan recommended certain types of industrial development in appropriate locations and provided detailed design parameters for such industrial uses.

Ms. Taylor said that the design parameters specifically recommend development of non-nuisance industrial uses, which were not water-intensive, located near railroad lines and major highways. She said that it further identified preferred types of industrial development such as warehousing, manufacturing, processing operations, mixed-use commercial and industrial development, and flex office space. She said that staff believed the existing plant use was consistent with the comprehensive plan recommendations. She said the use was compatible with industrial and commercial uses adjacent to the site, and the location was appropriate.

Ms. Taylor said that the proffers would require the property to be developed in general accordance with the GDP, limiting permitted uses on the property to heavy industrial and heavy manufacturing uses specifically for asphalt manufacturing, construction, and sales, as well as reclamation of former sand and gravel operations and specific supporting accessory uses. She said that it would establish standards for retention of existing vegetation and replanting within designated buffer areas.

Ms. Taylor said that the proffers would construct eastbound and westbound turn lane improvements along Kings Highway within 12 months of site plan and permit approval. She said that they would establish standards for outdoor exterior lighting, prohibit backing maneuvers during nighttime hours unless vehicles were equipped with white-noise backup alarms, and they would establish a community liaison for residents. She said that nighttime operations were limited to no more than 150 nights per calendar year.

Ms. Taylor said that the asphalt plan and mine reclamation uses were not specifically identified in Table 3.1 of the ordinance, and they fell under the category of heavy industrial manufacturing uses not otherwise listed, which would typically require a CUP. She said that since the applicant had identified specific uses in the proffer statement as permitted uses, accepting these proffers by approving the request would allow the applicant to proceed with these uses without requiring a CUP. She said that staff found the positive aspects of the application included the existing asphalt plant use and the proposed industrial zoning classification were generally consistent.

Ms. Vanuch asked for clarification about the CUP requirements.

Ms. Taylor said that under Table 3.1 of the Zoning Ordinance, which was the Table of Uses and Standards, every zoning district identified all the uses that were specifically permitted by right and those that required a conditional use permit in addition to the underlying zoning district. She said that uses that were not specifically identified on Table 3.1 required a conditional use permit. She said that since the asphalt manufacturing use was not specifically identified in any of the tables, a conditional use permit was required by default.

Ms. Taylor said that in discussions with the County Attorney, because the proffers were written very specifically to allow or permit this use within the requested zoning district, it essentially negated the need for the conditional use permit if the Board was willing to approve it in such a manner. She said that if the Board was willing to accept the proffers as written, which specifically limited the use to only this use and excluded other M-2 uses that would normally be associated with M-2, they would be permitted. She said that the use was solely for the asphalt plant and the uses identified in the proffer statement.

Ms. Vanuch asked why the applicant decided not to move forward with a CUP and a proffer amendment.

Ms. Taylor said that there were no proffer amendments for this site. She said that they had transitioned from an A1 zoning district to an M2 district. She said that there were no existing proffers on the site that required a proffer amendment.

Ms. Taylor said that this process essentially achieves two objectives simultaneously. She said that during the Planning Commission stage, questions were raised regarding the types of conditions that staff would typically impose on a request like this. She said that staff went back and evaluated the types of conditions that were imposed on previous asphalt plants in prior years. She said that they found that many of those conditions were either not enforceable at present or regulated by federal or state agencies. She said that they deemed them unnecessary at this time. She said that other conditions or proffers were included by the applicant based on concerns raised. She said that staff believed that the proffers being offered addressed both the proffers and potential conditions that would have been required under a CUP.

Ms. McClendon said that this was likely the first time the Board was seeing this. She said that a few years ago, the Supreme Court of Virginia issued a decision that essentially allowed proffers to modify the standards of the underlying zoning district. She said that instead of coming in for a separate CUP later, they could incorporate that into one action. She said that what was presented before them for the first time was a modified action where everything was combined into one. She said that it was up to the Board to consider it. She said that although it was not required, it was permissible based on the Virginia Supreme Court opinion.

Ms. Vanuch said that she needed a reminder of the cost differences between applying for a proffer application and a conditional use permit versus only a proffer application.

Ms. Taylor said that for a rough estimation, for a rezoning application at a base acreage of five acres, fees amounted to approximately $5,000. She said that for every acre over five acres, there was an additional fee of $125. She said that the base fee for a conditional use permit for the same base five acres was $10,000.

Dr. Yeung said that she spoke to some local residents. She said that the three neighborhoods in the area did not receive sufficient early notice about the development. She said that notice of a public hearing only applied to properties within 500 feet. She said that the odor from the industrial site could travel further than 500 feet. She said that from what she understood, this industrial development had been grandfathered in.

Ms. Taylor said that staff would not necessarily be able to speak to the grandfathering clause. She said that the use was deemed an existing nonconforming use. She said that this plant had been operating since the early 1960s.

Dr. Yeung said that the use was grandfathered in, and, according to hearsay, the owner purchased it three years ago unaware of the status of the property and wanted to expand the asphalt business. She said that they needed more asphalt, but she was an environmentalist, so she was concerned about the smell of asphalt. She said that she did not have enough information. She said that in terms of M2 Heavy Industrial, she needed to know what heavy meant. She said she did not know what it meant that the use was already in existence and whether it meant the industry would grow.

Ms. Taylor asked Ms. Bohmke if she should answer the questions or continue with her presentation.

Ms. Bohmke said that Ms. Taylor should finish the presentation.

Ms. Taylor said that the positive features of the application included the existing asphalt plant, existing use, and the proposed industrial zoning classification were generally consistent with the land use recommendations in the comprehensive plan. She said that the proposal was consistent with the current use and operations on the site, as well as established and developing land use patterns along Kings Highway.

Ms. Taylor said that the proposed proffers would limit potential negative impacts by restricting permitted uses, improving existing access to the site, retaining existing vegetation, and addressing various issues associated with nighttime operations. She said that staff found that there were no apparent negative impacts associated with the application. She said that the Planning Commission and staff supported the project and recommended approval of the reclassification application and proffers pursuant to Ordinance O24-06.

Ms. Allen said that she had two questions regarding enhancing the site's functionality. She said that her first question was approximately how far was the nearest residential site in miles.

Ms. Taylor said that the closest residential home was along Enola Road, and, and they were approximately 100 feet away from the processing area.

Ms. Allen said that previously there was mentioned a protected land with an environmental aspect. She asked if this included addressing runoff issues and ensuring that there was no contamination in the water.

Ms. Taylor said that resource protection areas typically encompassed wetlands or other resource protection areas. She said that regarding stormwater runoff, the application underwent review by both the environmental and stormwater divisions, and no significant comments were received raising concerns or issues. She said that in terms of stormwater runoff, staff would like to emphasize that these operations were regulated by the Department of Environmental Quality concerning stormwater runoff and any industrial discharge that went into a state water body through point source discharges. She said that she must defer to the applicant regarding the status of their applications or permits through the Department of Environmental Quality. She said that this also applied to air emissions regulated by the Department of Environmental Quality.

Ms. Allen said that she believed that in regards to the air quality issue, DEQ primarily left it up to localities to determine certain aspects of it, but not the entire scope. She said that this was based on her recollection of the Louisa case from last year. She said in that case, DEQ faced a similar issue involving air quality and a resident living near an asphalt plant. She said that they claimed that they were operating within unchartered jurisdiction regarding some of the requests made, which was why she was uncertain if DEQ had clearly addressed the matter.

Ms. Taylor said that neither she nor staff would be able to discuss that specific scenario. She said that in her previous experience working for the DEQ, they handled air emissions issues and issued permits. She said that she would be unable to address the current status of this particular operation. She said that she would need to defer to the applicant for information.

Mr. Diggs asked whether the plant will operate regardless of whether the Board approved the resolution or not. He said that when discussing the smell and the noise, the applicant already operated in a nonconforming use. He said that the larger issue for him was that they received correspondence regarding the increased capacity and expansion of the plant without proper permitting, which could potentially violate the nonconforming use. He asked for more information about the proposed expansion.

Ms. Taylor said that the staff was aware of the issues raised by some residents in the surrounding communities during the Planning Commission stage. She said that many of them attended the public hearing and expressed their concerns via email as well. She said that staff investigated these concerns and determined that they related to the apparent expansion of the facility during the 2020-2021 timeframe. She said that two specific building permits were referenced, which appeared to have expired but work continued nonetheless. She said that staff contacted the building division and discovered that permits had indeed been issued but there was a lack of communication or misunderstanding regarding inspections.

Ms. Taylor said that the applicant was supposed to conduct third-party inspections but failed to provide the necessary reports, causing the permits on record to lapse. She said that according to the Department of Development Services, it was staff's understanding that those permits had been reinstated. She said that the applicant had passed inspections for the permits that were issued at that time.

Ms. Taylor said that in regards to the apparent expansion of the facility while an existing nonconforming use, there was an existing zoning verification on record from the deputy zoning administrator at the time. She said that the applicant specifically reached out to verify what was permitted on the site under the existing zoning and made reference to the requested installation of new equipment to replace older equipment. She said that they were requesting to replace older equipment with newer equipment. She said that the request or verification was returned to the applicant, indicating that the request for the replacement of the equipment they had identified was not deemed to be an expansion of their existing nonconforming use and was essentially permitted to proceed based on that verification. She said that the zoning verification was issued on August 26, 2019.

Mr. Diggs said based on the imagery, the applicant went from two smaller silos to three larger ones. He said that additional equipment had been added. He said that it appeared the applicant had already done the necessary expansion.

Ms. Taylor said that the applicant had stated that the work completed was not necessarily an expansion of their operations and had not led to an increase in their production of asphalt. She said that it involved modernizing equipment, which primarily consisted of storage material upgrades. She said that staff would need to defer to the applicant for specific information regarding potential future expansion of the facility.

