

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
MARCH 5, 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, March 5, 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 remarked that last week they announced the resignation of their County Administrator, Randy Vosburg. She said that during his tenure with the County, he played a pivotal role in shaping their County's administration and spearheaded numerous initiatives aimed at enhancing the quality of life for all their residents. She said that they were sad to see him go, but wished him and his family the best. She said that they thanked him for his dedicated service to Stafford County.

Ms. Bohmke said that yesterday, Stafford County commenced Severe Weather Awareness Week with valuable preparedness tips. She said that this morning at 9:45 a.m., Stafford County employees participated in the statewide tornado drill by testing their notification system and shelter-in-place procedure. She said that Severe Weather Awareness Week took place annually in March. She said that she encouraged all of them to take some time to prepare at home, sign up for severe weather notifications through Stafford Alert, and contribute towards making Stafford a more resilient community.

Ms. Bohmke said that now she would discuss Flood Awareness Week. She said that Virginia's Flood Awareness Week was scheduled from March 10 to March 16. She said that flooding was the most frequent and costly natural disaster; however, only 3% of Virginians had flood insurance. She said that residents were encouraged to assess their flood risk and safeguard their property by obtaining flood insurance. She said that Stafford County completed new flood maps in collaboration with FEMA in June 2023. She said that the County's interactive mapping site or

FEMA's flood map service center contains information about flood risks and insurance options for residents. She said that even for those who may not be computer savvy, they are easy to navigate.

PRESENTATIONS

There were none.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

There were none.

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

The Voting Board tally was:

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

Nay: (0)

PRESENTATIONS BY THE PUBLIC – I

Ms. Bohmke read the procedure for presentations by the public.

1. Howard Rudat, 10 Hayes Street, Stafford VA 22556, (comments attached)
2. Nancy Reuter, 42 Boulder Drive, Stafford VA 22554, said that the educator in her was emerging, and she chose the letter “C” with a colorful background to represent their diverse opinions. She said that her first point concerned cooperation. She said that on their writings and her observations, she could see that they had cooperated in the past. She said that she kindly requested that they continue to cooperate, especially in light of the challenging financial situation. She said that they must consider different perspectives while addressing the budget for various individuals and services.

Ms. Reuter said that her second point was collaboration. She said that she had read their 39-page joint session report and understood the significance of their role in shaping the school budget. She said that as someone who strongly supported education, she believed that collaboration was crucial in making informed decisions. She said that additionally, clarity was essential in their communication. She said that while reviewing the meeting minutes, she noticed instances where clarification was needed for better understanding. She said that it was vital that they maintained clarity not only among themselves but also for the public's sake, as they should be informed about ongoing developments.

Ms. Reuter said that her focus on construction stemmed from her experience working in schools near Baltimore City, rural schools, and suburban schools. She said that this diverse background had shaped her perspective on the importance of effective communication and

collaboration in addressing complex issues like budget allocation and construction projects. She said that she would emphasize that staff was crucial but also highlighted the importance of good construction and a suitable location for them. She said that overcrowding posed a problem and requested that funding for the construction of necessary elements be provided as soon as possible because it was essential for everyone involved.

Ms. Reuter said that she would also ask for courage because this budget would inevitably raise everyone's property tax. She said that as one of those affected, she understood that if they did not fund this budget, they would continue a problem that had persisted for years. She said that having worked for the school system for eight years and still conversing with colleagues and neighborhood residents, they acknowledged that challenges existed.

Ms. Reuter said that salaries and construction were significant concerns. She said that therefore, she urged them to fully fund this budget. She said that if they did so, they should communicate their reasons clearly. She said that people tended to be more understanding when they comprehended why they must pay more for items like clothing or groceries. She said that she acknowledged that demonstrating courage in this situation was challenging, as there would be people who approved of their decisions and others who did not.

3. Kristin Maxson, 1816 Richmond Highway, Stafford VA 22554, said that she agreed with Speaker 1 and 2's points. She said that questions were not always answered or clarified when asked, which made understanding difficult for everyone. She said that she wanted to inform the attendees that the Thursday paper, which was previously complimentary, would be discontinued. She said that this was according to the information in the paper itself. She said that she recalled that the Thursday paper had once been used for Board announcements.

Ms. Maxson said that she had heard that setting announcements cost staff a significant amount of money. She said that if they could reverse this decision, it would be better for the public. She said that the budget agenda was not included in today's packet. She said that it was supposed to be at the top of the agenda but the link was broken. She said that the Federal Grants grid on page 24 of 196 and page 64 in their packet today was also incomplete; it had been cropped off. She said that 40% of the threshold of developers regarding advisory committees was quite high.

Ms. Maxson said that there seemed to be agreement among Board members not to have conflicts of interest, but these signatures were not yet fully collected. She said that she found this in the minutes. She said that the Board committees for March 5 were currently on hold while the committee structure was being assessed. She said that the information could be found at the end of the packet. She said that the fire station symbol at the intersection of courthouse

and Route 1 had no fire symbol in the middle of traffic. She said that the public did not understand why this was there.

Ms. Maxon said that perhaps it was for development purposes, indicating that a fire station might be needed in that area. She said that she did not know. She said that on page 369 of today's packet, it stated that no title report was furnished. She said that these things were important; title reports should at least be accepted and furnished, but it not have to be posted. She said that she was concerned about the exclusive water pipelines being installed for property owners. She said that there were new footnotes, but she did not know what they meant. She said that they did not have a date for December or October listed on their internet listing.

4. Arnold Levine, 135 Lakeshore Drive, Fredericksburg VA 22405, said that although it was a new year, he was addressing an increasingly stale issue. He said that he was there to support proposed Resolution R24-80, which aimed to authorize the County to apply for a grant from the Commonwealth to assist in the rehabilitation of Kennedy Dam on Lake Carroll. He said that if awarded, this grant would help offset the costs of bringing the dam into compliance with updated safety requirements. He said that the estimated costs had increased nearly threefold since the original service district was established six and a half years ago to finance this project. He said that despite these rising costs, which were not due to their fault as 19 owners, they were being asked to reaffirm their commitment to completing this project.

Mr. Levine said that simultaneously, it was crucial for the County to demonstrate its support by authorizing the grant application and being prepared to provide additional funds if necessary, without causing financial hardship for them, many of whom were retired senior citizens who had lived by the lake for decades. He said that time was of the essence, as the deadline for submitting applications was rapidly approaching. He said that he urged the Board of Supervisors to adopt Resolution R24-80 and direct staff to complete and submit the application before the current grant cycle deadline.

5. Natalie Richardson, 1003 Wythe Court, Fredericksburg VA 22405, said that she worked at Dixon Smith Middle School. She said that she was there to request that Stafford County Public Schools receive full funding. She said that she urged them to support the school system by providing adequate resources for the staff, teachers, and most importantly, the students. She said that the students represented their future, and they must ensure they received the best possible education. She said that over the course of 30 to 40 years, they would contribute significantly to society. She said that to achieve this goal, they must have a highly skilled staff in place. She said that she kindly asked that they fully fund their schools.

REPORTS BY BOARD MEMBERS

Ms. Vanuch – reported that today was Presidential Primary Election Day, so she asked everyone to please ensure that they visited their polling place to vote for their preferred presidential nominee on both the Republican and Democratic sides.

Dr. Yeung – reported that on February 24, she had been invited to be the keynote speaker, addressing 40 young Black teenagers for Black History Month. She said that early this week, she had been invited by Senator Tim Kaine, Senator Mark Warner, and Delegate Jennifer McClellan to speak at the Capitol about their accomplishments for Stafford and their ongoing efforts for Stafford's benefit. She said that she had recently attended an event in Loudoun County on Saturday, during which it rained. She said that she had gone to see the Stafford Revolution soccer team, despite their record of one win and two losses. She said that it was essential to support their young people, even when they competed outside of Stafford County.

Ms. Allen – wished everyone a happy Women's History Month this March. She said that she believed it was great that this month followed Black History Month, highlighting the achievements of women in their society. She said that she would like to thank the organizers of the Central Virginia Most Influential Women's Banquet for their annual event that recognized the remarkable contributions of women in their region. She said that although she could not attend this year's event, she commended the efforts of ENOUGH, G3CS, and all sponsors for their dedication in acknowledging women's accomplishments.

Ms. Allen said that she would like to draw their attention to an upcoming public hearing scheduled for March 27 from 6:00 p.m. to 7:00 p.m. at Moncure Elementary School. She said that this hearing would discuss the Onville Road Widening Project. She said that if they were interested in learning more about the proposed improvements and designs, they should attend this event to provide feedback and input. She said that she encouraged residents of the Barrett Heights community and Onville Road area to participate in this discussion. She said that more information about this event could be found on her Facebook page.

Ms. Allen said that she would like to remind everyone that this Saturday night marked the beginning of Daylight Saving Time when they "spring forward." She said that as they changed their clocks, they should remember to replace the batteries in their smoke alarms. She said that research had shown that working smoke alarms save lives, and their fire chiefs could attest to their importance. She said that she encouraged them to check their smoke alarms at the same time they changed their clocks this weekend to ensure they were in proper working order.

Mr. Diggs – reported that he was invited to attend the North Stafford High School Black History Month program, where he was the keynote speaker. He said that he found it rewarding when he

got the opportunity to inspire youth to think bigger, tackle challenges that their community faced, and recognize their potential as future leaders. He also said that he attended the banquet for the most influential women in their region, which was a truly inspiring event, as Ms. Allen mentioned. He said that he wanted to express his appreciation for G-Cubed and Gary Holland for organizing the event.

Mr. Diggs said that in the George Washington District, he was pleased to announce that Brooks Appliance would be opening a new store at Julia Court the following day. He said that this was an exciting addition to their district. He said that he would like to recognize that March was Women's History Month, and he was honored to serve alongside five women in leadership positions who set an example for women in their community and inspired their young people to aspire for similar roles in the future.

Mr. English – thanked Ms. Light for her dedication in handling the budget. He said that he was aware of the long hours she had been putting in, and he would like to thank her and her team for their hard work. He said that regarding GWRC, he was pleased to report that they had received approval for their application to the Secretary of Transportation for the Enon Road RAISE grant. He said that the application had been submitted, and they were now awaiting their response in hopes of securing funding for this project. He said that GWRC had released their annual report, which could be found at gwregion.org/about-us/annual-report. He said that this report highlighted their activities within the community and showcased their ongoing efforts to improve the area.

Mr. English said that in regards to GFL, despite their best efforts at the Board level, they continued to receive calls from concerned residents. He said that letters had been sent by himself, Ms. Bohmke, Ms. Vanuch, and Ms. Gary to the Attorney General's office in reference to this issue. He said that they remained uncertain about the current status of their case. He said that he would like to request that someone follow up with the Attorney General's office to determine their standing in this matter. He said that he had received another letter today regarding GFL, which brought this issue to their attention once again.

Ms. Gary – reported that she did not have many updates to share but had attended some of the events mentioned by her colleagues. She said that she would like to take this opportunity to express her gratitude to Mr. Vosburg for his contributions to this County and this organization. She said that she wanted to encourage staff members and thank them for their hard work. She said that she would be careful with her phrasing as she should refrain from certain discussions, although she was not very skilled at this. She said that she would remain professional and direct in her communication. She said that she would address some concerns that needed to be addressed within their community and organization. She said that there were severe, deep-rooted issues within this

Board, which had arisen due to certain personalities and actions of individuals involved in this Board, causing significant problems within their organization.

Ms. Bohmke said that Ms. Gary's remarks were out of order.

Ms. Gary said that it was fine; she understood their disagreement but was not yet finished speaking. She said that she had acted improperly.

Ms. Vanuch asked Ms. Bohmke to proceed with the meeting.

Ms. Gary said that she was not finished. She said that as she appropriately continued her statement, she would like to express her own concerns without acting out of order.

Ms. Bohmke said that she was requesting a recess in their Board meeting.

Ms. Gary said that she would urge the community to closely observe how these meetings are conducted and how decisions are made, and she hoped they would pay attention to the procedures being followed. She said that because they had had more engagement over the last year than she had seen in a while, they had been making progress. She said that this was why she was cut off during their discussion.

RECESS

The Board recessed at 3:25 p.m. and reconvened at 3:30 p.m.

Ms. Bohmke – reported that she had a couple of items to report. She said that there would be a public hearing for the road and intersection improvements at Enon Road and Route 1 at Stafford High School on March 13, from 7:00 p.m. to 9:00 p.m., which was for the long-awaited Enon Road project. She said that this project would have been under construction by now if not for the significant price escalation due to inflation, similar to many other projects. She thanked Mr. Diggs and Dr. Yeung for attending the FAMPO subcommittee meeting last week in place of those who could not attend; their efforts were appreciated.

Ms. Bohmke said that the next subcommittee meeting takes place before the FAMPO meeting at 6:00 p.m. on March 21, and one could watch discussions online or attend in person to learn more about them. She said that during their discussion of the Regional Transportation Authority, she mentioned that Dr. Yeung requested the Board consider holding a work session on this topic after the budget has been finalized. She said that she brought this matter to everyone's attention to keep them informed about the RTA's progress.

Ms. Bohmke said that she also wanted to express her appreciation to her colleagues for raising awareness of Women's History Month. She said that they would be approving a proclamation for this purpose under item 12 and recognizing a County resident at their second meeting in March. She said that when she first joined this Board ten years ago, she was one of only two women; however, things have changed. She said that they appreciated their male colleagues' contributions as well, and was not meant to be a slight to them. She said that things had changed and would continue to change.

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 last year, during the budget process, the Board had set aside funding for the County to hire a federal funding consulting firm. He said that the goal of this funding was to begin forming a plan and becoming more aggressive in pursuing federal funding. He said that in recent years, they had submitted federal grants; however, most of them had been unsuccessful.

Mr. Toigo said that with the right guidance and expertise now on staff, they felt confident that they could improve their chances of success moving forward. He said that he did not wish to monopolize their time; he merely wanted to introduce their new federal funding consulting firm, Merchant McIntyre Associates. He said that they had all four members of their team assigned to their team: Brent Merchant, co-founder and principal; Katie Peterson, principal and general counsel; Drew Donaher, senior government affairs associate; and Jason Lever, government affairs associate.

Katie Peterson said that she was with Merchant McIntyre Associates, a full-service government affairs team based in Washington, D.C. She said that they appreciated their time and the opportunity to meet in person. She said that their team worked with clients across the country, so this interaction was particularly valuable for them. She said that Merchant McIntyre Associates was a full-service government relations firm operating in three main sectors: higher education, health care, and local government. She said that they worked with federal counties and cities like Stafford County throughout the United States. She said that they engaged with Stafford County in January after the RFQ process and were grateful for the opportunity to work together.

Ms. Peterson said that the first phase of their partnership involved conducting a resource inventory, which was their version of a comprehensive needs assessment. She said that they spent a day

meeting with the County administrative team, grants team, and various department heads to gain a deep understanding of the projects and priorities in Stafford County. She said that their goal was to determine not just which projects were the most exciting or worthy of attention but which had the strongest federal nexus and the highest likelihood of success in engaging with federal programs.

Ms. Peterson said that as a result of the resource inventory, they developed a federal funding strategy based on the information gathered from their meetings and ongoing engagement with Mr. Toigo, Mr. Vosburg, and other County officials. She said that the first section of their federal funding strategy assessed Stafford County's strengths and growth opportunities in relation to its ability to successfully compete for and draw down federal funds. She said that their initial assessment highlighted the thoughtful and strategic approach taken by Stafford County so far.

Ms. Peterson said that previously, they had successfully applied for and secured grant funding; however, their most successful clients exhibited a more strategic approach when drawing down significant dollars. She said that prior to their engagement with the County, they understood that considerable time and effort had been dedicated to considering how to approach federal grant applications more thoughtfully. She said that they appreciated this effort, as it had allowed them to embed their team within a well-thought-out process. She said that they commended the Board for its vision in this regard, having already articulated a clear vision for them to explore various grant programs and congressionally directed spending opportunities.

Ms. Peterson said that in addition to their grant application strengths, their community reputation and strategic partnerships were critical for pursuing federal grants. She said that these funders must make difficult decisions about which counties and municipalities to fund, but they may be more inclined to support those that benefit not just the County but its residents, workers, students, and so forth. She said that they viewed this as a significant advantage. She said that furthermore, their proximity to Washington, D.C., offered numerous benefits for federal grant applications, such as strong regional impact and significant assets within the County, including arts, recreation, culture, history, and tourism.

Ms. Peterson said that regarding growth opportunities, they identified these as regular engagement with federal agency decision-makers and staff. She said that they had proximity to Washington, D.C. that not everyone in the country could use to their advantage. She said that consistent engagement with these stakeholders was crucial. She said that they were pleased to learn that Dr. Yeung had held meetings with Senators Warner and Kane, and others. She said that they aimed to continue building upon their successes and maximizing them so that when stakeholders considered programs and funding opportunities, they thought of Stafford County.

Ms. Peterson said that one potential growth area was Countywide demographic data analysis. She said that currently, the administration focused on rural and economically distressed communities within Stafford County. She said that fortunately, compared to other counties in the region and nationally, Stafford County performed well in many metrics. She said that therefore, they wanted to ensure that they evaluated every federal grant opportunity carefully and determined if it was the most suitable option for pursuing funding. She said that they did not wish to waste time and resources applying for grants that had low chances of success. She said that hiring Merchant McIntyre had provided them with numerous grant writers and professional staff members to enhance their application process.

Ms. Peterson said that based on potential projects and the resource inventory, they had identified three priority funding areas: surface transportation, water and wastewater infrastructure, and public safety. She said that while this list was not exhaustive, it served as a starting point for aligning Stafford County's interests and priorities with federal funding opportunities. She said that areas had been chosen based on Stafford County's needs and the grant programs expected from federal agencies in the coming years. She said that their goal was to present strategically aligned and realistic opportunities for Stafford County while maintaining a diverse list of grants for which applications could be submitted and won.

Ms. Peterson said that they could find the federal grants grid attached to the strategy document. She apologized for any inconvenience caused by its omission in the Board packet. She said that the document may appear small on their screen; however, provided was an entire Excel document. She said that this list contained every grant opportunity that they had completed an initial assessment of. She said that despite numerous federal grants being released daily, their team had already conducted a preliminary evaluation of hundreds, if not thousands, of opportunities.

Ms. Peterson said that their team saved time by doing this heavy lifting for them. She said that they checked in roughly biweekly with the County administration team and the grants team to ensure they reviewed each grant on the list, discussed whether or not they should submit an application, and tracked their progress for accurate record-keeping of all grants they had pursued together. She said that while developing this strategy, they had already supported two key grant applications for the County. She said that Brent Merchant would discuss the RAISE grant, followed by the FEMA grant.

Brent Merchant said that there was no better way for the County to familiarize itself with its grants consultant than through the submission of an \$8 million request and 80 pages of grant applications within the initial 60 days. He said that they acknowledged and valued the Board's guidance and strategic vision for their priorities but emphasized that their daily work was carried out by staff who had expertise in grant applications. He said that they believed in their capabilities,

understanding that their success was contingent upon the projects they proposed under the Board's vision. He said that under Mr. Vosburg's leadership, the staff had been an exceptional partner from the outset.

Mr. Merchant said that this endeavor represented a significant first opportunity that many cities and counties attempted unsuccessfully. He said that the RAISE program was one of the more competitive grant programs for which a County could apply directly, rather than through the State Department of Transportation. He said that they had collaborated with the state and received their support for this project. He said that their role was to enhance what County staff had prepared and maximize its potential. He said that to win such exceedingly competitive grant programs like RAISE, they must score highly. He said that they could not guarantee a win but would employ every available tool to achieve the highest score possible. He said that they had a skilled team assisting in coordinating their efforts.

Jason Lever said that as Mr. Merchant mentioned, they had launched this project and submitted the grant application within the first several days of their partnership, which would not have been possible without the assistance of County staff, including Anthony, Matthew, and engineering consultants who helped with the technical components of the project. He said that they had applied for approximately an \$8.5 million project, requesting funds for the Route 1 and Enon Road Improvement Project to supplement state funds and the 20% local match, which was approximately \$2.1 million for this project.

Mr. Lever said that Merchant McIntyre had drafted several project narrative components that aligned the Route 1 and Enon Road project with specific statutory merit review criteria established by Congress and DOT priorities under the Biden administration. He said that they had focused on playing to the project's strengths in each of these narrative sections while mitigating the weaknesses and less competitive components of the project. He said that although RAISE, like Mr. Merchant mentioned, was highly competitive, they were encouraged by the high benefit-cost analysis ratio of 6.38.

