BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
AUGUST 20, 2024

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 5:00 p.m. on Tuesday, August 20, 2024 in Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

Also in attendance were Craig Meadows, Interim County Administrator; Rysheda McClendon, County Attorney; Julia Holmes, Deputy Clerk; various staff members; and other interested parties.

INVOCATION

Mr. English led the invocation.

PLEDGE OF ALLEGIANCE

Ms. Vanuch led the Board in the Pledge of Allegiance to the Flag of the United States of America.

CHAIR REMARKS

Ms. Bohmke said that they now had a new meeting schedule. She said that today marked the first meeting under this new schedule, B-Day, beginning at 5:00 p.m. She said that public presentations were scheduled for 6:30 p.m., followed by public hearings. She said that as they transitioned into the new format, the Board would adopt a consent agenda today, which typically occurred on an A-Day. She said that this agenda included work sessions, presentations, and reports from departments and Board members. She said that for comprehensive details on their meeting schedule, she asked everyone to visit their website at www.staffordcountyva.gov.

Ms. Bohmke said that another school year had begun, and the Board extended its best wishes to all students and the entire school division. She said that they hoped everyone had a great year. She said that she urged everyone to exercise heightened vigilance in adhering to traffic laws and watching for children while traveling around the County. She said that on a more solemn note, she expressed her sincere thoughts and condolences to the family of Ralph Metz following his passing.

She said that Mr. Metz had served on the Board of Supervisors during the 1960s and 1970s and had held the position of Vice Chairman for three years. She said that she expressed her gratitude to Ralph for his dedicated service.

Ms. Bohmke said that it was with pleasure that she announced Stafford's third-place finish nationally in the 2024 Digital Counties Survey. She said that the survey commended Counties for leveraging innovative technology to enhance government service efficiency and responsiveness. She said that Stafford had been recognized over the past year for its enhanced IT strategy and governance, with significant investments in governance processes, stakeholder management, and resource management. She said that they finished in ninth place last year and were the only Virginia County to rank in the top ten other than Arlington County, within the 150,000 to 250,000 population category. She said that congratulations were extended to the information services team.

Ms. Bohmke said that Stafford had appointed a new County Administrator following a nationwide search. She said that Bill Ashton was to join on September 16, 2024. She said that since 2017, he had served as the town manager of Herndon, Virginia. She said that his extensive educational background, professional experience, and remarkable accomplishments aligned perfectly with the community's vision. She said that gratitude was expressed to Craig Meadows for his service over the past few months, which had ensured consistency in operations and provided reassurance to the staff during this time of change.

PRESENTATIONS

PRESENTATION OF A PROCLAMATION HONORING AND RECOGNIZING KATHY BURNER FOR 44 YEARS OF SERVICE TO STAFFORD COUNTY

Ms. Bohmke read the proclamation honoring and recognizing Kathy Burner for 44 years of service to Stafford County.

Michael Muse, Director of Social Services, said that Ms. Burner had had an illustrious career in a field that had a lot of burnout and high turnover. He said that for 44 years, she had served the community with unwavering dedication, thoroughness, and passion. He said that her empathy for the families and children she had worked with was unparalleled. He said that no one could match Ms. Burner’s meticulous approach to assessing investigations. He said that they were fortunate and lucky that she had joined them immediately after graduating in May 1980 and starting in July 1980. He said that the community had greatly benefited from her presence, and he felt honored and privileged to have worked with her for half of her 44 years.

Ms. Burner said that she would like to thank the Board and Stafford County. She said that she loved this County, otherwise she would not have stayed this long. She said that Mr. Muse had mentioned that she had graduated in May and started in July. She said that she had applied for surrounding counties, but they had not hired her. She said that she believed it was a loss for them. She said that witnessing the significant growth and change since 1980 in Stafford had truly been incredible. She said that she wanted to thank everyone in the County.

Ms. Burner said that initially, they had been part of the public welfare department, sitting underneath the health department. She said that over the years, there had been many changes. She said that she must commend the wonderful group of people in their agency. She said that social services had been an exceedingly difficult job, and burnout rates had been alarmingly high among social workers. She said that without the support of their directors, Mr. Muse and Bill Tigner before him, who had hired her, as well as her supervisors Clark and Delano, she would not have been able to endure.

Ms. Burner said that she also wanted to acknowledge the people she worked with. She said that she also wanted to thank her family. She said that many people did not realize the demands of social services, which often required being on call, taking work home, or working on weekends and holidays. She said that her family had also suffered due to her commitment to the job. She said that she was truly grateful for their unwavering support throughout the years. She said that once again, she expressed her sincere thanks to everyone.

PRESENTATION OF WINNERS OF THE “I VOTED” STICKER DESIGN CONTEST HELD IN STAFFORD COUNTY PUBLIC SCHOOLS PRESENTED BY THE STAFFORD COUNTY ELECTORAL BOARD

Ms. Bohmke said that over the years, they had partnered with the schools on many initiatives involving children and artwork. She said that the schools excelled in teaching art and nurturing creativity in children. She said that their latest effort was to create an “I Voted” sticker to distribute after residents voted. She said that the schools coordinated the contest among the high schools in partnership with the Voter Registrar and Community Engagement Department. She said that she welcomed Ellie Brewer, Ava Frizzell, and Noah Hoover from Mountain View High School. She said that these three finalists had been selected through blind judging by Stafford's Electoral Board.

Ms. Bohmke said that she also welcomed Stephanie Sullivan, Principal of Mountain View. She said that she invited Shelly Whitmer, Design Multimedia Teacher from Mountain View High School, Marcy Rice, Executive Director of High School Leadership, Hunter Berry, Director of Engagement, and Deidre Haisley, Coordinator of Visual and Performing Arts. She said that she also welcomed the members of the Voter Registrar Committee. She said that the Voter Registrar was Anna Hash, and members of the Electoral Board were Adella Bertoldi, Brandy Nicole Brooks, and Gloria Chittum.

Anna Hash, Registrar for Stafford County, said that she wanted to thank Shannon Eubanks with Community Engagement and Hunter Berry with the schools for partnering with her and the Electoral Board to conduct this contest. She said that it was a lot of fun and was the first time they had ever done anything like this for the "I Voted" sticker. She said that she wanted to congratulate all of the students who submitted sticker designs as well as the three finalists. She said that Brandy Nicole Brooks was the Chair of the Electoral Board, Adela Bertoldi was the Vice Chair, and Gloria Chittum was the Secretary.

Brandy Nicole Brooks, Chair of the Stafford County Electoral Board, said that they had 11 sticker designs submitted from across the County, and as stated, they did a blind vote. She said that all three finalists came from Mountain View High School, so she extended congratulations to Mountain View High School. She said that she would show everyone the sticker designs and present the prizes for second and third places.

Ms. Brooks said that Ava Frizzell was their third place winner and would receive a $25 Amazon gift card. She said that in second place, Noah Hoover would receive a $50 Amazon gift card. She said that Ellie Brewer was awarded first place and a $100 Amazon gift card. She said that choosing a winner was difficult due to the excellent designs submitted, but Ellie's was ultimately chosen due to her hand-drawn sticker that showcased significant time and detail.

Ms. Bohmke said that she would be remiss if she did not ask the Chair of the Stafford County School Board, Maureen Siegmund, to join them at the podium. She said that she would like to present a coin to each of the contest participants. She said that she wanted to thank the art department and everyone at Mountain View. She said that the Electoral board were in charge of overseeing all County elections, and that Ms. Hash was responsible for maintaining all election records. She said that Ms. Hash could assist with early voter registration and all of them could assist anyone who wanted to work the polls.

Ms. Brooks said that when citizens went to vote in November, they would receive the "I Voted" sticker that was designed by Ms. Brewer.

Maureen Siegmund, Chair of the Stafford County School Board, said that she appreciated the opportunity for their students and thanked the County for sponsoring it. She said that she loved that they had the opportunity to partner with the County and create opportunities for students, and she also loved the opportunity for students to support the community.

RECOGNITION OF 4-H YOUTH PARTICIPANTS IN THE 76TH ANNUAL 4-H/FFA FREDERICKSBURG JUNIOR LIVESTOCK SHOW AND SALE

Ms. Bohmke said that several youths had participated in the 76th annual 4-H FFA Fredericksburg area youth livestock show and sale in May. She said that these youths were all part of Stafford's excellent 4-H program, led by volunteer leaders. She said that they had raised animals from infancy to adulthood and exhibited and sold them at the show, emulating actual farmers. She said that this task had been a significant responsibility and accomplishment, teaching children valuable lessons in leadership, personal growth, and career success. She asked them to come up to the dais and join Supervisor Deuntay Diggs, who represented the George Washington District. She said that many of these youths hailed from his district.

Ms. Bohmke asked how many of them had attended the livestock show at the fairgrounds. She said it was impressive. She said that if they had never attended, she encouraged them to go. She said that she wanted to welcome Sydney Blaisdell, Joshua Newton, Adler Burton, Katelyn Newton, Colin Dooley, Landon Pendergrass, Maddie Dooley, Noah Terry, Ethan Fines, Rebecca Young, Leslie Linton, Emma Newton, and Jacob Newton. She said that she wanted to welcome to their adult leaders, Sharon Linton and Stephanie Trainor, who was a 4-H leader. She said that she also wanted to mention the 4-H Extension staff, Gracie Kunkel, Extension Agriculture and National Resources Agent.

Mr. Diggs said that he was extremely proud of each and every one of them for stepping out and doing this. He said that he had had the opportunity to spend time with them at one of the 4-H meetings, where these young people had demonstrated their intelligence. He said that they had asked thoughtful questions and had also imparted some knowledge during the meeting, which he had found enjoyable. He said that now, he requested that everyone inform him of the animal they had shown. He thanked all the students for their interest in 4-H and farming. He said that they needed more farmers in America, and he looked forward to seeing what they did in the future.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Meadows said that there were no additions or deletions, but there was an add-on attachment to Item 26 that was a minor correction.

ADD-ON ATTACHMENTS TO ITEM #26

PROPOSED REVISED RESOLUTION R24-257

Ms. Vanuch motioned, seconded by Ms. Allen, to adopt the agenda as amended, including the add-on attachment to Item 26, Proposed Revised Resolution R24-257.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

<u>CONSENT AGENDA</u>

Ms. Gary asked if Item 24, regarding Old Potomac Church Road, should actually be located in Falmouth rather than Aquia.

Chris Edwards, Director of Utilities, said that it should be the Aquia District. He said that it was referring to the reuse system at the Aquia Wastewater Treatment Plant.

Dr. Yeung requested to pull Item 19.

Ms. Allen motioned, seconded by Ms. Vanuch, to adopt the Consent Agenda as presented.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

Dr. Yeung said that she had a quick question regarding the joint invitation for the bid. She said that it indicated a partnership between the County and the schools. She said that she was curious about the source of funding and how the allocation was being determined. She said that the document showed that there was $1 million per task order and up to $10 million per contractor. She said that she wondered why predetermined contractors were being selected. She said that it appeared that minority contractors had not been considered, as noted by a constituent who observed that companies were chosen based on prior relationships of individuals with certain companies. She said that she wanted to know if bids were being received and if they were being approved automatically.

Andrea Light, Director of Financial Services, said that this was a joint procurement conducted with the schools and the County, which resulted in two different contracts. She said that the funding for these contracts had been budgeted and appropriated through a regular budget process, unless it had been brought to the Board as an additional appropriation in the future for a one-time project. She said that the Code of Virginia had changed so there was a limitation for these job-earning contracts, ranging from $500,000 to $1 million, so they aimed to utilize this procurement method.

She said that this method had offered an easier procurement process for some of their construction projects. She said that these contracts had been competitively bid, and they considered many vendors.

Ms. Vanuch motioned, seconded by Mr. Diggs, to approve Item 19.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

ITEM 1. COUNTY ADMINISTRATION; APPROVE JUNE 26, 2024 BOARD OF SUPERVISORS WORK SESSION MINUTES

ITEM 2. COUNTY ADMINISTRATION; APPROVE JUNE 27, 2024 BOARD OF SUPERVISORS SPECIAL MEETING MINUTES

ITEM 3. COUNTY ADMINISTRATION; APPROVE JULY 2, 2024 BOARD OF SUPERVISORS SPECIAL MEETING MINUTES

ITEM 4. COUNTY ADMINISTRATION; APPROVE JULY 2, 2024 BOARD OF SUPERVISORS MEETING MINUTES

ITEM 5. COUNTY ADMINISTRATION; APPROVE JULY 10, 2024 BOARD OF SUPERVISORS SPECIAL MEETING MINUTES

ITEM 6. BOARD OF SUPERVISORS; APPOINT JANETH JAMES AS SECRETARY TO THE STAFFORD COUNTY LOCAL BOARD OF FIRE PREVENTION CODE APPEALS

ITEM 7. BUDGET AND MANAGEMENT; R24-261; APPROVE THE FY2026 BUDGET CALENDAR AND SET ASIDE THE CAPITAL IMPROVEMENT PROGRAM (CIP) POLICY FOR DEVELOPMENT OF THE FY2026-2035 CIP

ITEM 8. CAPITAL PROJECTS TRANSPORTATION; R24-230; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH RINKER DESIGN ASSOCIATES, P.C. FOR DESIGN AND RIGHT-OF-WAY ACQUISITION SERVICES FOR THE POPLAR ROAD AND TRUSLOW ROAD TURN LANE PROJECT AND BUDGET AND APPROPRIATE FUNDING FROM THE TRANSPORTATION FUND

ITEM 9. CAPITAL PROJECTS TRANSPORTATION; R24-231; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH WALLACE MONTGOMERY & ASSOCIATES, LLP FOR DESIGN SERVICES FOR THE MINE ROAD AND GREENSPRING DRIVE SIDEWALK PROJECT AND KINGS HIGHWAY AND CHATHAM HEIGHTS BICYCLE AND PEDESTRIAN PROJECT, AND BUDGET AND APPROPRIATE FUNDING FROM THE TRANSPORTATION FUND

ITEM 10. COMMUNITY ENGAGEMENT; P24-11; PROCLAMATION DECLARING AUGUST 31, 2024, AS INTERNATIONAL OVERDOSE AWARENESS DAY

ITEM 11. COMMUNITY ENGAGEMENT; P24-30; PROCLAMATION HONORING AND RECOGNIZING KATHY BURNER FOR 44 YEARS OF SERVICE TO STAFFORD COUNTY

ITEM 12. ECONOMIC DEVELOPMENT; APPOINT MR. FRANK PORCELLI TO THE ECONOMIC DEVELOPMENT AUTHORITY REPRESENTING THE FALMOUTH DISTRICT FOR A TERM ENDING JUNE 4, 2028

ITEM 13. PARKS, RECREATION, FACILITIES AND TOURISM; R24-255; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER LEASING COUNTY-OWNED PROPERTY AT DUFF MCDUFF GREEN MEMORIAL PARK TO CHARLES L. HENDERSON FARMS, LLC

ITEM 14. PARKS, RECREATION, FACILITIES, AND TOURISM; R24-258; AUTHORIZE ADDITIONAL EXPENDITURES WITH SOUTHERN AIR, INC. FOR PREVENTATIVE MAINTENANCE, REPAIR SERVICES, AND PARTS ON ELECTRICAL, PLUMBING, ENERGY MANAGEMENT, AND HVAC EQUIPMENT AS NEEDED FOR VARIOUS COUNTY FACILITIES

ITEM 15. PARKS, RECREATION, FACILITIES, AND TOURISM; R24-262; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A WORK ORDER TO BUILD A DOG PARK AT MOUNTAIN VIEW PARK

ITEM 16. PARKS, RECREATION, FACILITIES AND TOURISM; R24-263; RATIFY A CONTRACT AND AUTHORIZE ADDITIONAL EXPENDITURES WITH ABEL INDUSTRIES, INC., FOR JANITORIAL SUPPLIES

ITEM 17. PLANNING AND ZONING; R24-240; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AGREEMENT AND DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON TAX MAP PARCEL