Charlie Payne, representing the applicant, said that the applicant had acquired the property from the Goodloe family in 2019. The Goodloe family had been running and operating this facility since the early 1960s. He said this was one of the first projects he had presented that was older than him. He said it had been a viable business in Stafford County during that period of time. He said that the modernization that had occurred on the site aimed to modernize the facility, enabling the production and utilization of recycled asphalt, which was beneficial from an environmental standpoint and also increased efficiency on the site while reducing the cost of asphalt.

Mr. Payne said that Myers had eight locations in the commonwealth, and it was headquartered in Pennsylvania. He said that it had locations in Pennsylvania, Maryland, Delaware, and Virginia. He said it was a fourth-generation family-owned company. He said that Myers acquired the Goodloe site in 2019. He said the existing site was a nonconforming use. He said that the purpose of the rezoning was to bring it into compliance with the applicable zoning district, enabling more efficient operation and one that was more viable. He said that this also gave the County more control over the use of the land, allowing for better management and regulation of that use.

Mr. Payne said that in their opinion, this was a win-win situation for the overall zoning district and managing the same. He said that it was also important to note that this site used to be a sand and gravel mining operation for many years but had since ceased, which was part of the contraction of the facility's operations.

Mr. Payne said the project involved several parcels, and the site was approximately 73 acres in size. He said that Route 3 was located north of the site, and a rail line was situated slightly further north. He said there were scattered residential uses to the west of the location. He said that there was a dense wooded area that buffered the site to the west, as well as a thick wooded buffer area to the south. He said that approximately 24 acres remained untouched. He said that to the south was the Fredericksburg Water Treatment Facility, which was situated directly across the river.

Mr. Payne said that to the east, the cleared area was where reclamation was currently taking place; the area had been previously used for sand and gravel operations, which had now ceased. He said that all operations were currently being conducted to the west of this area. He said that the site consisted of approximately 77% open space, which was crucial for understanding the objectives. He said that they could not expand the operational area without Board approval by obtaining a proffer amendment for the GDP. He said that they had restricted operational areas by proffering them.

Mr. Payne said that they were surrounded by various commercial enterprises such as a tow truck service and an RV repair shop, and Walmart was located directly to the east of the site. He said that Economic Development with the new buyer had been successful in investing in the site. He said that they anticipated increased tax revenues for the County, ranging from $14,000 to $18,000 annually. He said that business personal property taxes in 2021 were over $102,000.

Mr. Payne said that the project supported the County and its businesses by utilizing local annual expenditures exceeding $7.6 million and working with 65 vendors in the area. He said that it was also a significant vendor for VDOT. He said that asphalt must be delivered warm or hot to the site for optimal use. He said that the proximity of the asphalt manufacturing facility to the site's improvements was advantageous. He said that this type of use had been beneficial for their County, with annual wages ranging from $40,000 to $91,000, averaging around $52,000. He said that the business was expected to continue promoting the County's economic development.

Mr. Payne said that regarding the conditional use permit, the County Attorney provided insights based on the most recent Supreme Court case, and they did not initiate this process with the intention of saving $10,000 in application fees. He said that they aimed to make this process more efficient by collaborating closely with staff from the beginning. He said that as a result, they specifically limited the use to asphalt manufacturing, construction, and sales, as well as the reclamation of the former sand and gravel operation.

Mr. Payne said that they currently possessed a permit from the Department of Energy which required them to reclaim the site. He said that was all they did from a sand and gravel perspective, leaving the site undisturbed in the future. He said that the accessory uses list included general office, laboratory research and testing, as well as asphalt recycling facilities. He said that the new equipment was there to address the recycling component that never happened before 2019. He said that there was fleet parking, tanks and pumps, fleet and equipment repair shop, outdoor storage, and raw material storage.

Mr. Payne said that existing vegetation on the site would remain intact as a buffer zone in the GDP, and they were protecting the one archaeological site that was on the property. He said that since they had been on the site, they had eliminated the sand, and gravel crushing operations. He said that it involved a huge crusher and generated about 2,800 additional truckloads. He said that they were now utilizing recycled materials, which saved in terms of truckloads since they no longer had to bring in raw material.

Mr. Payne said that the contracted area was approximately 5,000 square feet and would be replaced by 2,000 square feet, resulting in a net contraction of 3,000 square feet. He said that it was essential for people to understand that this was a contraction, not an expansion. He said that they were currently reclaiming sand and gravel areas and had refurbished the plant shop, office, and outbuildings. He said that they had also provided traffic signage for safety purposes and updated lab equipment in compliance with VDOT specifications. He said that the company had hired 50 full-time employees.

Mr. Payne said that regarding the storage silos, they replaced two silos with three to address storage requirements for recycling materials. He said that when implementing new technology, it reduced the number of truckloads required for recycling materials. He said that this resulted in less raw material needed for production, lowering construction costs for taxpayers. He said that it reduced approximately 120 tanker loads of liquid asphalt for these purposes. He said that modern facilities had a lower impact on the surrounding area.

Mr. Payne said that at present, community meetings and Planning Commission discussions had addressed concerns regarding noise and lighting at night. He said that as a result, proffers had been implemented to address these issues. He said that outdoor lighting was now shielded and downward facing, except for emergency or safety purposes, which was in accordance with County ordinances. He said that external lights had to be shut off from 9 p.m. to 6 a.m. except for nighttime operations and emergency, security, and testing purposes. He said there were many evening operations since that was when most of the work occurred.

Mr. Payne said the improvements would be completed within 90 days of approval. He said that the applicant had already implemented some of the improvements. He said that between 9 p.m. and 6 a.m., trucks may not back up to the milling pile unless equipped with a white-noise backup alarm or a substantially similar alarm. He said that at the first Planning Commission meeting, neighbors were present, and they played a video on an iPhone of them witnessing what they were seeing and hearing at their house. He said that the milling trucks backing up was the source of the noise, and the applicant agreed to limit the noise. He said that they would have a community liaison to facilitate communication between the County, community, and company.

Mr. Payne said that the applicant would limit nighttime operations to no more than 150 nights per year. He said that they would provide a quarterly report to the County for when those nights would occur. He said that when it was cold, asphalt production was not possible, but they could be on site fixing equipment or doing other tasks during nighttime hours.

Mr. Payne said that what they heard from VDOT prior to their presentation to the Planning Commission was quite helpful. He said that the Planning Commission did an excellent job of addressing additional conditions that would arise from a CUP that were not explicitly mentioned. He said that regarding DEQ permits, they did not discharge water from the site and the water usage was minimal as everything was self-contained. He said that as a result, an industrial permit from DEQ was not required. He said that they had a DEQ air permit, which they were in compliance with, along with all other applicable state permits.

Mr. Payne said that VDOT had requested improvements at this intersection, not just for their use but for other commercial users who also utilized the intersection off of Route 3. He said that they wanted them to expand the existing westbound left turn lane, which was currently quite short. He said the expansion will increase it to 100 feet long and taper to 200 feet, making it safer. He said that they will construct a continuous eastbound right turn lane after exiting the Blue Way parkway heading east, expanding the existing lane by 1,000 feet. He said it would lead to the entrance of the site. He said that this will not only enhance safety at their site but also improve safety for all other commercial uses along that corridor. He said they aimed to complete all these improvements within 12 months. He said that they needed permits from VDOT and the County for them.

Mr. English asked whether they had ever experienced a violation from the DEQ or anything similar.

Mr. Payne said not to his knowledge.

Mr. English asked what the regular business hours were. He asked if it was a 24-hour operation.

Curtis Hall, Vice President and General Manager of Asphalt for Allan Myers, said that daytime operations commenced around 6:30 a.m., and customers usually arrived shortly after rush hour, between 8 and 9 a.m. He said that they typically concluded daytime operations at 4 p.m. He said that nighttime operations commenced at varying times between 7 p.m. and 9 p.m., depending on VDOT's lane closure approvals and the specific roads they were working on. He said these operations generally concluded around 3 a.m.

Mr. English said that it was essentially a 24-hour operation. He asked what they would do if VDOT requested an emergency order of asphalt. He asked if they would require a permit.
Mr. Hall said that typically an emergency involved nighttime operations, and they believed that within the proffers they had offered, they could complete the work.

Mr. Diggs asked for more information about the concerns over the smell of asphalt production and the risks of cancer.

Mr. Hall said that an odor was not an indication of toxicity. He said that they may smell various substances, some of which might be unpleasant; however, it did not imply that they were toxic. He said that there had been extensive research conducted specifically on asphalt fumes, particularly by groups concerned about asphalt workers. He said that the International Agency for Research on Cancer (IARC), which was part of the World Health Organization, conducted an international 10-year study focusing on asphalt fumes for asphalt workers. He said that as these workers had the highest exposure to asphalt fumes, the study aimed to assess potential health risks.

Mr. Hall said that at the conclusion of the 10-year study, IARC classified asphalt fumes in the same category as common items like pickled vegetables and cell phones in terms of risk for causing health concerns. He said that personally, he had no concerns regarding health risks. He said that in the past four years, there was only one noise complaint. He said that no other complaints had been received. He said he was not aware of the odor concern until the public hearing process began.

Mr. Hall said that ways to mitigate odors can be achieved primarily by controlling the production temperature of the mix. He said that they had an allowable range of production temperatures for their product. He said that their customers prefer higher temperatures due to its perishable nature, and it allowed them more time for transportation and placement. He said that they can also produce at lower temperatures, which directly correlated to the level of fumes or odors produced.

Mr. Hall said that someone suggested that they should only produce at a certain temperature limit. He said that this was problematic because certain mixes of different types of asphalt required higher production temperatures. He said that he cannot guarantee a fixed temperature in the future due to potential technological advancements that may require different temperatures. He said that he was confident that they could collaborate with the community to address some of the odor concerns.

Mr. Diggs asked whether the allegations regarding the expansion had been addressed.

Ms. Taylor said that she would have to defer to their Development Services Division. She said that the previously issued permits that had expired had been reinstated, and inspections for those permits had been passed. She said that for any other permits that might have been required, she would have to defer to Development Services for their input.