Mr. Lever said that moving forward, they would be advocating with their congressional delegation for them to communicate directly with DOT and Secretary Buttigieg for them to push the project forward. He said that in addition, they would be hopefully reaching out and hearing back from DOT later in the spring. He said that it was expected for them to announce RAISE awards on June 30. He said that although like many federal programs, things did not always align to a strict timeline, given this project's importance to the program's importance to members of Congress, they expected it to come out, give or take on time. He said that they could expect hearing back later in June.

Drew Donaher said that he would provide a little more information on their engagement with FEMA opportunities. He said that when they first visited the County, they were impressed by the fire and rescue resources and safety facilities they encountered. He said that upon attending meetings, they recognized that these facilities were supported by dedicated individuals as well. He said that they were excited about the County's commitment to providing fire and safety services for the community.

Mr. Donaher said that in March, they would explore federal funding opportunities through FEMA and the Department of Justice. He said that on March 8, they would be applying for approximately \$530,000 for the thermal imaging camera initiative, which they discovered during their resource inventory. He said that they appreciated the support of Chief Cardello, Assistant Chief Granger, Mr. Toigo, and other team members in this endeavor.

Dr. Yeung thanked Mr. Toigo and everyone else for their hard work. She said that she also wanted to thank Mr. Vosburg for bringing their ideas to fruition. She said that she knew from serving on the School Board that the investment in a grants manager would be worthwhile. She said one of the things she wanted to discuss was exploring potential collaborations between their organization and the schools. She said that since they provided the same services, she believed there could be opportunities for them to work together. She said that perhaps Mr. Toigo could make a note of that. She said their team had the resources and expertise that could be beneficial to the school, especially since they also had a grants manager in place. She said that she would propose that they touch base with the school to explore these possibilities further.

Ms. Peterson thanked Dr. Yeung for her suggestion. She said that this was what she had in mind regarding partnerships. She said that they strove to be aware at all times of the various stakeholders in the community, such as schools, in order to ensure that when they applied for federal grants, they presented their strongest case and maximized the potential positive impact on the community. She said that it was also encouraging to learn that there was a grants manager at the school.

Mr. English asked Ms. Peterson how they would inform them if there was something of interest or relevance. He asked if they would provide quarterly reports or if they would simply send them updates when necessary.

Ms. Peterson said that currently, they had biweekly meetings with the County administration team to discuss federal grant opportunities. She said that they closely monitored federal budget releases and anticipated grant programs up to twelve months in advance. She said that upon identifying potential opportunities, they promptly updated County staff accordingly. She said that if team members came across suitable grants, they could share these opportunities with them for

evaluation. She said that their goal was to provide a comprehensive selection of advantageous opportunities for which they were the most competitive for.

Ms. Vanuch asked if they were also working on the FY25 approach.

Ms. Peterson said yes.

Ms. Vanuch asked if they would be discussing community projects.

Ms. Peterson said yes.

Ms. Bohmke said that she had to Google what a thermal imaging camera was. She asked if more information could be provided by staff.

Joe Cardello, Fire Chief, said that a thermal imaging camera is a crucial piece of technology for their operations. He said that this device functions similarly to infrared technology, allowing them to see temperature differences between rooms and behind walls, detecting hidden fires or locating individuals in smoke-filled environments. He also said that thermal imaging cameras have applications in hazardous materials incidents and aid in searching for missing persons during car accidents or in inclement weather conditions. He said that the uses for this technology are numerous.

Ms. Bohmke asked if they had those items in their department right now.

Chief Cardello said that they did, and most of them were very old.

Mr. Merchant said that he would also mention for the grid that everyone should be aware of its purpose and aligned with the Commission's vision. He said that the strategy and grid aimed to forecast grants before they were released. He said that although their predictions may not always be perfect, they provided an advantage in grant acquisition. He said that competitive counties and cities often worked on projects and applications three to six months, or even up to 15 months, ahead of time.

Mr. Merchant said that this approach increased the likelihood of winning grants while also preventing staff burnout. He said that the grants listed in the grid were mostly predictions of upcoming opportunities over the next several months. He said that they should be referring to a slide that displayed grants that were either currently open or would be released soon based on their conversations with federal Department of Transportation officials.

Mr. Merchant said that these discussions had revealed upcoming infrastructure needs related to his proximity to Quantico and relationships with the Marine Corps, which may lead to additional grant opportunities from the Department of Defense in the near future. Katie's points about the County's priorities had been considered in setting this vision. He said that they continually explored other grants and opportunities for staff consideration during biweekly meetings. He said that the grid and their approach aimed to keep the County ahead of the game by providing more time to prepare and potentially gain an advantage over competitors before solicitations were released.

Ms. Peterson said that this pertained to community project funding or congressionally directed spending, commonly known as earmarks. She said that they would be submitting applications with the Board's approval, which they would discuss later in the meeting, to Senators Warner and Kaine, as well as Congresswoman Spanberger. She said that they anticipated these applications to be due in the next couple of weeks and that they would be providing support for this process.

Ms. Peterson said that when she referred to full-service support, she meant the grant aspect. She said that this was anything related to federal government involvement, such as grant programs, congressional advocacy, or earmarks. She said that they would move forward with select federal grant applications from the grid. She said that they had already begun working on these applications and had submitted some. She said that they would continue to do so while ensuring that they aligned with their vision.

Ms. Peterson said that the second aspect involved leveraging their proximity to D.C. by scheduling visits to meet not just with elected officials but also their staff and agency personnel. She said that they would facilitate meetings with relevant personnel from organizations such as DOT and FEMA for every grant application. She said that this would help ensure that they were aware of their County's needs and efforts in delivering critical services to their citizens.

Ms. Peterson said that finally, advocating for County priorities regularly through the annual appropriations process. She said that this was a focus on being responsive while also ensuring that the budget followed an annual cycle, similar to the County's process. She said that the federal government had a similar process for considering ideas and projects, and the goal was to incorporate as many of the County's priorities into this process as possible.

Ms. Peterson said that communication was the most crucial aspect of their partnership. She said that they encouraged open lines of communication at all times so that they could address any concerns or priorities that arose. She said that no idea was too big or too small, and they strove to find creative solutions for grants while aligning them with her strategic vision for the County. She said that as project managers, they ensured that everyone involved in grant-related tasks understood their role and what was expected of them. She said that they were grateful for this

opportunity to partner with her and would be happy to answer any additional questions she may have.

Ms. Vanuch said that she would like to bring attention to something regarding the CHIPS Act passed about a year ago. She said that there appeared to be significant funding available for PFAS-related projects, specifically for the reconstruction of water treatment facilities. She said that although it was difficult to read from the spreadsheet, this funding could be beneficial for them if they acted promptly before other localities realized its potential. She said that the amount of money available was substantial, in millions of dollars. She said that she suggested adding this opportunity to their list for further consideration.

Ms. Peterson said that specifically, PFAS had become a significant federal issue. She said that organizations such as the Bureau of Reclamation within the Department of Interior, the Environmental Protection Agency (EPA), and numerous other agencies were offering substantial financial assistance.

Ms. Vanuch said that she would like to know whether they were adhering to all federal regulatory requirements, particularly those related to the Environmental Protection Agency. She said that the EPA had recently issued guidance concerning localities and PFAS contamination in water treatment facilities. She asked if they were addressing these issues in addition to managing the grant aspect. She asked if they were ensuring compliance with all federal regulatory requirements.

Ms. Peterson said that they tracked this information based on the County's requests. She said that they had done a lot of work throughout the country regarding the PFAS and EPA guidance.

Ms. Vanuch said that she would request that they track this matter on behalf of Stafford unless any of her colleagues had a different opinion. She said that this would be highly beneficial for them. She said that if there was a time when they needed to engage in open public comment, she would appreciate it if they assisted them in facilitating that process.

Mr. Merchant said that they could discuss this matter further during a work session or at any other appropriate time. He said that he was concerned about adhering to the rules during these meetings; however, they believed that engagement and tracking would necessitate additional conversation. He said that they wanted to ensure that they made strategic decisions regarding when to comment and how to do so effectively, avoiding comments on issues that they may not consider valuable.

Mr. Merchant said that their legislative team would focus not only on the appropriations request but also on prioritizing County concerns such as PFAS in collaboration with the delegation and EPA. He said that given the wide range of opportunities available, they aimed to maximize the

impact of their efforts. He said that whether through letters or commission-wide statements, they could guide them through this process. He said that to achieve this, they must discuss how they should engage in this process, as it differs from grant interactions.

Dr. Yeung asked if there was a live dashboard for the document that was provided.

Ms. Peterson asked if Dr. Yeung was referring to the grants grid.

Dr. Yeung said yes.

Ms. Peterson said that it was currently an Excel spreadsheet, which allowed them to modify, edit, and use it as a live document that could be updated frequently.

Dr. Yeung said that she had an inquiry regarding the grant from Quantico.

Mr. Vosburg said that during the meetings they held, they had already discussed the opportunities that arose due to Quantico's close proximity. He said that they examined road projects, spinoff projects, and potential partnerships in that area. He said that as a result, this issue was definitely on their radar.

Dr. Yeung said that because they represented a combination of resources, they had a partnership that could be utilized further, particularly in relation to the significant funds within the defense sector. She said that this was something worth exploring, and she would ensure that Mr. Toigo was aware of this opportunity.

Mr. Merchant said that he assumed Dr. Yeung was referring to the Defense Communities Infrastructure Program, which they had discussed in relation to that office. He said that they had had the opportunity to work in this program multiple times. He said that he would like to clarify that when discussing RAISE, particularly on the transportation side, the Defense Communities Infrastructure Program was highly competitive. He said that they believed that they excelled at grant writing, and his staff was also highly skilled in this area.

Mr. Merchant said that the success of a defense community's infrastructure program application largely depended on their collective ability to persuade the installation commander to demonstrate and justify the installation's needs within the Pentagon. He said that as they had discussed earlier, being ahead of the game was crucial in this process, which was also highlighted in one of the presentation slides. He said that it was a point well made.

Ms. Gary said that she would like to request that they arrange something soon to address the numerous questions they have regarding matters outside of the normal process. She said that she would propose a work session for this purpose, and she believed conducting it promptly would be highly beneficial.

Ms. Bohmke said that they would definitely work with staff to set up something after the budget season has concluded.

Dr. Yeung said that while the legislative committee was different, perhaps they could use that time on the calendar for that and bring this back to the whole Board.

Ms. Bohmke said that was a good idea.

Mr. Toigo said that he would like to clarify for the Board that he would serve as the principal liaison with Merchant McIntyre. He said that as questions arose, they should direct them to him. He said that he would ensure they were addressed promptly and forwarded to Merchant McIntyre. He said that staff's next step would be to utilize the grants grid and convene further meetings with the stakeholder departments they had already engaged during the resource inventory process. He said that this would constitute Phase 2 of their efforts, and they would be grateful for any guidance or direction provided by the Board.

Ms. Bohmke said that she appreciated Mr. Toigo's and Merchant McIntyre's presence there as their partners in securing these important grants. She said that they truly valued their heavy lift.

CONSENT AGENDA

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve the Consent Agenda except for Items 3 and 5.

The Voting Board tally was:

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

Nay: (0)

ITEM 1. COUNTY ADMINISTRATION; APPROVE FEBRUARY 20, 2024 BOARD OF SUPERVISORS MEETING MINUTES.

ITEM 2. COUNTY ADMINISTRATION; APPROVE FEBRUARY 22, 2024 BOARD OF SUPERVISORS BUDGET WORK SESSION MINUTES.

ITEM 3. COUNTY ADMINISTRATION; APPROVE JANUARY 23, 2024 JOINT BOARD OF SUPERVISORS AND SCHOOL BOARD BUDGET WORK SESSION MINUTES.

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

Ms. Vanuch said that she would abstain from voting on this item because she did not attend that meeting.

Dr. Yeung motioned, seconded by Ms. Gary, to approve the January 23, 2024 joint Board of Supervisors and School Board budget work session minutes.

The Voting Board tally was:

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

Nay: (0)

Ms. Vanuch asked to redo the vote.

Ms. Bohmke asked to call the vote again. She said that she believed that even if a Supervisor was absent from a meeting, they could still vote for the minutes.

Ms. Vanuch said that she knew that, but it had always been a standard not to.

The Voting Board tally was:

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

Nay: (0)

Abstain: (1) Vanuch

ITEM 4. COUNTY ADMINISTRATION; APPOINT MS. JULIA DORSEY TO THE COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT) AS THE DEPARTMENT OF HEALTH REPRESENTATIVE.

ITEM 5. COUNTY ADMINISTRATION; RECOMMEND TO THE CIRCUIT COURT THE APPOINTMENT OF MR. TYLOR UNDERWOOD AS A MEMBER TO THE BOARD OF ZONING APPEALS FOR THE AQUIA DISTRICT SEAT.

Ms. Bohmke asked if Ms. Allen would like to address Item 5.

Ms. Allen said that pursuant to their policy, when they appointed individuals to Boards, they typically preferred to deliberate in closed session for additional information.

Ms. Bohmke said that the item could be moved to closed session. She said that the Board did not need to vote on this matter.

ITEM 6. COUNTY ADMINISTRATION; APPOINT MS. LIZ BARBER TO THE BAY CONSORTIUM WORKFORCE DEVELOPMENT BOARD TO REPLACE SUPERVISOR MEG BOHMKE.

ITEM 7. BOARD OF SUPERVISORS; RATIFY THE ACTIONS OF THE BOARD OF SUPERVISORS TAKEN AT THE WORK SESSION ON FEBRUARY 27, 2024.

ITEM 8. BUDGET AND MANAGEMENT; RESOLUTION R24-90; BUDGET AND APPROPRIATE FY2023 YEAR END ENCUMBERED FUNDS FOR FY2024 AS REQUESTED BY THE SCHOOL BOARD.

ITEM 9. BUDGET AND MANGEMENT; RESOLUTION R24-91; BUDGET AND APPROPRIATE VARIOUS STATE, FEDERAL, AND RESERVE FUNDS FOR SCHOOLS FUNDS AS REQUESTED BY THE SCHOOL BOARD.

ITEM 10. CAPITAL PROJECTS PUBLIC CONSTRUCTION; RESOLUTION R24-51; BUDGET AND APPROPRIATE ADDITIONAL FUNDS TO THE CAPITAL PROJECTS FUND FOR THE COURTHOUSE ANNEX RENOVATION PROJECT.

ITEM 11. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-110; BUDGET AND APPROPRIATE ADDITIONAL FUNDS FOR THE BEREA CHURCH ROAD PROJECT TO THE WARRENTON ROAD SERVICE DISTRICT FUND.

ITEM 12. COMMUNITY ENGAGEMENT; PROCLAMATION P24-03; PROCLAMATION TO RECOGNIZE MARCH AS WOMEN’S HISTORY MONTH.

ITEM 13. DEVELOPMENT SERVICES; RESOLUTION R24-109; PETITION VDOT TO INCLUDE CHERRYVIEW DRIVE, WITHIN CHERRYVIEW LANDING SUBDIVISION, INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS.

ITEM 14. DEVELOPMENT SERVICES; RESOLUTION R24-67; AUTHORIZE ADVERTISEMENT FOR A PUBLIC EHARING TO CONSIDER AMENDING THE DEPARTMENTS OF DEVELOPMENT SERVICES AND PLANNING AND ZONING FEE SCHEDULES.

ITEM 15. FIRE AND RESCUE; RESOLUTION R24-107; AUTHORIZE THE ADVERTISEMENT FOR A PUBLIC HEARING TO CONSIDER AMENDING STAFFORD COUNTY CODE SEC. 12-62, "AMENDMENTS, ADDITIONS, AND DELETIONS TO THE VIRGINIA STATEWIDE FIRE PREVENTION CODE" TO MODIFY FIRE PERMIT FEES.

ITEM 16. PARKS, RECREATION, FACILITIES AND TOURISM; RESOLUTION R24-66; AUTHORIZE THE ADVERTISEMENT FOR A PUBLIC HEARING TO CONSIDER AMENDING THE FEE SCHEUDLE FOR PARKS AND RECREATION.

ITEM 17. FIRE AND RESCUE; RESOLUTION R24-101; AUTHORIZE SUBMISSION OF AN APPLICATION FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG).

ITEM 18. PLANNING AND ZONING; RESOLUTION R24-64; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A GRANT AGREEMENT TO ACCEPT GRANT FUNDS FROM THE VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO SUPPORT THE PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM.

ITEM 19. PLANNING AND ZONING; RESOLUTION R24-88; ACCEPT A PROFFERED TRAIL EASEMENT ON TAX MAP PARCEL NO. 39-71A ASSOCIATED WITH THE POTOMAC CHURCH TECH CENTER DEVELOPMENT.

ITEM 20. PLANNING AND ZONING; RESOLUTION R24-94; AUTHORIZE ADVERTISEMENT OF A PUBLIC HEARING TO CONSIDER A PARTIAL PLAT VACATION ON TAX MAP PARCEL NO. 54T-1-A.

ITEM 21. SHERIFF; RESOLUTION R24-89; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE EXPENDITURES WITH EPLUS TECHNOLOGY, INC. FOR AUDIO AND VISUAL EQUIPMENT, SWITCHES, ACCESSORIES, AND SERVICES.

ITEM 22. UTILITIES; RESOLUTION R24-92; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS FOR UTILITIES ON-CALL WATER AND SEWER MAINTENANCE, REPAIR, AND CONSTRUCTION SERVICES.

UNFINISHED BUSINESS

ITEM 23. CAPITAL PROJECTS TRANSPORTATION; TRANSPORTATION MASTER PLAN DRAFT.

Mr. Counsell, Chief Director of Infrastructure, said that he would provide a presentation on the Transportation Master Plan for their consideration. He said that during the previous Board meeting, they had discussed some of its finer points. He said that to offer them a glimpse of the executive summary, all data used to generate the results was available in a more comprehensive document. He said that they would like to review the summary with them, gather their thoughts, address their questions, and attempt to provide answers accordingly.

Mr. Counsell said that he was prepared to present this information in as much detail as they would like, either for public consumption or for their individual requirements. He said that they should keep in mind that this proposal would return to them in approximately six weeks for further consideration of any additional questions generated during this meeting. He said that they would seek their input for sending this plan to the Planning Commission for their review and comment.

Ms. Bohmke said that there was consensus from the Board that they did not require Mr. Counsell to present any further information. She said that she would like to mention that during her meeting last week with VDOT and other parties, including the Virginia Public Rail Authority, they discussed the Leland Railroad Bridge project. She said that although this project was not scheduled until 2026, when they mentioned using Morton Road as a detour, she specifically asked them about the road's curvature and elevation changes, which could cause issues with increased traffic. She said that she suggested considering wedge widening for Morton Road if additional traffic was expected. She said that she had asked them to cover the costs of this improvement. She asked if they could include this in their discussion to ensure that it was not overlooked.

Mr. Counsell said that he would propose introducing the addition into the SSYP during one of their upcoming presentations for the Board's consideration. He said that they could utilize either the annual SSYP funding or the SSYP fund's annual widening fees to cover this expense. He said that if they decided to incorporate it into the SSYP, it would be up to the Board to make that decision. He said that they had approximately two months to determine this and gather more information from the rail authority regarding potential funding sources for the project.

Ms. Bohmke said that her intention was that the County did not pay for the project since it was their initiative. She said that she wanted to ensure that it was listed on their sheet as their project, ideally with funding from VPRA.

Dr. Yeung said that yesterday she had a 30-minute conversation with Mr. Lehane in which he refreshed her memory about the details she had forgotten during the previous meeting. She said that however, she was unsure if they were voting on the transportation plan at this time.

Mr. Counsell said that there would be no vote on the master plan today. He said that their purpose today was to address any questions generated from the previous presentation and to inform them that it would return for their consideration in approximately one and a half months. He said that the second meeting was scheduled for April.

Mr. Lehane said that they would review the plan in March, followed by a second meeting in April, depending on impact fees and their resolution. He said that the first meeting in May would follow, and they would proceed through the approval process. He said that the timeline included April, May, June, July, and August.