NOS. 56-112C AND TO BUDGET AND APPROPRIATE GRANT FUNDS FROM THE COMMONWEALTH FOR THE PURCHASE (PROJECT KNOWN AS AP LEGACY PROPERTY)

ITEM 18. PLANNING AND ZONING; R24-281; AUTHORIZE APPLICATIONS FOR MATCHING FUNDS THROUGH VARIOUS LAND CONSERVATION AGENCIES TO SUPPORT THE PURCHASE OF DEVELOPMENT RIGHTS (PDR) LAND CONSERVATION PROGRAM

ITEM 19. PROCUREMENT; R24-241; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE MULTIPLE JOB ORDER CONTRACTS FOR GENERAL CONSTRUCTION WORK

ITEM 20. SHERIFF; R24-236; APPROVE AMENDMENTS TO SECTIONS L AND F.7. OF THE STAFFORD COUNTY SHERIFF'S OFFICE TOWING POLICY REGARDING TOW ZONES AND RESPONSE TIMES

ITEM 21. SHERIFF; R24-237; APPROVE AMENDMENTS TO ARTICLE 2 OF THE STAFFORD COUNTY ADVISORY BOARD ON LAW ENFORCEMENT TOWING BY-LAWS REGARDING MEMBERSHIP

ITEM 22. SHERIFF; R24-238; RATIFY A CONTRACT WITH SMITH'S BODY SHOP LLC FOR SHERIFF'S OFFICE VEHICLE PAINT AND BODY REPAIRS

ITEM 23. SHERIFF; R24-239; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH DISYS SOLUTIONS INC. FOR THE PURCHASE OF REPLACEMENT RECTIFIERS AND INVERTERS FOR THE RADIO TOWER SITES AND APPROVE EXPENDITURES

ITEM 24. UTILITIES; R24-219; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR ENGINERRING SERVICES FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION OF THE WATER REUSE SYSTEM

ITEM 25. UTILITIES; R24-244; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO APPROVE EXPENDITURE INCREASES FOR ORIGINAL EQUIPMENT MANUFACTURER CONTRACTS FOR MAINTENANCE, PARTS, REPAIR, AND REPLACEMENT OF VARIOUS EQUIPMENT

ITEM 26. UTILITIES; R24-257; AUTHORIZE THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT AND APPROVE EXPENDITURES FOR UTILITIES BILL PRINTING AND MAILING SERVICES

WORK SESSION ITEMS

ITEM 27. BOARD OF SUPERVISORS; R24-266 AND R24-267; BY-LAWS COMMITTEE REPORT OUT AND CONSIDER (1) ADOPTING A NEW CODE OF PERFORMANCE AND (2) FIRST READ OF PROPOSED REVISIONS TO THE BY-LAWS AND RULES OF PROCEDURE, PART II

Ms. Vanuch said that in her research prior to the meeting, she had contacted several colleagues, and it appeared there might have been a general consensus among the Board members to discuss this at the work session for the September 24 Board meeting so they could discuss it in greater detail. She asked if the Chair could poll the Board to see if this was amenable.

Ms. Gary asked Ms. McClendon if she had heard back from any Board members regarding the documents she had sent about this item.

Ms. McClendon said that she had not received any questions regarding the bylaws.

Ms. Bohmke said that there was consensus from the Board that this item could be discussed at the September 24 work session.

PRESENTATIONS/REPORTS BY DEPARTMENTS

ITEM 28. REVIEW OF THE RAPPAHANNOCK AREA COMMUNITY SERVICES BOARD (RACSB) BIENNIAL AGREEMENT NAMED PERFORMANCE CONTRACT (PC) WITH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (DBHDS)

Donna Krauss, Deputy County Administrator, said that this request originated from the Community Services Board, and Ms. Brandy Williams from the Community Service Board was present. She said that tonight, staff aimed to present this information to the Board, allowing them the opportunity to review the document. She said that Ms. Williams was available to answer questions and provide context regarding the agreement.

Brandy Williams said that the Rappahannock Area Community Services Board served as one of the 40 community services boards in Virginia, providing public behavioral health and developmental disability safety net services. She said that governed by localities, RACSB was multijurisdictional, including Stafford County. She said that the relationship with the oversight agency, the Department of Behavioral Health and Developmental Services, was governed by the performance contract, which was a two-year agreement.

Ms. Williams said that at this time, the board was in the amendment cycle of the performance contract, requiring approval from each locality to proceed. She said that additional approvals needed were from the RACSB Board of Directors and the department itself. She said that the board presented this for consideration and review and approval, which was necessary for RACSB to continue receiving state-controlled funding. She said that state-controlled funding constituted approximately 25% of the RACSB's budget.

Ms. Vanuch asked if this item would be returning for action from the Board on their consent agenda.

Ms. McClendon said that the Board could act on department reports under their new meeting structure; however, this agreement still required review from her office, so it could appear on the consent agenda after that review.

ITEM 29. COUNTY ADMINISTRATION; R24-169; CONSIDER ADOPTING STAFFORD COUNTY'S OVERALL LEGISLATIVE PROGRAM FOR THE 2025 SESSION OF THE VIRGINIA GENERAL ASSEMBLY

Anthony Toigo, Constituents & Legal Affairs Officer, said that Proposed Resolution R24-169 would have asked the Board to adopt its 2025 General Assembly Legislative Program. He said that as they were aware, and for the benefit of the public, the Legislative Program was a policy document. He said that it formed the Board's approach to state legislative matters. He said that this document contained priority legislation advocated for by the Board, positions that the Board had taken to support legislation or to oppose legislation that could be harmful to the County. He said that Advantus Strategies had led the development of the program and were present tonight. He said that they had discussed this at the June 26 work session.

Ms. Vanuch asked if this item would be acted on tonight or if it would appear on the consent agenda.

Mr. Toigo said that staff was requesting action from the Board this evening.

Ms. Vanuch motioned, seconded by Mr. English, to approve Resolution R24-169.

Ms. Gary said that they had previously engaged in a discussion regarding the transportation funding mechanisms mentioned in the document. She said that the last sentence stated that Stafford County opposed these mechanisms. She said that she was reiterating this for the public record, as they had already discussed the implications of an annual contribution from Stafford County as part of its funding structure. She said that this contribution had been deemed undesirable if it would necessitate dipping into the general fund, a point he had clarified to her over the phone. She said he had stated he would make corrections to this, but she did not observe the necessary corrections for clarification in the document that she had in front of her.

Mr. Toigo said that the materials had already been published at the time of their discussion. He said that what he had been trying to convey over the phone was to raise the issue during Board comments, as she had done. He said that they could request from the dais that those edits be made. He said that they were happy to make those edits.

Ms. Gary said that that would be appropriate. She said that it would align with the Board's current stance, as they had eliminated the position opposing an RTA, which could be misconstrued as being against it. She said that they should articulate that if they needed anything from the general fund, then it would be more in line with the Board's most recent position.

Ms. Vanuch said that for clarification, that the purpose of this would be to leave the door open for Stafford County to support a Regional Transit Authority (RTA) if a delegate had introduced legislation without taking a hard stance within the legislative agenda against supporting an RTA. She said that this would be despite numerous meetings indicating it would not be beneficial.

Mr. Toigo said that the position was intended to be a neutral policy statement. He said that the language had been crafted to oppose any legislation that would have harmed Stafford County's general funds, as seen in 2021. He said that there was a bill concerning the Fredericksburg Regional Transportation Improvement Committee at that time. He said that it did not extend to supporting an RTA. He said that should the Board choose to support an RTA, staff would request for that direction, and the Board retained the option to add a legislative support item outside of that meeting.

Ms. Vanuch asked what the change would be in this case.

Mr. Toigo said that it was page three of the legislative program. He said that the very last sentence stated that “however, Stafford County opposes transportation funding mechanisms that would impose or require an annual contribution from Stafford County as part of its funding structure.” He said that the change would be from “Stafford County” to “Stafford County’s general fund.”

Ms. Vanuch asked for clarification as to why they would refer specifically to the general fund.

Mr. Toigo said that they could change it to other taxing structures. He said that the harmful legislation they had seen in the past required a contribution directly from Stafford County's general fund. He said that it would be tiered based on population, requiring Stafford County to pay the largest share of funding to supplement that entity.

Ms. Vanuch said that she had preferred to leave the matter open-ended rather than explicitly narrowing the scope, which would necessitate further debate over the origin of the funding. She said that they already had held a position against unfunded mandates and had not allocated or dictated funding sources for them. She said that, in her view, this approach unnecessarily narrowed the scope of the fund.

Mr. Toigo said that he had discussed with Advantus said that the Board could choose to remove this item, and because they had already articulated a stance against unfunded mandates, they would still be covered in that circumstance.

Ms. Gary asked if they could remove the final sentence.

Ms. Vanuch said that she was unsure.

Ms. Gary said that she did not wish for that discussion to devolve into a debate about the RTA. She said that the purpose of her request to Mr. Toigo was to ensure that what they had previously submitted had not created confusion from the Board's current stance, which lacked clarity since they had shifted their position against an RTA. She said that this request had not been intended to suggest leaving the door either open or closed. She said that that was a separate discussion that she believed they should address at a later time. She said perhaps they could schedule it for a future meeting, as they needed to have that discussion, and they had yet to do so. She said that at present, this situation was impacting their position.

Ms. Bohmke said that she had a conversation with the staff about the fact that she was the only locality in Planning District 16 that had not taken a position on the RTA. She said that consequently, it could not fit into the current schedule due to its fullness after the summer recess. She said that they planned to revisit this issue at possibly one of the September meetings. She said that the question now was whether they should defer this item until that point in time.

Kathy Burcher, Legislative Strategist with Advantus Strategies, said that she believed this presented a good opportunity to potentially strike that language if they were considering taking action on a recommendation or not. She said that they could amend and add in that item later as part of amending the program. She said that she recognized the importance of advancing their legislative program so that the delegation could begin working on both legislation and all associated talking points and preparation. She said that she encouraged continued conversations. She said that while they were covered with the unfunded mandates, as Ms. Vanuch had pointed out, she also understood Ms. Gary's point, because she also had initially been confused regarding their position on the RTA.

Ms. Allen asked if they should approve this item now so that they could provide direction to their delegates and then amend it after they had their discussion in September regarding their stance on the RTA.

Craig Meadows, Interim County Administrator, said that this was his understanding. He said that there was a sense of urgency to get this information to the legislative delegation so they could understand the County's positions, and it could be amended later if there were to be changes in the language.

Ms. Burcher said that she would recommend striking the section regarding transportation at this point until they make a decision or not regarding the RTA. She said that they wanted to start advancing this program to their delegation and did not want to confuse them with a position that appeared to support or not support the RTA.

Dr. Yeung said that their legislation would be making the decision regarding the RTA. She asked what information they should have before they began that process.

Ms. Burcher said that until this Board took a position on the RTA, she would be concerned about having a statement that looked like they were supportive, irrespective of the general fund and other revenue sources. She said that she was aware that there were certain members of their delegation, including Senator McPike, who was looking at whether there would be support for an RTA. She said that he was very interested in Stafford's position, and she was concerned about advancing a document that may appear supportive at this point without a position from the Board.

Ms. Allen asked what an appropriate date would be to revisit this item.

Ms. Vanuch said that she would prefer to discuss it again on September 17, after Labor Day.

Ms. Krauss said that staff had suggested September 3 because of there were already five agenda items scheduled for the September 24 meeting.

Mike Morris, Deputy County Administrator, said that FAMPO was scheduled to give an RTA report on September 3 as well to follow up on some questions from their previous work session.

Ms. Bohmke said that if Mr. Ollis could coordinate with their Transportation Department so the Board received all relevant data, it may not be necessary for him to give a full presentation.

Dr. Yeung said that she was confused about what information the Board would be giving to Senator McPike regarding this matter.

Ms. Burcher said that she had a conversation with Senator McPike two days ago. She said that during this conversation, she inquired whether he would consider moving forward with legislation only if at least Stafford and Fredericksburg had shown their support. She said that these conditions would be necessary for him to pursue legislation.

Ms. Gary said that FAMPO had been working on the possible options for the RTA for multiple years, and the goal was for the Board to express their preferred approach in the case that it was decided to pursue an RTA. She said that they were not asking for specific action but rather a clear articulation of their stance.

Ms. Burcher said that the key component here was moving forward with items for which they wanted to initiate legislation, and they could together ensure it represented current positions, allowing for additions later.

Ms. Bohmke called the vote to approve Resolution R24-169, with the removal of the transportation funding position.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

ITEM 30. REPORT ON THE HISTORIC PORT OF FALMOUTH BEACH

Brion Southall, Director of Parks, Recreation, Facilities, and Tourism, said that he was present to provide a brief update on the Falmouth fee collection. He said that the first slide illustrated a bit of the history of the Historic Port of Falmouth fee program. He said that they had initiated it in mid-July of 2022. He said that the year 2023 had been their only full year, and 2024 had been a partial year as of July 8. He said that the next slide showed the expenses incurred at the site. He said that labor had been the primary force driving all the expenses.

Mr. English asked if Fire and Rescue Services were present on Fridays, Saturdays, and Sundays.

Mr. Southall said that that was correct.

Mr. English asked if the provided figures included trash cleanup and everything else.

Mr. Southall said that that was correct.

Ms. Bohmke asked if the financial report was published in the packet.

Mr. Southall said yes.

Mr. English asked if the fees were only collected from non-residents as they entered the site.

Mr. Southall said that residents of Stafford and the City of Fredericksburg did not pay the fee.

Mr. English asked if there was data regarding how many residents used the beach.

Mr. Southall said that they had not been tracking it. He said that last year, they found that it was a very small percentage of residents who came to the beach on Saturdays and Sundays. He said that in the first year, they tracked it seven days per week and found that Monday through Friday it was a majority of residents who came to the park.

Ms. Gary asked if there was any data regarding safety issues being mitigated through this program.

Mr. Southall said that safety information would likely come from the Sheriff and Fire and Rescue.

Ms. Bohmke said that in the Board packet, there was a comprehensive financial report examining the years 2022, 2023, and 2024. She said that it analyzed the number of cars, revenue, and expenses associated with the Parks and Rec, Sheriff's Office, and Fire and Rescue departments. She said that in 2024, incidents from the Sheriff's Office totaled 155. She said that each deputy had spent approximately 30 minutes on an incident. She said that consequently, when considering the total expenses and revenues, she showed a loss of about $30,000 annually for the Sheriff's Office, Fire and Rescue, and Parks and Rec at Falmouth Beach. She said that over the past three years, this amounted to roughly $30,000.

Ms. Gary said that she would like to see information regarding how public safety had been impacted. She said that the costs incurred may be worthwhile if it ensured security of the visitors of the park. She asked if staff could provide more details on this matter.

Mr. English said that he believed they were spending too much money and resources down at that beach. He said that they were dumping money into something that was not for the residents of Stafford County. He said that they needed to figure out a way to deal with this for next year. He said that he was concerned about their inability to stop people from getting hurt down there, so he would be supportive of closing the beach.

Ms. Bohmke said that it may be beneficial to include this item in a work session so they can have a more comprehensive discussion. She said that she recommended everyone review the financial report if they had not yet had the chance to do so.

Mr. Meadows said that this topic certainly could merit additional discussion in a work session format.

Dr. Yeung asked if there was signage to indicate there was no swimming allowed at the beach.

Ms. Bohmke said that yes, it was posted in multiple languages as well for all visitors to read.

Mr. Meadows said that staff could provide images so they could see what was there.

Mr. Diggs said that he would not support closing Falmouth Beach. He said that at a time when their constituents were clamoring about parks and opportunities for their families, as well as putting the Ferry Farm Trail in that area, spending $30,000 was worth it for their families. He said that Stafford families were using it during the week, so he would not support closing it. He said that they could discuss it further in their work session.

Ms. Allen said that she did not support closing the beach either, because even if they closed it people would still find a way to use it. She said that she would rather find a way how to efficiently use their resources to protect the public who visited the beach.

RECESS

The Board recessed at 6:06 p.m. and reconvened at 6:30 p.m.