Paul Santay, Director of Development Services, said that he had spoken with the building official and the Deputy Building Official regarding this project. He said that Mr. Payne and Ms. Taylor were correct that the permits they had, the two most recent ones, had been completed and closed out. He said that if there was any other activity occurring on site, whether it was installation of equipment or some sort of structure that was not permitted; they would request that such activity cease. He said that this could happen even after the fact.

Mr. Santay said that if he were to provide them with the number of unpermitted structures and equipment in Stafford County, he would likely be there all night. He said that there was a provision in the building code that allowed them to work with property owners if structures had been built or equipment installed without permits. He said that the benefits of obtaining a permit before installing equipment or constructing a structure were significant for both applicants and property owners.

Mr. Payne said that ensuring everything was installed correctly was essential. He said that if the installation was not done properly, they would have the equipment or structure fully deconstructed and reconstructed correctly. He said that he could not guarantee that everything was in compliance regarding permits. He said that there might be a need for an electrical permit or some form of plumbing permit. He said that to make this determination, they must investigate the matter with the applicant and property owner.

Dr. Yeung said that there was a correlation between fumes and odor, which could travel up to three to three and a half kilometers. She said that she would like to refer to her two children who could not consume peanut butter due to their asthma. She said that they could detect peanut butter on someone even if the peanut butter was not in the room. She said that this was her concern regarding managing fumes and their potential impact on health.

Dr. Yeung said that some towns had experienced health issues, such as skin cancer or other illnesses, even after industrial areas had been removed or relocated. She said that it was crucial to address the mitigation of fumes, especially when their growth was not immediately apparent. She said that there were residential areas near these potential sources of fumes based on the calls she had received.

Mr. Payne said that the operation had been ongoing since the 1960s. He said that his client had pointed out that no one had complained about it until they entered the public realm to improve the site. He said that there was a water treatment plant on the other side of the river operated by the City of Fredericksburg, which faced its own challenges regarding smell. He said that modernizing the facility would provide them with an opportunity to address and mitigate these issues. He said that it could not be perfect because they had to balance the requirements of VDOT and construction.

Mr. Payne said that utilizing recycled asphalt was a beneficial step in the environmental direction. He said that not expanding their operations' footprint and leaving 77% open space was a positive step in the right environmental direction. He said that reclaiming the sand and gravel area was a commendable step from an environmental perspective. He said that being responsive to their neighbors was a positive direction for environmental and community matters. He said that this project was advantageous compared to what it would have been if turned down. He said that this project helped address issues and balance needs in the area. He said that they required infrastructure in the region, and new infrastructure was necessary in the area.

Ms. Bohmke opened the public hearing.

1. Andrew Craig, 505 Leonard Road, said that he had provided each supervisor with a packet. He said that despite the applicant's claim of being willing to abate noise and address toxic cancer-causing VOC emissions and odors, Allan Myers had not included measures to address these issues in their written proposals, except for truck white-noise backup alarms. He said that there was no mention of front loaders or other beeping vehicles. He said that recently, when presented with a solution for addressing the VOC issue and odors, Allan Myers stated that they would not install these devices because they were too expensive. He said that in doing so, they saved money while exposing their neighbors to proven cancer-causing smelly fumes.

   Mr. Craig said that in 2019, Allan Myers bought the Goodloe asphalt plant and began upgrading existing machinery while removing two small storage silos and one small binder silo, replacing them with six large silos. He said that they added wrap sorting bins, two new conveyors, and raw material bins, effectively doubling or tripling their production capacity. He said that they now promised not to expand their operations in the future; however, they already did so without proper permits. He said that the plant remained one of the largest asphalt plants in northern Virginia, which still lacked adequate VOC and odor suppression systems.

   Mr. Craig said that despite their claims of being good neighbors and community partners, there was no written commitment to addressing these important issues. He said that he asked that the Board either defer or deny this application, or defer any decision until the proper authorities, who had been notified, could investigate Allan Myers' flagrant disregard for the Municipal Code of Stafford forbidding nonconforming use businesses from expanding their physical plant and structures.

2. Mike Rodriguez, 57 Wakefield Avenue, said that he filed the initial complaint with the Commission in November regarding the lights. He said that they were shining directly into his bedroom. He said that the morning after they complained, Allan Myers began working on it. He said that he was initially opposed to the project, but now he was no longer opposed.

3. Linda Allen, 506 Leonard Road, said that she would describe her location as being within close proximity to the plant, approximately half a mile away. She said that there were several neighborhoods nearby, such as Ferry Farm, Argyle Heights, and Tylerton, where many people lived close enough to be affected by the plant. She said that she did not believe that something's long existence was a valid reason to continue it without modification. She said that she must express her disbelief that the County staff found no negative impacts in their research regarding this project.

   Ms. Allen said that there had been numerous negative impacts discussed during this meeting. She said that the report they mentioned, which involved a study of workers exposed to asphalt, did not include any research on respiratory issues related to asphalt fumes. She said that it was not just about cancer-causing VOCs. She said that she had only lived in Tylerton for a few years. She said that the first night she smelled the fumes, she did not know that the plant was there. She said that the first night she smelled the fumes, she thought the house was on fire due to the intensity of the smell. She said that she had to close all of the windows and doors in the house. She said that they should not have to close themselves into their house just to live where they lived.

Ms. Allen said that there were ways to mitigate the smell, such as adjusting the level of heat in the production process. She said that they understood that it was very challenging to balance between the needs of the business community and the needs of the people in the County. She said that they had an opportunity to possibly impose rules or requirements on what they were offering. She said that in terms of the turn lane proffer, it stated "if there is an existing right-of-way". She said that if there was no existing right-of-way, they will not proceed.

Ms. Allen said that this situation allowed the Board to request additional conditions within the proffers or the rezoning application to improve safety for residents and achieve a fair balance between existing businesses and nearby residents who had the right to clean air. She said that the buffer discussion was important, but it did not help when fumes reached a certain height. She said that trees cannot block the smell from spreading, especially along the river where it traveled directly. She said that they did not smell anything from the water treatment plant, but they did smell the asphalt plant.

Ms. Bohmke said that the applicant had the chance to rebut any of the public comment.

Mr. Payne said that they addressed some of these comments during the Planning Commission meetings and the community meeting. He said the proffers addressed noise and lighting concerns. He said that this operation was unique in nature and had been operating in this area for some time. He said that they aimed to improve the site for increased efficiency and viability while mitigating its impacts.

Mr. Payne said that regarding road improvements, they had confirmed with VDOT that the right-of-way was available. He said that this was one of the reasons they agreed to make these improvements. He said that VDOT had another project in that corridor soon, and they hoped to coordinate their efforts during that period. He said that they strived for a win-win situation for all parties involved. He said that they could not please everyone, but they aimed to be good neighbors and minimize the impacts.

Ms. Bohmke closed the public hearing and brought the matter back before the Board.

Mr. Diggs said that he had been deliberating over the project and acknowledged that Allan Myers had been exceptional in terms of accepting advice, organizing community meetings, and collaborating with them. He said that he would like to ensure that they fulfilled their due diligence.

Mr. Diggs motioned, seconded by Ms. Vanuch, to defer the item.

Mr. Diggs said that he would like for Planning and Zoning to investigate the complaints regarding the expansion and address all related issues before bringing it back for further consideration.

Ms. Gary said that she would not be supporting the deferral. She said that although she trusted Supervisor Diggs' perspective, based on what she had seen, it appeared that due diligence had been conducted. She said she believed that deferring this decision may result in further delays without a change in outcome, which had occurred frequently in the past. She said that she acknowledged the concerns of the business community and residential community. She said that she appreciated their patience as they addressed this matter.

Ms. McClendon said that the application was approaching the one-year timeframe, and it would expire on March 3. She said they should ask the applicant whether they would agree to an extension to the March 5 meeting.

Ms. Vanuch asked whether they could return at the February 20 meeting.

Ms. McClendon said that they could not return by the February 20 meeting due to the new notice requirements. She said that their meeting did not fulfill advertising requirements, which prevented them from returning earlier than March 5.

Mr. Diggs asked whether staff could conduct an investigation within that time frame. He said that he wanted to know if the time frame was sufficient for staff.

Mr. Payne said that they were willing to defer the item to March 5. He said that he could not discuss the staff investigation but could confirm that they had investigated the site during the permitting process. He said that they were happy to address that. He said that he would like to point out that regardless of the rezoning decision, the County always had the authority to determine whether or not they had the applicable permit. He said that they were prepared to make improvements on the site. He said that he was unsure if staff had any comments regarding the permitting process or not.

Mr. Santay said that they were pleased to meet with the applicant and the property owner and schedule inspections or whatever was necessary on site to go through the motions to ensure that everything had been permitted appropriately and taken care of.

Ms. Vanuch said that she believed they had reached approximately 95% completion. She said that they had converted some skeptics into positive contributors. She said that some of the other constituents who attended tonight's meeting seemed close to becoming supportive. She said that there were certain aspects that might benefit from further due diligence. She said that typically, the County Attorney's Office did not review proffers when they were presented to them. She said that she would like to request that the County Attorney review the proffer language, particularly concerning the backing up of vehicles. She said they should consider other vehicles in the proffer.

Ms. Vanuch said that she was familiar with asphalt production because of Vulcan in her district, and they had an expansion. She said her experience had provided her with extensive knowledge about asphalt production. She said that due to the emittance and respiratory issues and challenges, they should consider respiratory device monitoring. She said that she would like to request a legal review of the buffer language, as she noticed that it is only one bullet point. She said that the County Attorney should examine this language thoroughly to avoid unintended consequences, such as those experienced at Vulcan.

Ms. Vanuch said that staff should ensure that appropriate trees were replanted in case of accidental removal. She said that staff should conduct a comprehensive review of mitigating staff costs related to inspections and code enforcement for conditional use permits. She said that these processes required significant staff time due to constituent complaints and ongoing enforcement efforts. She said she was uncertain about whether they had thoroughly examined the cost offsets from a staff implication perspective.

Ms. Vanuch said that she would request the County Administrator to collaborate with staff to ensure they considered those costs and then assess their position when they reconvene on March 5. She said that she appreciated the applicant's willingness for a deferral and believed that many of them aimed to facilitate a favorable outcome for all parties. She said that these factors contributed to her support for the deferral.