Ms. Bohmke said that she had one other question. She said that on one of the slides, there was a reference to two lanes off of Enon Road, which should have been two lanes off of Route 1 onto Enon Road. She asked that they review this when they had a chance, as it concerned the two left-turn lanes. She said that it mentioned Enon instead of Route 1. She said that she would like to request that they double-check that detail if possible.

Mr. Counsell said that he would like to clarify that the proposed design for the intersection of Route 1 and Enon Road included both modifications. He said that there would be a double turn lane for vehicles exiting Route 1 onto Enon Road, and Enon Road would be widened to accommodate two left-turning lanes from Enon Road into Stafford High School.

Ms. Bohmke said that she appreciated the clarification.

ITEM 24. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-82 (PROJECT LIST); RESOLUTION R24-85 (ESTABLISH ADVISORY COMMITTEE); CONSIDER APPROVAL OF TRANSPORTATION IMPACT FEE ROADWAY IMPROVEMENT PLAN PROJECT LIST AND ESTABLISHMENT OF TRANSPORTATION IMPACT FEE ADVISORY COMMITTEE.

Bryon Counsell, Chief Director of Infrastructure, said that he would like to present the Infrastructure Master Plan, which was similar to the previously discussed Transportation Master Plan. He said that the impact fee principle was outlined in this document. He said that they were there today to provide a short or lengthy presentation depending on their preference and answer any questions from the previous meeting's presentation. He also said that he would like to emphasize that there were two items for their consideration: accepting the project list to calculate the fee and creating the Advisory Committee without appointing anyone today. He said that he would ask the Board if they would like him to proceed with the presentation followed by discussing the resolutions.

Ms. Bohmke said that they had addressed this topic in depth at their last meeting. She asked if there were any questions from Board members.

Ms. Vanuch motioned, seconded by Ms. Gary, to approve Resolution R24-82.

The Voting Board tally was:

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

Nay: (0)

Ms. Vanuch motioned, seconded by Ms. Gary, to approve Resolution R24-85, which establishes the advisory committee.

Ms. Bohmke said that for clarification, this would establish the committee but not appoint anyone to the committee. She asked if this advisory committee had changed in its form since when they did impact fees in 2013.

Ms. McClendon said that the legislation had been largely unchanged since then.

Mr. English asked how many members would be serving on the committee.

Ms. McClendon said that the committee consists of five to ten members, with at least 40% comprising the development community. She said that from a legislative perspective, they recommended an odd number of members. She said that they plan to accept applications, after which the Board will appoint between five to ten members while ensuring that 40% of the committee is from the development community.

Ms. Vanuch said that Ms. McClendon clarified that this composition adhered to state code requirements, necessitating a 40% threshold of development community representation. She said that this information was also shared on social media. She said that to ensure everyone was informed, she reminded those who missed the meeting about this detail.

The Voting Board tally was:

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

Nay: (0)

NEW BUSINESS

ITEM 25. COUNTY ADMINISTRATION; AUTHORIZE THE COUNTY ADMINISTRATOR TO RANK AND SUBMIT CONGRESSIONALLY-DIRECTED SPENDING APPLICATIONS

TO THE UNITED STATES SENATORS AND CONGRESSIONAL REPRESENTATIVE FOR STAFFORD COUNTY FOR THE REFERENCED PROJECTS FOR FEDERAL FISCAL YEAR 2025.

Anthony Toigo, Intergovernmental Affairs Manager, said that the Board was asked to consider the time-sensitive adoption of four resolutions, R24-95 through R24-98, of four congressionally directed spending projects that they would submit to their federal legislators. He said that they had done this last year and had received early indications of success on some of those projects. He said that they were still awaiting official confirmation. He said that due to Congress's uncertainty in recent fall and ongoing budget debates, some offices had issued guidance. He said that they had recently received word from Congressman Spanberger's office stating that they were accepting projects and required them by March 17.

Mr. Toigo said that they were using last year's guidance instead of new guidance for the upcoming year. He said that as a result, they had been working closely with their consultants, Merchant McIntyre, to navigate this irregular situation. He said that Ms. Peterson would provide more details about the process. He said that the four projects before them today had been thoroughly vetted through County administration and their departments, and they believed each had a high chance of success. He said that two were submitted last year, while two were newer projects in categories that typically qualified.

Katie Peterson said that she would like to highlight a few aspects of the congressionally directed spending process prepared by Merchant McIntyre. She said that in 2010, then-Speaker John Boehner issued a moratorium on earmarks, which was a funding mechanism at the federal level that had not existed for several years. She said that in FY22, earmarks returned, providing opportunities for congressionally directed spending. She said that their firm had outlined an ideal timeline for the earmark process, beginning in October and November for contemplation of the application due in March.

Ms. Peterson said that the process aimed to identify key projects, bring them through feasibility and project development stages, garner community support, and engage critical staff on Capitol Hill. She said that this year-long process involved several tools developed by Merchant McIntyre to guide clients through congressionally directed spending. She said that their legislative team had analyzed appropriations bills from previous cycles to determine which projects would be most competitive. She said that the goal was to identify projects that would benefit the County while resonating with elected officials and increasing the likelihood of selection by members of Congress and subsequent inclusion in the FY25 budget by the House and Senate Appropriations Committee.

Ms. Peterson said that she would provide a brief overview of their representatives. She said that it was assumed that they were familiar with them. She said that they had Senator Warner, Senator Kaine, and Congresswoman Spanberger. She said that the rules between the House of Representatives and the Senate differed. She said that there were distinct bills in each chamber. She said that in the House, there were certain limitations regarding the types of projects that could be proposed. She said that therefore, they recommended adopting a divide-and-conquer approach.

Ms. Peterson said that the four projects Mr. Toigo would present had been strategically chosen based on their potential count within the 12 appropriations bills. She said that depending on the agency requesting funding, these bills could fall under various accounts. She said that to maximize their chances of success in securing funding, they must diversify their approach.

Ms. Peterson said that Congresswoman Spanberger had announced she would not seek re-election but would instead run for Governor of Virginia. She said that this meant that this would be her final appropriation cycle as a member of Congress. She said that she would be eager to maintain strong relationships with constituents and would strive to present as many projects as possible before her term ended.

Ms. Peterson said that there had been news regarding the FY24 budget that had not yet been passed by both the House and Senate Appropriations Committees. She said that they had proposed negotiated bills for some of the less contentious packages. She said that these projects were included in the FY24 budget, which was expected to pass on March 8. She said that the County's success in securing funding for key projects could be attributed to Mr. Toigo's leadership and understanding of the process. She said that provided was a summary of conditionally approved projects for FY24, pending the passage of the federal budget.

Mr. Toigo said that for FY25, there were four projects before the Board. He said they had been advised to keep the amounts reasonable. He said that generally, each category had a maximum award of under \$2 million. He said that the first project was for Interior or STAG (State and Tribal Assistance Grant), which was for water and wastewater projects. He said they could afford to go slightly higher for this category. He said that last year, they found that projects with near-term completion hurt them due to congressionally directed spending, which put them in a position of waiting for funds. He said they had advised departments to consider projects that were still a way off but could benefit from using the money to complete them.

Mr. Toigo said that the first project was the I-95 to Route 1 water main, which fell under the Interior account for water and wastewater projects. He said that this project aimed to construct a 24-inch water main from I-95 to Jefferson Davis Highway near Sunnyside Drive. He said that this

would increase transmission capacity from Smith Lake Water Treatment Plant to help serve North Stafford residents and Quantico, which had a federal nexus.

Mr. Toigo said that the second project was for Sheriff's Office Fleet Vehicle Radios, which was different from what was already approved by the Board under ARPA. He said that these radios would be installed in Sheriff's Office vehicles, replacing 173 vehicles under the COPS Technology and Assistance Program. He said that this was an eligible use. He said that the remaining two projects were road projects they were familiar with: Enon Road and Route 1. He said that they had submitted the RAISE grant application, and this served as a backup in case they did not get RAISE funding. He said that lastly, they had applied for funding for Stefaniga-Mountain View Road intersection, which should help ease the local burden for them this year.

Dr. Yeung motioned, seconded by Ms. Vanuch, to deem items Resolution R24-95 through Resolution R24-98 time-sensitive.

The Voting Board tally was:

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

Nay: (0)

Dr. Yeung motioned, seconded by Ms. Vanuch, to approve Resolution R24-95.

The Voting Board tally was:

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

Nay: (0)

Dr. Yeung motioned, seconded by Ms. Vanuch, to approve Resolution R24-96.

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 R24-97.

The Voting Board tally was:

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

Nay: (0)

Ms. Vanuch motioned, seconded by Dr. Yeung, to approve Resolution R24-98.

The Voting Board tally was:

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

Nay: (0)

ITEM 26. CAPITAL PROJECTS; RESOLUTION R24-81; AUTHORIZE THE COUNTY ADMINISTRATOR TO SUBMIT A GRANT APPLICATION TO THE VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION FOR THE VIRGINIA DAM SAFETY, FLOOD PREVENTION, AND PROTECTION ASSISTANCE FUND GRANT FOR THE LAKE ARROWHEAD SERVICE DISTRICT FOR THE CONSTRUCTION OF DAM SPILLWAY IMPROVEMENT PROJECT, AND TO AFFIRM THE SERVICE DISTRICT'S INTENT TO FUND THE PROJECT.

Ms. Vanuch motioned, seconded by Ms. Allen, to deem this item 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 R24-81.

The Voting Board tally was:

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

Nay: (0)

ITEM 27. CAPITAL PROJECTS; RESOLUTION R24-80; CONSIDER AFFIRMING THE LAKE CARROLL SERVICE DISTRICT'S INTENT TO FUND THE CONSTRUCTION OF THE LAKE CARROLL SERVICE DISTRICT PROJECT AS RELATED TO A GRANT APPLICATION.

Mr. Diggs motioned, seconded by Ms. Vanuch, to deem this item time-sensitive.

The Voting Board tally was:

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

Nay: (0)

Mr. Counsell said that he would like to ensure that it is clear why the titles of these resolutions or items differ: it is due to the ownership of the dam. He said that one dam is wholly owned by a private entity, while the other is owned by the service district. He said that the application process for the grant varies. He said that for Lake Carroll, they were assisting the property owners in

completing their grant application. He said that if the grant was awarded to them, the grant agency, DCR, required them to confirm their commitment to the project and their provision of additional funds beyond the grant money. He said that this was the purpose of this particular resolution; it was part of the grant application but served as their affirmation of their financial commitment thus far.

Ms. Vanuch said that she understood there was a discrepancy in the funding. She said that if they funded a certain percentage, she would like to know how much was leftover that required funding.

Mr. Counsell said that for Lake Carroll, it was very tight. He said that the outcome depended on the grant award amount, if any, and the bids received. He said that if they secured the grant and received funds, they would combine those funds with their remaining budget. He said that if this total was less than the bid or more than the bid, they could proceed with the Board's approval. He said that if their available funds were less than the bid, they could not move forward.

Ms. Vanuch asked if the item would come back to the Board for further approval.

Mr. Counsell said that it would come back before the Board so they could accept the grant. He said that if the grant award was insufficient to reach their target amount, the Board may consider providing extra funding or by that time, they would have had the opportunity to collaborate with Merchant McIntyre in search of additional grants. He said that they could apply for these grants and receive their outcomes before making the crucial decision regarding additional funding, which would depend on whether they chose to accept or decline the initial grant.

Dr. Yeung asked if this entity was owned by a separate agency and not the service district.

Mr. Counsell said that Lake Carroll was wholly owned by the property owners of Lake Carroll.

Dr. Yeung asked how much the property owners were investing in this project.

Mr. Counsell said that they were investing the original loan value of \$787,500 into the project. He said that they paid additional real estate taxes on it.

Dr. Yeung asked if they would be able to come up with the funding if a portion was needed.

Mr. Counsell said that they had attested to that fact that yes, to a certain extent, they could fund an additional loan.

Ms. Bohmke said that this initiative started six years ago under Mr. Coen. She said that prices escalated out of control and they were unable to fund this. She said that Mr. Diggs could attest to these community members' dedication to funding this project.

Mr. Diggs said that after examining the dam, it had become apparent that it was failing. He said that one could observe cracks in the road, and as time had passed, erosion and other factors had contributed to its deterioration. He said that the residents were understandably concerned about its eventual collapse. He said that if the dam were to fail, several houses downstream could be at risk, along with Route 3 potentially being washed out.

Ms. Bohmke said that there had been taxes collected for this project for five years that were in a separate account in the Treasurer's Office.

Mr. Diggs said that he was unsure of the timeframe, but according to the property owners he met at the lake, some had paid \$2000 per year to go towards this project. He said that he was not certain that he would support raising that tax, but those residents were willing to pay back whatever the County put towards this effort.

Mr. Diggs motioned, seconded by Ms. Vanuch, to approve Resolution R24-80.

The Voting Board tally was:

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

Nay: (0)

ITEM 28. CAPITAL PROJECTS TRANSPORTATION; DISCUSSION ON SECONDARY SIX-YEAR PROGRAM (SSYP).

Mr. Counsell said that they were presenting their annual request through VDOT for funding of projects they had identified for inclusion in the secondary six-year program. He said he would provide a brief explanation of SSYP since some Board members may not be familiar with it. He said that SSYP was VDOT's plan to allocate funding to certain localities for small projects deemed high-priority for community improvement. He said that VDOT funded these projects through telefees, which were fees collected from communication companies for the use of right-of-way, such as telephone poles and underground infrastructure. For Stafford County, telefees generated approximately \$490,000 annually.

Mr. Counsell said that they anticipated a slight decrease in revenue that year due to unknown reasons; however, projections for FY25 indicated a downturn. He said that they had complete control over project selection as long as they fit within the categories provided by VDOT. He said

that they established these categories, funded them using SSYP allocations, and presented them in a spreadsheet. He said that over the past several years, Stafford County had prioritized unpaved road improvements for public roads that served citizens living on those roads. He said that they had nearly completed these projects, which had been distributed across various districts and locations within the County.

Mr. Counsell said that typically, they were very rural and located on the outskirts of the major population areas of Stafford. He said that the second bullet point was particularly noteworthy. He said that as time had passed, some of the SSYP projects had been completed or worked on; however, others had found themselves in precarious positions regarding their completion. He said that Windermere Drive was connected to the emergency access way created as part of a potential solution for the Brooke Road flooding. He said that they had since moved forward with a full design and raised a certain part of Brooke Road.

Mr. Counsell said that Windermere Drive's upgrade had been put on hold for some time because they could not allow public traffic on private roads. He said that the project's importance depended on the progress of Brooke Road and the availability of funding. He said that there was a \$1.5 million construction grant from the state for building the missing portion of the emergency access on Brooke Road. He said that they still had access to this grant; however, state budgets could change at any time, so they could not be certain about its future. He said that he wanted to inform them that they had to make a decision about whether or not it should move forward.

Mr. Counsell said that they could consider moving Windermere out into an out year when they might have more information about Brooke Road's situation, or they could cancel the project altogether and bring it back at a later time if they received different information. He said that regarding Lynhaven Lane, it was a service district established a few years ago to help residents bring their road into the public system through VDOT's Rural Addition Program. He said that however, the ordinance creating the service district required that all right-of-way needed for this purpose be donated free of charge by property owners.

Mr. Counsell said that they had not been able to reach an agreement with all property owners regarding this donation. He said that it appeared that two or three owners would not dedicate their right-of-way. He said that this was their prerogative; they were not obligated to do so, as there was no quick take or eminent domain authority in this case. He said that consequently, Lynhaven Lane remained a project that the Board could consider moving into the future or canceling and reallocating funds elsewhere within the SSYP. He said that Hartwood Valley Court was still included, along with Forbes Street and Harrell Road improvements, as well as enhancements to Richard's Ferry Road.

Mr. Lehane said that he would like to add that there was an error on the slide stating that Forbes Street and Harrell Road was complete. He said that this was not intended; it should be scheduled for this summer. He said that there were right-of-way delays affecting that project as well.

Mr. Counsell said that regarding the schedule, today's presentation aimed to provide them with information for their consideration. He said that this was intended for generating questions, developing projects, and sharing ideas that may have been suggested by their constituents or the general public, which could be suitable for SSYP. He said that they would revisit these proposals in April, allowing ample time for contemplation of potential projects, both small and larger ones that might require their available funds. He said that in May, they planned to finalize these plans because VDOT had a strict deadline for completion in May in order for them to remain eligible for receiving the funds. He said that this would be addressed at a joint public hearing with VDOT in May.

Dr. Yeung asked what the date was in May.

Mr. Counsell said that it would be at the second meeting in May. He said that displayed on the slide was the current SSYP. He said that the following projects were planned for the near future, which was within the next fiscal year. He said that there were blank spaces in the schedule because they had not yet established either a new priority for the Board or the allocation of staff resources to generate these types of projects for consideration and approval.

Mr. Counsell said that another option was that they could utilize available funding for other qualifying roads where funding was insufficient. He said that they had done this before, such as on Juggins Road, where they allocated \$2 million from SSYP funds. He said that this opportunity was available for consideration as well. He said that the current plan needed populating with additional projects in the outyears or allocate funds to existing projects elsewhere. He said that these details were intended to stimulate thoughts, questions, and ideas.

Ms. Gary said that she would like to make a comment regarding the Windermere addition. She said that she did not wish to relinquish the state funding but was prepared to move it if the Board was amenable to that option.

Dr. Yeung said that she noticed some items were completed on the list. She asked if the expenditure items meant they were removed from the list.

Mr. Counsell said yes. He said that New Hope Church Road was completed; however, regarding the third bullet point, there was an error. He said that Forbes Street and Harrell Road had not been completed yet. He said that they should not move that until they finished working on them.

Ms. Bohmke asked if Mr. Lehane could provide more information on the Forbes and Harrell right-of-way issues.

Mr. Lehane said that as part of the SSYP, they requested immediate donations for this project; however, they had not yet secured that funding. He said that consequently, they required additional financing: either \$70,000 to \$80,000 from SSYP or local funding through their transportation contingency or transportation fund to complete the project in collaboration with County staff and VDOT.

Ms. Bohmke asked if Windemere was moved out, would it give them access to those funds for the project. She said that she believed that there was a large telephone pole that needed to be relocated, which was relevant to the situation.

Mr. Lehane said that yes, it certainly does. He said that one of the major points was that approximately half of the right-of-way cost was due to this pole. He said that utilizing SSYP did incur additional expenses in the project. He said that for right-of-way alone, there were additional tasks that VDOT must undertake rather than the County completing the right-of-way process for the project. He said that consequently, this would add some cost. He said that they could collaborate with VDOT to estimate that cost. He said that they could also provide them with the schedule for moving forward with the project, although it may cause some delay in the timeframe. He said that they were not yet certain of the exact extent of this delay.

Ms. Bohmke said that if they did not receive sufficient funds for the project due to a lack of donations, they would not be able to complete the project. She said that she would like to see that information.

Ms. Vanuch said that regarding Lynhaven Lane, Wendy Maurer initiated the establishment of a service district when she served on the Board. She said that some residents have expressed enthusiasm for this development; however, the timeline has extended significantly into the future. She said that this allows the service district to accumulate sufficient capital, which will be matched by the Board. She said that her inquiry concerned the three property owners who have not participated or agreed to relinquish their easements voluntarily. She asked if they were new owners or were they present earlier. She said that it was worth mentioning that it took them a significant amount of signatures to get into the service district.

Mr. Counsell said that he believed that two of them were new owners.

Ms. Vanuch asked if it was within the service district's authority for the Board to write a letter to go out to all those residents listing the three properties that were not willing and give them an

update on the current situation. She said that it should be explained that if these property owners did not relinquish their land for easements, the project would be halted. She said that staff time should not be wasted on a futile endeavor due to misconceptions among new owners regarding project progression. She asked if they could send such a letter and await their response.

Ms. Vanuch said that they could provide a deadline for property turnover and outline potential consequences, such as disbanding the service district and distributing funds accordingly. She said that this scenario would involve complex considerations, including allocating money to sold houses with new owners and determining whether funds return to original owners or the respective properties.

Mr. Counsell said that to address the initial query regarding the letter, they would prefer to inform the property owners about the current situation. He said that he would like to conduct further research on whether they should identify those who are not participating at present, and they could report back on their thoughts in this regard. He said that if this initiative is discontinued and the funds are returned, they would collaborate with the budget department and the County attorney's office, ensuring compliance with state code in the process. He said that this should ensure that the funds are returned correctly.