PRESENTATIONS BY THE PUBLIC

1. Allen Watkins, George Washington District, said that he had attended the previous evening's FAMPO policy committee meeting. He said that normally, he had something to say, but he did not. He said that there was a particular reason why he did not. He said that he had been sitting

in an outer room with a member of the Planning Commission. He said that some prior comments by some of the public, specifically residents from the Del Webb community, had discussed construction along the Celebrate Virginia Parkway, which they were unfamiliar with. He said that they had mentioned it was just south of the FBI building.

Mr. Watkins said that the Planning Commissioner stated that nothing had come before the Planning Commission regarding this matter and they were unfamiliar with anything going on. He said that he was concerned that some construction might be occurring without anyone apparently on the FAMPO staff committee or the policy committee seeming to have any knowledge of what might be happening. He said that he had decided to investigate. He said that there had indeed been tree clearing and grading occurring.

Mr. Watkins said that specifically, this was seen from a vantage point from on Celebrate Virginia Parkway. He said that he then wanted to see what was on the opposite side of it, so he went down through Commerce Parkway. He said that at the very end of Commerce Parkway, he had been able to see the same development going on. He said that he knew what location it was, so he then wanted to investigate where it was on the map, and he discovered that the specific piece of property was parcel 44WW5E.

Mr. Watkins said that he conducted further investigation. He said that upon reviewing the property details and report, he observed that Steubenville Capital LLC currently owned the property, having purchased it from Celebrate Virginia corporate campus on January 20, 2022 for $302,000. He said that the property was assessed at $2.4 million. He said that the 13.7 acres had a planning and zoning report that stated it was a grading plan for preparing site work for a future industrial development at the end of Commerce Parkway.

Mr. Watkins said that Commerce Parkway was essential for so many things. He said that it was a primary route to Belmont Park and had potential involvement in the CUP for Vulcan materials. He said that it was also very important for the bridge and parkway that FAMPO was trying to develop. He said that he would hate to think that something would get in the way and eliminate four of the five different options possible for the bridge and parkway. He said that this was where it could be if this land was actually developed.

2. Nancy Rueter, Garrisonville District, said that she wanted to discuss the quality of life and reflect on why they resided in Stafford County. She said that people moved to Stafford for various reasons, including employment opportunities, relocation by the military, or to escape congested areas in search of safety. She said that people remained in Stafford for reasons such as having children in school, family nearby, friends in the area, and the favorable proximity to Washington, D.C., and Richmond, which was advantageous for those working in the D.C. workforce, allowing for convenient commutes.

Ms. Rueter said that she could not predict the reasons why people had departed from Stafford, but many had expressed a desire to distance themselves from Interstate 95 due to congestion. She said that sometimes the move had been due to job transfers or significant lifestyle changes, such as relocating to be with family. She said that if Buc-ee's were to establish itself at the 630 I-95 intersection, it would undoubtedly affect the quality of life for those living nearby and for future residents in the Embrey Mill area.

Ms. Rueter said that hundreds and hundreds of people would have lights on 24-7. She said that there would be traffic, noise, and horns honking. She said that they would be immediately impacted by these changes. She said that the others included anyone who crossed the 630 and I-95 corridor. She said that this would refer to the families and individuals trying to get home after work, wanting to see their children in activities and be part of school events. She said that there would also be challenges faced by those who traveled up and down I-95, reminiscent of past choke points due to living through them.

Ms. Rueter said that Highway 3 and 17, previously impassable, along with I-610, which had become a choke point due to its HOV restrictions, exemplified such difficulties. She said that if Buc-ee's opened, it would affect the 60 through 630 exit, creating a new choke point. She said that the system would become congested again at this intersection, as the roads were not equipped to handle this level of business. She said that changes to the roads would take years to implement. She said that if the proposed Buc-ee's moved through the system, they should consider the impact on the quality of life for so many people. She said that she wondered if they were willing to give up that quality of life just for people making a 20-minute pitstop off of I-95.

3. Joanna Witmer, Garrisonville District, said that an approximate expenditure of $670 million had been allocated for the expansion of this express lane through Stafford. She said that the Fredericksburg Area Metropolitan Planning Organization Policy Committee had convened to deliberate on river crossing alternatives aimed at reducing traffic congestion on I-95. She said that in the preceding week, thousands of children had encountered difficulties with their buses, prompting parents to express their frustrations.

   Ms. Witmer said that the County, Planning Commission, Board of Transportation, School Board, and Board of Supervisors had collaborated diligently to devise strategies to alleviate traffic and ensure punctuality in students' school commutes. She said that she would ask one question. She asked why they would want to introduce Buc-ee's to Stafford, potentially negating all the time, effort, financial investment, and hard work dedicated to these improvements. She said that she urged them to say no to Buc-ee's.

4. Julia Lewis, Falmouth District, said that she was present to seek the Board's support once more, to advocate for her community's conditional use permit to operate a small airstrip, which had been in existence since the 1970s. She said that a neighbor, sharing common property boundaries on two sides with six Dogwood residents, had requested an exception to A-1 zoning to establish a wedding event center. She said that this applicant had collaborated with the Zoning Department for over a year to finalize his application and plans, details of which would be uploaded the following day.

   Ms. Lewis said they had less than a week to review his application and formulate their response. She said that during the Cliff Farm development hearings, her HOA had negotiated an agreement with the developer to safeguard their airstrip. She said it escalated significantly when they attempted to compel the 37 members to relinquish their First Amendment right and refrain from voicing opposition at a public hearing in this room.

   Ms. Lewis said that she wished to convey her heartfelt thanks to each of the supervisors for their influence, which prompted the developer to retract their demand. She said that this was part of their concern that the community should not have to leave the County's protection. She said that Ms. Vanuch had engaged with Planning and Zoning and had identified a method for the County to safeguard them during the rezoning request application phase. She said that she had requested Zoning Appeals to ensure the applicant would not harm their conditional use permit or impede their flying operations.

   Ms. Lewis said that they were aware that people relocated next to Dulles and subsequently complained about the noise. She asked them to imagine a scenario where, during a wedding ceremony, such noise disrupted the solemnity of the bride and groom's vows. She said that her worry was that a single negative Google review could lead new neighbors to report them, potentially seeking to shut them down. She said that the Board of Zoning Appeals' exception decision was made at the lowest level, lacking input from the Planning Commission and the Board of Supervisors.

   Ms. Lewis said that if granted, it could have had significant repercussions for their community without adequate protections. She said that she requested each supervisor to ask each appointee on the Board of Zoning Appeals to defer their decision for the following week, granting neighbors additional time to review the information being uploaded. She said that wanted to thank Ms. Vanuch for her exceptional assistance to a community not her own, and for Ms. Bohmke for being a longtime supporter of their community.

5. Hossein Al-Johar said that he resided in Austin Ridge on 18 DeWitt Road. He said that he apologized for not knowing his district, as he had recently relocated from upstate New York.

He said that he wished to share some information, albeit it may seem unrelated. He said that he hailed from Iraq, and between 2004 and 2008, he had supported U.S. government and U.S. Army missions in Iraq, focusing on rebuilding neighborhoods and areas around Baghdad's capital. He said that as an engineer in construction, he had also served as a translator, coordinating projects between the U.S. and Iraqi governments.

Mr. Al-Johar said that through this experience, he had gained valuable insights from the U.S. military's engineering course. He said that he had observed the emphasis on improving the quality of life in communities, as the U.S. military had engaged with locals to understand their needs. He said that they had sought input from all individuals, regardless of their social status, which had been a novel concept for him. He said that this inclusive approach had involved conversations with everyone, from janitors to design engineers, ensuring diverse perspectives were considered.

Mr. Al-Johar said that the focus had remained on the neighborhood, always prioritizing the needs and desires of the people. He said that what he was conveying was the discussion surrounding Buc-ee's and its potential impact on their communities. He said that he resided in Austin Ridge, and from his experiences living in various locations globally, he had observed that the quality of neighborhoods consistently centered on safety, accessibility, and available services. He said that although he may not be an expert, he had noticed many gas stations near his home, and he had never experienced long waits for gas.

Mr. Al-Johar said that it had typically taken him only a few minutes to refuel and continue on his way. He said that he believed there appeared to be no necessity for additional gas stations. He said that another consideration was the concerns raised by some citizens in the area regarding traffic, noise, pollution, and the overall quality of life. He said that when his family and he had chosen this neighborhood as their home, they had fallen in love with it, moving from the north through congested areas until they had reached Stafford, where they had found their ideal residence.

PUBLIC HEARINGS

ITEM 31. PLANNING AND ZONING; R24-167; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT TO EXCEED THE MAXIMUM HEIGHT LIMITATION WITH A HEIGHT OF UP TO FIFTY-SEVEN (57) FEET FOR AN ELEMENTARY SCHOOL BUILDING IN THE A-1, AGRICULTURAL ZONING DISTRICT ON TAX MAP PARCEL NO. 39-76B (PROJECT KNOWN AS STAFFORD COUNTY PUBLIC SCHOOLS – ELEMENTARY SCHOOL #19)

Kathy Baker, Assistant Director of Planning and Zoning, said that this item pertained to a conditional use permit (CUP) for elementary school 19. She said that there had been a public hearing on this item on June 18, which they had deferred to this evening. She said that she would briefly recap the presentation. She said that this pertained to a maximum height limit, exceeding that for a school building in the A-1 zone on 89 acres.

Ms. Baker said that the applicant was Stafford County Public Schools. She said that the property overview showed the site of the Brooke Point High School and Stafford Middle School, which shared the campus. She said that Spartan Drive formed the northern boundary, Black Hawk Drive the southern boundary, and Courthouse Road to the east. She said that the red circles denoted the existing entrances into the high school, while the middle school had its own entrances on Spartan Drive.

Ms. Baker said that adjacent residential properties were also shown. She said that the connector road that was currently linking the two schools was present. She said that the zoning for the site and surrounding properties was A-1. She said that the site layout illustrated the existing Brooke Point High School and the proposed elementary school. She said that Black Hawk Drive to the south would provide access to both sites, including the connector road to the middle school and the high school's football stadium and fields.

Ms. Baker said that in the aerial overview, the new location of the elementary school was visible, situated over the existing tennis courts, which would be relocated. She said that the elementary school would have its own parking area to the south and a playground and play area behind the school. She said that the primary access to the elementary school would be separate from the high school entrances. She said that the comprehensive plan recommended this area as suburban and within the urban services area, which aligned with this proposal.

Ms. Bohmke asked where the entrance to the high school would be located.

Ms. Baker said that there were three entrances immediately to the east of that, which they could see to the right. She said that these were all existing entrances, and the elementary school would use the last entrance. She said that upgrades had been planned, and she believed that during the school's presentation, they would demonstrate the new traffic flows utilizing some of these existing entrances. She said that this request sought to exceed the current height limit of 35 feet in the A-1 zone, proposing an increase to 57 feet.

Ms. Baker said that the tallest point was 56 feet, located at a small area for roof stairwell access, which was situated interior to the building. She said that the overall roofline of the building measured approximately 47 feet. She said that shown was the eastern elevation, where the smaller area of the roof stairwell access was encircled, standing about 10 feet higher than the rest of the proposed school. She said that the academic wing and the gym were 42 feet and 46 feet, while the stairwell access went up to approximately 56 feet.

Ms. Gary asked if the CUP request was solely due to the roof access being taller.

Ms. Baker said that actually, the academic wing and the other portions of the building exceeded the specified measurement by approximately 12 feet, ranging from 35 to 47 feet, and the roof access had added another 10 feet. She said that the next slide was the sightline exhibit. She said that if one looked to the far left on the top scale, that was one of the existing homes on Black Hawk Drive. She said that the actual base elevation of the elementary school would be about 20 feet lower than those homes on Black Hawk Drive, and there would be some buffering between those homes and the school site.

Ms. Baker said that to the left, the view from Black Hawk Drive in the vicinity of those homes looking into the area was shown. She said that on the right, the view from the existing school parking lot looking up to Black Hawk Drive was illustrated. She said that again, to illustrate the overall view, distances and buffer areas were presented. She said that the closest point of the school to the property line had been at about 70 feet, and about 260 feet to the nearest home in this location. She said that additional homes would be approximately 390 feet to the closest area of the school building.

Ms. Baker said that the next rendering, submitted by the applicant, showed the view and the mature buffers. She said that regarding the buffers, 35 feet of existing vegetation would be retained around the property lines, indicated by red circles. She said that these would be supplemental plantings included with the site plan. She said that concerning the conditions, this would allow for the exception of the height for the school building. She said that the maximum height would be no greater than 48 feet, except for the roof stairwell and access stairwell, which would be no greater than 57 feet.

Ms. Baker said that the building would be constructed at the location shown on the site plan, a minimum of 70 feet from the property line where the adjacent home was located. She said that building-mounted lights on the school building would be no higher than 35 feet from ground level. She said that staff had recommended approval of the conditional use permit with the conditions. She said that on May 22, the Planning Commission had voted 6-1 in favor of recommending approval. She said that the Commission had also approved a request for determination of compliance with the comprehensive plan.

Dr. Yeung asked if there was a community meeting held regarding the school building itself.

Ms. Baker said that staff had not held any community meetings. She said that she was uncertain if the applicant had.

Ms. Bohmke asked if the powerlines near the football field were being moved.

Ms. Baker said no; the powerlines were located off-site. She said that there were additional lines that serviced the schools which were located on-site.

Ms. Bohmke asked if the applicant had a presentation.

Jeff Harvey, Legacy Engineering, said that he was speaking on behalf of Stafford County Public Schools. He said that the presentation was available to the Board in their meeting materials, but he would not reiterate Ms. Baker's points. He said that the height increase was from 35 feet to 57 feet, accommodating three stories of construction and the stairwell box at the building's apex. He said that agricultural zoning typically imposed a 35-foot height limitation, commonly associated with residential construction. He said that however, numerous churches and school buildings were also situated within this zone.

Mr. Harvey said that the necessity for sprinkler systems and other technology often necessitated higher ceiling heights, justifying the exception request. He said that the staff had concurred with the conditions imposed on this permit. He said that it was observed that other schools in the County had been previously approved for three-story construction, with Elementary School 18 being the most recent example. He said that the graphics indicated that the back side of Brooke Point High School was three stories in height, positioned opposite the proposed elementary school. He said that the School Division asserted that the application fulfilled all criteria for the issuance of a Conditional Use Permit and sought the Board of Supervisors' approval.

Dr. Yeung asked if there had been a community meeting with individuals from the surrounding area to discuss the height and building of the school.

Mr. Harvey said that Jason Towery from the School Division had informed him that they had held individual discussions with nearby property owners but no specific community meeting. He said that the school design had been discussed as part of the CIP process throughout the budget process.

Dr. Yeung said that she had community individuals approach her, even as close as Friday, informing her that they were not aware that the school was scheduled to proceed. She said that the train had left the station. She said that she was going to inform everyone that she was voting against this. She said that she was confident that it would pass. She said that this public hearing was not about the location, but rather the height of the school. She said that it had been decided without public input. She said that she would vote against the height and location.

Dr. Yeung said that the real issue was not the building, but the school where over 40% of individuals resided, namely Embrey Mill and Garrison. She said that she believed they were not making sound decisions for the school system and Stafford. She said that she was concerned about creating additional transportation issues, especially considering the staff and previous superintendent's advice against moving forward with this build.

Dr. Yeung said that she would vote against it, despite that there was enough support for this decision. She said that she considered it detrimental to the school system, neighborhood, and transportation. She said that there was a need for a school in Embrey Mill, a planned community since 1980, which was part of the comprehensive plan. She said that the current transportation issues were expected to worsen. She said that currently, students from Embrey Mill were spending two hours on the bus to North Stafford, one way.

Ms. Gary said that this school would be placed in her district. She said that she had been in communication with people in her community, and there had been ample conversation. She said that this initiative was not happening without community input. She said that many conversations had taken place, and she had requested that in the future, as a courtesy, if people heard from other constituents, to please contact one another. She said that she believed this would be helpful. She said that however, this had been thoroughly discussed in the community and supported by many.

Ms. Bohmke opened the public hearing.