Dr. Yeung said that she wanted to focus specifically on the radius where the odor was emanating from and what can be done to mitigate it, along with reducing the fumes, in order to lower the risk of respiratory issues that might arise. She said that she was unsure what measures could be taken; however, she was certain that testing could be conducted to address her concern.

Mr. Diggs said that he received complaints about the smell even on days when the factory was not operating. He said that upon receiving these messages through social media or texts, he would visit the plant, and it was not operating. He said that he is unsure what some people were smelling. He said that while talking with people in Tylerton and Ferry Farm, he discovered that there were residents in both communities who had not smelled anything. He said it was quite interesting to him because it appeared that those people living or residing along the river were experiencing the most impact from the smell. He said that there must be something else in the area contributing to the smell. He said that there were a few factors that seemed to be influencing the smell.

Ms. Bohmke said that she would like to yield to the supervisor whose district was affected by the decision, as it directly impacted their constituents. She said that she would be voting in favor of the deferral.

Ms. Bohmke called the vote on the motion to defer.

The Voting Board tally was:
Yea: (5) Allen, Bohmke, Coen, Vanuch, Yeung
Nay: (2) English, Gary

ITEM 27. PLANNING AND ZONING; RESOLUTION R24-04; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A DRIVE-THROUGH FACILITY WITHIN THE PTND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT AND HC, HIGHWAY CORRIDOR OVERLAY DISTRICTS ON TAX MAP PARCEL NOS. 20AC-1-1, 20AC-1-12 (PORTION), AND 20AC-1-13 (PORTION) (PROJECT KNOWN AS THE GARRISON AT STAFFORD RAISING CANE'S).

Dylan Palmer, Department of Planning and Zoning, said that Raising Cane's was located at the Garrison at Stafford development, and the request was for a CUP to allow a drive-thru restaurant associated with a Raising Cane's restaurant in the PT&D, or Planned-Traditional Neighborhood Development, Zoning District and the HC Highway Corridor Overlay District. He said that the three tax map parcels involved were 20AC-1-1, 20AC-1-12, and 20AC-1-13, situated in the Garrisonville District.

Mr. Palmer said that the applicant for the project was Raising Cane's Restaurants, who had a representative present tonight. He said that the owner of the site was Route 606 Reston, LLC, who was the developer for all of the Garrison project, and the agent was Charlie Payne, who was also present tonight. He said that the site was zoned PT&D and located within the HCOD. He said that the site was located on the south side of Garrisonville Road, approximately 400 feet west of the intersection with Travis Lane. He said that surrounding zoning districts were B2 to the north, R1 to the west, and PT&D to the south and east. He said that the property consisted of a portion of three parcels with a total of 1.16 acres, which had been zoned PT&D since 2015.

Mr. Palmer said the site had been rezoned from R1 to PT&D as part of the Garrison at Stafford, which was formerly known as the Stafford Village Center Development. He said that the site was subject to proffers that were last amended in May 2021. He said the site was currently undeveloped but did contain a stormwater management pond. He said the pond would be relocated as part of the overall Garrison at Stafford development. He said that sidewalks were previously constructed along Garrisonville Road to the north, and sidewalks were proposed to be built along Warrior Street and High Point Boulevard.

Mr. Palmer said that an Advance Auto Parts was located across Garrisonville Road to the north, with currently vacant parcels to the west, south, and east. He said that mixed-use commercial and residential development was proposed on the south side of this site, and a restaurant was proposed on the east side of this site. He said that there were no environmentally sensitive features or resources present at this site. He said the proposed GDP consisted of a single-story, 3,077 square foot building with 60 parking spaces and two drive-thru lanes.

Mr. Palmer said that property access would be provided through an entrance along Warrior Street, as well as an exit-only lane onto High Point Boulevard, and two inter-parcel parking lot connections. He said that the drive aisles were located along the south and east sides of the building, with the drive-thru lanes wrapping around the north and west sides of the building. He said that sidewalks would be built around the site as part of the Garrison at Stafford development. He said that a loading space was provided on the east side of the building, alongside the dumpster enclosure. He said the enclosure would be appropriately screened from view along Garrisonville Road, as required by HCAA development standards.

Mr. Palmer said that a landscape street buffer and berm were proposed along Garrisonville Road, as required by the zoning ordinance. He said that access to the site was proposed from 610, coming eastbound. He said motorists would have to turn right onto High Point Boulevard Extension. He said High Point Boulevard connected Mine Road to the Garrison project extension. He said that traffic northbound to High Point from Mine Road would reach the intersection with Warrior Street. He said that after turning eastbound onto Warrior Street, drivers would make a left turn into the site.

Mr. Palmer said that the applicant would provide further details regarding traffic flow through Raising Canes. He said that traffic would make their way through the parking lot and into the drive-thru stacking lanes. He said that they would work their way through the drive-thru and exit either through the west side of the site, providing access back to eastbound 610, or by going back down toward Mine Road on High Point. He said vehicles could continue around up to the top right corner of the site, where the Travis Lane interchange was planned as part of the Garrison development. He said that the interchange would provide access to go westbound on 610.

Mr. Palmer said that the site plan for the Garrison at Stafford was approved in 2021. He said that Building 1 was located in the top left corner and was the location of Raising Canes. He said that to the south, Building 4B was proposed as mixed use, office, and retail. He said Building 4A was proposed for mixed-use office, retail, and residential purposes, and it was approximately 250 feet southeast of the CUP location. He said it was the closest residential building to the site. He said another site plan was currently under review by the County, involving adjustments to Raising Canes' building specifications.

Mr. Palmer said that regarding concerns about the phasing of development, due to utility design and site design for stormwater, the majority of work would have to be completed simultaneously. He said that the applicant would provide more specific details regarding this matter. He said that due to its location within the Garrison at Stafford, the building must conform to the Stafford Village Center Neighborhood Design Standards Plan. He said that this review would take place before building permit approval. He said staff had noted that the building design conformed with several of the architectural guidelines of the Stafford Village Neighborhood Design Standards.

Mr. Palmer said the property was located within a commercial corridor according to the land use map in the comprehensive plan. He said it also had a Future Suburban Land Use designation. He said commercial corridors aimed to promote commercial activities where there were sufficient transportation facilities to accommodate proposed uses. He said that the unique aspect of this project was its traffic impact analysis. He said that typically, CUPs required a TIA to be submitted if the use proposed generating more than 1,000 vehicles per day.

Mr. Palmer said that the restaurant and drive-thru had a proposed vehicle per day amount of 1,440. He said that when the Garrison was initially rezoned, a TIA was submitted accounting for 10,000 gross square footage of fast-food space. He said that this project, along with previously approved R19-75, the parcel just to the east, brought the total fast-food gross square footage to 8,577, which was under the amount initially proposed in the rezoning TIA. He said that because the floor size was significantly smaller than what was initially proposed for the entire site, no TIA was required for this CUP.

Mr. Palmer said that there were two main proffers that applied to this site: Proffer 2G, which concerned the stormwater pond, and Proffer 11, which placed the property in the Garrisonville Road Special Service Taxation District. He said that they planned to move the stormwater pond to the far south end of the Garrison site. He said that other proffers related to the project for the

Garrison as a whole included limiting site-wide access to Garrisonville Road to four points, including one signalized intersection and one non-signalized intersection.

Mr. Palmer said that proposed conditions for this site that will help mitigate any negative impacts included: development shall occur generally as shown on the GDP; there shall be no direct access to Garrisonville Road; drive-thru lanes shall be oriented and screened to minimize headlight glare into Garrisonville Road; loading areas and dumpsters shall be screened from Garrisonville Road; stacking lanes for drive-thru lanes shall be designed to avoid impeding traffic circulation and include a bypass lane; and drive-thru speaker noise shall be limited.

Mr. Palmer said that staff findings indicated that the proposal was generally consistent with land use recommendations and the comprehensive plan regarding commercial development and commercial corridors. He said that the proposed use was consistent with the established development pattern along Garrisonville Road. He said that the proposed building design incorporated recommendations from the Stafford Village NDS plan, and the proposed conditions helped ensure that any potential negative impacts were mitigated. He said that staff did not find any negative aspects related to this project. He said that the staff recommended approval of the application. He said that this recommendation was also made by the Planning Commission in December, with a vote of seven to zero.

Ms. Allen said that she had a question regarding the traffic signal at Travis Lane since it was within her district. She said that the signal at Travis Lane was quite challenging to exit due to heavy traffic. She said that she had to make a U-turn and return down Travis Lane just to head east on Garrisonville recently. She said that she would like to ensure that from a signal perspective, what kind of signal was being considered.

Ms. Allen said that she understood that the distance between Travis Lane, Center Street, and Anvil Road was small. She said she was curious about whether VDOT was planning to install a flashing yellow signal or a standard, regular time signal. She said that a signal was necessary due to traffic but was interested in confirming that VDOT was implementing the appropriate one.

Mr. Palmer said that he believed it was intended to be like a standard traffic signal. He said that he would defer to the applicant regarding the specifications of it but it was part of the original Garrison site plan.

Ms. Allen said that since infrastructure for the property must be built simultaneously, it implied that the rest of the development will now be coming online. She asked if the process may be phased or completed all at once.

Mr. Palmer said that he would defer that question to the applicant.

Mr. Payne, representing the applicant, said that Raising Cane's was one of the fastest-growing restaurant chains in the nation, with over 600 locations across the United States. He said that there were currently only a few in Virginia, including one in Charlottesville, two in Richmond, and one in Tidewater. He said that the City of Fredericksburg recently opened its first location. He said that this restaurant was very popular, and this would be its first location in Stafford.

Mr. Payne said that the project consisted of several parcels, approximately 1.16 acres in size, and included a drive-thru, which necessitated a CUP. He said the site was already zoned Planned-Traditional Neighborhood Development (PT&D) and would have a total area of around 3,000 square feet. He said it was located within the Garrison at Stafford. He said that regarding the phasing question, part of the project involved submitting permits by the developer to move forward. He said that his understanding was that they had completed approximately 90% of the design work for the five-story building that was part of the project.