Ms. Vanuch said that the letter should include this information as well. She said that they needed to ensure that their plans were well-prepared for this situation. She said that she agreed that conducting thorough research was essential before proceeding further. She said that however, they reached a stalemate in this matter. She said that this was the first time she had heard about this, which differed from previous discussions regarding Lynhaven. She said that these new developments required their attention as they moved forward. She said that she was willing to collaborate with them offline and speak to the property owners involved. She said that she was familiar with the individual from the end house, who seemed to have played a significant role in this situation. She said that engaging him might help clarify their objectives for them better.

Mr. Counsell said that they could provide interim information and bring all that information back to the full Board at the next meeting.

Mr. English said that he wanted to know if, since both the Shelton Shop and New Hope Church had been finished, they could remove them from the list and transfer that allocated funding to other projects that required it. He asked if there were monies left over.

Mr. Lehane said that last year, the approved budget was based on the original project amount. He said that they would collaborate with VDOT and proceed through Shelton Shop, which was

approximately between \$10,000 and \$15,000. He said that consequently, they would have \$30,000 to \$35,000 available for redistribution to other projects.

Mr. English asked if it would go to some of the other service district projects.

Mr. Lehane said that originally, the Countywide services included this feature at the bottom. He said that it would add the money back to this feature. He said that the same applied to New Hope Road; approximately \$50,000 or slightly more could be removed from the project's cost. He said that Monroe Farm Road also had a similar amount of money that could be deducted from the project's total cost.

Mr. English asked if Richard's Ferry Road was scheduled for completion in 2024.

Mr. Lehane said yes. He said that they would go back and reassess these, but on Cedar Grove Road, another road under unpaved roads, there was some residential development that could impact their improvements. He said that they needed to examine Westlake's road situation to avoid negating any improvements they make. He said that for everything listed, they may have up to \$500,000 in unallocated funds due to completed projects. He said that considering this, they could anticipate approximately \$3 million to \$4 million in available funds for new SSYP projects or other projects within their Capital Improvement Plan.

ITEM 29. CAPITAL PROJECTS TRANSPORTATION; RESOLUTION R24-102; DISCUSSION ON SAFE STREETS 4 ALL FEDERAL GRANT PROGRAM AND CONSIDER APPROVING PROJECT(S) FOR SUBMISSION.

Ms. Bohmke said that these were applications for the upcoming round of Safe Streets 4 All grants, which were expected to open in February 2024.

Bryon Counsell, Chief Director of Infrastructure, said that he would present information on Safe Streets 4 All, a federal grant designed for larger projects focusing on roadway safety, bicycle safety, and pedestrian safety. He said that the grant's award ranged from \$2 million to \$25 million, requiring a 20% match and various evaluation criteria. He said that based on feedback and challenges within the transportation system, staff proposed several projects for the Board's consideration.

Mr. Counsell said that these projects should be identified in an action plan aligned with local priorities and needs, which was done by the local planning organization. He said that they had an allocated \$1 million per year in wedge-widening funding, and this could be used as the 20% match or to offset project costs. He said that the proposed projects ranged from \$2.5 million to \$10

million. He said that Truslow, Poplar, Joshua, Mountain View, and White Oak had safety issues that existed and would be exacerbated by High School 6's traffic. He said that these projects were presented for the Board's consideration.

Mr. Lehané said that in their discussion with Merchant McIntyre, they identified additional options. He said that if they wished to explore further projects, they might undertake a supplementary safety action plan, either through FAMPO in collaboration with other localities or by Stafford County, along with potentially a safety-focused update to their bicycle and pedestrian plan. He said that regarding their current construction projects listed at the top, they could apply for all five or only a few of them, and could be submitted solely to Stafford County or combined with FAMPO's application.

Ms. Bohmke asked if this item was time-sensitive.

Mr. Lehané said that yes, if the Board chose to deem it time-sensitive. He said that there were several dates for submittal of action plans. He said that those were scheduled for April, May, and later in August. He said that implementation grants for construction were due in May.

Ms. Vanuch motioned, seconded by Mr. Diggs, to deem the item time-sensitive.

The Voting Board tally was:

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

Nay: (0)

Mr. Lehané said that they were seeking guidance from the board on whether they wished to support all five projects or just a few. He said that they needed some direction on which projects to pursue and how to apply for them.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve Resolution R24-102, giving staff the discretion to rank and prioritize the projects in coordination with federal and state funding opportunities as to what would be most successful.

Ms. McClendon asked for clarification regarding the projects that the Board wished to proceed with.

Mr. Lehané said that on the slide were the five projects that were eligible through the FAMPO Safety Action Plan.

Ms. McClendon asked if staff had adequate direction to proceed.

Mr. Lehane said yes, the direction was to proceed with these five projects either through FAMPO application or a Stafford County application.

Mr. Counsell said that there were two other options to use the grant. He said that the first option was to implement a more comprehensive safety action plan that addresses multiple projects in greater detail. He said that the second option was to use the grant funding to update the bike and ped plan.

Dr. Yeung said that she would like to pursue a bike ped plan.

Mr. Counsell said that they would submit a separate application to the Safe Streets 4 All grant fund for them to finance their implementation of a more comprehensive safety action plan.

Ms. Vanuch asked if that option would be competing against the five projects presented in the slide preceding that one.

Mr. Lehane said that there were two different groupings of funding in Safe Streets 4 All. He said that one grouping was for planning, which involved creating an action plan. He said that the other grouping was for implementation, which involved constructing various projects.

Ms. Vanuch asked if that meant they could only proceed with one project or if they should do all projects.

Mr. Lehane said that they would recommend construction, but only one grant should be pursued. He said that it was acceptable if the Board wished to proceed with a planning grant.

Ms. Bohmke asked if it was one or the other.

Mr. Lehane said yes, for the second two bullet points.

Dr. Yeung asked if they were already taking on the five projects.

Mr. Lehane said yes.

Dr. Yeung said that she would like to at least examine the Bicycle Pedestrian Plan, last updated in 2019, as she believed it was crucial for Garrisonville. She said that since they were already developed, they did not have any projects. She said that she would like to focus on connectivity, bicycle paths, and consider both North Stafford and South Stafford. She said that it was essential that they share resources in this regard.

Ms. Gary asked how likely it was that they would end up with some things they needed to do with bicycle and pedestrian if they did the more extensive safety action plan. She said that it could be folded in.

Mr. Lehane said yes, it could be folded in. He said that there were a couple of options with the safety action plan. He said that it could be roadway-focused, pedestrian-focused, or both. He said that the updated bicycle and pedestrian plan was one specifically focused on that topic.

Ms. Gary asked if the extensive safety action plan was exclusive of the bike and ped and could include that.

Mr. Lehane said yes, they could talk to Merchant McIntyre about how detailed they could get with that and consider incorporating their suggestions with Board direction. He said that the update to the bike bed plan was an extensive effort completed by staff in 2019, which could be repeated by staff or potentially funded through a grant option.

Ms. Vanuch amended her motion to include the construction projects, and as a secondary project, the more extensive safety action plan, and they could identify what could be folded into it. She asked Ms. Allen if she accepted this amendment to the motion.

Ms. Allen said yes.

Ms. Bohmke called the vote for Resolution R24-102.

The Voting Board tally was:

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

Nay: (0)

CLOSED MEETING

At 4:57 p.m., Ms. Allen motioned, seconded by Ms. Vanuch, to adopt Resolution CM24-07 to authorize closed session.

The Voting Board tally was:

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

Nay: (0)

Resolution CM24-07 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) discussion and consideration of the disposition of County-owned property, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Board; (2) discussion and consideration of the acquisition of real property for fire and rescue purposes, where such consultation and discussion in an open meeting would adversely affect the bargaining position, negotiation strategy, and litigating posture of the Board; (3) discussion and consideration of a certain Board appointment; (4) discussion concerning the recruitment for the County administrative position; (5) discussion of the performance of a specific public officer; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of March, 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 7:05 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-07(C) to certify the closed meeting.

The Voting Board tally was:

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

Nay: (0)

Resolution CM24-07 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON MARCH 5, 2024

WHEREAS, the Board has, on this the 5th day of March, 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 5th day of March, 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. Gary motioned, seconded by Mr. Diggs, to approve Resolution R24-115.

The Voting Board tally was:

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

Nay: (0)

Resolution R24-115 reads as follows:

A RESOLUTION TO RECOMMEND THE APPOINTMENT OF A MEMBER
TO THE STAFFORD COUNTY BOARD OF ZONING APPEALS

WHEREAS, pursuant to Virginia Code § 15.2-2308 and County Code Sec. 28-341, members of the Board of Zoning Appeals (BZA) shall be appointed by the Circuit Court; and

WHEREAS, County Code Sec. 28-341 authorizes the BZA to consist of seven members and two alternates; and

WHEREAS, the term for the Aquia District seat expired on December 31, 2023, and the Board desires to recommend appointing Tylor Underwood to the seat, who has indicated a desire to be appointed;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 5th day of March, 2024, that

<u>NAME</u>	<u>DISTRICT</u>	<u>EXPIRATION DATE</u>
Tylor Underwood	Aquia	December 31, 2028

be and he hereby is recommended for appointment as the member for the Aquia District for the term stated above, to the Stafford County Board of Zoning Appeals; and

BE IT FURTHER RESOLVED that the County Administrator, or his designee, shall provide a copy of this Resolution to the Circuit Court.

At 7:05 p.m. Chairman Bohmke called the evening session to order. Ms. Vanuch gave the invocation. Mr. Diggs led the Board in reciting the Pledge of Allegiance to the Flag of the United States of America.

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

Ms. Bohmke read the procedure for presentations by the public.

1. Molly Denham, 232 Holly Berry Road, Fredericksburg VA 22406, said that she was there to advocate for their schools. She said that she would like to say thank you before beginning and acknowledged that she often confronted Board members directly due to her passion for improving their community. She said that she believed that each Board member shared this passion. She said that their job was challenging, involving difficult decisions like setting tax rates, which directly affected all residents of their County. She said that they did not take this decision lightly, and she thanked them for their service to their County.

Ms. Denham said that she requested that they set the tax rate at the current \$0.94. She said that while this rate would raise the actual amount each citizen had to pay in taxes, she believed it was necessary. She said that at a previous meeting, a Supervisor had mentioned it was not like revenues were up, and she agreed. She said that she was encouraged by the public pledges made by Mr. English, Diggs, and Gary to fully fund the schools at their requested \$15 million mark during the 22 February working session. She said that they needed four votes for full funding, and they could not fulfill this commitment without increasing County revenue.

Ms. Denham said that their County could not continue to underfund itself. She said that they had a history in Stafford County of cutting themselves off at the knees when it came to taxes. She said that the residents had grown accustomed to this situation over time. She said that they could no longer continue with this practice. She said that the cost of everything was increasing rapidly. She said that she ordered pizza for her children each time she attended these meetings. She said that at the last meeting, two pizzas cost her \$70 to be delivered to her house. She said that she understood that prices were high everywhere, including the expenses the County must cover.

Ms. Denham said that they could not claim to address the needs of this County while ignoring the fact that the County urgently required additional revenue. She said that she did not wish to pay more but was prepared to pay more for the same reasons she paid for everything else. She said that maintaining the tax rate at its current level would result in an increase of \$350.59 for her. She said that this amounted to less than one dollar per day. She said that she had reduced her situation to a Sarah McLachlan SPCA commercial. She said that if paying more was what was necessary for their County's improvement, she would gladly stop ordering pizza during the nights she attended these meetings.

Ms. Denham said that her children may not like this but perhaps it would teach them a lesson in fiscal responsibility, helping them appreciate the importance of fully funding a community and its needs as they grew into adult taxpayers. She said that she implored them to stop the cycle of keeping Stafford at a low tax rate. She said that it was not benefiting their County. She said that as decision-makers, she implored them to set the tax rate at \$0.94. She said that they must improve if they expected their County to flourish as it grows.

2. Julia Lewis, 40 Air Park Boulevard, Fredericksburg, VA 22405, Julia Lewis said that she could only imagine that they were overwhelmed by the billion-dollar budget. She said that she prayed that they had the wisdom of Solomon as they navigated it. She said that soon, the Clift Farm development would be on their agenda. She said that the previous week, at the Planning Commission meeting where the development was strongly voted down, Jay Hicks stated that JPI would invest \$2 million in the pump station and was willing to contribute an additional \$200,000 to \$500,000 for a Phase I historical study. She said that she personally wondered what advantages JPI had that made them willing to continue spending more money on this project to get it approved.

Ms. Lewis said that JPI was a for-profit company, and it was America so she fully supported that. She said that they were not doing this out of generosity; they had financial gains in mind. She said that their first advantage was their pump station, which could hold any size pump. She said that their proffer contained a golden ticket that allowed them to determine the size of the pump at the site plan. She asked if this was serious, stating that by the time the site plan was in place, the horse was already out of the barn. She said that this pump station served as the gateway to developing the 181 acres owned by the School Board in the rear.

Ms. Lewis said that on November 16, 2021, the Board of Supervisors unanimously voted to request that the land be transferred to the County for sale. She said that by approving this 55-plus development, JPI would be able to construct 141 homes in the front area and up to 543 homes in the rear section, totaling 684 homes. She said that the consequences of overdevelopment had already caused issues in their billion-dollar budget and that continuing with this trend would lead to significant challenges in their next budget over the next five to ten years. She said that this rezoning posed a significant risk and set a hazardous precedent for Stafford County. She said that she requested that the Board reject this proposal when it came before them.

3. Cliff Heinzer, 316 Ironside Cove, Stafford, VA, said that they should examine their progress over the past year regarding school funding. He said that their ranking had dropped from 67 out of 131 to 71 out of 131 in terms of school funding. He said that in per pupil spending in

Virginia, they had gone from 112 to 113. He said that regarding their ranking percentile, they had moved from the 49th percentile down to the 46th percentile; eight years ago, they were at the 81st percentile. He said that they were the fifth wealthiest County in Virginia, yet they found themselves with a budget \$73 million short of what was needed to achieve the mean for Virginia schools.

Mr. Heinzer asked what excuses this body would offer this year. He asked if it would be that the economy is too good. He asked what solutions had been proposed. He said that one possibility was implementing a 1% sales tax, which was the most regressive form of taxation. He said that this would make people who are already struggling paycheck to paycheck bear the burden instead of those of them living in more expensive homes. He said that another possibility was attracting businesses that would help pay for this.

Mr. Heinzer said that they might remember the partisan-motivated four-day delay in the Amazon deal, which might not be an incentive for them. He said that they would consider the status of their schools, which would not be an inducement for the types of employers they desired. He said that a solution that takes 15 years to implement is not a solution; they must prioritize the interests of this County's children over wealthy landowners. He said that he challenged them to prove him wrong this year and adopt a tax rate of .94.

4. Kristin Maxson, 1816 Richmond Highway, Stafford VA 22554, said that she wanted to thank them for their work. She said that she knew everyone involved was highly dedicated and striving for transparency. She said that voting was occurring today, and she thought that they did not have Board meetings on voting days, but perhaps she was confused. She said that it was crucial for people to participate in the voting process. She said that she assumed this was a given rule. She said that she found that they were presented with a nearly 2,000-page document to review, and there was a billion-dollar deficit.

Ms. Maxson said that she attempted to locate the actual agenda but was unable to find it, as it had not been posted. She said that she believed that the Board worked hard to address this at the last minute. She said that they witnessed a Board member discussing a dam that is about to burst in Stafford. She said that 19 homeowners below the dam would be responsible for paying for repairs, and their properties would be flooded if the dam failed. She said that this issue was of great importance to Stafford and its residents, who must address it.

Ms. Maxson said that the tech data center they had observed being approved, on October 27, 2023, would cost taxpayers \$2 billion for two buildings. She said that she was concerned because there were three major submissions to the proffers. She said that today, they had a fourth submission, which was a trail. She said that she was concerned because there were

footnotes in the wording that went beyond the information about the trail. She said that she was unsure if this referred to October 27, 2023, or March 5, 2024.

Ms. Maxson said that there was confusion regarding the signature dates because the signature date was October 30, 2023, while the Board passed the decision on October 27, 2023, so this raised concerns about the order of events. She said that she was worried because the owner's acknowledgment consent occurred after the Board passed or supposedly passed the decision. She said that this situation was somewhat confusing. She said that she visited the specific site to check if there was a sign-up opportunity for this fourth submission; however, there was no such submission available.

5. David Fauth, 18 Antietam Loop, Stafford VA 22554, Mr. Fauth said he would like to advocate that they advertise at the 94-cent rate. He said that although he acknowledged that they could always lower the rate in the future, he strongly urged them to advocate for the 94-cent rate. He said that regarding the ladies in green, he had spent Monday participating in Reading Across America at Widewater Elementary. He said witnessing the work done in schools was a humbling experience, and he encouraged others to spend time in schools, especially during lunchtime, to observe the dedication of staff members. He thanked them for their support and efforts in this matter.

Mr. Fauth said that he understood that they often said that last year, someone had advocated for a higher tax rate, and he was willing to take responsibility for his stance and the Board members could cite him as the person who requested they do so. He said that the people who were planning to advocate for it in two weeks would be too late. He said that in two weeks, this decision may have already been made. He said that as members of the public, they must stay informed and engaged throughout the process. He said that he requested that they consider maintaining the 94-cent rate for advertising purposes.

6. Robert Rowlette, 76 Clift Farm Road, Fredericksburg VA 22405, said that he appreciated and thanked the Board for their dedication to the County. He said that upon his arrival more than 40 years ago as a young Marine, he recalled driving from Fredericksburg to Quantico Marine Base with minimal traffic signals. He said that over the years, he observed Stafford County's growth, including the development at 610 Garrisonville Road. He said that after retiring here 26 years ago, he chose to raise his family in Stafford due to its quality of life.

Mr. Rowlette said that over time, he had witnessed the deterioration of schools, increased road congestion, and reduced levels of service in emergency response and police response due to lack of funding. He said that last Wednesday night, the Planning Commission voted to deny an application for development on Clift Farm Road. He said that the decision was correct

because it aligned with the comprehensive plan and considered its effects on infrastructure and the community itself. He said that it was commendable to witness a Board that acknowledged public input from residents who live in the area and pay taxes.

Mr. Rowlette said that the comprehensive plan served as a guide for managing growth effectively by providing direction for resource allocation. He said that allowing unplanned growth increased costs, necessitating road repairs, school construction, and public service establishment in unplanned areas. He said that the Comprehensive Plan and Capital Improvement Plan facilitated cost-sharing between developers and the public. He said that he appreciated their efforts and requested that when voting on this application, the Board consider denying it. He said that proper planning for future growth was essential to ensure adequate resource allocation and equitable cost distribution among all stakeholders.

7. Richard Coleman, 42 Central Court, Stafford VA 22556, said that he requested that the Board fully fund the School Board this year. He said that for years, they had experienced underfunding of the School Board. He said that parents might approach them stating they could not afford the tax rate. He said that part of the reason they could not afford the tax rate was due to the school system's inadequate preparation for economic reality. He said that if they did not fund the schools now those parents would be unemployed 20 years from now, with their children complaining about insufficient funding. He said that they all knew this. He said that the question he posed was: would they make the decision to address the issue now or wait for someone else to fix it for their grandchildren.

NEW BUSINESS (CONTINUED)

ITEM 30. BUDGET AND MANAGEMENT; RESOLUTION R24-65; RESOLUTION R24-68; RESOLUTION R24-70; RESOLUTION R24-73 AUTHORIZE ADVERTISEMENT FOR PUBLIC HEARINGS TO CONSIDER THE CY2024 TAX RATES, FY2025 BUDGET, FY2025-FY2035 CAPITAL IMPROVEMENT PROGRAM, VPSA BOND ISSUANCE, AND INCREASE TRANSIENT OCCUPANCY AND CIGARETTE TAX RATES.

Andrea Light, Director of Budget, said that there were several resolutions requesting the Board to advertise various matters. She said that these included tax rates, the budget, the CIP, transient occupancy tax, cigarette tax, and VPSA. She said that they would discuss each one in detail. She said that firstly, regarding tax rates for 2024 service districts and personal property, she reminded them that advertised tax rates set an upper limit for the Board without requiring re-advertisement. She said that the Board was expected to set these tax rates on April 2, 2024 for all of these taxes. She said that these taxes were specific to service districts: Garrisonville, Lake Arrowhead, Lake Carroll, Hidden Lake, and Lynhaven Lane.