1. David Fauth, Aquia District, said that he spent the last couple of days reading the minutes from the Planning Commission meeting referenced in May and the past Board meeting. He said that regarding the height, there had been hardly any discussion on issues related to the height. He said that this issue had been thoroughly addressed. He said that the height of the elementary school would be comparable to Brooke Point High School when all was said and done. He said as they had discussed, the CUP was primarily about the height of the school. He asked if they could maintain their focus on that.

2. Molly Denham, Hartwood District, said that she had assumed that the CUP was a no-brainer during the June meeting, but unfortunately, she was wrong. She said that this should have been a simple approval, much like the same application for Elementary School 19, which had been approved that same night, was causing delays in the process. She said that nothing new had been presented that evening except for Mr. Diggs's presence.

Ms. Denham said that now that Mr. Diggs was present, she hoped the Board would approve this item so they could move on. She said that as for public input, the School Board had held multiple meetings, which she had attended, as they were public meetings. She said that minutes and recordings were available, as well as opportunities for the public to speak to the School Board during their meetings. She said that she was not in favor of the location, but at this point, they were just dragging it out. She said that she hoped this would get approval.

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

Ms. Gary motioned, seconded by Ms. Allen, to approve Resolution R24-167.

Ms. Vanuch asked if Mr. Harvey could read the language regarding the buffering requirements.

Mr. Harvey said that he did not have a copy of the condition but could ask staff to provide that language.

Ms. Baker said that referring to the conditions in R24-167, it stated that the school building would be located 70 feet from the property line at tax map parcels 39W-27, 39-1A, and 39W-26, and there was no specific mention of a buffer in those conditions.

Ms. Vanuch asked if there was anything requiring additional landscaping that was mature according to the conditions.

Ms. Baker said that those would be handled at the site plan stage of the process. She said that required buffers would include a minimum of 35 feet along the entire property line.

Ms. Vanuch asked if they could add a condition for additional buffering for the neighbors along Black Hawk Lane.

Ms. Baker said that she believed that staff could craft that language, but it would take some time.

Jon Cramer, Director of Construction for Stafford County Public Schools, said that he had been instrumental in the design of this project throughout. He said that regarding the tree buffering, the height elevation was so significant that the only impact on the sight line would be on property not owned by the school, likely the landowner's or association’s property where the trees could be planted. He said that the trees would need to be approximately 150 feet tall to block anything, and he was uncertain where they could source such trees.

Ms. Vanuch said that she would vote against the CUP because the impacts to the neighboring parcels could not be mitigated.

Mr. Cramer said that the same lights from the football field at the current school were still there. He asked if residents were currently complaining about the existing lighting.

Ms. Vanuch said that someone came to the last Board meeting.

Jason Towery, Director of Facilities and Maintenance for Stafford County Public Schools, said that there was one gap in the tree line. He said that Ms. Baker's presentation had confirmed the existence of the one gap. He said that the remainder consisted of mature vegetation already present. He said that he could point it out in the presentation if possible. He said that they could consider planting more mature trees in that specific area.

Ms. Vanuch asked if there was any condition requiring them not to move anything that already existed there. She said that construction may result in destruction of the mature trees currently planted there.

Mr. Towery said that displayed on the slide was the gap in the trees. He said that everything displayed was the extent of the clearing, and all the remaining trees would be staying. He said that he would be happy to commit to a condition to put more mature trees there. He said that he believed the minimum was a caliper measurement of three inches, so maybe they could go up to six or eight inches.

Ms. Gary asked if the football field was behind the red structure in the picture.

Mr. Towery said yes.

Ms. Gary said that it was lit at night and held events often.

Mr. Towery said that was right.

Ms. Gary asked if that was not currently covered.

Mr. Towery said that it was difficult to specify at this time, but he was happy to work with Ms. Baker’s staff to ensure they put more mature trees in that gap.

Mr. Harvey said that he did not know for certain, but he believed the minimum height was 12 feet for a canopy tree; therefore, something like a 15- or 20-foot tree would be appropriate.

Mr. Towery asked if a 15-foot or 20-foot tree would help.

Ms. Bohmke confirmed that the Board was amenable to adding that as a condition.

Ms. Gary motioned, seconded by Ms. Allen, to approve Resolution R24-167 with the additional condition of a 15-foot or 20-foot tree buffer.

Mr. Diggs said that he wanted to briefly discuss the reason for deferring that item, as it was evident that night. He said that without his presence, there was a possibility that the CUP might not pass. He said that he supported this item and the schools, so he wished to ensure its passage. He said that he preferred a delayed decision over it being voted down.

Ms. Allen said that the school was going there. She said that she was of the opinion and had consistently stated that if someone purchased a home right next to a school, they could not complain about the effects of the school after they purchased the home. She said that there were homes directly across from Brooke Point and had yet to hear of constituents expressing concern about it, nor had there been a call for discussion on the matter as a Board.

Ms. Allen said that typically, schools increased property values. However, she said that the argument as if this was an 18- story school being built was unreasonable. She said that she supported the need for schools and opposed litigating every procedure related to the school's location, which had already been decided. She said that she was in favor of this item.

Ms. Bohmke said that she would vote for this because it was really about the height. She said that they had all acknowledged the struggle over the school's location from the previous year. She said that she had conducted an in-depth investigation into the school division's actions in 2023 and remained dissatisfied. She said that she had her reservations about the location and she felt sorry for the residents of Brooke Point who would face traffic impacts and construction over the next three years. She said that she hoped everything would go well. She said that she supported the motion, as it primarily concerned the height limitation.

Ms. Vanuch said that she supported the item because she believed that Mr. Towery was genuinely attempting to mitigate the impacts. She said that she understood that many aspects were beyond Mr. Towery's control due to the decision. She said that regarding members of the public who criticized Board members for granting another member common courtesy when they were unable to attend a meeting, she wanted to apologize to Mr. Diggs for beings subjected to that.

Ms. Vanuch said that it was a frequent practice on this Board to defer action when a Board member was absent during a significant matter of interest to the entire Board and the entire County. She said that she believed it would be beneficial if people refrained from interpreting and instead communicated directly with their Board members to inquire about their decisions.

Ms. Gary said that she wanted to thank the schools for collaborating with them and making necessary accommodations. She said that furthermore, during their previous discussion and meeting, she may have become somewhat heated, and she sincerely apologized for any excess in volume or choice of words. She said that she greatly appreciated everyone’s support and thanked them for backing this initiative. She said that she was deeply grateful. She said that witnessing the community's struggles, especially with her children attending the schools amidst these issues, had been challenging. She said that it was now time to address this matter. She said that she was very grateful for their support, and she wanted to express her thanks.

Ms. Baker asked if the additional condition for mature tree plantings was referring only to the gap in the existing tree line.

Ms. Bohmke said that that was correct.

Ms. Bohmke called the vote for approval of Proposed Resolution R24-167.

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

<u>ITEM 32. COUNTY ADMINISTRATION; R24-216; CONSIDER SELLING AND CONVEYING COUNTY-OWNED TAX MAP PARCEL NO. 45-9A TO SPOTSMARK LLC.</u>

Mike Morris, Deputy County Administrator, said that they had discussed this item in a closed session approximately a month and a half ago. He said that the property was located on Truslow Road, just west of Plantation Drive. He said that adjacent to 885 Truslow Road, it consisted of just over a half-acre. He said that Mark Doherty of Spotsmark LLC had requested to purchase this property for $65,000. He said that Mr. Doherty planned to build a home there and would like this additional property as an additional yard for his property.

Mr. Morris said that the County had acquired this as part of the right-of-way to widen Truslow Road in 2016. He said that it had been approximately an acre of property when the County had purchased it. He said that what remained was just over a half-acre. He said that the property was zoned R-1. He said that the County had no useful purpose for this property, so staff recommended disposing of this property to Mr. Doherty.

Mr. English asked if this would affect the road widening on Truslow Road.

Mr. Morris said that they had already acquired sufficient acreage and right-of-way if they widened it again, so this would not impact anything.

Ms. Bohmke opened the public hearing. Seeing no speakers, she closed the public hearing and the matter rested with the Board.

Mr. Diggs motioned, seconded by Ms. Vanuch, to approve Resolution R24-216.

Ms. Gary asked if Ms. Bohmke had any concerns about this item, which was located in her district.

Ms. Bohmke said that she had no issues with this proposal.

Ms. Bohmke called the vote for approval of Proposed Resolution R24-216.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

ITEM 33. PLANNING AND ZONING; R24-187; CONSIDER A PROPOSAL TO AMEND THE "STAFFORD COUNTY, VIRGINIA, COMPREHENSIVE PLAN 2016-2036 2021 5-YEAR UPDATE," ADOPTED ON NOVEMBER 16, 2021, AS LAST REVISED, REGARDING FUTURE LAND USE DESIGNATIONS TO SUPPORT HIGHER DENSITY COMMERCIAL DEVELOPMENT ON AN APPROXIMATELY 262-ACRE PORTION OF TAX MAP PARCEL NO. 38-124 (PROJECT KNOWN AS COM23154932; STAFFORD TECHNOLOGY CAMPUS)

ITEM 34. PLANNING AND ZONING; O24-20; CONSIDER A PROPOSED ZONING RECLASSIFICATION, WITH PROFFERS, FROM THE A-1, AGRICULTURAL ZONING DISTRICT TO THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NOS. 38-124 AND 38-29A (PROJECT KNOWN AS STAFFORD TECHNOLOGY CAMPUS)

Mike Zuraf, Director of Planning and Zoning, said that he would be providing a combined presentation on Items 34 and 33. He said that this presentation summarized these two requests. He said that Item 33 was the comprehensive plan amendment and Item 34 was the zoning reclassification. He said that the comprehensive plan amendment would amend future land use maps to expand the urban services area. He said that it would amend the future land use from agricultural rural to central Stafford targeted development area. He said that it would further expand the future land use in that targeted development area to business and industry.

Mr. Zuraf said that for the rezoning, it would rezone land from A-1 agricultural to M-2 heavy industrial with proffers. He said that this would permit a data center campus, public facility utilities, and related accessory uses. He said that the project comprised two parcels, covering over 500 acres. He said that it was located in the Falmouth election district. He said that Stafford Technology LLC was the applicant. He said that the site was situated on the east side of Richmond Highway across from Sage Lane, on the south side of State Shop Road, and along both sides of Eskimo Hill Road in the shaded area.

Mr. Zuraf said that displayed on the screen was the zoning map of the site and surrounding area. He said that the light green color represented the A-1 zoning district, which was the subject property. He said that the surrounding zoning districts included other A-1 zone land around all sides. He said that there were pieces of M-1 light industrial land to the west and north, represented by light blue shading. He said that there was also M-2 heavy industrial zone land to the east.

Mr. Zuraf said that a preliminary subdivision plan for 145 lots had been approved in 2005 on this property. He said that that plan was still valid, but no development for that project had occurred to this point. He said that the property remained undeveloped and wooded. He said that a high voltage transmission line bisected the site due to an easement. He said that several perennial streams, wetlands, and RPA buffers were spread across the site, highlighted in green. He said that the general surrounding uses included residential and undeveloped uses to the north and south.

Mr. Zuraf said that the regional landfill and corrections facility was located directly to the east of the site. He said that other industrial and auto salvage yard uses were situated to the west. He said that the next image illustrated the proposed expansion of the urban services area boundary, as shown in figure 3.1. He said that the expansion area, marked by the red hatched area on the map, encompassed 262 acres. He said that the subsequent map proposed for amendment displayed both current and future land use maps. He said that the site fell within the green border.

Mr. Zuraf said that the agricultural rural land use area, depicted in light green, was set to be amended and replaced with the central Stafford targeted development area land, shown in orange. He said that the red line denoted the urban services area limit, which was slated for expansion to align with the additional targeted development area. He said that the final map, a more detailed representation within the targeted development area, presented a land use concept for that area.

Mr. Zuraf said that the business and industry land use was proposed to be expanded to this additional area, indicated by the red crosshatch on the proposed map to the right of the slide. He said that this expansion also covered 262 acres. He said that the staff evaluation of the comp plan amendment identified several positive aspects of the proposed amendment. He said that the proposed use would be more compatible with surrounding existing land uses. He said that there were limited public services in the area to support residential development.

Mr. Zuraf said that the proposed extension of the urban services area was unlikely to result in further extensions to other lands outside the urban services area, with the landfill immediately adjacent. He said that the proposed use was deemed more appropriate than the current approved residential use near the Stafford Regional Airport. He said that the corresponding zoning reclassification aimed to mitigate many of the anticipated impacts from the proposed use. He said that staff recommended approval of the comprehensive plan amendments pursuant to resolution R24-187, which was voted on by the Planning Commission on June 12, with a 4-2 recommendation for approval.

Ms. Bohmke asked if Mr. Zuraf knew the reason why two Planning Commission members voted against this request.

Mr. Zuraf said that at the time of the meeting, there had been significant back-and-forth discussion, and concerns had remained regarding the zoning reclassification. He said that consequently, he believed the members desired to address the matter comprehensively and consider it as a whole. He said that this led to some opposition to approving the changes separately.

Ms. Bohmke thanked Mr. Zuraf for the explanation.

Mr. Zuraf said that the zoning reclassification involved changing from A-1, agriculture, to M-2, heavy industrial. He said that the general development plan had identified potential site development. He said that it had proposed 23 buildings across the area for a data center campus, with a total of up to 5.8 million square feet of data center floor area. He said that the buildings were clustered within the buildable areas on the site, avoiding the resource protection area and stream corridors. He said that the plan illustrated potential building locations and layouts, though it did not necessarily reflect the final design, as the project would take many years to complete.

Mr. Zuraf said that each building was planned to consist of two or three levels, totaling up to 65 feet in height for two-level data center buildings and up to 105 feet for three-level data center buildings. He said that the maximum building height in M-2 was 65 feet, and structures exceeding this height would typically require a conditional use permit. He said that the applicant had included the height exception in the proffer statement as a permitted component of the project. He said that acceptance of the proffers by approving the request would allow the applicant to proceed with constructing buildings up to 105 feet in height.

Mr. Zuraf said that additionally, the applicant had proposed constructing a new road extension from Richmond Highway, where it intersected with Sage Lane, running east to connect with Eskimo Hill Road. He said that this aspect would be highlighted in another slide. He said that it identified up to six electric substations, which were the gray shaded areas in the middle of the site.

Mr. Zuraf said that these substations had connected to the adjacent high voltage power line that bisected the middle of the site. He said that the electric substations were identified as requiring a conditional use permit in the M-2 zoning district. He said that consequently, the applicant had listed this use in the proffer statement as a permitted use. He said that acceptance of the proffers would also allow this use to proceed without needing a separate conditional use permit.

Mr. Zuraf said that the general development plan also included a separate page that identified tree preservation areas and landscape buffers on the site. He said that to screen the project from residential uses to the north, the tree preservation zones were more significant, identifying preservation areas ranging from 400 to 1000 feet in width. He said that furthermore, street buffers of 50 feet in width were proposed along Eskimo Hill Road and the new road connection.

Mr. Zuraf said that the development was estimated to generate up to 4,365 vehicle trips per day. He said that traffic impact analysis had evaluated impacts from the project on the numbered intersections shown on the displayed image. He said that although it was somewhat difficult to discern, those intersections extended from Hospital Center Boulevard down to Centreport Parkway. He said that through the proposal and traffic study, several mitigation measures were identified. He said that the applicant had included a traffic transportation plan exhibit that illustrated the improvements.

Mr. English asked why this project would create 4,000 trips per day.

Mr. Zuraf said that because when calculating the average vehicle trips for a data center, this project's large size yielded a significant number of trips.

Ms. Bohmke said that the campus consisted of 25 buildings, so it was quite large.

Mr. English said that it was a lot of traffic.

Mr. Zuraf said that the project incorporated recommendations from the County's comprehensive plan and transportation plan, including right-of-way dedication along Richmond Highway and

Eskimo Hill Road, as well as the addition of a new east-west connector road. He said that this connector road, which was not part of the transportation plan, was highlighted in red. He said that the existing Eskimo Hill Road was highlighted in blue.