Mr. Payne said that the building would have both commercial and residential uses proposed for it. He said that the first phase would require some clearing, and approximately 50% of the site would need to be cleared to install infrastructure. He said that progress would be made along that corridor and at that site. He said that in response to the question about the intersection, it was intended to be a full-light intersection once warranted, and he assumed it would be warranted sooner rather than later.

Mr. Payne said that the site was located on the eastbound side of Garrisonville Road at the intersection of High Point Boulevard and Warrior Street. He said that there were numerous inter-parcel connections in the area, so they could enter through the full-light intersection into the site as well. He said that the crucial point was that there was no direct access into the restaurant site from 610, which avoided the stacking issue. He said that there were two drive-through lanes within the site, each measuring 165 feet in length. He said the ordinance only required 75 feet. He said that there were two lanes and a passing lane for vehicles wishing to bypass the lanes for drive-through access.

Mr. Payne said that the traffic flow plan was highly effective for this site. He said that the project met all the requirements for the CUP. He said that it would not change the character or establish a new pattern of development in the area due to the reasons previously mentioned. He said that the project was part of a larger mixed-use development consisting of 500,000 square feet of commercial space and 453 multifamily units. He said that a CUP had already been approved for a gas station and a drive-through restaurant in that area. He said that the project was in harmony with the underlying zoning district and comprehensive plan.

Mr. Payne said that the location would not hinder or discourage the appropriate development and use of the surrounding land nor would it impair the value thereof. He said that the project was not expected to have an adverse impact on the health, safety, and well-being of the community, guests, and employees. He said that these were the elements for a CUP. He said the project was in accord with the comprehensive plan, attracting new businesses and industries to the area, diversifying the economic base in the County, and promoted job creation for County residents. He said that it was located within the urban services area, which encouraged more intense use.

Mr. Payne said that it was situated within the commercial corridor, and its floor area ratio was significantly lower than what could be built on the site. He said that from an economic development perspective, this project would employ 75 to 100 full-time and part-time employees. He said that the sites were very busy, active, and organized. He said that high school students often worked there.

Mr. Payne said the project was anticipated to generate approximately $450,000 to $650,000 in state and local tax revenues. He said the projects served as positive tax generators. He said that Raising Cane's also expected to hire locally for delivery services for their products and local maintenance for the project buildings and property. He said the company was deeply involved in the community. He said that they collaborated with local schools, disadvantaged groups, and charities.

Dr. Yeung said that some of the questions she previously sent to Mr. Payne had already been answered but she wanted to share them with her colleagues. She said that one of the questions focused on community involvement, which was important to her. She said that the other question, which he circled, indicated that Warrior would be connected to High Point and then to hers. She said that one question that had been raised was when the rest of the project would be completed, as it appeared to be in phases. She said that her only concern was whether the trees would be removed before construction began for Raising Cane’s. She asked if 50% of the trees would be removed.

Mr. Payne said that the developer would submit final design plans by the end of this first quarter or the beginning of the second quarter. He said that these plans would be part of the other components of the project. He said that Raising Cane’s was just one small part of the project.

Dr. Yeung said that she did not wish to receive calls when she saw trees being cut down. She said that they would begin contacting her and inquiring about when their movie theater was scheduled to open.

Mr. Payne said that he was unable to speak for the developer, but he was certain that they would provide advance notice. He said to please be aware that not the entire site would vanish simultaneously.

Dr. Yeung asked if they were prepared for the long lines and to ensure smooth operations on their opening day, considering that previous openings experienced extensive queues.

Mr. Payne said that he could not answer the question, but Ms. Robinson may be able to provide the relevant information.

Michelle Robinson, PD Manager for Raising Cane's, said that on opening day and for the couple of weeks following opening day, which they considered their honeymoon period, they had in place with the local jurisdictions a plan that had not been developed yet but would be developed as they got closer. She said that this plan addressed traffic management. She said that they often coordinated with the local police or whichever agency was designated by the local authorities and followed their lead.

Ms. Vanuch said that they had experienced this situation with several of their businesses, including Wendy's surprisingly when they underwent a remodeling project and caused traffic congestion on 610. She said that their traffic safety unit had numerous competing priorities and was quite limited in resources. She said that she appreciated their team preparing a plan and was certain that Mr. Diggs would collaborate with them since he oversaw the traffic safety division. She said that they had an in-house expert, which was beneficial. She asked if they had any measures in place to mitigate the costs for their deputies since they had discussed this matter with other applicants in the past.

Ms. Robinson said that she did not know the answer to that; however, she did know that Raising Cane's aimed to be a good neighbor.

Ms. Vanuch said that she had some questions regarding the matter. She said that she would like to express her support for their business expansion into Stafford County. She said that she was quite excited about this development. She said that she would like to address some challenges related to the Garrison area. She said that over the past almost 15 years, they had received promises of a movie theater and various improvements. She said that there was even a symbolic groundbreaking event before the 2019 elections.

Ms. Vanuch said that the situation had led their community to experience significant distrust between the Board and the developer due to repeated assurances that certain tasks were being completed. She said that this issue was not related to Raising Cane's, rather, it focused on Mr.

Payne and collaboration with the developer. She asked if there were any updates that could be shared publicly. She said that she understood that plans were being prepared; however, she noted that Mr. Lemming, who represented the developer, was present. She asked if the community could be provided with information regarding the current status of this particular project.

Bob Pence said that he would like to address a few points that had been raised and were specific to their situation and Dr. Yeung. He said that one of the most prominent issues was regarding the movie theater question. He said that they had consistently stated over several years that they did have a movie theater. He said that there had been some debate about whether they had one or not. He said that they did have one, which was evident from the bankruptcy court records of Regal Theaters. He said that they were part of their final decision-making process regarding which theaters they would continue operating.

Mr. Pence said that it was a matter of public record that they had that deal for years, and they had invested approximately half a million dollars in that project and its planning. He said that it was not an unrealistic or unsupported promise. He said that Regal Theaters went bankrupt. He said that they ultimately wanted to have a theater there, but they did not have one currently. He said that he also wanted to address a few other points regarding plans. He said that they had been working assiduously for several years to get a site plan approved, and they continued to do so.

Mr. Pence said that he hoped that by the end of March, they would have successfully obtained approval for their plans. He said that they had plans in for a Starbucks building and another restaurant next door. He said that regarding the five-story buildings, they were approximately 90% complete. He said that he personally invested $750,000 in those plans, ensuring their accuracy. He said that the building consisted of one level of retail, about 47,000 square feet, and four stories of a high-quality apartment building. He said that concerning the site plan, there was a question about the Raising Cane’s and trees raised by Dr. Yeung.

Mr. Pence said that fortunately or unfortunately, VDOT and the County addressed that issue when they constructed the road. He said that they removed more trees than necessary when they created the pond and along the frontage. He said that for Raising Cane’s, there was no single tree on that property. He said that this was due to the arrangement made during negotiations with VDOT and the County regarding moving the pond at their expense. He said that they would be moving it to the rear of the property, which must be completed before most other operations on the site can begin. He said that this was necessary for addressing drainage and sedimentation issues.

Mr. Pence said that additionally, they must immediately install utilities coming from various directions. He said that there was a gas line and possibly a major water line coming up from the south side of the site. He said that they also required water lines from across the street. He said that in the past, when VDOT and the County planned for and expanded Garrisonville Road, they contributed $2,100,000 to the road system and all of the required right turns at the site according to the proffers. He said that they collaborated with VDOT and the contractor to complete these tasks.

Mr. Pence said that this work has already been finished and paid for, so they do not need to return and remove most of the existing infrastructure or deal with traffic control issues. He said that a concern regarding the traffic light was raised. He said that during the zoning process, extensive studies by VDOT were conducted in conjunction with them. He said that as a result, a fully synchronized traffic light system would be installed at the corner of Travis, featuring two lanes in each direction to address the major traffic issues in that area.

Mr. Pence said that before the road was even wide, and emerging from Travis was not ideal. He said that all studies were conducted prior to this. He said that they would install lighting in the first phase of development before opening the first building. He said that the phase development was set. He said that they currently had more than enough funds on the site. He said that they aimed to open the first two buildings according to their plan as soon as possible. He said that this would take approximately one and a half years from the commencement of construction of this five-story building.

Ms. Vanuch said that in regards to the original 2021 amended proffer statement when they came before the Board for a rezoning for the apartments to be workforce housing, she would like to know how much of the 200,000 non-residential square footage would be retail space and how much would be office space.

Mr. Pence said that all of it would be retail, although there was an existing dental office that they planned on building behind on the site. He said that if the question was whether they would build another office building like the one they had behind Stafford Marketplace, that the answer was no.

Ms. Vanuch asked if there were no plans to reduce the commercial space from the 300,000 square feet at any point in time.

Mr. Pence said that he was planning to build it all as fast as he could. He said that he understood that some people had questions about if they had come back and asked for more residential units. He said that the answer to that was an absolute no; they had not, not ever, and they did not intend to come back and ask for any more residential units. He said that he should probably mention while they were there that he was not sure everyone up there knew that they also owned the 12 acres immediately to the west that they bought from Mrs. Knight, on the other side of High Point Road.

He said that land was currently zoned R1, so they would be seeking a rezoning at some point in time. He said that they did not plan to ask for any additional residential units even on that land.

Mr. Pence said that he did have a serious question to pose, as the housing market had changed. He said that they intended to construct 136 apartments in this five-story building, and the remaining land would be used to spread out the rest of the development. He asked if it would be acceptable for him to return and discuss this further with someone. He said that he would be happy to engage in conversations with any of them at their convenience, provided that they adhered to the guidelines regarding meeting capacity for the Board. He said that he would be pleased to discuss alternative housing options, such as townhouses or a mix of apartments, with anyone at any time. He said that he believed it made a lot of sense, and they could take it up later.

Ms. Vanuch said that they could discuss it at a later time.