Ms. Light said that they proposed these tax rates at the rate that would meet budgeted requirements. She said that personal property tax rates for vehicles and business property remained unchanged and were not scheduled for change in the proposed budget. She said that the proposed Resolution R24-70 also included real estate and fire and emergency services levy. She said that the chart on the left-hand side of the slide showed the effective rate. She said that the fire emergency services levy was based on the assessed value of real estate, often combined with real estate tax rates.

Ms. Light said they would discuss the 94-cent tax rate proposed, 84 cents which was effective, and they would continue to break down and combine these figures throughout their discussion. She said that by comparing different property types, they could see the median assessed value in 23 compared to 24, the dollar change from the tax rate of 23 to the proposed budget rate of 94 cents, inclusive of both fire and emergency service levy and real estate. She said that the easy-to-read chart broke down all these figures for clarity. She said that the total tax was shown at the top, inclusive of their proposed 94 cents, which included both real estate at \$0.9175 cents and fire levy of 2.25 cents.

Ms. Light said that they were comparing three different budgets that the Board requested staff to prepare and bring back to them, which they did in a work session today. She said that the total amounts were \$0.91, \$0.89, and \$0.87. She said that the charts below showed real estate only, comparing calendar year 2023 to all of those tax rates. She said that the fire levy in calendar year 2023 had a tax rate of 1.5 cents; the proposed tax rate was 2.25 cents. She said that in their work session today, they demonstrated to the Board that they found a way to get the fire levy back to the effective rate at \$0.131, which did not impact the progression of building those fire stations.

Ms. Light said that all of these rates in this comparison were based on median assessed values; this did not necessarily equate to what their home may be but gave them a median value to look at. She said that the Board was asked to advertise the tax rates today on proposed Resolution R24-70. She said that as written and in the Board agenda, it had real estate at \$0.9175 and fire emergency services levy at \$0.0225 cents as those were proposed. She said that if a Board member wanted to adjust the advertised rate, an appropriate motion would be a motion to approve R24-70 with a real estate tax rate of X and a fire emergency levy rate of X.

Ms. Light said that the 2025 budget and the FY25-FY34 capital improvement program were asked to be advertised on proposed Resolution R24-73. She said that they were both requested to be advertised as they were proposed. She said that advertising them in this way did not hold the Board to approving them in this way; it gave the opportunity for the public to see what was before the Board and come and make comment. She said that in this proposed budget, there were increases to two tax rates: the transient occupancy tax rate and the cigarette tax rate.

Ms. Light said that the transient occupancy tax rate was proposed to increase from 7% to 9%, which was projected to provide just over \$830,000 in FY 2025 for park improvements. She said that the cigarette tax rate was proposed to increase from 30 cents to 40 cents per pack, which was the maximum allowed, and was projected to provide about \$540,000 in additional revenue. She said that as part of the budget, the Board was asked to advertise the upcoming Virginia Public School Authority (VPSA) issuance, which was proposed Resolution R24-68.

Ms. Light said that authorizing the future issuance of VPSA bonds did not require the Board to approve future issuances; however, it assisted staff in planning future debt issuances. She said that fiscal year 2025 assumed the issuance of approximately \$91 million of debt to support school projects, including High School 6, Elementary Schools 18 and 19, 3R, and a Drew Middle School replacement.

Ms. Light said that the estimated debt service for this issuance would be approximately \$7.6 million, which would be seen in the FY26 budget. She said that the Board was asked to advertise all of these public hearings, including tax rates, the budget, and CIP, with public hearing dates set for March 19. She said that the public hearings for the tax rate increases, transient occupancy tax, cigarette tax, and VPSA would take place on April 2, with the anticipation that the Board would adopt a budget and tax rate on the same day.

Ms. Vanuch said that during their afternoon session, they discussed the tax rate proposals for Stafford County. She said that Ms. Light shared some valuable insights, including percent increases for each proposed tax rate. She said that if they passed a 94-cent tax rate, the average increase would range from 11% to 16%. She said that with a 91-cent tax rate, the range would be 10% to 13%. At 89 cents, the increase would be between 5% and 10%, while at 87 cents, it would be 3% to 8%. She said that the Commissioner of Revenue informed them that there were 47,600 occupied taxable dwelling units in Stafford County.

Ms. Vanuch said that 34% of the homes, over 16,000 properties, exceeded the average change in assessment value. She said that whatever rate they chose for advertising purposes would communicate a clear message to 16,000 individual dwelling units that had assessments above the 13% average. She said that she owned a house in Alexandria and that her property taxes had increased by \$300 over the past three years. She said that in contrast, her property taxes in Stafford, which were valued similarly, had risen by almost \$1,200 during the same period.

Ms. Vanuch said that this represented a significant increase. She said that the Board had implemented incremental tax increases totaling 20% over the last two years. She said that while she understood that she might not be the most popular voice on this Board, she must emphasize that they must exercise caution in advertising this year's rate. She said that the message they sent

last year was not acceptable, and they must do much better this year in clarifying their goals for today's chart. She said that she would be voting in alignment with the 16,000 residents who experienced assessment increases above 13%.

Ms. Vanuch motioned, seconded by Mr. Diggs, to deem the item time-sensitive.

The Voting Board tally was:

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

Nay: (0)

Ms. Vanuch motioned, seconded by Ms. Gary, to approve Resolution R24-65, the Transient Occupancy and Cigarette Tax.

The Voting Board tally was:

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

Nay: (0)

Dr. Yeung said that she would like further clarification regarding the specific details of the issuance, as there were multiple items listed.

Ms. Light said that the VPSA issuance covers the beginning of Drew Middle School. She said that the estimated design cost for starting the rebuild of Drew Middle School is approximately \$2 million. She said that there is approximately \$40 million for each elementary school, rounded up, to continue the construction of Elementary School 18 and to begin the construction of Elementary School 19. She also said that there is approximately \$2 million allocated for High School 6.

Dr. Yeung said that she thought they had sent a letter.

Ms. Bohmke said they did.

Dr. Yeung said that she did not wish to vote on this issue right now.

Ms. Bohmke asked how they should address this matter if they did not vote tonight, given that the Board of Supervisors sent a letter to the School Board.

Ms. Light said that the Board was not required to have the VPSA public hearing coincide with the budget. She said that they could conduct a VPSA public hearing in conjunction with borrowing. She said that this practice was common in Stafford because it was part of the budget. She said that they attempted to complete all of these tasks simultaneously through the CIP. She said that if the

Board was uncomfortable about the school's CIP and its potential contents, they could always delay this until later in the spring or even early fall.

Ms. Bohmke asked if a vote was required at this point.

Mr. Vosburg said that there would be no action if they were to take that position.

Mr. Diggs motioned, seconded by Ms. Gary, to approve Resolution R24-68.

Ms. Bohmke said that they had allocated \$2 million for Drew's design and \$40 million for each elementary school. She said that assuming they proceeded with these allocations, they could potentially decide next month not to proceed with one of those projects.

Ms. Light said absolutely. She said that the advertisement was for the public hearing, allowing the public to discuss the issuance of general obligation debt under Virginia Public School Authority. She said that this did not bind the Board to make a decision. She said that the Board could proceed with this advertisement, listen to public input, await feedback from the School Board, and then close the public hearing at a later time.

Dr. Yeung made a substitute motion, seconded by Mr. English, to defer the item Resolution R24-68.

The Voting Board tally was:

Yea: (4) Bohmke, English, Vanuch, Yeung

Nay: (3) Allen, Diggs, Gary

Ms. Light said that the Board could address this matter individually. She said that when issuing bonds arrived, they would examine the issuance of those bonds. She said that in FY25, the CIP also included Elementary School 19 with construction commencement. She said that the Board may opt to delay that project by one year, maintain its current status, or take various actions to ensure confidence in future school construction.

Ms. Bohmke said that they would next discuss Resolution R24-73, the CIP.

Dr. Yeung asked where that was located.

Ms. Light said that Ms. Giles would find it in the packet. She said that she would like to clarify that the CIP advertisement does not obligate the Board to make decisions based on the proposed

CIP. She said that they serve as proposed options that can be altered throughout the budget process before being adopted on April 2.

Ms. Bohmke asked if that answered Dr. Yeung's question.

Dr. Yeung said yes. She said that she was waiting to see what was listed.

Ms. Light said that she could discuss some of those items. She said that for schools, the Drew Middle School replacement project began, followed by Elementary School 18 and 19 at \$44 million and \$33 million respectively. She said that High School 6 was almost \$2 million, and some 3R funding that involved replacement, repair, and rehabilitation of HVAC systems, roofs, and other facilities.

Ms. Light said that under transportation, it continued a number of projects into FY25. She said that Fire and Rescue continued with the Aquia Harbor Station, Rock Hill Station, apparatus replacement, and ambulance. She said that in parks and recreation, it included the Carl Lewis replacement, received \$10.1 million in funding for Musselman Park, allowing the master plan to be executed. She said that there were also other 3R funding.

Ms. Light said that the Courthouse Building began to ramp up with the design. She said that the sheriff's office received funding for capital construction, with \$150,000 allocated annually for cost estimates. She said that a joint complex land purchase of approximately \$3 million was funded for the purpose of providing space for the joint training center and a new utilities headquarters. She said that they had a number of 3R projects for community facilities and some for information technology.

Ms. Bohmke said that Ms. Light mentioned ambulances on the prior page. She asked if those would be included in their fire levy.

Ms. Light said that they still included them in their capital improvement program, which was funded by their fire levy.

Dr. Yeung motioned, seconded by Ms. Allen, to approve Resolution R24-73, advertising a public hearing for the FY25 Budget and CIP.

The Voting Board tally was:

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

Nay: (0)

Ms. Allen motioned, seconded by Mr. Diggs, to approve Resolution R24-70, with an advertised real estate tax rate of \$0.8969 and a fire levy of \$0.0131.

Ms. Vanuch made a substitute motion, seconded by Dr. Yeung, to approve Resolution R24-70, with an advertised real estate tax rate of \$0.8769 and a fire levy of \$0.0131.

Ms. Allen said that one of her primary concerns regarding setting the rate lower was that she was unsure if the school funding rate at that level would be adequate to address support staff and personnel issues that schools have discussed. She said that she was unsure if the public had this information, but at least in option one, there may be possibilities for them to reallocate resources and ensure that they did not significantly undercut the school's requests.

Ms. Gary said that regarding the single-family home tax rate, it increased from \$17 to \$25 on average per month. She said that for townhouses, the rate rose from \$18 to \$23 per month. She said that these figures represented average monthly payments for residents. She said that in the case of condos, the rate went up from \$21 to \$26, resulting in an additional \$5 per month. She said that this was negligible

She said that she understood that there may be concerns about personal budgeting for those with larger properties but believed that they could still proceed with option one at the 91-cent rate. She said that she acknowledged that this may create some difficulties for certain individuals but when they considered the overall costs and benefits, this difference was negligible in comparison to the significant investment they would be making in their children's education and supporting their educators and staff in the County.

Mr. English said that he wanted to echo Mr. Fauth's public comments and encourage the public to come and speak about their thoughts on the tax rate.

Mr. Diggs said that numerous individuals spoke tonight, and when considering supporting this advertisement rate, he agreed with .91. He said that in a previous meeting, he expressed his desire to allocate \$15 million for schools. He said that he was attempting to balance this budget while addressing various needs. He said that his primary focus was ensuring the well-being of their staff because they would, in turn, support their constituents and the support staff. He said that at .89, he did not believe they could adequately address both County staff requirements and support staff needs; thus, .89 was not a favorable outcome for the County.

Dr. Yeung said that several individuals suggested funding at \$0.94. She said that she assumed that three Board members wanted to fund at 94; however, someone proposed \$0.91 instead. She asked what happened to \$0.94. She asked if the main point of discussion was to provide the school with

the full \$15 million. She said that now, they were discussing option one for \$0.91, but two pennies lower was \$0.89. She said that she believed that two pennies was a small difference. She said that there was one department that received a considerable amount of funding that was equivalent to two cents. She said that she would prefer that these funds be allocated to schools; however, they were currently embedded in the \$0.94, so now they had lowered it to \$0.91.

Mr. Diggs said that they had been avoiding this issue, but the truth was that past decisions had led them to this point. He said that while he would prefer a \$0.94 rate, he acknowledged the limitations faced by his constituents and those throughout the County. He said that it did not make sense that four of them initially requested \$15 million dollars, only to now discuss an \$0.89 cent rate, which equated to 9 million dollars, which was a far cry from their initial proposal. He said that they could criticize the increase for public safety, but they must also consider broader perspectives and make decisions that would propel the County forward.

Ms. Vanuch said that this was not their money and it was a billion dollar budget. She said that there was plenty of time to move things around and prioritize. She said that in her opinion, the \$0.89 rate required them to do that hard work. She said that during budget meetings last year, tough decisions regarding cuts were avoided due to reluctance in making them. She said that this year, they had received feedback suggesting a \$0.94 tax rate; however, she had received numerous emails regarding assessments in rural areas like Rock Hill and Hartwood, which had significantly impacted residents there.

Ms. Vanuch said that the graph presented by Ms. Light highlighted this issue, particularly for 20-acre properties. She said that the proposed 5-cent increase in advertising was already significant at an 89-cent tax rate. She said that she was concerned that if they raised it to 91 cents, they may not focus enough on cutting necessary expenses and engaging in productive budget discussions. She said that she was concerned that 34% of County residents received substantial assessment increases this year, with some experiencing 30% to 50% higher assessments compared to last year, in addition to a 20% tax increase over the past two years.

Ms. Vanuch said that in November, voters may be asked to support a 1% increase in sales tax for school funding. She said that this proposal was likely to face opposition. She said that her strategy was focused on the long-term goal of securing community support for investment in education. She said that next year, data centers would come online, and the 1% sales tax would be proposed if they received Board support after General Assembly approval, which had already passed the House and Senate.

Ms. Vanuch said that this additional revenue would allow for staff increases due to the lack of COCA salary adjustments from the state. She said that the long-term goal was to address funding

issues consistently rather than making short-term decisions each year. She said that she would maintain her stance on the 89 cents proposal, hoping for its passage. She said that she was unsure if it would be successful. She said that to benefit their community residents, they must work diligently on addressing unsustainable tax increases for their constituents.

Ms. Gary said she wished to provide clarity regarding the comments about advertising at 94 cents. She said that she believed this would be the most appropriate rate but understood that there might not be consensus for this option. She said that last year they witnessed instances where situations became confusing and troubling for people. She said that she was willing to compromise by supporting option one, which was advertising at 91 cents. She said that she was concerned that this may lead to further drops after advertising, but they must find a common ground and work together, as suggested by many. She said that she proposed that they advertise at 91 cents, provided they could reach consensus on this matter.

Ms. Gary said that she would like to address the statement that no one wanted to do the hard work last year. She said that it was crucial to recognize that every Board member was doing their best and that they all contributed to the hard work. She said that she trusted their staff and the County Administrator to present them with a sensible budget. She said that there were numerous cuts made to the budget last year.

Ms. Gary said that they must acknowledge that short-sighted decisions had been made in the past, such as using one-time funds for ongoing expenses. She said that they faced these consequences this year. She said that these discussions required careful consideration of their current realities. She said that she hoped that they could reach consensus on option one. She said that she understood that this was not the motion currently being discussed but that she wanted to address Dr. Yeung's question and other related statements.

Ms. Allen said that she did not believe it was fair to assume that Board members would not undertake difficult work. She said that was unnecessary. She said that she understood what it was like to have to pay a considerable amount of taxes on her earned salary, which was why she was at the \$0.8969 position; she was not doing this because she wanted to. She said she had already shared her experiences with them and they could refer to any videos or discussions they had had. She said that at one point, she was driving for Uber so she could pay these taxes. She said that she was not saying that she was not signing up for something she would not do.

Ms. Allen said that they must remember that during their joint meeting with the School Board last week, she specifically asked a question that Dr. Yeung may have also asked, which was what would happen if they did not fund the School Board at their request. She said that they asked what would be the first area of removal for the School Board. She said that the superintendent replied

that personnel and compensation would be affected. She said that regardless of how they cut it, they would not reach \$15 million. She said they should all acknowledge that.

Ms. Allen said that they now had to determine which budget can get them close enough so that they do not lose staff. She said that at \$9 million, he would not be able to fund his staff as required. She said that she could already tell them that Prince William was advertising almost 9% higher salaries for their school and support staff compared to them. She said that if they were looking to cut his staffing compensation while their competitors were raising theirs, that was a no-brainer. She said that she believed that the \$0.8969 was a fair compromise for those who wanted to be at \$0.94 and those who preferred a more fiscally conservative approach, understanding the significant financial burden that everyone was facing due to recent two cycles of assessments.

Mr. English said that they had another meeting scheduled with the School Board on Thursday. He said that the advertising rate was \$0.91. He said that there was flexibility to adjust the rate if needed; however, he noted that there were several factors in play that made it difficult for him to lower the rate any lower at this time, so he would support \$0.91 as the advertised rate.

Ms. Bohmke said that the previous year's property assessments in Stafford County had resulted in a significant increase for some residents. She said that one neighbor's home value rose by \$100,000, despite being a modest, fixed-income household. She said that this raised questions about how to balance the needs of residents on fixed incomes within Stafford County. She said that the proposed budget of \$0.89 per \$100 of assessed value was a compromise between the County Administrator's proposed budget of \$0.94 and the current effective rate of \$0.84.

Ms. Bohmke said that this budget did not fully meet the needs of schools or the County. She said that Stafford County's primary legislative priority was to address the disparity in Cost of Competing (COCA) funds distribution. She said that Stafford County received only 25% of COCA funds, while other counties north received 100%. She said that this funding disparity placed a greater burden on residential taxpayers and businesses alike. She said that the decision at hand was undoubtedly challenging.

Ms. Gary asked if Ms. Bohmke could repeat the substitute motion on the floor.

Ms. Vanuch said that the motion was to approve Resolution R24-70 with an advertised real estate tax rate of \$0.8769 and the fire levy of \$0.131, for a total rate of \$0.89.

Ms. Bohmke called the vote.

The Voting Board tally was:

Yea: (3) Bohmke, Vanuch, Yeung

Nay: (4) Allen, Diggs, English, Gary

Ms. Bohmke said that the original motion was now on the floor. She asked Ms. Allen to repeat that motion.

Ms. Allen said that the motion was to approve Resolution R24-70 with an advertised real estate tax rate of \$0.8969 and the fire levy of \$0.131, for a total rate of \$0.91.

Ms. Gary said that she would like to bring up a matter that could be discussed at a later time. She said that she believed that their Board should begin advocating for some form of age-in-place legislation by that date so that they no longer have to worry so much about their seniors and individuals living on fixed incomes. She said that she thought that this was something they should consider.

Ms. Vanuch said that her final comment was that she was genuinely concerned about advertising at this amount because she did not hear most of the Board members state that they would participate in budget sessions to lower this figure further. She said that she heard numerous valid reasons for why they should vote on a \$0.91 total tax rate, but not enough of a majority to drive it down, which was forcing the burden on the Board members who wanted to propose a rate that they could have worked with. She said that it would have been very easy and transparent to work with for the public. She said that it was very concerning.

Ms. Gary said that Ms. Vanuch raised an important point. She said that she was willing to work through some of their budget work sessions and determine if there was anything else they could cut at that time. She said that she believed this was the appropriate rate but was open to examining that further, assuming that the rest of them would be as well.

Mr. Diggs said that he agreed with Ms. Gary's comment. He said that he would commit to working on that.

Ms. Bohmke called the vote.

The Voting Board tally was:

Yea: (5) Allen, Diggs, English, Gary, Yeung

Nay: (2) Bohmke, Vanuch

PUBLIC HEARINGS

ITEM 31. PLANNING AND ZONING; RESOLUTION R24-18; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW A VEHICLE FUEL SALES USE AND DRIVE-THROUGH FACILITY IN THE B-2, URBAN COMMERCIAL AND HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICTS AND A CONVENIENCE STORE IN THE HC, HIGHWAY CORRIDOR OVERLAY ZONING DISTRICT, ALL ON TAX MAP PARCEL NO. 44-143 (PROJECT KNOWN AS SHEETZ ON WARRENTON ROAD).

Evelyn Keith, Department of Planning and Zoning, said that she would be presenting the project for the conditional use permit. She said that the zoning map showed the property outlined in blue and zoned B-2 Urban Commercial within the Highway Corridor Overlay District. She said that the site was located on the south side of Warrenton Road at the intersection with McLean Drive. She said that the surrounding zoning districts were B-2 to the east, west, and north, and A-1 to the south. She said that the property consisted of a single parcel, approximately 3.49 acres, which had been zoned B-2 Urban Commercial since before 1978 and was not subject to proffers.