Mr. Zuraf said that the new road would provide a more direct connection to Route 1 and was required to be completed by approximately halfway through the project, if not sooner. He said that the applicant was expected to begin work off of Route 1 and may continue some work off of Eskimo Hill Road. He said that at a certain point, the applicant would have to cross the stream and connect the road through to complete the segment.

Ms. Bohmke said that there were several transportation proffers regarding Sage Lane. She said that although she did not have the most updated proffer statement, neither did anyone on the Board, as the information in their Board packets was outdated. She said that her question was whether the transportation proposal might not be completed. She said that if it was not, it would result in increased traffic on Eskimo Hill Road. She said that it would be beneficial if Sage Lane was developed all the way to Richmond Highway, redirecting traffic away from Eskimo Hill. She asked if VDOT had provided input on this matter.

Mr. Zuraf said that yes, VDOT was working through the details of this matter. He said that there was a proffer that acknowledged the possibility that if the road was not approved by the County or VDOT, and the applicant would not be able to obtain appropriate environmental permits, their alternative would be to revert to Eskimo Hill Road. He said that the proffers had identified necessary improvements to Eskimo Hill Road if this connection was not approved. He said that it was not merely a matter of preference; they would proceed with the necessary improvements only if approval had been granted by state, local, or federal agencies.

Ms. Bohmke asked if it were approved by any or all of those agencies but was proven to be more expensive than anticipated, would they still have to proceed with the construction.

Mr. Zuraf said yes.

Mr. English asked if the entrance could come out down by Birchwood instead of Sage Lane. He said that in that case they would have more sight distance.

Mr. Zuraf said that there was private property in between Birchwood and their site.

Mr. English said that he was concerned about the hill on Sage Lane. He asked if they could proffer a traffic light three.

Mr. Zuraf said yes. He said that the next slide illustrated the proposed improvements outlined in the transportation plan for that intersection. He said that they had just received late comments from VDOT, which highlighted that this type of intersection would be reviewed by the Innovative Intersection Committee on September 19. He said that that review might result in additional comments and potential changes to the intersection's details. He said that it was important to note that future adjustments might still be necessary, which the applicant stated they were willing to proffer.

Ms. Bohmke said that she believed they needed to gather more information. She said that possibly the applicant might have information about this committee of VDOT. She said that she had never heard of this before and was uncertain whether it was a new committee or one that had existed for 20 years. She said that she had never seen it on an application before, but she wanted to understand its significance, as it would be considered after both of their September meetings.

Mr. Zuraf said that there were numerous proffers included with this proposal. He said that he would summarize and avoided delving into excessive detail. He said that the proffers addressed and prohibited certain undesirable uses that might otherwise be permitted. He said that they established maximum building heights and location and design criteria for up to six substations that may be allowed. He said that they had established increased building setback standards specifically along the southern property line. He said that they had established facade design and material requirements, and mandated security fencing around each campus and building.

Mr. Zuraf said that they had established tree preservation areas, fire and rescue standards, and a contribution of $1.5 million for fire and rescue needs, which the County could choose how to best utilize. He said that there were additional proffers. He said that they addressed sound mitigation with establishing decibel limits and requirements for sound studies, as well as testing requirements. He said that there were others that addressed the issue of water usage. He said that a significant impact of data centers could be the water usage required for constant cooling for these facilities.

Mr. Zuraf said that it was worth noting that the Utilities Department and Capital Construction had been working diligently to develop water and sewer service agreements with some data center applicants. He said that this ensured that data centers could utilize a water reuse system for cooling. He said that for the public's benefit, he would provide a further explanation of what a reuse water system entailed. He said that the reuse water system would take treated water from the wastewater treatment plant, which would otherwise be released back into the adjacent stream, and pumped it back into a separate network.

Mr. Zuraf said that this network would work its way back to the site and other data center sites for industrial cooling purposes. He said that the creation of a separate network of pipes, including water lines and upgrades to the wastewater treatment plant, would necessitate the data center developers to complete this through separate water service agreements. He said that on this site, due to the effort taking several years to accomplish, there was an allowance for the initial use of potable water. He said that it would permit up to 1 million gallons per day before the reuse water system had to be provided and connected to the data centers on the site.

Mr. Zuraf said that this roughly equated to about six of the data center buildings. He said that other proffers included a requirement for a cap of 4,356 vehicle trips per day that correlated to the 5.8 million square feet of data center building area. He said that there was a requirement for a series of transportation improvements which were outlined in the transportation plan. He said that other requirements included plans for construction management and emergency management. He said that there was a limitation that generator testing had to be conducted during daytime hours.

Ms. Gary asked if the updates to the proffers were included in this presentation. She asked why those had not been provided to the Board.

Ms. Bohmke said that the applicant should provide them.

Mr. Zuraf said that the applicant was going to review those items. He said that staff's evaluation highlighted several positive aspects of this reclassification. He said that it was consistent with the recommended business and industry land use in the comprehensive plan. He said that data centers were suitable uses within the airport impact overlay. He said that this site was located near the approach to the Stafford Regional Airport runway. He said that data centers would be consistent with the adjacent industrial and public facility uses, and buffers and building setbacks would limit visual impacts to the adjacent residential uses.

Mr. Zuraf said that electric transmission lines in this location would reduce the need to extend additional high-voltage transmission lines to serve this facility. He said that other positives included the appropriate siting of substations in the center of the site. He said that proffers ensured that data centers would use recycled water when available, minimizing potential negative impacts on the County's potable water supply. He said that the planned connector road was consistent with the County's transportation plan and promoted economic development goals by bringing high-paying jobs to the County.

Mr. Zuraf said that regarding negative aspects of the proposal, staff had previously noted that the proposed interparcel connection to some properties to the south may be challenging to construct and could impact required buffers. He said that the proffers did not mandate that the alignment must be in that exact location, so there was potential for modification without negative environmental impacts. He said that the recommended phasing of data center buildings based on the progress of the reuse water system construction had been identified as a desirable feature by utilities.

Ms. Gary said that her understanding was that the applicant had been working with staff for some time and had met regularly. She said that referring to the last slide regarding the water service agreement, she wondered if it had not been possible to resolve this issue with staff prior to this time.

Mr. Zuraf said that there had been considerable discussion over the past two weeks. He said that he believed they would need to determine the latest changes that night. He said that the applicant had been striving to reach appropriate solutions.

Ms. Gary asked if the past two weeks was when this disagreement occurred or someone decided there was something less than desirable for the agreement.

Mr. Zuraf said that he was uncertain of the exact time when the issue first arose, but it had been pointed out.

Ms. Gary asked how long they had been meeting.

Mr. Zuraf said that the applicant had met with Utilities staff for over one year to discuss numerous details. He said that staff had concurred that the positive aspects outweighed the negatives, so they recommended approval of Proposed Ordinance O24-20, subject to approval of the concurrent comprehensive plan amendment. He said that on July 24, the Planning Commission voted 6-0 to recommend approval.

Dr. Yeung asked Mr. Zuraf if the CUP only affected the campus.

Mr. Zuraf said that the applicant had not requested a CUP. He said that it would typically be required for expanding the height beyond what was permitted in the zoning ordinance. He said that it would apply to the campus. He said that every CUP was considered on a site-by-site basis.

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

Jonelle Cameron said that she was with Walsh, Colucci, Lubeley & Walsh. She said that she was present representing the applicant that night. She said that she had a team of people with her to answer any questions the Board members might have. She said that they had proffers, both clean and redlined versions, to distribute to the Board.

Ms. Cameron said that these were intended to address comments received from supervisors and staff over the past two weeks. She said that although they had provided a set of these proposals to staff the previous week, it was after the agenda had been dispatched. She said that she apologized for this oversight. She said that she assured they would receive them tonight.

Ms. Cameron said that she would briefly summarize all the proffer changes. She said that Mr. Morris had presented a slide detailing the general development plan submitted by the applicant. She said that the proposal included an FAR of 1.0, with a maximum average vehicles per day limited and capped at 4,365, equivalent to approximately 5.8 million square feet of data. She said that the commitment was to allocate 25% of the area as open space.

Ms. Cameron said that Mr. Morris had previously mentioned the inclusion of a minimum of 63 acres dedicated to tree preservation. She said that the applicant had assured that the connector road would be developed, including a bridge which necessitated both federal and state approvals. She said that in the event of non-approval, the applicant had proffered specific improvements to Eskimo Hill Road to maintain the current level of service and avoid negative impacts.

Ms. Gary asked what had happened in the time between when the proffers were last submitted and the changes presented today.

Ms. Bohmke said that they had a meeting with the applicant and the developer last Friday, a week ago. She said that they were to submit the revised proffers based on that meeting by Tuesday morning. She said that as things often did not work as scheduled, the Planning Department had received those proposals Tuesday night. She said that by the time the Planning staff had worked with Utilities and the County Attorney’s Office, the revisions they had were not included in the document that had been sent to the public. She asked if this document was the final proffer statement received by staff.

Ms. Cameron said that yes, that was the final proffer. She said that it also encompassed minor modifications that VDOT had made to certain transportation proposals to ensure compliance with County standards. She said that VDOT had requested that the proffer also met VDOT standards, or the most stringent standard applicable.

Ms. Gary asked if the current proffers were different from what was provided to staff last week.

Ms. Cameron said yes, they included the changes requested by VDOT.

Ms. Bohmke asked if Ms. Cameron could discuss the proffer revisions.

Dr. Yeung asked if the requested updates from last Friday were included in this revised document.

Ms. Cameron said yes.

Dr. Yeung asked if any comments made by a Board member to the applicant would come back to the Chair.

Ms. Bohmke said that Board members did not make comments.

Ms. Cameron said that it was specifically to address the Board members, but she should have been clearer in her reference to Ms. Bohmke. She said that beginning on page one of the redlined version, they added accessory uses to the permitted uses in M-2. She said that page two saw the addition of specific prohibited uses, as requested by Ms. Bohmke. She said that boat sales were already prohibited, so that entry was removed, but additional prohibited uses were added for the property. She said that these details were found on pages two and three. She said that on page four, it was clarified that transmission structures may exceed 95 feet in size.

Ms. Allen asked why this item was changed from a limitation to 95 feet to potentially exceeding 95 feet in height.

Ms. Cameron said that the specific statement previously mentioned that the height limitation shall not apply to transmission structures, which was not sufficiently clear to the staff. She said that this implied that the structures holding the transmission lines before they reached the substation could exceed 95 feet, essentially referring to the power lines themselves. She said that page nine pertained to sound and noise measurements. She said that they had essentially proffered that sound studies would be conducted five years after the final occupancy permit was issued for the site.

Ms. Cameron said that this requirement would expire five years after the issuance of the final occupancy permit for the final data center building. She said that the applicant was also asked to provide examples of extraneous noise events, so they added those examples as well. She said that moving to page 10, Proffers 20 and 21 specifically dealt with the reuse water system and bridging water. She said that data centers that required potable water for their cooling systems must commit to making improvements. She said that they had proffered improvements to be used for bridging water.

Ms. Cameron said that the first item that appeared on the screen was a blue line. She said that essentially, this blue water line represented a water line being created as part of the County CIP and listed as a critical project. She said that it was not anticipated to begin construction until after 2028. She said that the applicant was taking this specific CIP project and constructing it themselves. She said that this project would add an additional 3 to 4 million gallons per day of water to the northern portion of Stafford County.

Ms. Cameron said that this was in addition to the maximum cap they had proffered of 1 million gallons per day. She said that specifically, this project would create a new potable water pump station on Centreport Parkway and a new water line that crossed from Centreport Parkway to the existing water line on Route 1. She said that they made it clear that this was for data center buildings that were specifically requiring potable water for their cooling systems, and the bridging water was only for temporary use until the reuse water system became available.

Ms. Bohmke said that the applicant for this project would take multiple projects out of the CIP and build them so that they could get potable water faster than the vendor building the reuse line from the wastewater treatment plant all the way down Route 1. She said that they were limited to the number of gallons per day. She said that it was not in perpetuity. She said that Mr. Counsell, Mr. Edwards, and Mr. Morris had been instrumental in collaborating with the STC staff on this project.

Ms. Allen asked Mr. Counsell if there was a known estimate for how much construction costs the applicant was taking from the CIP.

Ms. Cameron said that she believed it was over $10 million taken from the CIP for the water and sewer improvements. She said that page 11 pertained to water, and the subsequent changes were all related to water based on feedback from Utilities and County staff. She said that page 11D specifically outlined that the water service agreement shall further limit the maximum bridging water capacity for the project to five data center buildings.

Ms. Cameron said that in the event there was additional capacity, the water service agreement may be amended for approval of the Board of Supervisors to allow for six data center buildings. She said that the water service agreement always would require Board approval. She said that she wanted to reiterate this for the public. She said that Proffer 21 had seen revisions based on staff feedback, stating that exceeding 1 million gallons per day or six data center buildings would necessitate a proffer amendment, except as outlined in 20D and 21D below. She said that 21B on page 11 contained the majority of changes. She said that the first page was primarily clarity changes.

Ms. Cameron said that in order to ensure the water service agreement's approval and connection to the reuse water system, five conditions had to be met: reuse water and return sewer piping, reuse water storage on the property, the new Potomac Creek sewer pumping station capable of pumping to the Aquia Wastewater Treatment Facility, and the inclusion of permanent cooling infrastructure as defined in the AWS water and wastewater infrastructure agreement, which had been specifically requested by staff. She said that regarding timing and scope, specific requests had been received from the Utilities Department on Thursday regarding phasing.

Ms. Cameron said that, in the applicant's opinion, the detailed phasing they desired in the proffers was more suitable for the water service agreement. She said that this was because, at that time, they would possess additional information. She said that what they had proffered was that the applicant shall include language in the water service agreement that assigned phasing of the development on the property for data centers requiring potable water for cooling systems, tied to key milestones in the reuse water systems construction in progress. She said that this would be in the water service agreement, which again was approved by the Board.

Ms. Cameron said that proffer D addressed what would occur if the party responsible for constructing the reuse system failed to do so. She said that this was significant because the County's objective was not for the applicant to rely permanently on potable water. She said that their objectives were the same. She said that they had specifically proffered that, in the event they did not commence construction, the applicant would assume the responsibility to construct the reuse water system if it could be assigned to them.

Ms. Cameron said that this assignment originated directly from the Board, which held the authority to assign it. She said that in the unlikely event that it was not approved for any reason or it was not assigned, they had proffered that they would undertake additional improvements or make monetary contributions to enable them to continue using potable water. She said that thus, the County's infrastructure would add additional capacity to maintain access to potable water. She said that this scenario, however, was considered unlikely.

Ms. Bohmke said that this was the most important part of this entire document for the Board to consider, because water was precious to the County and its citizens. She said that upon receiving this, she knew that the County Attorney's Office, as well as the Utilities and Construction Department, would require further conversation. She said that while the Board could weigh in, this primarily concerned the legal language related to the proffer statement.

Ms. Allen asked Mr. Edwards if they had the capacity, considering all the utility improvements they were undertaking with the construction of the new site for the County center, to bring water from there. She asked whether this would impact the Utilities' long-term strategic plan in delivering water capacity to the north and the center of the County.

Ms. Cameron said that the applicant had offered to create that capacity themselves. She said that they had not proffered that the County had to provide it to them. She said that they had proffered that they would either compensate the County for creating it, or they would undertake the work themselves to establish that capacity. She said that essentially, the County would be made whole.

Mr. English asked if the applicant could handle the potential expenses of these upgrades.

Ms. Cameron said that they had not limited the price.

Mr. English said that he did not believe that was included in the document.

Ms. Vanuch asked if the new owner of this project were to contract out with the federal government for a data center, would the federal government own the equipment and property inside of the data center.

Bart Stevenson said that he was with the Commissioner of the Revenue's Office. He said that regarding government-owned equipment in those facilities, he believed they were tax-exempt. He said that the buildings would not be owned by the government, but the equipment itself may be tax-exempt.

Ms. Vanuch said that it should be kept in mind that to offset the impacts of the water infrastructure and other impacts to residents, the taxable income that provided revenue from the data centers was due to the equipment and not the buildings.