Mr. Diggs said that regarding the movie theater topic, Mr. Pence mentioned Regal facing bankruptcy. He asked if this was Mr. Pence's experience with trying to attract movie theaters to the development.

Mr. Pence said that he would like to be very cautious about this topic tonight. He said that he would prefer not to discuss Regal tonight or any specific theater. He said that he wanted to avoid mentioning a particular theater tonight because someone might later suggest doing this or that. He said that he would like to have a movie theater in this area. He said that he was well aware that there was not one in this County. He said that he believed that the Regal people probably regretted closing the one down the street before this one opened. He said that the world had changed. He said that regarding Mr. Diggs' question, they wanted a movie theater here. He said that there may be some possibilities with other people. He said that he would leave it at that tonight.

Ms. Gary thanked Mr. Pence for his good rapport and engagement in discussions with the Board.

Mr. Pence said that the Board might not have noticed him for about three years in the middle of this, as he had the great fortune in his life to serve as the United States Ambassador to Finland during that time. He said that he knew that most of them knew he was a founding member of the Gary Sinise Foundation, which focuses on supporting veterans, first responders, and other people in need. He said that he had been fortunate to be born in this country at the time he was to the parents he had.

Mr. Pence said that his whole life, he never had the honor of serving in the military due to a college head injury. He said that he believed in continually paying it forward. He said that his father taught him many valuable lessons, but one in particular had stayed with him, which was that he was the only one that gets to look in the mirror and see himself every day, and his word was either good or not good. He said that if someone discovered that he had broken his word in any location, he wanted to hear about it. He said that no one would call him. He said that he desired to complete this task and make it a significant achievement.

Mr. Pence said that when they constructed Stafford Marketplace nearby, they started with 90 acres that were initially unproffered. He said that they negotiated special exceptions for that area, just a block of special exceptions. He said that they did not have architectural controls at that time. He said that at the young age of 78, he was not planning to regress or reinvent the wheel. He said that they would improve upon what they have already accomplished. He said that his wife would appreciate having some of the money back after 55 years of their partnership.

Ms. Bohmke said that she just wanted to say that she was glad to see Mr. Pence again since it had been since 2019. She said that she was one of a few Board members who had voted against their project because it did not include the proffered GDP. She said that some of them were familiar with their work from Stafford Marketplace, while others were not. She said that she recalled Cord Sterling saying he would take Mr. Pence's word. He said that he had never done this before on the Board. She said that she just wanted to remind everyone of that.

Ms. Bohmke opened the public hearing. She asked if there were any members of the public who wished to speak regarding the Raising Cane's project. Seeing none, she closed the public hearing and the matter rested with the Board.

Dr. Yeung motioned, seconded by Ms. Vanuch, to approve proposed Resolution R24-04.

The Voting Board tally was:

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

ITEM 28. PLANNING AND ZONING; ORDINANCE O24-02; 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).

Kathy Baker said that she would like to provide some background on this item. She said that this was a rezoning and reclassification from R-1 to M-2, heavy industrial, on a 5.8-acre parcel. She said that the property was owned by Stafford County, and Stafford County was acting as the applicant. She said that the Board authorized this rezoning last year, and to move forward as the applicant, they met with the Economic Development Authority in mid-2022 to discuss transferring this property for the use of First Line Technology, which currently had an operation on Lendell Lane.

Ms. Baker said that they decided to move forward with transferring the property to First Line Technology through the Economic Development Authority. She said that First Line Technology manufactured and distributed products for first-line responders and military and desired to expand. She said that the red outlined property on the slide showed it at the end of RV Parkway, which was north of Warrington Road and east of I-95. She said that in the current zoning, R-1, there were other R-1 developments to the west, B-2 commercial to the north, and additional industrial zoned properties M-1 and M-2 to the south and west.

Ms. Baker said that this was a mixed-use development that they had all approved. She said that there had been a rezoning to UD (Urban Development) zoning, and they recently had the preliminary plan approved for this change. She said that she would discuss this further in a moment. She said that the parcel was depicted in its current state, located at the end of RV Parkway where it terminated. She said that the property was wooded, and there were other industrial developments to the south of it. She said that the top photograph showed a view looking from the end of RV Parkway toward the property, which was located in the top right-hand corner of the image.

Ms. Baker said that the bottom image depicted RV Parkway from Warrington Road, looking toward the property. She said that the general concept plan illustrated a 20,000 square foot building on the property for chemical manufacturing and distribution purposes. She said that the production would take place entirely within the building, and their finished product was a dry powder. She said that there would be no chemicals discharged anywhere on the site into the sewer or into the ground. She said that regarding transportation, a Traffic Impact Analysis (TIA) was not required for this project due to the low volume of traffic anticipated.

Ms. Baker said that VDOT has proposed a project for safety improvements, which would realign RV Parkway to the intersection with Old Forge Drive and add some widening and turn lanes. She said that VDOT was currently engineering that project, and there would be a public hearing on the plans later this spring. She said that this hearing will address some improvements out on the main road. She said that VDOT has indicated that there could be some additional upgrades needed to RV Parkway as it goes beyond the project area.

Ms. Baker said that the Mainline property to the east of the site was proffered during the rezoning of that project to extend a road connecting to RV Parkway from the Mainline project. She said that the Mainline developers would construct, engineer, and connect the road at their cost to RV Parkway. She said that this would be a road that would extend to RV Parkway in this location, as depicted in the aerial view. She said that the improvements at the intersection with Warrington Road, highlighted in yellow, may require additional upgrades based on the current state of RV Parkway.

Ms. Baker said that these upgrades would be determined at the time that the project is developed under site plan review, during which VDOT would also become involved in the review process. She said that regarding the comprehensive plan, the land use was designated in the Falmouth Gateway targeted development area. She said that it was a mixed-use commercial-residential area, specifically. She said that the M-1 and M-2 zoning designations did not specifically comply with this commercial and residential designation; however, she mentioned that there were additional industrial facilities in the vicinity and adjacent to the site.

Ms. Baker said that other factors for consideration during the site plan stage included evaluating public water and sewer utilities. She said that there was public water available; however, RV Parkway sewer would need to be extended. She said that the reduction in residential potential of the site would result in decreased impacts on schools, parks, and recreation. She said that public safety impacts would be evaluated at the site plan stage, and building design details were not included in the application. She said that since the County was both the owner and the applicant, no proffers were associated with the application.

Ms. Baker said that upon future property transfer, the Board could negotiate certain conditions through deed restrictions or an agreement with either the EDA or First Line. She said that a conditional use permit would be required for the chemical manufacturing use, and the plan was to wait until First Line took ownership of the property before submitting that application. She said that the use would be consistent with established industrial and commercial development in the vicinity, would reduce potential impacts on schools and recreational needs, and improve environmental conditions due to its former use as a dump site.

Ms. Baker said that in the staff report, she had noted that there was a former dump site, which had not been used for quite some time. She said that an environmental study conducted by the applicant and the EDA had reviewed the site and identified some mitigating conditions that the applicant would have to comply with in case of any disturbance on the property. She said that although the impacts on transportation would be minimal, they would assess at the time of property development whether any upgrades to RV Parkway would be necessary.

Ms. Baker said that this would be discussed with the applicant and VDOT as the process progresses. She said that the only negative aspect confirmed was the inconsistency regarding specific recommendations concerning commercial-residential designation and the comprehensive plan. She said that staff was recommending approval, and the Planning Commission also voted 5-1 in favor of approval during their public hearing in September.

Mr. Diggs said that Ms. Baker mentioned the portion of RV Parkway that required updating or repair, he was unclear about if the applicant and VDOT would collaborate on this project after they transferred ownership. He asked how they would address the issue regarding that section of the road.

Ms. Baker said that the determination regarding the necessity of specific measures had not yet been made. She said that VDOT, upon examining the initial rezoning application request, submitted comments expressing uncertainty regarding the types of trucks that would be utilized in RV Parkway and their frequency. She said that at time of reviewing the site plan, they anticipated receiving this information. She said that they could arrange meetings with VDOT, the applicant, or the potential property owner, as well as the EDA, to assess whether upgrades would be required. She said that they could potentially negotiate an agreement with the future owner if deemed necessary.

Dr. Yeung said she would like to ensure that they were voting for the reclassification. She asked what this would be followed by. She asked if the EDA was involved in this proposal.

Ms. Baker said that they would be approving the reclassification from R-1 to M-2 zoning.

Dr. Yeung asked if it was being reclassified as heavy industrial, and what it was being reclassified for.

Ms. Baker said that it would be reclassified as heavy industrial for First Line Technologies to move their operations from Lendell Lane to this site.

Dr. Yeung said that across the street on Old Forge Road was a development.

Ms. Baker said that it was on the south side of Warrington Road.

Dr. Yeung asked what the company was doing to protect the citizens in the area if something were to go wrong with the chemical plant.

Josh Summits, Business Development Manager, said that this would be an expanded product for First Line. He said that they had reached capacity at their facility on Lendell Lane, so this would be a new line of products for them. He said that regarding Dr. Yeung's concern about environmental factors, the chemicals would all be contained within the building, and First Line would have a plan for mitigation and emergency plans.

Dr. Yeung asked if there was a representative present from First Line. She said that the item had been brought before the Board in 2022.

Mr. Summits said that it was initially an M-1 zoning reclassification. He said that his understanding was that the usage of the building would require an M-2 zoning rather than M-1.

Dr. Yeung asked if there was anything to demonstrate they had implemented mitigation practices for these chemicals in case of an accident.

Mr. Summits said that they could request the information from the applicant at the time of transfer.

Ms. Bohmke said that the applicant had addressed the issue when he spoke.

Mr. Summits said that he was sure they would discuss it again.

Ms. Bohmke said that the information would be in the next available Board report.

Mr. Summits said that was his understanding.

Ms. Bohmke opened the public hearing.

1. James Bracco, 2185 Harpoon Drive, said that he was in support of the project. He said that he owned approximately 80 acres surrounding this property. He said that they owned the land to the right of it and behind it, but they did not own the small strip to the left-hand side of the property. He said that there were some aspects that they would like the Board to consider before transferring ownership. He said that the rezoning aligned with the bus garage that was present. He said that they had M-1 or M-2 property in front of it; however, there were some factors that the Board should take into account.