Ms. Keith said that the next slide showed an aerial view of the existing conditions, indicating that the site currently housed an existing Hardee's restaurant with a drive-through, which would be demolished for the construction of the new development. She said that sidewalk was located on a portion of the site on Warrenton Road within the public right-of-way. She said that nearby establishments included a Super 8 Motel to the east, a Black Rifle coffee shop with a drive-through to the west, vacant land to the south, a Waffle House and Clarion Motel to the north across Warrenton Road. She said that there was an RPA present at this site.

Ms. Keith said that next slide was a view of the property from Warrenton Road. She said that the generalized development plan illustrated the proposed layout of the Sheetz vehicle fuel station featuring 16 fuel pumps and 6 electric vehicle charging stations, along with a convenience store containing a drive-through facility and a bypass lane. She said that access would be provided through an existing full access entrance along Warrenton Road and a proposed inter-parcel connection with the adjacent property to the east, which was the Super 8 Motel. She said that the existing southern entrance along Warrenton Road would be reconfigured from a right-in, right-out access to a right-out only access point.

Ms. Keith said that the drive-through and bypass lane was located on the south side of the building. She said that there was existing sidewalk along a portion of Warrenton Road, and the applicant would construct additional sidewalks to connect to the existing sidewalk network along Warrenton Road, as well as a connection to the convenience store, and crosswalks would be installed at entrances along Warrenton Road. She said that the next image was from the traffic impact analysis (TIA), which was submitted with the application to determine the impacts from the proposed use.

She said that the TIA evaluated impacts from the circled intersections. She said that the TIA study found that all of the intersections would operate at an overall level of service, C or better.

Ms. Keith said that however, at the signalized site entrance on Warrenton Road, the study found that the project would have negative impacts on the left turn lane on Warrenton Road and to the site. She said that the remedy would be to expand the left turn lane on Warrenton Road to provide additional vehicle queuing storage. She said that the applicant had shown on the generalized development plan the extension of the left turn lane on Warrenton Road and to the site. She said that the Virginia Department of Transportation found this improvement acceptable.

Ms. Keith said that also provided were some of the architectural renderings from the applicant. She said that staff had noted that the proposed building design conformed with several architectural guidelines of the Neighborhood Design Standards Plan. She said that the next map was the comprehensive plan, which identified the property as being in the Berea targeted development area, and the land use concept within the targeted development area classified this site as Highway Commercial.

Ms. Keith said that staff had noted that the proposed vehicle fuel cells and convenience store with a drive-through use was consistent with the comprehensive plan recommendations for the Berea targeted development area and Highway Commercial land use concept, and was also consistent with the established development pattern along Warrenton Road and other Highway Commercial-oriented uses adjacent to the sites.

Ms. Keith said that the following were a few of the proposed conditions which would help offset any potential negative impacts. She said that these were to require the property to be developed in general conformance with the general development plan, prohibit any new entrances onto Warrenton Road, require sidewalks and crosswalks along Warrenton Road and a sidewalk connection between the building and the Warrenton Road sidewalk, limit the number of fuel pumps to no more than 16, the building to be constructed in general conformance with the styles and materials depicted on the architectural renderings, and it must comply with the Neighborhood Design Standards Plan.

Ms. Keith said that staff found that positive features or aspects of this application were that the proposed use was generally consistent with land use recommendations in the comprehensive plan, the use was consistent with the established development patterns within the vicinity, the proposed building design incorporated architectural treatment standards and the Neighborhood Design Standards Plan, the project mitigated potential impacts to the transportation network, and the proposed conditions would help ensure any potential negative impacts were mitigated.

Ms. Keith said that staff found no negative aspects associated with this application. She said that the staff supported the project and recommended approving the application, subject to conditions, on January 24, 2024. She said that the Planning Commission had voted 6-0 in favor of recommending approval.

Dr. Yeung said that she had received an email regarding the oil separator. She asked if there was any further information regarding that subject.

Ms. Keith said that she received the email and that it appeared that they previously utilized such conditions when it was quoted for the vehicle fuel cells under the specified condition. She said that at that time, they were unaware that the condition or standard was already required through the stormwater management plan. She said that consequently, they no longer needed those conditions because they were now mandatory for stormwater management facilities.

Dr. Yeung asked if it was included in that instead of having it out separately.

Ms. Keith said yes, they were required to meet those standards.

Ms. Bohmke asked if the applicant would like to address the Board.

Jonelle Cameron said that she was with Walsh-Colucci. She said that she understood they had had a long day and had a hearing scheduled after theirs. She said that to save time, she would focus primarily on the site layout and transportation improvements. She said that their team members present included Gary Kilfeather, Hank Slicker, Brandon Crist, civil engineer John Fairbanks from Fairbanks and Franklin, and traffic engineer Andrew Butsik from Kittleson and Associates. She said that Ms. Keith had already provided detailed information about the property location, so she would not cover that topic again.

Ms. Cameron said that the existing Hardee's location was shown in the next slide. She said that the contextual exhibit demonstrated their layout within the corridor, surrounded by the approved Black Rifle Coffee Shop to the north and an existing hotel to the south. She said that their proposal aimed to revitalize this area and update the existing Hardee's facility. She said that the illustrative plan displayed a building of approximately 6,879 square feet, featuring outdoor seating, two canopies for a total of 16 fueling positions marked by X, and a drive-through lane with separate ordering and pickup windows.

Ms. Cameron said that there was a proposed bypass lane at the site, which she indicated on the map. She said they were enhancing the existing access points. She said that VDOT requested that at the signalized intersection, once entering the site, there be two lanes: one for those intending to

visit the pumps or store, and another for those using the drive-thru. She said that essentially, this layout was proposed.

Ms. Cameron said that another improvement they were making was changing one access point to allow right-out traffic only. She said that the Planning Commission held a public hearing where the hotel owner to the south requested two changes. She said that they asked for a fence, which was already included in their plans. She said that they proposed installing a fence in this area. She said that secondly, they requested a crosswalk from their hotel directly to their site for better access. She said that they had accommodated this request in this area, in front of the drive-thru lane. She said that this location was ideal because vehicles would already be stopped, and they would have signage directing drivers to stop for pedestrian crossings.

Ms. Cameron said that from a transportation perspective, the existing right turn and left turn lane into the site from Route 17 was insufficient. She said that the lane measured 200 feet with a 100-foot taper. She said that as part of this proposal, they had extended the left turn lane to 305 feet with a 100-foot taper, which was deemed acceptable by VDOT. She said that the provided building elevations aligned with the neighborhood design standards, including the use of varied roof lines with parapet walls and primary facade materials such as a combination of brick and stone.

Ms. Cameron said that the buildings offered a clearly defined and highly visible customer service entrance. She said that the rear and right elevation slide was displayed, while the canopy elevations were shown in the subsequent slide. She said that the base of the columns matched the materials of the building. She said that they had removed the existing nonconforming pole sign and provided a monument sign measuring 12 feet in height as part of this proposal.

Mr. Diggs said that one of the primary concerns of constituents was the stream located behind the site. He asked if they could address the fuel tanks being installed underground. He said that he wanted to know what precautions or measures had been taken to ensure there was no leakage.

Ms. Cameron said that the fuel tanks had double-walled fiberglass construction. She said that between the first wall containing fuel and the second wall, there was a brine solution. She said that if there was a leak in this solution, a sensor detected it. She said that these sensors were monitored 24/7 both on-site and remotely off-site. She said that if the sensor detected a leak, the fuel automatically stopped, and all pumps would cut off. She said that in addition, sensors were located on the MPDs themselves and within the fuel lines. She said that whenever there was a sense of leak or pressure, these sensors activated, notifying store personnel and remote personnel. She said that the fuel tanks would be shut off immediately, and a third-party company would be dispatched to assess the issue.

Ms. Bohmke said that regarding the fuel tanks, she would ask if upon notification, someone needed to physically shut them off or if the process could be done electronically.

Ms. Cameron said that they do it electronically, and it automatically shuts off.

Ms. Bohmke opened the public hearing for comments from the public.

1. Al Watkins, 12 England Run Lane, said that before voting on the Sheetz project, he wanted them to consider some questions about the project since there were concerns from residents in the Southern Gateway region. He said that their first concern was that this location was crucial due to the presence of a traffic light at the intersection with McLean Drive. He said that if they asked VDOT if they planned to place another traffic light in this area, including the Belmont Park development and the intersection for the new Rappahannock Bridge and Parkway, they would confirm that there would be no more intersections in this area. He said that this intersection was important and required a better purpose than just this parcel.

Mr. Watkins said that in drawing number one, he asked them if they could guess how many existing gas stations, complete or complete with food, drink, and other merchandise, were within a half-mile radius of this proposed new Sheetz location. He said that if they thought there were less than five other service stations, they would be incorrect. This new Sheetz would be the sixth service station. He said that for number three, he wanted to know if anyone had ever ventured to the rear of the property, or if they knew that the stream was just 50 feet away from the Laurel Branch, which was part of England Run, a Chesapeake Bay watershed protected waterway.

Mr. Watkins said that he hoped the stormwater basin, located near the site, would function effectively. He said that he was happy that the gas tanks were situated close to Warrenton Road, but understood the concerns raised by Dr. Yeung during her discussion of the CUP conducted long ago, which requested an oil and water separator. He said that after reviewing the entire plan and all attached documents, he still sought clarification regarding the current inclusion of this separator in various projects.

Mr. Watkins asked where the protection provided by the oil and water separator was located. He said that he was uncertain about its location, and would appreciate an answer. He said that additionally, he questioned whether it was truly necessary and desirable to have a sixth service station occupying a valuable intersection with a traffic light. He said out that this location was quite close to a protected stream. He said that again, he was unsure of the precise location of the technical equivalent of the oil and water separator. He said that he requested answers to

these questions. He said that there were numerous representatives from Sheetz present, so he hoped they would be able to answer these questions.

2. Molly Denham, Hartwood District, said she was addressing Molly Denham regarding the Heartwood District. She said that the County had stated that there was no apparent negative impact; however, she must respectfully disagree. She said that she resided in this area, specifically near 17, and she was tired of South Stafford being considered the truck stop of Stafford County.

Ms. Denham said that along with other concerned residents, she had counted over 30 gas stations, auto body shops, and oil change facilities within a 10-mile stretch from her house off 17, down 95. She said that the area was inhabited by residents like herself who were tired of Route 17 being viewed merely as a route for 18-wheelers to bypass 95 traffic between D.C. and Fredericksburg. She said that the existing traffic congestion on 17 would likely worsen due to the new high school, and she was not in favor of adding more gas stations, oil change facilities, or car repair shops on Route 17.

3. Vipul Patel said that he was representing the Super 8 hotel located adjacent to the proposed Sheetz project. He said he was there to support the Sheetz project and request approval. He said he was a member of Sheaves IVA, Inc. which purchased the hotel in February 2022. He said that in the past two years, they had invested significant capital improvements that would positively impact tax revenues for the County. He said that as neighbors to the current Hardee's restaurant, they had realized that aside from Hardee's operations, there existed a trucking holdover at the rear of the lot.

Mr. Patel said that this was not understood nor known prior to his purchase, and the existing trucking operations had been a significant 24/7 source of noise and nuisance for their guests. He said that at the Planning Commission hearing for Sheets, a Commissioner had raised concerns about the sheer volume of trucks at the rear of the lot. He said that in closing, Sheetz's plans indicated transient traffic and no truck parking. He said there should be no doubt that Sheetz would contribute greatly to tax revenues for the County, and he requested that they grant approval for this project.

Ms. Bohmke closed the public hearing. She asked if the applicant would like to address the question of the oil separator.

Ms. Cameron said that from a stormwater management perspective, during the site plan stage, both state and County regulations determine the necessary requirements for stormwater management. She said that these considerations include evaluating the site layout and determining if a

stormwater oil-water separator or equivalent is needed. She said that County staff handle these requirements at the site plan stage. She said that consequently, these requirements are not conditional use permit conditions because they must be addressed at the time of site plan approval.

Mr. Diggs motioned, seconded by Ms. Gary, to approve Resolution R24-18.

Mr. Diggs said that he would like to highlight a few key points regarding this matter. He said that he was concerned about the revitalization of Route 17 from Route 1 up to the area currently occupied by Hardee's. He said that the truck operations behind Hardee's, as depicted in the displayed photo, raised significant concerns for him and other residents due to nuisance issues. He said that he was also concerned about environmental concerns, as the runoff from these trucks posed a potential risk of contamination in the nearby creek. He said that the proposed plans from Sheetz addressed these issues by prohibiting overnight parking for trucks and incorporating EV charging stations in the development.

Mr. Diggs said that he appreciated that this would provide a convenient charging option for residents in the community who currently had limited access to charging facilities in their County. He said that currently, there was charging available in the northern end of the County off of Route 610, but otherwise one would need to go to Spotsylvania to charge their vehicle. He said that this would be a nice location off of Route 17 for residents to charge their vehicles and get coffee from Black Rifle or Sheetz.

Ms. Allen said she would support this project; however, she wanted to make a comment to the public regarding their approach towards businesses in their community. She said that this was not intended with any malice or flippant attitude towards their constituents. She said that their economic development staff did an excellent job of advocating for the things their community wanted. She said that when businesses came to them, especially when they were trying to grow their commercial side of their revenue, she was not in the business of turning them away. She said she wanted to clarify that they did not actively seek specific types of businesses but rather welcomed all businesses that aligned with their community's interests.

Ms. Allen said that currently, they were not in the business of rejecting potential businesses based solely on what already existed. She said that Mr. Diggs mentioned that EV charging was a significant revenue base they had not yet tapped into. She said that by providing charging options for electric vehicle users traveling along I-95, they could capture additional revenue that would otherwise be collected by another locality. She said that this was a significant opportunity in that regard, so she would support this item.

Ms. Gary said that she would also be supporting this project. She said that it appeared that this initiative addressed the issue of trucks being parked in that area, making it look like a truck stop with all the parked trucks. She said that she was unaware of until she saw images of the current property. She said that she was pleased that redevelopment was taking place in this area. She said that while there may be projects that they did not all agree upon, she believed this was a suitable project for this location, and she would be supporting it.

Dr. Yeung said that she would like to express her support for this initiative, not solely due to the provision of the Sheetz, gas, and other items. She said that she had discussed this matter with the Board member representing the district in question, while also considering the available data. She said that she was committed to preserving the environment and ensuring the wellbeing of people's homes and living spaces. She said that her focus was on revitalizing that particular area.

Dr. Yeung said that there may be locations along 95 where adding another gas station would be undesirable due to the existing number of stations, but it was acceptable in areas that required one, and from what she understood, this corner location had a traffic light. She said that Mr. Diggs had likely conducted thorough research and consulted his constituents to determine that this project was beneficial for the community.

Ms. Bohmke said that she would be supporting this initiative; however, she had concerns regarding the creek. She said that the oil separator was of great importance to her. She said that about ten years ago, some of their creeks did not receive the highest ratings due to residential impacts, some of which were related to residential impacts. She said that she cared a lot about the Chesapeake Bay. She said that while she would support this proposal, she would like to see extensive analysis conducted during the site plan stage, particularly concerning stormwater management and runoff issues.

Ms. Bohmke called the vote for Resolution R24-18.

The Voting Board tally was:

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

Nay: (1) English

ITEM 32. PLANNING AND ZONING; ORDINANCE O24-06 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 58-56 (PROJECT KNOWN AS KINGS HIGHWAY ASPHALT).

Amy Taylor, Department of Planning and Zoning, said that she was present this evening for their discussion about the Kings Highway Asphalt request for reclassification. She said that to remind them, this request was to rezone 73.33 acres from A-1 Agricultural to B-2 Urban Commercial and from B-2 Urban Commercial to M-2 Heavy Industrial. She said that this affected tax map parcels 58.5A, 58.5B, and 58.5G within the George Washington Election District, with Allan Myers Virginia, Inc. being the owner and applicant. She said that they had a public hearing on February 6, which was deferred until March 5, and Charlie Payne with Hirschler was present that evening, representing the applicant.

Ms. Taylor said that the site was located along the south side of Kings Highway, approximately 1,700 feet east of the Blue and Gray Parkway. She said that the affected parcels were outlined in red on the zoning map. She said that most of the property was currently zoned A-1 Agricultural, with a small portion zoned B-2 Urban Commercial located in the southeast corner of the site. She said that the property was also located in the Highway Corridor Overlay District.

Ms. Taylor said the surrounding zoning districts included R-1 Suburban Residential to the north, HI Heritage Interpretation, B-2 Urban Commercial, A-1 Agricultural, and M-1 Light Industrial to the east, south, and west. She said out that there were no abutting uses to the west, which was bordered by the Rappahannock River. She said that also discussed previously was that most of the subject property had been zoned A-1 since before 1978, except for a small B-2 portion that was rezoned in 2005. She said that the property was developed and currently used as an asphalt plant, which had remained in continuous operation since the early 1960s, predating the enactment of the County's zoning ordinance and regulations in 1964, making the facility an existing nonconforming use.

Ms. Taylor said that the property had previously operated as a sand and gravel mine but had since ceased mining operations. She said that the site was currently undergoing reclamation to restore the previously mined areas to their natural state. She said that this was depicted in the generalized development plan (GDP), which illustrated the existing site layout, identified the location of all buildings associated with the asphalt plant, as depicted in the areas shown in orange. She said that the reclamation areas of the former sand and gravel mines were shown in green.

Ms. Taylor said that the areas associated with the asphalt plant were approximately 100 feet from the closest residential properties along Enola Road to the north. She said that at the last meeting, it was confirmed that the dimension between the inside buffer area or berm area associated with the asphalt operational area and the property line to the closest home was roughly 100 feet. She said that the applicant had indicated no expansion was proposed beyond the existing site's footprint nor was there a proposed increase in their existing asphalt production. She said that the site had a single existing entrance along Kings Highway and had limited frontage in the area.

Ms. Taylor said that asphalt production operations were located in the central and northeast portions of the site, while reclamation areas associated with the former sand and gravel mines were located in the southeastern portion. She said that berms and wooded buffers were located in several locations around the perimeter of the property, which screened most of the site from abutting uses. She said that the eastern side of the property was largely open, while the western side along the river was densely wooded.

Ms. Taylor said that during the public hearing on February 6, the Board expressed concerns regarding clarification of light industrial versus heavy industrial uses, investigation of complaints related to alleged facility expansion, review of proper language related to mitigation of noise from vehicles and equipment, mitigation of odors and respiratory issues or device monitoring, and vegetative buffering, screening, and landscaping.

Ms. Taylor said that there were also concerns expressed regarding general respiratory concerns and air quality testing, as well as the evaluation of the typical staff costs and impacts associated with the review, inspection, and enforcement of conditional use permits. She said that since that time, staff had attempted to address those concerns raised. She said that in regard to the clarification of the light and heavy industrial uses, a side-by-side comparison of each zoning district was provided. She said that M-1 light industrial district was typically associated with activities related to business and industrial uses, such as construction, light manufacturing, communication, utilities, and wholesale trade.

Ms. Taylor said that many of these activities were typically conducted primarily indoors. She said that on the other hand, the M-2 heavy industrial district was typically associated with activities related to heavy manufacturing, light industrial uses, and mining and resource extraction. She said that many of those uses associated with the heavy industrial district were conducted outdoors and involved the use of heavy equipment and large quantities of raw materials.

Ms. Taylor said that concerns regarding the alleged facility expansion were also investigated, and the building division staff did conduct an inspection of the facility and found no evidence of additional equipment or structures that had been installed without the proper permits. She said that all previously expired permits were reinstated, and final inspections of the foundations and the associated silos have been completed and approved by the commercial building inspector. She said that based on this information and review of aerial imagery, zoning staff also found no evidence which suggested the installation of additional equipment or structures aside from that specifically identified in the zoning request.

Ms. Taylor said that the request for zoning verification dated August 8, 2019. She said that as noted previously, a zoning verification was issued on August 26, 2019, which indicated that the

removal and replacement or update of the equipment referenced in that request did not constitute an increase in the nonconformity of the existing nonconforming use. She said that in regard to the review of the proposed proffers, the County attorney did review the proffers and suggested some revised language regarding buffering, screening, and landscaping, which clarifies the need for appropriate replacement buffers to be installed within 90 days where existing vegetation must be removed.