Mr. Stevenson said that the equipment was the larger price tag in those buildings, depending on the amount.

Ms. Vanuch said that if they contracted with the Department of Defense, the DOD was required to own their own equipment, which was therefore tax-exempt.

Mr. Stevenson said that depending on the size and number of buildings they occupied, that was correct.

Ms. Allen said that they were speculating as to who the occupants would be at this point, because they could not predict that. She asked if staff had rough estimates on what the expected revenue from a project such as this would be for the federal government as a tenant versus a private company such as Amazon or Google.

Mr. Stevenson said that it would depend on how much they were leasing the property for. He said that assuming they were paying the market value rent for that and considering the income generated by this building, they were estimating \$2 million to \$3 million in revenue per building in real estate taxes. He said that for business property taxes, they were averaging about $3 million annually over a five-year span, which had to do with depreciation of the business property. He said that this considered all of the property inside the buildings.

Ms. Allen said that they would potentially be getting $15 million.

Mr. Stevenson said that if the federal government was leasing it, the numbers would change.

Ms. Allen asked Ms. Cameron if the applicant would be paying for the reuse system construction regardless of the tenants of the buildings.

Ms. Cameron said that that was correct. She said that the next proffer changes pertained to transportation and incorporated comments received from VDOT. She said that starting on page 16, as previously mentioned, in the event that the connector road was not approved for some unforeseeable reason, they would have to make improvements to Eskimo Hill Road. She said that these proffers specifically addressed the improvements to Eskimo Hill Road. She said that VDOT had requested that they include both the VDOT standard and the County standard. She said that essentially, the improvements aligned with the County's major local road standard and the VDOT local road system GS4 standard, whichever was more stringent.

Ms. Cameron said that this requirement applied to proffers one and two on page 16. She said that the same change was implemented on page 17. She said that moving on to page 19, VDOT had requested that they conduct more than one traffic signal justification report. She said that a traffic signal justification report to determine the necessity of a traffic signal. She said that to comply, they added an additional VPD trigger for this purpose. She said that on 19F, they made it clearer that it was referring to an occupancy permit for the 2,113th VPD.

Ms. Bohmke asked if Ms. Cameron was familiar with the Innovative Intersection Committee. She asked if she could share some perspective on what was involved with that committee.

Ms. Cameron said that the committee examined traffic signals and innovative designs, such as roundabouts, to determine their necessity. She said that their proffers explicitly stated that all improvements were subject to both County and VDOT approval. She said that during the site plan process, VDOT must approve the applicant's improvements. She said that when conducting signal justification analysis, it was submitted to VDOT for review. She said that they may decide not to implement a signal, suggesting an alternative innovative design like a roundabout instead.

Ms. Cameron said that she believed this committee did not influence their current activities, as they had already indicated in their proffers that transportation improvements required VDOT and

County approval. She said that they would have to submit signal justification reports to VDOT for approval. She said that the proffer on page 22 specifically originated from a request by Ms. Bohmke. She said that she believed what was sought was that all trees would not be removed simultaneously. She said that consequently, they had proposed that the removal would occur in phases, contingent upon the property's development. She said that this approach ensured that there would not be mass grading at once.

Ms. Bohmke asked if Ms. Cameron could elaborate on one of the requirements. She asked why the staff report referred to the data center's alignment with the flight pattern into the airport. She asked what had transpired as it related to Stafford Regional Airport, the FAA, and what considerations they may have there.

Ms. Cameron said that when one was within the flight path, one must submit a form to the FAA stating there was no hazard to air navigation. She said that this form required the provision of a maximum finished floor elevation. She said that upon submission, the FAA would confirm that there was no hazard to air navigation. She said that this procedure had been necessary for all buildings on site, as well as all substations.

Ms. Cameron said that the FAA had confirmed that there was no hazard to air navigation for these structures. She said that in some instances, the maximum finished floor elevation had been up to 175 feet to accommodate construction equipment. She said that for all buildings subjected to this requirement, the FAA had confirmed that there was no hazard to air navigation, and staff had a copy of all relevant forms pertaining to the buildings.

Ms. Bohmke asked if they could consider a situation where trees were growing on their property, creating an issue with the airport's flight pattern for landing. She said that the airport authority did not have the right to come over and cut down their trees. She asked how they would be able to protect their flight paths in that circumstance.

Ms. Cameron said that in some areas of the property, there was an air navigation easement. She said that this easement, which occupied a small part of the property, had permitted a certain height. She said that most of the trees on the property were already mature. She said that she was uncertain about how much higher they would grow to become an issue. She said that if the airport reported an issue with the trees on site, it would be the applicant's responsibility to remove them. She said that she did not think that the trees would grow higher than the 175 feet that the airport had determined was not problematic.

Ms. Bohmke asked why Stafford Technology Campus asked them to sign the addendum to the aviation agreement.

Ms. Cameron said that she would get that answer and follow up with her.

Ms. Bohmke said that she also had a question regarding power. She said that she understood that there was a 230 line and a 115 line. She said that the 230 line was scheduled for re-insulation. She said that the 115 line, as she had understood, needed to be upgraded to a 230. She said that her question was whether this project, if it received approval from the Board, would result in power availability.

Ms. Cameron said yes.

Ms. Bohmke said that she sought clarification on whether there was a Letter of Authorization (LOA) for this project.

Ms. Cameron said that they had a will serve letter.

Ms. Bohmke asked if anyone from Dominion was present who could confirm their access to power and the timeline for access.

Steve Precker said that he was from Dominion Energy's Electric Transmission Communications Team. He said that he would provide some context behind the upgrades being made to the transmission corridor under discussion. He said that there were two primary reasons for operating the 115 line and re-insulating the existing 230 line, as well as adding two additional 230 lines. He said that upon completion, the corridor where the technology campus would be situated would feature four 230 kilovolt lines. He said that the transmission corridor had been in operation since the 1950s, and its structures were nearing the end of their service life.

Mr. Precker said that modernization was necessary to ensure continued safe and reliable power delivery to the community. He said that the area and the entire grid throughout the Commonwealth had experienced a significant increase in energy load growth. He said that to meet this demand, additional capacity was being introduced to this corridor to serve area customers, including the proposed technology campus and other residential, private sector, and public sector high energy users in the area.

Mr. Precker said that there was no prioritization for power distribution within the interconnected grid, as power flowed in all directions on the grid. He said that when upgrades were made, the six substations discussed were connected to those 230 lines. He said that capacity was pulled from these lines into the substations. He said that the voltage was then reduced to distribution level voltage, which was supplied to connected locations.

Mr. Precker said that in terms of grid operation, power flowed in all directions, without prioritizing customers on who received power and when. He said that currently, everything was under review by Virginia's State Corporation Commission (SCC). He said that it was anticipated that the first round of approval would be received by late fourth quarter of that year or early first quarter of the following year. He said that if approval was granted, construction was expected to commence in spring of 2025.

Mr. Precker said that the corridor upgrades being discussed occurred between the Fredericksburg substation in the City of Fredericksburg, extending north to the Possum Point substation in Prince William County. He said that the project was divided into two phases: from the Fredericksburg substation to the Aquia Harbor substation, spanning approximately 12.5 miles through Stafford County. He said that the second phase extended from Aquia Harbor to Possum Point, covering roughly another 12 miles.

Ms. Bohmke asked if there was a specific term for the substations connected to the power lines from Fredericksburg to Aquia.

Mr. Precker said that there were transmission line numbers.

Ms. Bohmke asked how they would be able to monitor the State Corporation Commission's progress on those lines.

Mr. Precker said that all the information filed with the SCC was available on the project website, which was dominionenergy.com/Fredericksburg-Possum-Point. He said that members of the public could access that website and see the volumes of application submitted to the SCC. He said that there were also visual simulations developed to show the existing corridor and the proposed corridor's appearance. He said that they had held three public community meetings since February, with the most recent two held in June. He said that the first was held in February.

Mr. Meadows said that representatives of Dominion were scheduled to meet with County staff tomorrow to brief them on that project as well.

Dr. Yeung asked how they planned to secure the electrical grid.

Mr. Precker said that they had security fences around his substations. He said that typically, these fences varied in security levels. He said that many of them were 12-foot-high security fences. He said that they had cameras installed. He said that these areas were very secure. He said that the electric transmission lines themselves, situated within the right-of-way, were generally open. He said that there was usually some fencing or, if not fencing, the actual rungs were high enough that someone could not climb on top of it. He said that that was a physical security measure.

Dr. Yeung asked what cybersecurity measures would be put in place.

Mr. Precker said that Dominion Energy had a robust cybersecurity program. He said that they continuously monitored the grids for any cyber-attacks or interceptions. He said that staff on the back end diligently monitored that. He said that at their headquarters in Richmond, they maintained a command center that examined all areas and aspects, including all substations on the grid, not just in one area, but across the Commonwealth. He said that this alerted them to any discrepancies or issues that were not functioning as expected. He said that this enabled them to keep a vigilant watch and ensure that everything was in order.

Mr. Diggs said that Mr. Precker had discussed the upgrade of infrastructure due to its aging condition. He said that regarding the cost associated with the upgrade, he wondered whether it would be passed on to the constituents. He said that he was interested in the mechanism of this process and inquired if a portion of the cost, specifically for the additional power required for data centers, would be covered or what the pricing structure would be.

Mr. Precker said that transmission costs were borne by or socialized by Dominion customers across the Commonwealth. He said that the State Corporation Commission, along with federal agencies that regulated the transmission grid as a whole, regulated these costs. He said that while some projects were driven by data centers, there was also a reliability component to most of Dominion's projects. He said that this project, which was mentioned, was both an end-of-life project and a load growth project. He said that modernizing the grid in this area benefited all area customers, not just data centers.

Ms. Bohmke said that it was a fair statement to say that rate payers in the Commonwealth of Virginia paid for all the upgrades and the data centers. She said that they also all used the equipment in the data centers every day.

Mr. Precker said that he could comment on what they were doing to upgrade the transmission lines. He said that that was something that Dominion customers did pay for. He said that regarding the usage of data centers, everyone used iPhones and computers.

Mr. English asked, with all these data centers coming in, Loudoun County, Prince William, and other areas, if there was concern that Dominion Power might not be able to address these issues. He asked if he foresaw this possibility in the future. He said that there was a significant amount of incoming development. He asked if Dominion would be able to take care of this.

Mr. Precker said that Dominion was legally obligated to fulfill any request for power. He said that therefore, they were charged with figuring it out. He said that the short answer was that they would figure it out and provide power to anyone who requests it.

Dr. Yeung said that all her questions had been addressed at the meeting, but there was one main question that remained unanswered for her, which Bryon Counsell was expected to provide an answer for. She said that she was now awaiting that response. She said that he could share it with the rest of the Board. She said that one of her questions pertained to the environment. She said that she was aware that AWS discussed projects aimed at restoring water by 2030. She said that she lacked detailed knowledge about the project. She said that she had been researching it, and she commended them for their efforts.

Dr. Yeung said that she was curious about the water stewardship that AWS was engaged in. She said that she had heard about the investments in potable water. She said that she wanted to ensure that, in the event of any issues, there would be no conflicts between AWS, STAC, or other parties. She said that it was crucial that they maintained unity as Stafford County, despite contractual obligations. She said that she understood the importance of community care, and water was a value they held dear. She said that she sought clarity on whether there was written assurance that, regardless of circumstances, AWS would honor its contracts and continue to support Stafford County.

Ms. Cameron said that the proffers ran with the land and specifically ran with the applicant or a successor in interest. She said that, for example, Peterson was the applicant at that time. She said that if STAC purchased the property, they would remain subject to the proffers. She said that in the set of proffers, they had committed to a maximum gallons per day for potable water until the reuse system was available. She said that they had proffered that, in the event AWS did not construct the reuse water system, the applicant would be required to do so.

Ms. Cameron said that they had also proffered that, in the event the County did not assign that obligation to the applicant or if the reuse water system project was not approved, they would make the County whole. She said that they would either provide the County with the funds to construct additional infrastructure that allowed for them to stay on the one million gallons per day limit, or they would construct that infrastructure to ensure that they fulfilled her obligations.

Dr. Yeung asked why boat sales was listed as a prohibited use but truck freight terminals was not.

Ms. Cameron said that boat sales were not permitted in M2 at all. She said that boat sales was out because it was not permitted. She said that recycling facilities was already in place, making them redundant. She said that truck freight terminals were also included. She said that the items were included alphabetically, by permitted by right and by permitted with a conditional use permit. She said that the items listed in green had been moved but were still included, and those listed in red were stricken.

Ms. Bohmke said that they had discussed with the applicant about donating five acres of land for a potential fire station on Route 1. She said that currently, there was one fire station two and a half miles away and another one four miles away. She said that they were considering whether they had sufficient acreage for that purpose, as this fire station would primarily serve a portion of the Brooke area, not the entire area.

Taylor Chess, Peterson Company, said that they had had conversations about either a fire station or land for a fire station, or a donation to the fire department for equipment. He said that the proffers included a $1.5 million contribution to the fire station for equipment specific to this area. He said that they were willing to collaborate with the fire department to help them locate a suitable site; however, they were not proffering a fire station.

Ms. Cameron said that she wanted Charlie Payne, who had worked on the easement agreement with the airport on behalf of STAC, to answer questions about the agreement.

Charlie Payne, on behalf of STAC Infrastructure, said that regarding the aviation easement question, the reason they had inquired about an amendment was due to the current easement, which only pertained to one of the properties affecting the project. He said that it did not impact zoning or use. He said that the terms under which the airport authority could access the site to remove a structure or access the site were unclear. He said that they sought clarity on the timing of such access and whether they could obtain their approval before construction began on a building or structure on the site.

Ms. Bohmke said that she believed they needed to arrange another conversation with the airport. She said that this was because they had evidently collaborated with the FAA, which was over them. She said that she thought a direct conversation would be helpful.

Ms. Cameron said that she knew that staff sent their applications to the airport on multiple occasions, including before the Planning Commission public hearing. She said that she was uncertain if they had received a response from the airport. She said that she understood that staff, as part of their due diligence when sending applications to agencies for review, had considered the airport a review agency, and it had not responded. She said that she was unsure if they had responded since.

Ms. Bohmke said that they had had a conversation with them, yet the Airport Authority did not frequently examine land use cases.

Ms. Bohmke opened the public hearing. She said that the public comment for Item 33 and Item 34 would be combined.

1. Dana Brown, Rock Hill, said that her focus was on the proffer agreement, specifically the red line one that had appeared online at 3 a.m. that morning. She said that the water system improvement plans, including bridging, sewer, potable water, reuse, and water services agreement, should be completed, binding, and finalized as a prerequisite to any rezoning request. She said that her husband, a retired federal CIO now advising other CIOs globally, had constructed data centers. She said that when Stafford had considered data centers, he had expressed concerns about proprietary water usage by these companies, which they had been reluctant to disclose.

   Ms. Brown said that she and her husband had attended the last Commission meeting, where they had believed the item should have been deferred until a water services agreement with the County was established. She said that they firmly believed that such an agreement should not have been considered without it. She said that during the meeting, when Commission members inquired about water, the responses were inadequate and dismissive. She said that staff was not able to commit to completing the agreement prior to the Board meeting.

   Ms. Brown said that with a looming deadline for a decision in September, there was even greater urgency to finalize the water agreement first. She said that the stakes were high, with significant funds at risk. She said that last year, she had observed some of this intimidation during work sessions. She said that in the new proffer statement from July 24th, under number 20, which was part of the agenda, the design of these utility infrastructure improvements shall be submitted by the applicant to the County following the rezoning approval and is subject to approval by the County, and such approval will not be reasonably denied, withheld, or delayed.

   Ms. Brown said she was concerned about the clause, “approval will not be reasonably denied, withheld, or delayed.” She said that she recalled hearing staff mention that local water levels would meet the minimum requirement set by DEQ. She said that they had not specified the recommended levels. She said that if the minimum level was the standard, there was little margin for error, especially considering the occurrence of two droughts since she had lived there.