   Mr. Bracco said that he did not know if they called them proffers, but on the transfer, Mainline was coming in to the right of the property. He said that RV Parkway needed to be expanded from Mainline over, for which they had met with Economic Development. He said that they wanted them to contribute to the cost of both the road share and sewer expansion at one point. He said that the property currently had no sewer access. He said that the sewer was located down behind the creek in the very back; they would have to cross over his property. He said that they could not go to the right, they would have to come across his property in that case as well.

Mr. Bracco said that they wanted to ensure that they did not incur an expense for a property that was coming in. He said that there was the RV Parkway on the right that would have to be extended across the County-owned property before it ever reached his property. He said that the RV Parkway passed through the County, across his property, and then to Mainline. He said that he wanted to ensure the easements were in for that roadway. He said that to the left was Hornet's Nest, where there was 40 acres that could not be developed because it was a right turn only issue.

Mr. Bracco said that they had discussed doing some type of road going through the County's property or at least the right-of-way to at least ensure that Hornet's Nest could eventually be developed, otherwise there would be no development on Hornet's Nest. He said that they did support it, but wanted to ensure these issues were addressed before the transfer so they did not sit there and say that they should have gotten the easement.

Ms. Bohmke asked if Mr. Bracco was representing the landowner.

Mr. Bracco said that the land belonged to several corporations, including L.C. Taylor Enterprises. He said that he had worked with Mr. Taylor for 26 years.

Ms. Bohmke closed the public hearing and the matter rested with the Board.

Ms. Vanuch asked if Mr. Summits could address if they had discussed this topic with the developer.

Mr. Summits said that they were aware of the need for the easement for the roadway, and Mr. Counsell could provide more information regarding that. He said that Utilities was examining the best route and costs for extending sewer from the mainline through the site. He said that they would determine whether it was more cost-effective to run that alongside the road westbound or to pull it southbound from the line that was north of these parcels.

Ms. Vanuch asked if the County had incurred any costs for the sewer, ads, and all that, including the roads mentioned by him. She asked if First Line would be paying for all of this.

Mr. Summits said that the road was under construction for the Mainline residential development. He said that the costs for water and sewer may be covered by the EDA or the developer, which would potentially be First Line. He said that as of now, there were no direct costs to the County.

Ms. Vanuch asked if there was potential for the EDA to request money for this project in the future.

Mr. Summits said that the project would need to have paid for it.

Ms. Vanuch asked if the representative for First Line was aware of this.

Mr. Summits said he had been made aware of this.

Ms. McClendon said that the Board was only considering the rezoning. She said that staff was attempting to ensure that the necessary easements were reserved before they brought back the conveyance on the property because it would not make sense to convey it prior to reserving the easements required for development.

Ms. Bohmke said that tonight, they were only doing the rezoning, and after that, they would examine the transfer process. She said that they would be working with the landowners and others to address all the intricacies regarding easements.

Mr. Summits said that was correct. He said that it would necessitate a public hearing as well.

Mr. Diggs motioned, seconded by Ms. Gary, to approve Ordinance O24-02.

The Voting Board tally was:

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

<u>CLOSED MEETING</u>

At 10:06 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-03 to authorize closed session.

The Voting Board tally was:

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

<u>Resolution CM24-03 reads as follows</u>:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of acquisition of real property for fire and rescue purposes for the Rock Hill Election District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, and (2) discussion of the salary of specific public officer; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(1) and (A)(3) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 6th day of February, 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 10:58 p.m., Ms. Allen motioned, seconded by Ms. Vanuch, to adopt Resolution CM24-03(C) to certify the Closed Meeting.

The Voting Board tally was:
Yea: (6) Allen, Bohmke, Diggs, English, Vanuch, Yeung
Nay: (1) Gary

Ms. Gary motioned, seconded by Ms. Vanuch, to reconsider the vote.

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

Ms. Allen motioned, seconded by Ms. Vanuch, to adopt Resolution CM24-03(C) to certify the Closed Meeting.

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

Resolution CM24-03 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON FEBRUARY 6, 2024

WHEREAS, the Board has, on this the 6th day of February, 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 6th day of February, 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 a salary supplement of $17,119 in addition to Compensation Board salary to the position of Stafford County Treasurer.

The Voting Board tally was:

Yea: (5) Allen, Bohmke, English, Vanuch, Yeung
Nay: (2) Diggs, Gary

ADJOURNMENT

At 11:00 p.m., Chairman Bohmke adjourned the February 6, 2024 Stafford County Board of Supervisor's meeting.

Randal E. Vosburg County Administrator	Meg Bohmke Chairman

Madam Chair, Supervisors. Howard Rudat Rock Hill District.

With your offsite being only a few days away, I'm hoping that you will come out of the meeting with new ideas for Stafford and a spirit of cooperation. It was very disheartening last year that whenever the board lost decorum, Robert's Rules were thrown out the window or the discussion devolved into a series of playground retorts, the Aquia Supervisor had to remind you that at the 2023 offsite, you promised to be civil at board meetings.

Here are some items you may want to consider adopting for 2024:

Number 1 - When you mess up, fess up. Some of you messed up bigtime when it came to the Methadone Clinic and created a great deal of unnecessary heartache for Stafford residents. The only person that ever sat on that dais and acknowledged that you messed up was Supervisor English and he did it on more than one occasion. Everyone makes mistakes and the best way to earn trust is to acknowledge your mistake and vow to do better.

Number 2 – Be color blind. There are no roads, schools, businesses, or any one topic in Stafford that is either red or blue, so do not treat issues as partisan battlegrounds when it truly only matters what is best for Stafford.

Number 3 – Be respectful of people's time. During your reorganization meeting last month, you had multiple citizens who attended and planned to make public comments as well as representatives from Amazon who had business before the board. You went into closed session for almost three hours to make decisions on matters that had no bearing on any topic that was to be discussed that evening. Your actions told the public that you thought that your time was more valuable than theirs. It's not.

Number 4 – Be respectful of people's money. I am sure that anyone bringing business before this board would rather stand here and answer a few more questions than to have to hear that you are going to defer the item to a future meeting. People wanting to do business in Stafford have real money at stake. What if it was your income or livelihood that was put on hold for weeks on end? Stafford is supposed to be business friendly – prove it, act as if it is your own personal money on the line before you defer.

Number 5 – Stop wasting time by playing politics. Let's look at the two Amazon time sensitivity votes, what really changed between December 28th and January 2nd? The only things that changed were board leadership, one supervisor seat and the votes of three supervisors. You aren't as clever as you think when you engage in political maneuvering. Remember, even the smartest person in the room is not as smart as all the people in the room.

And finally, Number 6 – There are no CSPAN cameras in here and you usually have all of a dozen people watching your proceedings online. So, stop with the theatrics and drama. In 2024, choose sound decisions over soundbites, decisiveness over divisiveness, opportunity over obstruction, substance over slander and understanding over ugliness. Choose Stafford over party, chose Stafford over petty, chose Stafford over all else.

In 2024, may this board choose to follow the Tourism's campaign and stick to Stafford, please do not choose to stick it to Stafford.

Thank You.

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#25]
Date: Monday, February 5, 2024 9:59:49 AM

Name *	Crystal Alton
Address *	85 Scotts Ford Lane Fredericksburg, VA 22406 United States
Email *	crystal_alton@hotmail.com
Election District	George Washington
Topic (please see the Public Hearings page for specific topics coming up) *	R24-21, R24-62

Online Comments: *

I trust this letter finds you well. I am writing to bring attention to a matter of great importance within our community—the need for increased funding for special education preschool programs. As a dedicated Stafford County Schools parent, employee and resident, I believe that investing in the education of all our children, including those with unique learning needs, is crucial for the prosperity and inclusivity of our area. Special education preschool programs play a vital role in laying the foundation for children with diverse abilities. However, the current funding levels for these programs in our community are insufficient, resulting in challenges that impact the quality of education and support these children receive. Research consistently demonstrates the positive impact of early intervention in special education. By allocating additional resources to our local special education preschool programs, we can provide enhanced opportunities for the development and success of these children. This not only benefits the individual students and their families but contributes to the overall strength and unity of our community. I kindly request your support in advocating for increased funding and resources for special education preschool programs at the local level. Specifically, for the additional classrooms at the North Star Early Childhood Center. Your commitment to the well-being and education of our community is highly valued, and I believe that together we can make a significant difference in the lives of these children.

Thank you for your time, consideration, and continued dedication to our community.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#26]
Date:	Monday, February 5, 2024 2:14:11 PM

Name *	Allison Black
Address *	183 Gentle Breeze Circle Fredericksburg, VA 22406 United States
Email *	blackac0627@gmail.com
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Modular Classrooms at North Star Early Childhood

Online Comments: *

In my opinion it is imperative that the Board consider and approve the request for 4 modular classrooms to be installed at North Star Early Childhood for the 2024-2025 school year. I work at Rising Star Early Childhood and we see every day how vital this addition would be to our overall program at both sites. There is a trickle down effect that happens when programs and buildings are over-populated and this is no different, but the additional modular classrooms are extremely important to alleviate over-crowding. The Early Childhood program is a combined effort that supports the youngest of our students, whether the student is in HeadStart, VPI or Early Childhood Special Education, all of these programs are housed under the same two roofs. This is the first time that these students and their families will encounter the school setting and with that, there should always be a focus on their welfare and comfort as well as their education.

When North Star opened, there was already a need for expansion, it was at capacity when it opened its doors. Because of this, Rising Star takes students from the North Star district as our campus is larger and can accommodate more students, however, Rising Star is now also over capacity due to this over-capacity issue. One of the greatest points of contention is that some students in Early Childhood programs at Rising Star are on a bus for more than an hour one way, that is simply not okay! I understand that Stafford County has been growing expotentially as a whole and that most, if not all schools, from elementary to high school are at or over capacity, but please remember that the children and families that we serve in Early Childhood are just beginning their educational journey with Stafford County, they deserve to have better than over-crowded classrooms and hours a day on a bus ride to and from school.