Ms. Taylor said that suggestions were also made for several additional minor revisions to further provide clarification regarding site lighting and backing maneuvers during nighttime hours and quarterly reporting of all nighttime operations. She said that the applicant agreed to all the suggested revisions, and the proffer statement has been updated accordingly. She said that respiratory concerns and air quality issues were addressed, and staff contacted the Virginia Department of Environmental Quality regarding the applicable air permits for this facility.

Ms. Taylor said that they found that the asphalt plant has been permitted since March 2001 under a minor new source review permit, which is required for certain types of industrial uses that are stationary and emit less than 100 tons per year of specific pollutants. She said that these permits typically do not expire and are subject to continuous monitoring, recording requirements, including annual reporting of the facility's throughput for all permitted emissions, and periodic compliance evaluations and inspections.

Ms. Taylor said that in addition, the facility is currently regulated for multiple emissions and pollutants, including particulate matter and volatile organic compounds. She said that the facility's production of asphalt is also limited based on the permitted emission levels. She said that as discussed with DEQ staff, the facility is currently in compliance with its permit requirements, and the last record of noncompliance was documented in 2006.

Ms. Taylor said that regarding staff costs and impacts associated with processing and evaluating conditional use permit applications, staff noted that little additional staff time is necessary when CUPs are required in conjunction with a reclassification since both applications are processed and evaluated concurrently. She said that the majority of staff time is typically associated with the primary application for reclassification, and the additional time needed for research and drafting various staff reports solely related to the concurrent CUP is generally minimal in comparison.

Ms. Taylor said that compliance with established CUP conditions is reviewed at the time of site plan submission and building permit application, and the associated staff time is similarly low and typically requires less time than that required for proper review. She said that inspections and enforcement of CUP conditions and proffers also require minimal staff time since enforcement is primarily complaint-based.

Ms. Taylor said that the proposed proffers will help offset and mitigate potential negative impacts and limit permitted uses on the property to asphalt manufacturing, construction, sales, and reclamation of the former sand and gravel operations, in addition to the specific supporting accessory uses. She said that they would also establish standards for retaining existing vegetation and replanting within designated areas.

Ms. Taylor said that within 12 months of site plan and permit approval, they should construct eastbound and westbound turn lane improvements along Kings Highway. She said that they should establish standards for all outdoor exterior lighting, including manual operation and non-lighting hours. She said that they should prohibit backing maneuvers during nighttime hours unless trucks were equipped with white noise backup alarms. She said that they should establish and maintain a community liaison to serve as a point of contact for County residents. She said that this would limit nighttime operations to no more than 150 nights per calendar year.

Ms. Taylor said that staff said that the current asphalt plant and mine reclamation were uses not specifically identified in Table 3.1 of the zoning ordinance, and a CUP would typically be required since these uses fell under the category of heavy industrial and manufacturing uses not otherwise listed. She said that since the applicant had identified these specific uses in the proffers statement as permitted uses, acceptance of the proffers by approval of this request would allow the applicant to proceed with these uses without the need for a CUP.

Ms. Taylor said that staff found positive features or aspects of the application that included that the existing asphalt plant and proposed industrial classification was generally consistent with the land use recommendations in the comprehensive plan regarding industrial development and was also consistent with the current use and operations of the site as well as the established and developing land uses along Kings Highway.

Ms. Taylor said that proposed turn and lane improvements would improve existing access to the site, and the proffers would limit potential negative impacts by limiting permitted uses, improving existing access to the site, retaining existing vegetation, and addressing various issues associated with nighttime operations. She said that staff found no apparent negative aspects associated with the application. She said that staff remained supportive of the project and recommended approval of the reclassification application with proffers pursuant to Ordinance O24-06.

Dr. Yeung said that the application concluded without mentioning any negative aspects, indicating that the entry process went smoothly. She said that the proposed zoning reclassification stated that it aimed to bring the site and its existing uses, currently an asphalt plant, into compliance. She said that it was previously classified as A-1 Agriculture and B-2 Urban and would be moving to M-2 Heavy Industrial zoning. She asked if this was correct.

Ms. Taylor said that was correct.

Dr. Yeung asked for further clarification regarding M-2's association with heavy industrial sectors, such as manufacturing, mining, resource extraction, and other activities conducted outdoors, where large quantities of raw materials are utilized, often involving the use of heavy equipment.

Ms. Taylor said that the references made to the comparison between an M-1 use and an M-2 use, or light industrial use versus heavy industrial use, were generalizations of the types of activities typically seen in those districts. She said that in this case, the facility or property was already zoned A-1, which did not permit these existing uses. She said that this was why the applicant was seeking reclassification to bring their site into conformance with the zoning ordinance.

Dr. Yeung asked if they intended to alter the zoning for this specific location. She asked if modifying the zoning would also affect the zoning of the residential area nearby. She asked how many homes were in that area.

Ms. Taylor said that the application pertained exclusively to these specific parcels. She said that the zoning would have been modified solely for these specific parcels in question.

Ms. Taylor said that staff would not be able to provide information about that. She said that she could identify the two existing homes along Enola Road. She said that outside this area, she could not provide any further details.

Dr. Yeung asked how close the nearest home was to the subject location.

Ms. Taylor said that the closest home was 100 feet away from the facility on Enola Road.

Mr. Diggs asked if the business would be able to expand without approval from the Board after the rezoning change. He asked about what would happen if they were approved tonight and sold the property tomorrow, and new owners came in wanting to expand.

Ms. Taylor said yes, the approval of this rezoning application would essentially enable the applicant to expand their facility. She said that however, if they were to expand the facility beyond 2,000 square feet, they would need to submit a site plan for pursuing that expansion. She said that in case of selling the facility, the new owner or buyer would also be allowed to expand the facility under the current zoning district, which is M-2. She said that at present, there were no proposed proffers that would restrict further expansion beyond their existing site area.

Ms. Vanuch said that Ms. Taylor mentioned a disturbance of 2,000 square feet of land, which they would need to submit a site plan in order to exceed. She asked what the limit was. She asked if they could do 1,999 square feet in 2024 and then 1,999 square feet in 2025.

Ms. Taylor said that there was no timeline for that.

Ms. Vanuch asked if they could complete it within six months as long as the project was finished first, and then simply add it on.

Ms. Taylor said that was correct. She said that although a minor site plan would be required for land disturbances exceeding 1,000 square feet, no site plan was necessary for land disturbances under 1,000 square feet. She said that disturbances ranging from 1,000 to 1,999 square feet necessitated a minor site plan. She said that any land disturbance of 2,000 square feet or larger required a major site plan.

Ms. Vanuch asked about the size of buildings at their facility. She asked if they were over 1,000 square feet or under 1,000 square feet. She said that she was thinking about asphalt plants like their local concrete plant, mentioning that certain milling areas may exist but they are not particularly large.

Ms. Taylor said that staff would not be able to provide the square footage of the existing structures outside. She said that they would have to defer to the applicant.

Mr. Diggs thanked staff for the work achieved in answering the numerous questions regarding this proposal.

Ms. Bohmke asked if the applicant would like to address the Board.

Mr. Payne said that Allan Myers had acquired the site previously owned by the Goodloe family since the early 1960s. He said that Allan Myers was a well-established asphalt manufacturer with headquarters in Pennsylvania and multiple locations in Maryland, Delaware, and Virginia. He said that they had several locations in Virginia and were excited about being in Stafford County. He said that the site was valuable due to the road construction, improvements, and maintenance happening in the region. He said that Allan Myers had been operating it professionally and had modernized the site from its legacy operator while making improvements that would benefit the community.

Mr. Payne said that it was a non-conforming use and they were requesting an M-2 zoning, which was consistent with their current use. He said that through their proffers, they had limited the use

to what was occurring on the site today for asphalt manufacturing and all the accessory uses that supported it. He said that they had not proffered any future sand and gravel extraction at the site. He said that currently, a reclamation process was taking place at the site, which meant that there was no longer sand and gravel extraction happening there. He said that most of the sand and gravel equipment had been removed from the area, including all of the noisy machinery such as separators, excavators, and other necessary equipment for separating sand and gravel.

Mr. Payne said that as a result of modernizing the site, fewer truckloads of raw materials were required for transportation. He said that there was less need for truckloads of asphalt because much of the asphalt was being recycled. He said that this recycling initiative made asphalt one of the largest recycling industries in the country. He said that this recycling process not only reduced truck traffic in and out of the site but also lowered the cost of asphalt, which benefited taxpayers. He said that the site was a significant vendor for VDOT and many road projects in the area.

Mr. Payne said that Dr. Yeung's question about why this change was necessary was valid. He said that the rezoning brought the site into compliance with the underlying zoning district for this use. He said that if the rezoning request was not granted, the operation could continue in its current status indefinitely. He said that the rezoning provided the County with greater control over the site's operations. He said that the proffers proposed for the rezoning included measures to mitigate noise levels from the site. He said that there were mitigation measures for light pollution, which reduced the number of evenings and nights that the facility could operate.

Mr. Payne said that some of these features were not available previously. He said that there had been proffers for improvements on Route 3, which would benefit not only their access but also that of other users at that entrance. He said that considering their surroundings, there were not many homes in the area, most of which had been there for a long time. He said that there were heavy equipment operators and renters, RV storage facilities, tow truck companies, a large Walmart, fast food restaurants, and a Sheetz nearby. He said that these surrounding uses had been compatible for many years without complaints. He said that the first complaint was raised during the public hearing process.

Mr. Payne said that the Rodriguez family, who lived in Ferry Farm, could see the lights and hear the backup alarm systems of trucks backing up to the mill pile. He said that after the Planning Commission, the client visited their house and addressed their concerns. He said that the Rodriguez family was present at the last public hearing and expressed their comfort with the changes made. He said that they also had a contact person for future community issues or questions, who would promptly respond. He said that the company was a job creator; when they modernized the site, they not only retained existing personnel but also hired more people.

Mr. Payne said that the industrial facility had been a positive tax revenue generator for the County for many years. He said that it was one of the longest-standing operators in Stafford's history and would continue to operate in the future. He said that regarding expansion, they had proffered their operating area in their generalized development plan. He said that if they were to expand beyond that area, they would need to return to the Board for a proffer amendment. He said that expanding their equipment or office footprint was not currently part of their plans.

Mr. Payne said that the preserved open space and reclamation area on their site would not be utilized for operations. He said that the site consisted of 77% open space, including 24 acres of heavily wooded area near the river. He said that there was also a water treatment plant nearby. He said that this area was suitable for industrial use, and they were being responsible in their proffers and mitigation measures.

Ms. Bohmke opened the public hearing for public comment.

1. Rodney Moore, 1906 Mimosa Street, Fredericksburg VA 22405, said that he did not receive the letters from Stafford County regarding Ferry Farm. He said that his primary concern was about conformity in construction noise and emissions. He said that he was concerned about excessive asphalt emissions smell that fogged their area, making it difficult to enjoy their evenings outside. He said that he worried about potential health risks for those living closer to the plant who must breathe in toxic air.

Mr. Moore said that even small asphalt plants could produce up to 50 tons of fugitive toxic air. He said that in neighboring areas where there have been health concerns, there have been up to a 20% increase in health issues. He said that values of property have actually been decreasing during this period. He said that there were a couple of homes near this location and raised concerns about the Ferry Farm subdivision, which is situated on ridges allowing air to rise more easily. He questioned where this air goes, especially considering the Tylerton Subdivision nearby Walmart.

Mr. Moore said that they also brought up the vacant land area adjacent to the initial silos, where in 2017 there was only one silo; three more have been erected since then. He said that he questioned where the permits for this expansion were. He said that this area is non-conforming and not part of Stafford County's expansion plans according to their legislation. He said that they must also be concerned about air quality in this area, which remains a significant issue. He said that valuations of neighboring properties and water quality should be considered due to the presence of large piles of reclaimed asphalt, which still emit pollutants.

2. Ruth Landry Stone, 507 Rumford Road, Fredericksburg VA 22405, said that she lived in the Tylerton Subdivision, where she had experienced the unpleasant odor of emissions from the asphalt plant. She said that during warm months, it was uncomfortable to open windows due to the intrusion of the asphalt scent into their homes. She said that the constant operation of loud industrial equipment throughout the day and night was a nuisance. She said that the company claimed they would not operate nighttime activities for 150 nights annually; however, this was unlikely during winter months when people already spent more time indoors.

Ms. Landry Stone said that asphalt manufacturing was not possible during winter due to low temperatures. She said that residents would be exposed to unpleasant odors and noise during warmer months when they wished to enjoy outdoor activities. She said that she found it interesting that zoning staff members, who assessed the plant, saw no negative aspects of its operation and the heavy industrial zoning. She said that she wondered if they lived near the plant themselves.

Ms. Landry Stone said that at previous hearings, local residents expressed concerns that Allan Myers had illegally expanded their operation and were attempting to have this expansion legitimized. She said that they demanded an investigation, however, Stafford Planning and Zoning continued to claim that there was no violation of the code and voted accordingly. She said that unfortunately, there was strong disagreement by the public with Stafford's Planning and Zoning's conclusion. She said that since the property was purchased in 2019 by Allan Myers, they not only upgraded their equipment but also expanded their physical plant.

Ms. Landry Stone said that they claimed they were updating their equipment but were also expanding it. She said that this had allowed them to double, if not triple, some of the production capacity. She said that aerial photographs revealed where the expansion had taken place. She said that Allan Myers was in clear violation of the existing non-conforming use limitations and restrictions set by Stafford County. She said that the County of Stafford, Virginia, Article 15 stated that non-conformities, non-conforming uses, and structures were incompatible with permitted uses in the districts involved.

3. Andrew Craig, 505 Leonard, (comments attached)
4. Lloyd Stone, 507 Rumford Road, said that he would like to express his concerns regarding the changes they had observed over the years. He said that they had noticed a shift in traffic patterns and a change in air quality. He said that he was concerned about the impact these changes may have on their local river. He said that it had been suggested that the decrease in traffic was due to the ongoing refurbishment of asphalt; however, this did not fully explain the

reduction they had observed. He said that trucks continued to enter and exit the area, so he was unclear where the reduction in traffic was occurring.

Mr. Stone said that he did not fully understand this discrepancy. He said that while they claimed there were no plans to expand the facilities, he was skeptical. He said that the current state of operations already appeared to exceed legal limits. He said that he was unsure if these actions were taken legally or not. He said that the expansion was indeed planned, and he urged them to consider the potential consequences for their community and environment.

Mr. Stone said that the proposed increase from seven large storage facilities to ten would have a significant impact on their local ecosystem. He said that he asked them to proceed with caution and obtain proper permits before making any further changes. He said that he was concerned about the direction in which Allan Myers appeared to be heading. He said that he urged them to consider the long-term effects of their actions and to act responsibly in the best interests of their community.

5. David McKinney, 13 Nelson Street, said that he wanted to share a cautionary tale regarding Goodloe Paving, a local company that previously operated from 9:00 a.m. to 5:00 p.m., five days a week, paving driveways in the area. He said that the company had been replaced by another operation that intended to run 24 hours a day, seven days a week, paving roads along Interstate 95 from Washington D.C. to Richmond. He said that they claimed that they would only be doing this for 150 nights per year. He said that his experience managing 160 lane miles of highway in Washington D.C. for the federal government indicated that 150 nights of operation was approximately the number of nights weather permitted such work during the year.

Mr. McKinney said that they were not providing something new, despite the applicant's assertion that they were. He said that they were expanding their operations and would continue to do so. He said that this increased activity would cause noise disturbances in his neighborhood and others nearby, such as Tylerton, Argyle, Ferry Farm, Sylvania Heights on the Fredericksburg side. He said that this was not previously an issue, but now they must endure noise pollution at night.

Mr. McKinney said that his cautionary tale was that someone had decided that allowing this nonconforming operation during daytime hours would not be a significant problem. He said that it had expanded to 24-hour operations, and neighbors would have to bear the consequences. He said that he hoped that something could be done about this situation, as he had heard comments suggesting that there was no effect on the neighborhood or that there were no negative consequences. He said that this was far from the truth.

6. Linda Allen, 506 Leonard Road, said that her primary concern was the odor caused by VOCs from the plant. She said that she was disappointed that there had been no update to the proffers addressing this issue. She said that it was disheartening to listen to the presentation about the property conditions for the Sheetz, where there was an opportunity to include conditions on the property. She said that citizens should not have to suffer due to a nonconforming use from years ago that was grandfathered in. She said that there should be a way to address this concern in the proffers. She said that Mr. Diggs was present at the meeting held by the plant in January.

Ms. Allen said that it was encouraging when the plant manager stated that he would address the odor issue by reducing the temperature of production. She said that there was no mention of this in the proffers. She said that they should not be expected to believe that a community liaison would address their concerns when the plant manager himself did not follow through on his promise. She said that she was very disappointed that this was not included in the proffers, and they should not be punished for the plant's nonconforming use in the past. She said that the only solution she could think of was for these proffers to address their concerns properly, and she wished that this was addressed in them.

7. Al Watkins, 12 England Run Lane, said that as Dr. Yeung pointed out, if a large portion of the land was still zoned A-1 Agricultural, he wondered if any of the new construction and new heavy industrial activity had been performed on the land when it should have prohibited. He said that he suggested that if it was possible, they should reclaim the land as A-1 Agricultural, especially land so close and adjacent to the river. He said that this land could serve many other purposes without the new activity.

Ms. Bohmke closed the public hearing.

Mr. Diggs asked Mr. Payne if the reduction of the temperature for operations could be added to the proffers.

Mr. Payne said that he understood the issue with that proffer was that the manufacturer did not control the specific mix and temperature used by the contracting entity, such as VDOT. He said that if they required a certain temperature, this could result in increased emissions odor. He said that they had no control over this aspect, and much of this was due to roadway requirements. He said that his understanding was that they had no control over this issue at all.

Curtis Hall said that he was the Senior Vice President of Asphalt and was present at the meeting where this issue came up. He said that his concern about proposing a specific temperature was that the different mixes of asphalt produced had different temperature requirements, and those specifications had already been altered during his time in the industry. He said that his concern

was that this could potentially place him in a situation where he would recommend a temperature for a mix that later proves insufficient. He said that at the community meeting, they discussed that these mixes had a temperature range rather than a fixed temperature.

Mr. Hall said that prior to this application, their customers typically requested the highest end of the temperature range due to the perishable nature of the product. He said that as temperatures decreased during transportation, the workability of the product diminished. He said that now that they were aware of this issue, they could manufacture these mixes at the lower end of their temperature range. He said that however, he could not specify the exact temperature for each mix because they had different temperature ranges. He said that they had commenced operations for the season and had been made aware of this concern at the plant level. He said that he had not heard of any recent complaints; however, they were now actively addressing this issue.

Ms. Bohmke asked if the Board had any further questions.

Ms. Vanuch asked for further clarification regarding the aerial photo from 2017 and the subsequent photo from 2022. She said that according to their regulations, which Ms. Taylor previously mentioned, any land disturbance exceeding 2,000 square feet necessitated a major site plan submission, while anything over 1,000 square feet required a minor site plan submission. She said that upon closer examination, it appeared that more land had been disturbed and additional equipment had been installed compared to what their guidelines allowed.

Mr. Payne said that the 5,000 square foot area of equipment had been reduced to 3,000 square feet today. He said that the removed equipment includes the sand and gravel extraction machinery. He said that the photograph may not be consistent with the current state of the site, as new silos had been installed in place of the old ones. He said that the new silos employ better technology, allowing them to hold more asphalt at higher temperatures, thus enabling more efficient nighttime operations. He said that this is one of the reasons they believe they can achieve a production timeline of 150 nights.

Mr. Hall said that the applications for the changes were twofold: firstly, the removal of existing structures and foundations, which were approximately 5,000 square feet in size; secondly, the additions, amounting to around 2,500 square feet. He said that consequently, there was a net reduction of 3,000 square feet of nonconformity.

Mr. Payne said that County staff had visited and inspected the site, determining that they were in compliance with the issued permits.

Ms. Vanuch asked if it was proffered in their proffer statement that they would not conduct any additional sand and gravel extractions.

Mr. Payne said yes, it was only reclamation.

Ms. Vanuch asked if that was in entirety.

Mr. Payne said yes.

Ms. Vanuch asked if a current photograph of the site could be provided.

Mr. Payne said that staff may be able to provide that information.