   Ms. Brown said that she insisted on having these terms clearly defined in advance. She said that in the event of another drought, it remained unclear who would receive water priority. She said that it was unclear whether it would be the data centers, airlines, or shopping networks, or whether it would be herself, who simply needed to take a shower and do laundry. She said that it was unclear who would bear the consequences.

2. Don Slayman, IBEW Local 26, said that he resided in Alexandria, Virginia, though there were 170 members in the County who wished to work locally, avoiding the necessity to travel up I-95. He said that he wished to discuss workforce development in this industry. He said that this industry was exceptional for his members. He said that there were 500 first-year apprentices. He said that five years ago, they had been inducting only 250 apprentices annually. He said that now, they boasted over 2,100 apprentices in their program. He said that their programs were offered free of charge to applicants. He said that it operated on an earn-while-you-learn system.

   Mr. Slayman said that the apprentices worked nine days on the job, followed by a day dedicated to training. He said that they were not permitted to bring their phones during this time. He said that the program was rigorous, and 99% of the apprentices successfully passed their tests, and they were paid as if they were on the job if they passed. He said that they made $24.80/hour. He said that at the end of the apprenticeship, a journeyperson made $62 an hour at the end of the contract.

   Mr. Slayman said that there was a misconception that nobody worked in data centers. He said that his members worked in every completed data center. He said that they had 30 members working with six or seven different contractors. He said that additionally, the equipment was swapped out frequently. He said that the CEO of NVIDIA had commented that all components in data centers must be replaced with new operating chips. He said that this indicated work that was yet to come.

   Mr. Slayman said that these jobs were akin to those of tomorrow being executed today. He said that over in Frederick, Maryland, where an aluminum factory had employed 800 aluminum workers for 39 years, that quantum loophole would construct a campus that would employ over 1,800 electricians for an unspecified number of years. He said that it was akin to wiring the world's brain. He said that he anticipated these jobs would persist for a long time. He said that these were clean and safe jobs.

   Mr. Slayman said that due to the data centers being concentrated in Northern Virginia and now along this corridor, the economy of scale allowed contractors to open production shops to prefabricate and conduct modular work that was being exported across the country. He said that they were doing everything possible to keep this industry in the area. He said that the construction jobs, maintenance jobs, and production jobs constituted fantastic workforce development.

3. Lou Spencer, Essex County, said that he was 43 years experienced in the construction business and a fourth-generation plumber. He said that his son Joe was present earlier and was a fifth-generation plumber. He said that these data center projects were important to them. He said that the data center owner-operators had proven to be responsible and responsive. He said that these buildings had to be constructed correctly, which is why their members and contractors had been involved in the project. He said that he urged the Board to support the amendment and the project.

Ms. Bohmke said that the applicant had the opportunity to provide a rebuttal.

Ms. Cameron said that, regarding the water service agreement, the applicant had been meeting with the Utilities Department for the past nine months, every Friday or every other Friday, to discuss this proposal. She said that they could not have a signed water service agreement until the project was approved. She said that the applicant had committed to the water service agreement, which would be presented before the Board for approval.

Ms. Bohmke closed the public hearing.

Bryon Counsell, Chief Director of Infrastructure, asked Dr. Yeung to repeat her question from the earlier meeting.

Dr. Yeung said that it was about the environment and utilities. She said that they were talking about what would happen if there was a drought.

Mr. Counsell said that they had a proposed drought preparedness program, which had been partially accepted.

Mr. Morris said that there was a meeting last Friday, and Dr. Yeung asked about the impact of a drought on water supply. He said that the Utilities Department had been working on a drought ordinance that they would present to the Board, which aimed to protect and establish conditions for water usage, including the amount, timing, and methods of use in a drought situation. He said that they were seeking Board approval in the near future.

Dr. Yeung said that it was important to share this information because she had heard mentions of drought from the audience. She said that her question was about who had priority access to water.

Mr. Morris said that water conservation procedures were outlined in the draft ordinance.

Ms. Allen asked, considering the agreement that had been completed, if the current project was the standard procedure.

Mr. Edwards said yes. He said that the approach they used with Amazon for the Potomac Church rezoning involved completing the proffers and navigating through the water services agreement. He said that they were essentially doing this method for this project, beginning with the proffers and moving on to the water services agreement. He said that they had initiated some of the language, and one of the strategies they intended to adopt was to start with the Potomac Church water services agreement and filling in the necessary details for their project.

Ms. Allen said that she was asking for clarity because she suspected that was the case, and she wanted the public to be aware that they were not starting from scratch. She said that they had a template, which they needed to adapt for each individual project. She asked if the County Attorney's Office had sufficient time to review the documents to provide any requested feedback.

Ms. McClendon asked if Ms. Allen was referring to feedback on the proffers or water services agreement.

Ms. Allen said that she was referring to the proffers.

Ms. McClendon said that they had been involved in reviewing the proffers, and she was familiar with them. She said that if the Board had specific questions about the changes for that night, she could review them from the dais, depending on the questions the Board had.

Ms. Allen said that she was asking to make sure that the County Attorney had enough time to review the proffers. She said that typically, if there were any issues, the County Attorney would notify the Board. She said that she wanted to ensure that they had enough time to review the information given the timeline and how information was transmitted over the past week and a half.

Ms. McClendon said that they had time to review it. She said that as the Board discussed that night, if they heard anything that was inconsistent or if promises had been made that they did not see, she ensured that they were made aware of it.

Ms. Bohmke said that there remained outstanding issues concerning potable water, which she personally was not comfortable with. She said that she believed it was crucial to discuss these matters with the County Attorney and the rest of staff. She said that she considered it imperative to push the item for a vote at the September 17 meeting. She said that they would have to readvertise the public hearing. She said that the deadline for the application was September 10, so the Board would have to vote to extend the timeline if there was interest in doing so from the applicant.

Ms. Gary asked if there was anything concerning or which warranted further investigation regarding the proffers that the Board should consider.

Ms. McClendon said that it largely hinged on the Board's expectations. She said that their engagement with the proffers aimed to ensure the Board received the promised project.

Ms. Gary asked if there was anything in the proffers that was conflicting or of concern which would require more time for further review.

Ms. McClendon said that it depended on what the Board was looking for and hoped to see from the project. She said that there may be specific aspects within the proposals that raised concerns for the Board. She said that these elements may not necessitate changes, but they could benefit from further refinement. She said that such decisions rested on the individual discretion of the Board members, based on their observations at the hearing.

Ms. Bohmke asked for clarification regarding how to extend the application deadline.

Ms. McClendon said that the year deadline was the deadline for the Board to consider the application. She said that the Board would need to ask the applicant if they would be willing to extend the deadline first then have them respond on the record. She said that after that, if the applicant agreed to the deadline, the Board could then take its actions to defer, if that was the Board's desire.

Ms. Bohmke asked if it had to be a date specific.

Ms. McClendon said that she recommended that it was deferred to a date specific as it provided the applicant with certainty regarding the timing of the application extension.

Ms. Bohmke asked if the applicant had a desire to extend the application deadline.

Ms. Cameron said that based on the timeline, the applicant wanted a vote at the meeting.

MOTION: Ms. Gary motioned to approve R24-187. Ms. Allen seconded the motion.

Mr. English said that he did not think they were ready for it since they had a lot of information presented. He said that he had concerns with water-related issues. He said that he wished they would extend it to the September 17.

Ms. Vanuch said that she generally supported this project. She said that she believed they could reach a positive outcome with the water treatment and water agreement. She said that if forced to vote that night, she would have to vote no, and she did not know if there were four votes in favor. She said that this approach was a bad way to do business because there were opportunities for them to look at this. She said that the Board had to consider the best interest of their constituents who ultimately bore the cost. She said that she considered it unfortunate if they did not provide an opportunity to extend the deadline.

Ms. Bohmke said that, given that this was in her district, anyone who submitted a proffer statement on her desk right before the application, in the goodness of the County, there was no way with the decision that the County Attorney needed to review this and everything they were going through regarding potable water and ensuring that the application was in line. She said that forcing a vote made her an absolute no. She said that she supported this project, yet she did not want something forced upon her when she was there to protect the water of the County.

Ms. Cameron said that the applicant wished to defer. She asked if there was a date available between September 3 and September 17.

Ms. Bohmke said that there was not. She said that they had to readvertise the hearing, so they could not meet the deadline for the September 3 meeting.

Ms. Cameron said that the applicant would agree to defer to September 17.

Ms. McClendon said that when it came back on September 17, it would be for a public hearing.

Ms. Gary withdrew her motion.

Ms. Cameron said that the applicant requested an application deadline extension to September 17.

Ms. Vanuch motioned, seconded by Dr. Yeung, to extend the application deadline to September 17.

Ms. Gary said that she believed that business had been conducted very well that evening, and she had not felt pressured.

Dr. Yeung said that she wished to second the sentiment.

Ms. Bohmke called the vote on the motion to extend the deadline.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

Ms. Bohmke motioned, seconded by Mr. English, to defer Item 33 and Item 34 to September 17.

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

ITEM 35. PLANNING AND ZONING; R24-227; CONSIDER A REQUEST FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW HEAVY INDUSTRIAL AND HEAVY MANUFACTURING USES NOT OTHERWISE LISTED, SPECIFICALLY A READY-MIX CONCRETE BATCH PLANT AND RELATED ACCESSORY USES IN THE M-2, HEAVY INDUSTRIAL ZONING DISTRICT ON TAX MAP PARCEL NO. 44N-1-10 (PROJECT KNOWN AS CUP23155239; VULCAN MATERIALS)

Evelyn Keith, Planner, said that this request pertained to a conditional use permit for a ready-mix concrete batch plant and related uses. She said that Vulcan Lands, Inc. was the applicant. She said that the site was located on TMP 44N-1-10 within the George Washington District. She said that Charlie Payne, in conjunction with Hirschler, represented the applicant. She said that the property was delineated in blue on the zoning map. She said that it was zoned M2, heavy industrial. She said that the site was located on the north side of Commerce Parkway, approximately 1,300 feet west of Warrenton Road.

Ms. Keith said that surrounding zoning districts were other M2, heavy industrial, and M1, light industrial, on all sides. She said that the property consisted of approximately 3.4 acres, which had been zoned M2 since before 1978 and was not subject to proffers. She said that the comprehensive plan identified the property for business and industry for future land use within the Berea Targeted Development Area.

Ms. Keith said that the site was currently undeveloped and wooded, surrounded by commercial and industrial uses, and located within the Heritage Commerce Center Industrial Park. She said that the site topography was relatively level, with areas of moderate slopes within the central, eastern, and western portions of the site. She said that a non-perennial stream was located on the west side of the property and was not within the resource protection area.

Ms. Keith said that the development plan depicted the site layout for the proposed ready-mix concrete batch plant and related accessory uses, such as storage bins for cement, rock, and sand, stockpile areas, storage tanks, a chiller, conveyor belts, silos, and a truck wash rack. She said that the plan included three single-story, 480 square-foot accessory buildings for the office, electrical equipment center, and employee breakroom. She said that access to the site was to be provided through a new full-access entrance along Commerce Parkway.

Ms. Keith said that a street buffer was proposed along Commerce Parkway, and transitional buffers were proposed to the north and east sides of the site. She said that a detailed landscape review occurred at the site plan stage. She said that the following were a few of the proposed conditions that would help offset any potential negative impacts. She said that conditions included requiring that the property be developed in general conformance with the generalized development plan. She said that these conditions included installing a truck wash rack to remove debris from truck tires and undersides of vehicles, requiring all travel ways and parking areas to consist of an impervious asphalt or concrete surface, installing a dust collector system as a component of the plan, and limiting one plant at any one time within the conditional use permit.

Ms. Keith said that staff found positive features or aspects of this application to be that the proposed use was generally consistent with land use recommendations in the comprehensive plan and established development patterns within the vicinity. She said that the proposed conditions would help ensure any potential negative impacts were mitigated. She said that staff found no negative aspects associated with the application. She said that the Planning Commission voted 6-0 to recommend approval on July 24, 2024.

Dr. Yeung clarified that staff did not find any negative conditions.

Ms. Keith said that there had been no findings of negative impacts.

Dr. Yeung asked what the proposed conditions were.

Ms. Keith said that she would go over them again.

Dr. Yeung said that she was not talking about again.

Ms. Keith said that she had gone through the conditions on one of the presentation slides.

Ms. Bohmke asked Ms. Keith to list out the proposed conditions again.

Ms. Keith said that one of them was the development would generally occur as shown on the GDP. She said that a truck wash rack would be installed and utilized to remove debris from the undersides of the trucks and the tires.

Dr. Yeung said that those were negative conditions that should have been listed: debris, the environment, and dust. She said that although it stated there were no apparent negative impacts, she believed there were negative impacts that should be documented. She said that this appeared to be a contradiction. She asked if Vulcan had a location in Garrisonville.

Ms. Keith said that there was one in the Courthouse area.

Dr. Yeung said that over the past 30 years in Garrisonville, she had assumed that Quantico was responsible for the noise and cracks in her walls. She said that it did not say anything about milling, only cement and packaging.

Ms. Keith said that that was correct. She said that it was for a ready-mix concrete plant.

Mr. English said that was for asphalt, and this was a concrete facility.

Dr. Yeung said that in Garrisonville, Vulcan broke ground. She said that she had cracks in her wall in Hampton Oaks.

Ms. Bohmke said that the proposal was for concrete.

Ms. Keith said that there would be no milling or digging.

Dr. Yeung asked if that should be included somewhere.

Ms. McClendon said that the first condition stated that it was a ready-mix concrete batch plant, which she considered sufficient to describe the use.

Dr. Yeung clarified that there would be no excavation on the site.

Ms. Keith said that was correct.

Dr. Yeung asked if there were environmental impacts other than dust and debris.

Ms. Keith said that there were potential environmental impacts. She said that there was a condition that the applicant install a dust collector system to mitigate dust.

Dr. Yeung that she did not know how many trucks would travel on Route 17. She said that she had nearly been hit by one. She asked if there might be a potential risks due to the frequent presence of trucks on Route 17. She asked if VDOT planned to resurface periodically, as trucks often had debris fall off. She asked if they had security that debris would not fall off the trucks.

Mr. Zuraf said that at that level, it was more about traffic safety.

Dr. Yeung asked if VDOT was involved in the review.

Mr. Zuraf said that with the amount of traffic generated from this type of use, VDOT was not necessarily going to conduct a traffic study. He said that there was regular maintenance along Route 17 for repaving, which was already known. He said that the number of trucks along Route 17 required a significant amount of regular paving in the future. He said that the number of trucks resulting from this use was relatively minimal.

Ms. Bohmke asked what type of preventive maintenance was employed to prevent stones and debris from falling from the equipment. She asked if they had a protective device for the trucks.

Mr. Zuraf said that he would ask the applicant to address that issue.

Mr. English asked if they would include measures to reduce debris going into the stream. He asked how far the stream was from the use.

Ms. Keith said that the stream was approximately 50 feet from the equipment, but she would defer to the applicant for specifics.

Charlie Payne, representing Hirschler, said that this was a cement mixing operation, so cement trucks carrying cement were used, and there were no open beds. He said that it was a low-traffic generator. He said that Vulcan had been in operation for 115 years, and they had been in the County since 1976. He said that they were the largest aggregate company in the US, and they produced crushed stone, sand, gravel, and a read-mix concrete. He said that the proposed facility would serve many of the projects under development in the County.

Mr. Payne said that the project was already zoned M2, which permitted more intense uses, but the ready-mix category was not included in the M2 permitted uses, so it required a special use permit. He said that the site was 3.4 acres, and 1.57 acres would be maintained as open space. He said that there were 40 foot setbacks around the site. He said that they would not be disturbing the stream at all, but there was no RPA on the site.

Mr. Payne said that the site was located on the Heritage Commerce Industrial Park, surrounded by similar or even more intense industrial uses. He said that it fell within the urban services area and the Berea TDA, which encouraged business and industry growth in this location. He said that the proposed use aimed to address the growing demand on transportation, infrastructure improvements, and other enhancements within the County and the region.