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#27]
Date: Monday, February 5, 2024 2:23:24 PM

Name *	Pam Rhame
Address *	36 Riverton Dr Stafford, VA 22556 United States
Email *	rzrbks91@msn.com
Election District	Griffis-Widewater
Topic (please see the Public Hearings page for specific topics coming up) *	Classroom pods for North Star ECEC
Online Comments: *	I am a ECSE paraprofessional at North Star Early Childhood Education Center. Since last year our program has expanded 44%. We are in desperate need for additional classrooms and teachers.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#28]
Date:	Monday, February 5, 2024 3:00:19 PM

Name *	Jennifer Clemmensen
Address *	5 Pinkerton Ct Stafford, VA 22554 United States
Email *	theclems@yahoo.com
Election District	Rock Hill
Topic (please see the Public Hearings page for specific topics coming up) *	Funding of modular classrooms at North Star Early Childhood Center

Online Comments: *

I encourage you to support the recommended action: Staff recommends the approval of the School's Capital project funds and the consideration of the use of County funds to support the School Board's request. At North Star Early Childhood Education Center, students from three programs are supported and educated -- Early Childhood Special Education, Head Start, and the Virginia Preschool Initiative (VPI). The building at North Star has been at capacity since it opened in Fall 2019. With the growth of the population in Stafford County, there are more preschool students qualifying for special education services and more classroom space is required to support these students. Since special education services are mandated for all students who qualify, North Star runs the risk of running out of space to support our preschool population that qualifies for Head Start or VPI preschool. When these students enroll in one of these programs, not only are they supported in their educational, physical, and social emotional development, but their families are supported as well through various programs offered by the school. Please do not deny this opportunity to our students and families who need it the most. Help ensure North Star receives adequate spacing to meet the needs of ALL preschoolers in Stafford County.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#29]
Date:	Monday, February 5, 2024 7:08:39 PM

Name *	Ghada Gad
Address *	301 Clint lane Fredericksburg , Va 22405 United States
Email *	gadgi@staffordschools.net
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Advocating for Preschool Funding

Online Comments: *

Our program is amazing and we are doing an amazing things for our community. My name is Mrs Gad I'm a teacher at North Star (EHS) . I was a parent then a para and this is my 4th year as a teacher. I love our program our staff, our students. We are a family there. We provide the best education to our students every single day . We support our student's families in many fields . We provide all the support to our students in many fields (social emotional, academic, health and physical education). We work with them every single day with love that they need the most and provide all skills they need (social , gross motor, fine motor) . Every year we work really hard and took all the helpful training to build a strong foundation to support our program and support families and their kids . It's the best program ever and I love to see it continue to grow . Thank you so much for all you Do for our community.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#30]
Date:	Monday, February 5, 2024 8:17:20 PM

Name *	Andrea Wright
Address *	11705 Brompton Ct Fredericksburg, Virginia 22408 United States
Email *	wrighta@staffordschools.net
Topic (please see the Public Hearings page for specific topics coming up) *	Funding for Early Childhood Centers-Modular & New Building

Online Comments: *

Good evening,
I am an Early Childhood Special Education Teacher at Rising Star. I do not live in Stafford County but I am proud to be an educator with SCPS. We work with our most vulnerable population and we are quickly running out of room for our students with special needs, as well as our students and their families that are facing financial hardship through our Head Start and VPI programs. We were at capacity when our doors opened at North Star and desperately need more room to educate our students in a safe space. In addition, because North Star is at capacity, students that should attend at that location are forced to bus to the southern part of the county and attend Rising Star. Our littlest students are riding buses for an excessive amount of time. These are also students that have communication, sensory, and behavioral concerns so it makes the bus ride even more difficult for them and the staff that transports them. Rising Star is also an outdated building that was not built with our youngest students in mind. There are multiple buildings that force students to travel outside in inclement weather. In addition, this layout exposes our students and staff to dangers outside of our control: gates that can be easily scaled by anyone that may want to harm our students and staff. Our ECSE, Head Start, and VPI teachers love our jobs. We just need the proper facilities and space to do that. Thank you for your time and attention to these matters.

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#31]
Date:	Monday, February 5, 2024 8:29:39 PM

Name *	Kirsty Valentic
Address *	11 Old Falls Rd Fredericksburg, VA 22405 United States
Email *	kirstyelstob@gmail.com
Election District	Falmouth
Topic (please see the Public Hearings page for specific topics coming up) *	Modular at North Star

Online Comments: *

I am writing not only as a Parent of two Falmouth Falcons but also a Teacher at Rising Star Early Childhood Education Center. It is disappointing to say the least my daughter will spend her last two years at Falmouth in Learning Cottages. However the situation at the Early Childhood Centers is desperate at this point. Almost all Special Education Teachers are over case load. There are not enough classrooms or teachers to accommodate the amount of children that are coming out of Child Find and that are transferring into the District. Teachers are being asked to do so much more with so little. Adding modulars at North Star will help with some of the overload at Rising Star. I have students on my caseload who live North of Courthouse Rd. Some students in my afternoon class do not arrive home until 5 PM (and that is with an on-time bus). Adding modulars to North Star would allow some of these students attend a school that is closer to their home. Please approve the funding; it will make a difference in the lives of so many families and staff.

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#32]
Date: Tuesday, February 6, 2024 5:17:15 AM

Name *	Michelle Wilson
Address *	11502 Warner Drive Fredericksburg , Virginia 22407 United States
Email *	wilsonm@staffordschools.net
Topic (please see the Public Hearings page for specific topics coming up) *	Funding for North Star ECEC Modulars
Online Comments: *	North Star is a very nurturing environment where the students are learning and growing exponentially. The education they receive at North Star prepares them for entering SCPS System. North Star is a virtual part of the educational system for Stafford County and needs to be supported by the Board of Education and the Board of Supervisors.

From: Wufoo
To: Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject: Public Comment Form [#33]
Date: Tuesday, February 6, 2024 10:15:18 AM

Name *	Robin Long
Address *	36 Fresh Water Drive Fredericksburg, VA 22405 United States
Email *	robin.lynn.long@outlook.com
Election District	George Washington
Topic (please see the Public Hearings page for specific topics coming up) *	Lease agreements of VDOT Commuter Lots

Online Comments: *

Members of the Board,

I want to extend my sincere thanks to all of you for your dedication and efforts to resolve the liability questions surrounding the use of VDOT owned parking areas by privately owned businesses throughout Stafford County.

Your commitment to working through the issues that impact the constituents you represent has not only ensured the continuity of our business but has reinforced the importance of micro business here in Stafford County.

I also want to express my appreciation to the public, our community members for the support they have shown. Your encouragement, letters and messages speak volumes about the resilience and unity within our community.

I know that the Board has received an abundance of messages, and I feel compelled to address a matter that prompted me to seek public support on this issue.

During the course of the Agriculture Committee meeting held Monday, January 29th we were informed that a member of the committee intended to recommend that Long Family Markets be removed and that the County take ownership of the farmers market.

This statement left me believing that it was essential for me to bring this matter to the public's attention. In direct response to this comment, I reached out to our community, not to stir discord, but to ensure transparency and garner support for the market to continue its operations.

As we move forward from here, I hope that we as a community can remember that strength lies in our unity and thanks to the collaborative efforts of the Board of Supervisors, allow the Long Family to focus on the vibrant future of the farmers market.

In conclusion, thank you to the Board for your commitment, to the public for your support and to our community as a whole for coming together. Your collective efforts have not only ensured future opportunities for micro businesses to thrive in Stafford but have strengthened the bonds that make our community extraordinary.

Respectfully – Robin Long

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#34]
Date:	Tuesday, February 6, 2024 1:48:47 PM

Name *	Karen Del Vecchio
Address *	206 Batley Ct. Fredericksburg, VA 22406 United States
Email *	kdelvecchio124@gmail.com
Election District	George Washington
Topic (please see the Public Hearings page for specific topics coming up) *	BUDGET AND MANAGEMENT; CONSIDER A REQUEST FROM THE SCHOOL BOARD TO BUDGET AND APPROPRIATE FUNDS FOR MODULAR ELEMENTARY SCHOOL CLASSROOMS AND TO BUDGET AND APPROPRIATE FUNDS FOR FOOTERS FOR MODULARS

Online Comments: *

Members of the Stafford County Board of Supervisors,

I am writing to you today to express my concern regarding the construction of a new building for the Rising Star Early Childhood program and providing additional modulars for North Star Early Childhood Center. My name is Karen Del Vecchio, I teach early childhood special education at Rising Star, and I want to tell you about the conditions we face there. Pre-school has lately been discussed as the magic ingredient for better outcomes later in life. A good pre-K education can be a determining factor for many children, as they learn social and academic skills that prepare them for kindergarten and beyond. In order to have that good pre-K education, children need an environment in which they feel safe, in which they can explore and learn. The building that Rising Star currently resides in is not that environment.
Before these small children even get to school, some of them have had to endure over an hour long bus ride due to North Star being full (which is their assigned base school). For students wih special needs especially, this severly impacts their mood and behavior even before they have gotten to school. Once at school, we have to deal with keeping small children in a building that contains pipes filled with water dangerous to those children, so they drink from water bottles. The building is not set up for the rapid population expansion we are experiencing, so we are forced to herd children into rooms in numbers guaranteed to exacerbate behavior problems. That means that every day when a four year old goes to school, it is not safe to drink the water, and at any given time one of their peers may act out in a way that is a risk to them, not to mention their teacher. Accidents happen, yes, but we do not want to encourage them.
I am asking you today to appropriate the necessary funds to get a new building for Rising Star and provide the modular expansion to North Star. I am a Stafford County resident, I pay taxes, I understand the burden this will create for Stafford residents. That burden is miniscule, however, compared to the long term burden of failing to provide our children every opportunity they deserve. Please fund our schools appropriately. I would be happy to host you in my classroom, if you want to see the conditions I referenced.
Sincerely,

Karen Del Vecchio