Ms. Allen said that regarding compliance, she would like to know when the last time was that staff members visited the property and ensured its adherence to standards.

Ms. Allen asked if in February, they would have noticed if whatever was not in conformity.

Ms. Taylor said yes, the information provided to Planning and Zoning staff indicated that there was no evidence of any additional equipment or structures installed without the appropriate permits, apart from those specifically identified in the request for zoning verification received in 2019.

Ms. Bohmke said that Ms. Vanuch raised concerns regarding the expansion of facilities despite the removal of sand and gravel. She said that although the removal led to a net reduction in disturbed area, the addition of silos, sorting bins, and conveyors still expanded the disturbed area beyond 2,500 square feet. She said that she was struggling to comprehend why permits were not sought for these additional sites.

Mr. Payne said that they did. He said that what transpired was that the gap occurred when they submitted their permit application, providing the design materials in late 2020 or early 2021. He said that what did not happen was a follow-up inspection between the private inspector and the County officials to confirm compliance with the permit requirements. He said that this was recently conducted to ensure they were in compliance. He said that the gap in the process was that the private inspector did not finalize his report with the staff after receiving zoning verification regarding what they could do on the site. He said that they then applied for permits in accordance with that zoning verification.

Ms. Bohmke asked how long that gap was.

Mr. Payne said that it was approximately one year at the most.

Ms. Bohmke said that in light of the concerns raised by the constituents living nearby, it was inaccurate to state that the plant was expanded without receiving permits. She said that they did receive permits, which were approved in February.

Mr. Payne said that was correct. He said that he would also like to point out that they were in compliance with all state permits, including the air permit. He said that he heard someone say that they were emitting toxic fumes, but this was not accurate in relation to their air permit. He said that there was no water discharge. He said that very little water was used on the site, and it was all self-contained. He said that he was familiar with this area and was confident that property values had not decreased.

Mr. Payne said that regarding Tylerton, he appreciated all the comments that had come from the neighborhood regarding their permit violations. He said that they were 2,500 feet away from their operations. He said that people who lived closest to them had not had the same complaints. He said that this facility had been operating for 60 years, and he believed that recently was when they first started hearing the complaints they have today.

Ms. Vanuch said that during their previous discussion, someone raised concerns about noise reduction in their public comments. She said that they specifically mentioned that trucks had limited noise levels, but backhoes and excavators were significantly louder. She asked if these concerns were addressed in their proffer statement. She asked if they included provisions for limiting backhoe noise levels in their statement.

Mr. Payne said that he did not remember that detail; he may have missed that information. He said that all of today's equipment features white noise alarm systems.

Ms. Vanuch asked if that could be added to the proffers so that all equipment at the facility would be limited to the proffers. She said that while there were edits, it was not strengthened, and it appeared that the applicant was hesitant to add anything further than the language concerning trucks.

Mr. Payne said that they were not hesitant in their promise, and they reacted to staff's comments very quickly. He said that it was not a problem at all today, as it was now the case.

Ms. Bohmke asked how they would help the constituents regarding the smell. She said that if she lived in that area and went outside during summer, she would have to endure the smell of asphalt, which she did not experience before when the previous owner was not in compliance. She said

that now that they propose to be in compliance, she would expect the smell to be better; however, it seems to be significantly worse. She asked how they could address this issue.

Mr. Hall said that he believed that for him, as Mr. Payne mentioned, after purchasing the facility, when they received a complaint from the Rodriguez family that was escalated through Mr. Coen to them, they addressed it. He said that some of those changes did not last, and the Rodriguez's raised them again; they corrected those issues. He said that the primary outcome of this situation has been opening lines of communication. He said that since they have owned the facility, they have never had a complaint about odors. He said that the filing of this application seemingly invited concerns and issues to surface.

Mr. Hall said that they can process these materials within a specific temperature range, and running them at the lower temperature is one of the main ways to control odors from the product. He said that they aim to prevent receiving complaints every night and will address any issues, just as they have done with the Rodriguez's. He said that due to the timing of the application, most of this process has seen them not operating. He said that monitoring improvements made during operation has been challenging. He said that when they operate, if there is an issue, they will gather information and strive to resolve it.

Ms. Bohmke said that the Rodriguez family contacted her as well, and she informed them that they should attend the public hearing so they could take their three minutes to present their case.

Dr. Yeung asked if the applicant had another asphalt location.

Mr. Hall said that they operated 22 asphalt plants across four states and the District of Columbia. He said that there were over 3,000 asphalt plants in the country, more prevalent than most people realized. He said that asphalt was a much-needed product, and because it was perishable, it could only be hauled about 30 miles or within an hour's distance. He said that this requirement necessitated their widespread distribution throughout the country. He said that 94% of roads in the country were paved with asphalt, so it was everywhere.

Ms. Gary said that she knew their company specialized in this area, so she was curious if their team could determine when certain mixes necessitated higher temperatures. She asked if they could identify when there may be increased fumes or other factors that could potentially impact nearby residents. She asked if communication in advance would be feasible.

Mr. Hall said that last year, they experienced a particularly busy season, which was partially why people thought they had expanded capacity. He said that businesses often face fluctuations in demand. He said that this year, their backlog of work had decreased significantly since the VDOT

bidding season had ended. He said that they now had approximately 30% to 35% of the night work that they had last year. He said that they had worked many nights, which impacted evening hours when families were at home. He said that this year's night work was expected to last for four to six weeks, making it more typical compared to last year's extreme situation. He said that the reduced number of nights they worked would likely have a positive impact on the community. He said that he could not control the natural fluctuations in work demand.

Ms. Gary asked if they had any way to know of when the work would potentially be more intensive.

Mr. Hall said that they would post the liaison's number on the website where it was easily accessible. He said that they could determine a way to give notice of night work plans from the state or something similar. He said that if people were concerned about the activity they heard, they could check the website to see what exactly was occurring at that time.

Ms. Allen asked if the operations would continue if the Board did not approve this application.

Mr. Hall said yes, the company would remain operational even without the zoning change approval. He said that some commitments made by the company would be fulfilled regardless of the outcome of the zoning change. He said that there were other commitments that would not be carried out if the zoning change was not approved. He said that for example, the VDOT road improvements would cost approximately \$150,000, which the company would not undertake without the zoning approval. He said that the company was committed to being a good neighbor and would continue to maintain liaison and work collaboratively with the community regardless of the zoning decision.

Ms. Allen asked if they would still be producing asphalt and be fully operational.

Mr. Hall said that they would be producing asphalt and there would be no restrictions on that.

Mr. Diggs said that Ms. Allen had asked the question he was going to. He said that in walking communities and talking to people, he discovered that they would still be operating regardless of their decision tonight. He said that the main issue they faced was whether they would impose some control or restrictions or none at all concerning the smell and air quality.

Ms. Bohmke said that there would also be road improvements.

Mr. Payne said that today, there were no road improvements, limited nights, noise mitigation, or light mitigation.

Ms. Bohmke said that since they were extremely occupied last year, she assumed that the company was one of the main contractors for the express lanes.

Mr. Hall said that they actually did not do work on the express lanes, but because other entities were consumed with that work, much of the traditional work became available to their company.

Ms. Vanuch asked Ms. Taylor to kindly display the current aerial photograph of the site for their reference. She said that she wanted to remind the Board that they had received an email from Ms. McClendon, who was asked to review the proffers. She said that she fully comprehended their objective of allowing the business to continue operating. She said that while the photograph was being displayed, she wanted to confirm that if they approved this reclassification, they would be able to expand without obtaining further approvals from this Board in the future.

Mr. Diggs said that they could not.

Ms. Taylor said that they would only be permitted to expand within their existing footprint of the asphalt production facility; they would not be able to expand beyond this area or undertake any activities within the former sand and gravel mines location. She said that in this aerial view, sand and gravel mine operations could be seen in this area. She said that the area undergoing reclamation would be restored to its natural state and would not be used for additional purposes. She said that the proffers specified that they must develop in general conformance with the GDP, which identified the existing footprint of the facility. She said that consequently, they would not be permitted to expand beyond the square footage outlined in the GDP.

Ms. Vanuch asked how large that area was as outlined in the GDP. She said that she was told that they had 5,000 square feet. She said that she understood that currently there were no controls in place but expressed her concern about the new controls being implemented. She said that they faced challenging aspects in enforcing them and even understanding and identifying them.

Ms. Bohmke asked Ms. Vanuch to restate her question for better clarity.

Ms. Vanuch said that her inquiry pertained to future expansions. She said that they mentioned that they could not expand beyond their GDP limit. She asked what their current footprint was, specifically regarding the existing asphalt plant, and what they proposed in terms of rezoning and reclassification for their future GDP expansion potential.

Ms. Taylor said that the GDP identified the overall footprint of the facility as a whole, rather than the footprint associated with specific pieces of equipment in the production area for the site. She said that she was attempting to find the total square footage corresponding to the overall footprint.

She said that the applicant had not specified the future size due to the absence of any proposed expansion in the footprint. She said that she was attempting to find the square footage of the GDP for the existing footprint's area.

Ms. Bohmke said that she would like to clarify that they were not currently proposing anything into the GDP, but that was not in perpetuity.

Ms. Taylor said that the applicant had proposed general conformity to the GDP. She said that since the GDP specifies the overall square footage of that area, they would be obligated to adhere to that square footage.

Ms. Vanuch asked if Mr. Payne had the relevant information regarding the square footage.

Mr. Payne asked if the question was regarding the overall square footage of where the equipment was located.

Ms. Vanuch asked what was proposed. She said that if the proposals aimed to match the GDP, her question was what they were proposing as the GDP and how big the expansion could get versus how big the footprint currently was. She asked if they were proposing in this reclassification that it was 2,500 square feet and only limited to 2,500 feet of activity.

Mr. Payne said that the activity had not been limited. He said that only the area that the activity could operate in was limited.

Ms. Vanuch said that this was of huge concern. She said that the aerial footage was difficult to assess compared to these zoomed-in images; thus, she was uncertain about its accuracy. She said that although the subject appeared larger than in 2022, she could not confirm this definitively. She said that regarding the noise issue, she understood that backing up had been proposed as a solution. She said that if the Board approved this proposal, she would recommend modifying their suggested proffered statement. She said that enforcing noise restrictions was challenging since the sheriff's office enforced the noise ordinance.

Ms. Vanuch said that the constant beeping heard did not violate the ordinance or standard proffers. She said that therefore, whether they approved or not, this issue would persist, and increased expansion would lead to more beeping. She said that the 150-night limitation was also difficult to regulate because monitoring compliance would require constant surveillance and record-keeping. She said that they struggled to enforce their sign ordinance, as evidenced by numerous campaign signs in the right of way. She said that this was a considerable concern regarding proffered conditions that presented challenges for the County to enforce. She said that these two issues, along

with air quality enforcement by DEQ, which was beyond their control, remained unresolved concerns.

Ms. Taylor said that the area identified on the GDP was located on page 3 of the document and was referred to as the project area. She said that it was depicted as a net project area and existing area of disturbance, which was indicated as 715,555 square feet, or 16.4269 acres.

Ms. Vanuch said that in order to ensure that everyone fully comprehends the situation, she would like to clarify that they can utilize activities across those 16 acres based on the given information

Ms. Taylor said yes.

Mr. Payne said that for clarification, the overall acreage of the site was over 80 acres.

Ms. Bohmke asked if there were any further questions.

Mr. Payne said that Ms. Vanuch had asked them to include a proffer, which they had done, and he would now read it if that was acceptable. He said that the proffer was under 3C and limited the hours from 9:00 p.m. Eastern Standard Time to 6:00 a.m. Eastern Standard Time. He said that the applicant committed not to back up trucks to the milling pile located on the property unless equipped with a white noise backup alarm or a substantially similar alarm system during this time frame. He said that all motorized equipment within this time frame would be equipped with either a white noise backup alarm or a substantially similar alarm system. He said that this included all equipment currently in use, such as backhoes and front loaders.

Ms. Allen asked how much land the operations were restricted to if the application was denied at this time.

Mr. Payne said that it was a nonconforming use, and while there were 80 acres, the sand and gravel mining had ended and the reclamation process was being completed per state requirements. He said that therefore, they would be limited to approximately the current footprint of operations. He said that this was evidence that they would not be expanding this footprint.

Ms. Gary said that she would like to know the economic impact of this situation. She said that she understood that they had been consistently receiving work from VDOT, which led her to be curious about this facet of the overall situation.

Mr. Payne said that the development had created 50 full-time jobs and paid taxes such as real estate taxes, personal property taxes, and state sales tax. He said that there may also be a local sales tax

component; however, he did not have that information at present. He said that personal property taxes amounted to over \$100,000. He said that from a competitive standpoint, they must ensure that the applicant remained competitive in securing VDOT contracts without compromising their position. He said that the development would be a good neighbor and be responsive to community needs. He said that the benefits included new job opportunities and increased tax revenue from personal property and real estate taxes.

Mr. Diggs said that he would mention that, as they discussed this topic, the Rodriguez family was not present tonight. He said that however, they informed him about their thoughts on delaying the approval process because the applicant had worked with them, communicated with them, and acted appropriately. He said that regarding the equipment, he would like to know if they had already applied white noise for backup purposes.

Mr. Payne said that it was on all equipment at this time.

Ms. Bohmke asked how long the white noise alarms had been on the equipment.

Mr. Hall said that he believed that feature was present throughout the previous season and was installed on the equipment. He said that the problem they encountered regarding noise was specifically related to the trucks and their reversing maneuvers. He said that they had altered the traffic layout to eradicate that reversing action. He said that the issue was indeed associated with the trucks.

Mr. Diggs motioned, seconded by Ms. Allen, to approve Ordinance O24-06.

Mr. Diggs said that when he began learning about this project, his biggest concern was the expansion without the proper permits. He said that it was a huge issue for him, but he had to believe that staff had done their due diligence in examining the property and addressing all relevant aspects. He said that because of this, he would support the proposed ordinance.

Ms. McClendon asked for clarification that the motion included the proposed proffers from Mr. Payne that were addressed this evening.

Mr. Diggs said that was correct.

Ms. Bohmke said that yes, it would include the proffered statement that Ms. Vanuch had recommended.

Ms. Bohmke called the vote.

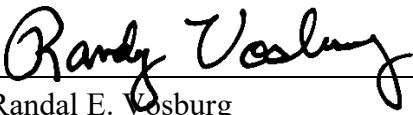
The Board tally was:

Yea: (4) Allen, Diggs, English, Gary

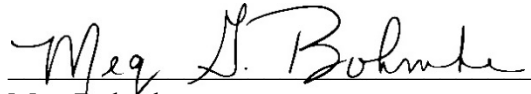
Nay: (3) Bohmke, Vanuch, Yeung

ADJOURNMENT

At 10:05 p.m., Chairman Bohmke adjourned the March 5, 2024 Stafford County Board of Supervisor's meeting.



Randal E. Vosburg
County Administrator



Meg Bohmke
Chairman

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#39]
Date: Saturday, March 2, 2024 6:18:46 PM

Name *	Lourdes Fuller
Address *	☐ 30 Brooke Crest Lane Stafford, VA 22554 United States
Email *	cfuller8481@gmail.com
Election District	Aquia
Topic (please see the Public Hearings page for specific topics coming up) *	Proposed Buck-ees Project
Online Comments: *	I generally support the construction of the new businesses in Stafford County at the Embrey Mills location (Exit 140). Those properly scaled projects will be an asset to our community as Stafford continues to grow. However, I strongly urge Stafford County officials to deny the proposal for construction of a Buck-ees near that location. While traveling, I have seen absolute traffic nightmares caused in the surrounding communities at other Buck-ees locations along I-95, South of Virginia.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#38]
Date: Thursday, February 29, 2024 5:26:30 PM

Name *	Katrina E Umpleby
Address *	☐ 501 Gladiola Way Stafford, VA 22554 United States
Email *	umplebyke@gmail.com
Election District	Garrisonville
Topic (please see the Public Hearings page for specific topics coming up) *	#19 new school
Online Comments: *	Support #19 at Embrey Mill on the proffered land. This was a huge driver for us to move and start our family based on the community plan promise sold to us when we decided to build in Embrey Mill.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#37]
Date: Thursday, February 29, 2024 8:02:25 AM

Name * Shawnte Warfield

Address * ☐ 430 Alder Dr.
Stafford , VA 22554
United States

Email * shawnte.warfield@gmail.com

Election District Garrisonville

Topic (please see the Public Hearings page for specific topics coming up) * School #19

Online Comments: *

I support school 19 to be built in Embrey Mill. I have 2 kids that attend Park Ridge ES and I live in Embrey Mill. It is ridiculous that they already had trailers for the entire 5th grade class and are expecting to get 4 more for next school year. When you continue to build single family homes, more kids are expected. Embrey Mill is still building!! PRES is the most over crowed and can be easily relieved by allowing the school that was promised to us to be built. It is ridiculous that kids that live in the Park Ridge community were moved out to keep our kids in Park Ridge ES. Let's do better for our kids, the future Stafford county!

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#36]
Date: Wednesday, February 28, 2024 11:07:49 PM

Name * Angela Moreland

Address * ☐ 930 Coriander LN
Stafford, VA 22554
United States

Email * moreland.angela@icloud.com

Topic (please see the Public Hearings page for specific topics coming up) * #19 Embrey Mill

Online Comments: * Support school # 19 Embrey Mill, as promised by the developer and builders at Embrey Mill, when purchasing my home and buying into the CDA tax, for improvements. I currently have a child living in my home that would be eligible to attend, once becoming of school age.

From: [Wufoo](#)
To: [Mark A. Kaminski](#); [Andrew L. Spence](#); [Cheryl D. Giles](#); [Julia E. Holmes](#)
Subject: Public Comment Form [#35]
Date: Saturday, February 24, 2024 8:35:59 PM

Name * Nancy Dolan

Address * ☐ 609 Monticello Dr
Stafford, VA 22556
United States

Email * ndolan5150@gmail.com

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

Online Comments: * I just want to express my concern for the rise of housing value and tax rates. In this time of terrible inflation we have had, we need to help citizens by not raising the tax rates. Many of us are retirees and many on fixed incomes. Please do not raise tax rates.



Board of Supervisors

Dr. Pamela Yeung, Chairman
Thomas Coen, Vice Chairman
Tinesha Allen
Meg Bohmke
Darrell English
Monica Gary
Crystal L. Vanuch

Randal E. Vosburg
County Administrator

VIA CERTIFIED MAIL

October 27, 2023

NOTICE TO PROPERTY OWNERS

Subject: **RC23154933; Zoning Reclassification – Kings Highway Asphalt**

The Stafford County Planning Commission will hold a public hearing on **Wednesday, November 8, 2023, beginning at 6:00 PM**, or as soon thereafter as the matter may be heard, in the George L. Gordon, Jr., Government Center, 1300 Courthouse Road, to consider a proposed zoning reclassification, with proffers, from the A-1, Agricultural and B-2, Urban Commercial Zoning Districts to M-2, Heavy Industrial Zoning District on Tax Map Parcel Nos. 58-5A, 58-5B, and 58-5G, together consisting of approximately 73.33 acres (collectively, “the Property”), to allow for an asphalt plant. The proposed proffers would permit heavy industrial and manufacturing uses; asphalt manufacturing, construction and sales; reclamation of former sand and gravel operations; and specified accessory uses; require specified buffer areas; and establish standards applicable to archeological resources located on the Property. The Property is located on the south side of Kings Highway, approximately 1,700 feet east of Blue and Gray Parkway, within the George Washington Election District.

You are hereby notified in accordance with Stafford County Code and Section 15.2-2204 of the Code of Virginia (1950), as amended.

The public hearing(s) may be continued or adjourned. Copies of the above item(s) and related materials are on file in the Department of Planning and Zoning, 1300 Courthouse Road, and may be examined Monday through Friday between the hours of 8:00 AM and 4:30 PM. In addition, you may review the staff report(s) and related materials from the Planning Commission agenda on the County website at <https://staffordcountyva.gov/agendas> the Friday before the meeting date. All interested individuals are invited to attend and present oral or written comments. Persons in need of assistance to access the materials or participate in the public hearing should contact the Department of Planning and Zoning at (540) 658-8668 so that assistance can be provided. Additional information, materials, and guidance are available on the County’s website: www.staffordcountyva.gov.

Sincerely,

Kathy C. Baker
Acting Director of Planning and Zoning

KCB:sjs