Mr. Payne said that the facility had a conveyor belt which brought material up to the mixing area and included a water component that was recycled. He said that there was an exhaust and vacuum system designed to capture all the dust as the mix was loaded into the truck. He said that this system was crucial for meeting the conditions of the CUP, aimed at capturing the dust. He said that the other condition that was important was having the hard surface, which was a condition as well of the CUP, ensuring that trucks drove over concrete and rock to reduce dust. He said that there was dust on the site, but to mitigate this, truck sweepers and water suppression systems were employed on stored materials.

Mr. Payne said that buffer zones and setbacks were established around the site. He said that the site comprised approximately 54% open space. He said that it was not a large operation, but it was necessary for the area. He said that the property was undeveloped, with surrounding uses of similar intensity. He said that in terms of traffic, it generated about 136 trips per day, with 19 trips during the a.m. peak hour and 6 in the p.m. He said that the applicant employed 33 individuals in the County, contributing approximately $26 million in sales taxes and utility costs.

Mr. Diggs said that a significant concern for his constituents were the environmental impacts. He said that he had been aware that they had previously discussed addressing the dust issue. He asked if there would be issues regarding smells.

Mr. Payne said that this was not a paving operation, so it lacked the typical smells. He said that they had to obtain a DEQ air permit and a DEQ discharge permit.

Mr. Diggs asked for clarification about the times of operation and whether there would be nighttime operations.

Mr. Payne said that it was a 24/7 operation. He said that they wanted 24/7 flexibility, though it was not the standard operational period. He said that they sought the flexibility for emergency situations. He said that concrete could not be transported far and had to be used shortly after mixing.

Mr. Diggs said that he raised the issue due to previous complaints about other facilities of trucks backing up and related concerns. He said that they should consider noise mitigation measures at night.

Mr. Payne said that unlike the paving project previously before the Board, surrounding uses included the International Auto Auction, industrial users, and Henderson Construction. He said that there were no surrounding residential uses.

Mr. English asked if this would be a high-tech facility.

Mr. Payne said that it would be a modern facility.

Mr. English said that he hardly saw any issue with the other concrete facility nearby. He clarified that the proposed facility would be more modern than that one.

Mr. Payne said yes.

Dr. Yeung asked if it would be different from the one in Garrisonville.

Mr. Payne said that it was not a mining operation.

Ms. Vanuch said that it was very different from the Garrisonville facility.

Ms. Bohmke asked if the cement trucks had been modernized to prevent falling debris.

Mr. Payne said that there were no issues with exiting the facility. He said that the problem arose when materials were brought to the site, but the trucks were covered. He said that when sand and gravel were brought to the site, the trucks were covered. He said that the materials were mixed on-site.

Mr. Diggs asked if there would be access onto Celebrate Parkway.

Mr. Payne said no, the only access was to Route 17.

Ms. Bohmke opened the public hearing.

1. Allen Watkins, George Washington District, said that Mr. Payne had presented information regarding the project that was largely accurate. He said that however, he noted that there were

additional considerations that had not been mentioned and needed to be brought to the Board's attention to provide more comprehensive information for decision-making. He said that the project was situated on Commerce Parkway, and concerns had been raised about its connection to Celebrate Virginia Parkway. He said that as members of FAMPO's committee, whether they were alternate or actual members, were aware, the primary objective for any part of the River Parkway was to establish a link from Celebrate Virginia to Commerce Parkway.

Mr. Watkins said that stating that the Commerce Parkway would not connect was inaccurate if the bridge and parkway were constructed. He said that other factors had to be considered, such as Commerce Parkway's role not only for the bridge and parkway but also as the main route for Belmont Park, which had recently been approved. He said that the initial traffic estimates for the modeling, if the bridge and parkway utilized Commerce Parkway, indicated that over 40,000 vehicles per day would use the parkway to access the new bridge. He said that Commerce Parkway was expected to be heavily utilized. He said that he wanted to highlight these considerations would now also involve the Vulcan concrete project.

Mr. Watkins said that there were four streams in the vicinity, including the Laurel Branch and England Run, which, while not directly impacting the project, would experience significant stress in the future. He said that he wanted to point out the presence of an asphalt plant, specifically the Superior Paving Fredericksburg Asphalt Plant, within 500 feet of the new project. He said that he wanted to emphasize that numerous considerations had been previously discussed, which were beneficial for managing the project. He said that however, that these additional factors also required consideration.

2. Molly Denham, Hartwood District, said that she was not in favor of this proposal. She said that this was an additional industrial use on Route 17, where they already had so much going on and none of it was for the residents of the area. She said that therefore, she was not in favor of this item.

3. Unidentified speaker, George Washington District, said that he had lived among concrete plants since childhood. He said that he acknowledged that these plants had likely improved over the years, as he was now 68 years old. He said that he noticed that there had been no discussion regarding the height of these plants. He said that they generated considerable noise, and they were also dusty and dirty. He said that regardless of what they had been told, there were things that had been happening in concrete plants for over 60 years in terms of noise, debris, and negative impacts to the surrounding area.

   He said that regarding supposedly similar businesses, such as car dealerships and the Coca-Cola bottling plant, they were not concrete plants and thus entirely different. He said that he saw no similarity between these businesses and the asphalt plant in question that would justify its development. He said that living within a quarter mile of this plant, he was certain that he would be able to hear it at night, as he already could hear the traffic on I-95. He said that he was opposed to the development and suspected that other community members would also not be in favor.

4. Linda Campbell, George Washington District, said that this location appeared inappropriate and failed to reflect its impact on the picturesque residential area along Celebrate Parkway, despite the absence of an entrance off of Celebrate Parkway. She said that she observed a developing area with moving dirt, indicating ongoing activities. She said that noise, dust, and debris were expected, potentially lowering property values. She said that Route 17 was already congested with trucks, leading to road wear and traffic jams. She said that she respectfully asked the Board to vote against this project.

Ms. Bohmke closed the public hearing and the matter rested with the Board. She asked if the applicant had a response to any of the public comments.

Mr. Payne said that when examining projects of this nature, they considered a type of use in an industrial park surrounded by similar uses. He said that there, they had paving companies, construction companies, and heavy machinery companies. He said that they were a significant distance from Celebrate Virginia Parkway and were not accessing it. He said that while he could not speak for FAMPO regarding their funding for a river crossing, he hoped they would do so.

Mr. Payne said that he did not believe they would proceed through an industrial park. He said that however, it was important to remember that this site generated 136 total trips per day, with 6 in the evening and 19 in the morning. He said that this represented a low traffic generator. He said that this was necessitating a conditional use permit due to the nature of the use, but by right, they could conduct building materials sales and service yard operations, a contractor's equipment yard, heavy contractor's equipment yard and rental equipment, a recycling facility, a storage and distribution warehouse, and freight trucking.

Mr. Payne said that he saw this project as less intense compared to what could be done by right on the site. He said that it was a smaller site and was less intense, and he believed they were taking a responsible approach, considering the amount of open space. He said that moreover, they genuinely needed another mixing plant in the area. He said that there were numerous construction jobs from both governmental and infrastructure perspectives, as well as exciting new industrial projects.

Mr. Diggs asked if they knew how long the industrial park had been there.

Mr. Payne said that he believed it had been there for 35 years.

Mr. Diggs motioned, seconded by Ms. Allen, to approve Resolution R24-227.

Mr. Diggs said that one constituent expressed concern over grading, but that was actually for another project near Celebrate. He said that regarding the trucks on Route 17, those were there due to it being a major connector from Interstate 81 to Interstate 95, which was an issue they would have to deal with involving the County and VDOT. He said that regarding their schools and their needs, companies such as this coming into the community would always have people opposed to their existence in their neighborhood. He said that however, this was an industrial park and was not creating many new vehicle trips.

Ms. Gary said that she believed this was the best use for that property, and it was something they must focus on. She said that simultaneously, they must recognize those who had presented their views. She said that she understood that this was challenging. She said that she had faced this issue in her district. She said that they required a cell phone tower, which was almost in someone's front yard, and there were safety concerns. She said that these matters were invariably complex. She said that she supported this item but wanted to acknowledge the residents who voiced their concerns today.

Mr. Diggs said that one more thing to consider was the river crossing issue. Although he could not predict the future, he believed that such developments might occur within 20 to 30 years. He said that they were examining funding resources and the necessary work involved. He said that consequently, he did not think they could afford to wait with all the current challenges related to revenue, budget, and tax increases on constituents before initiating business development in the area. He said that when discussing businesses facing Route 17, it was important to note that while constituents desired sit-down restaurants and activities for children, this proposed use would be farther back from Route 17.

Ms. Bohmke called the vote for approval of Proposed Resolution R24-227.

The Voting Board tally was:

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

No: (0)

<u>CLOSED MEETING</u>

At 9:35 p.m., Ms. Allen motioned, seconded by Ms. Gary, to adopt Resolution CM24-23 to authorize closed session.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM24-23 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding the County's Solicitor Ordinance, which is a specific legal matter requiring the provision of legal advice by such counsel and where such consultation or briefing in open meeting would adversely affect the litigation posture of the Board, (2) discussion and consideration of the acquisition of real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, and (3) consultation with legal counsel pertaining to a class action lawsuit regarding medication, where such consultation or briefings in open meeting would adversely affect the litigating posture of the Board; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 20th day of August, 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 9:52 p.m., Ms. Allen motioned, seconded by Mr. English, to adopt Resolution CM24-23(C) to certify the closed meeting.

The Voting Board tally was:

Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

Resolution CM24-23 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON AUGUST 20, 2024

WHEREAS, the Board has, on this the 20th day of August, 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 20th day of August, 2024, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Ms. Allen motioned, seconded by Mr. Diggs, to adopt Resolution R24-278, a resolution authorizing suits to be initiated regarding insulin pricing claims through participation in multistate litigation.

The Voting Board tally was:
Yea: (7) Allen, Bohmke, Diggs, English, Gary, Vanuch, Yeung
No: (0)

REPORTS BY BOARD MEMBERS

Mr. English– stated that due to the transportation mess-up with the schools, he felt like the School Board should hold a second meeting per month rather than only one meeting per month. He said that this would allow parents to get answers from them. He said that they had received a lot of angry calls from parents. He thanked Sandy Hensel and Ben Diggs from Transportation, who had responded promptly when he called them. He said that there was an underlying issue that needed to be investigated to see what went wrong, because this was the second time in one year this had happened. He said that he was concerned and felt that it needed to be addressed.

Dr. Yeung – stated that she had received a lot of communication from her constituents regarding the school transportation issues, especially around Embrey Mill where students could not get to North Stafford from their neighborhood in less than two hours. She said that she was concerned that they were facing the same issues for the past two years. She said that there were a lot of issues because the bell schedules were changed, they added several new programs to the high schools, and they had inadequate infrastructure to support their new elementary schools.

Dr. Yeung said that she was concerned that staff's concerns were not being addressed or investigated. She said that she believed the Board of Supervisors should ask the School Board to give them an after-action report. She said that she felt that the Deputy Superintendent was not getting the appropriate information to make the right decisions.

Ms. Vanuch – stated that she would echo Mr. English's comments regarding the Transportation Department. She said that it would be nice to get some answers and she hoped they could get them at the next three-on-three meeting. She said that if any of her constituents had any issues, they should send her an email, and she would have her new Chief of Staff, Jake Salmons, get right on that. She said that they had had a few issues he had been successful in addressing. She thanked the Transportation staff at the schools. She said that typically when they made phone calls, they were getting things addressed. She said that if her constituents had any issues, she would ask them to send her an email and they would get it taken care of.

Ms. Allen – stated that as for transportation, she personally dealt with it. She said that her child was stranded for over an hour. She said that she would like to commend Mr. Fulmer and his team for working through the weekend to rectify the situation. She said that since Monday, she had not received any complaints about the routes. She said that given that it was the first week, she believed it would be beneficial to gather information during their three-on-three meeting about potential support the Board could offer schools to ease parents' concerns and anxiety each school year.

Ms. Allen said that she also wanted to commend the school system for their swift response in attempting to rectify many of these issues. She said that she did not intend to be a Debbie Downer; she also wanted to acknowledge their tireless efforts to improve the situation so that the second week of school was significantly better than the first.

Ms. Gary – reported that she wanted to give a quick update to the Brooke Road grant and information she had previously provided. She said that she had been told it would happen quickly, but it would take a bit longer than expected because it was a sizeable grant with many requirements. She said that it would take a while to work through, so she asked everyone keep an eye out for those updates as things progressed. She said that they had secured the funding but must make sure they did it the right way. She said that she looked forward to getting it done as quickly as possible, but it may take some months.

Ms. Gary said that she also wanted to thank her counterpart on the School Board for being so communicative with her on the transportation issues. She said that they worked very well together in handling some of the issues in their district, so she wanted to thank her. She said that on a personal note, her son had obtained his drone pilot's license but had decided to train in Georgia to become a ranger. She said that she would be out sometime in late October celebrating with him.

Mr. Diggs – welcomed his Chief of Staff, Cheyenne Minor, who had been working with him for a month and provided him some much-needed help. He said that he would highlight the transportation issues, which he had dealt with alongside the other Board members. He said that the Executive Director for Transportation, Mr. Crim, had been in his position for about a year. He said that some colleagues had noted an improvement in the number of students routed.

Mr. Diggs said that there was a misconception that the issues were due to a lack of funding, leading to the Board of Supervisors being blamed on social media. He said that however, the actual problem was a system issue, which they were currently resolving. He said that he wanted to thank School Board Chair Maureen Siegmund for supporting their Board's position on this matter. He said that he was eager to reunite with his colleagues and looked forward to the new session.

Ms. Bohmke – reported that there would be a meeting at Conway Elementary on September 18 form 5:00 p.m. to 7:00 p.m. for the Department of Rail and Public Transportation third track they would be laying under the Leland Road Bridge. She said that the bridge would be closed for two years. She said that the project would not begin for another two years, but they were doing some informational meetings.

Ms. Bohmke said that she would inform the HOAs and residents in that area about the meeting as well. She said that it would affect a lot of people in South Stafford in multiple districts, as many people traveled Brooke Road. She said that DRPT was doing a great job in disseminating information and working with PTOs and HOAs to ensure everyone stayed informed. She said that they would be addressing safety issues and other topics.

ADJOURNMENT
At 10:03 p.m., Chair Bohmke adjourned the August 20, 2024 Stafford County Board of Supervisor's meeting.

F. Craig Meadows
Interim County Administrator

Meg Bohmke
Chairman

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#92]
Date:	Friday, July 5, 2024 5:27:05 PM

Name *	Julia Roman
Address *	117 Leisure St Stafford , Virginia 22556 United States
Email *	juliaoroman8@gmail.com
Election District	Garrisonville
Topic (please see the Public Hearings page for specific topics coming up) *	Bringing Bucees to Stafford County

Online Comments: *

Hello,

I'm seeing a lot of negative comments about Bucees. Many of these folks have never been to one. They are regurgitating all the negative comments they read from online trolls. I for one want Bucees here and I've spoken to many of my neighbors and other Stafford residents and they too want Bucees here. They also say it sounds like the only people who don't want them coming here are those from newer communities. Many residents didn't want these new communities in the first place. So there's that. The traffic issue is moot. There's horrible traffic in all of VA. The water issue? Seriously? We have how many Wawa's and Sheetz stations. All of them combined is the same as one Bucees. Bucees brings delicious fresh food, snacks, it's also a store that has everything and anything similar to a Walmart. They even have clothing , we lack clothing stores here. We can't get a Trader Joe's, I'll settle for Bucees. Please and Thank you

From:	Wufoo
To:	Mark A. Kaminski; Andrew L. Spence; Cheryl D. Giles; Julia E. Holmes
Subject:	Public Comment Form [#91]
Date:	Monday, July 1, 2024 10:27:22 PM

Name *	Cindy Simpson
Address *	60 Brush Everard Court Stafford, VA 22554 United States
Email *	vagirl5875@gmail.com
Election District	Garrisonville
Topic (please see the Public Hearings page for specific topics coming up) *	Buc-ee's

Online Comments: *

I want to express my deep concerns regarding the proposed location for Buc-ee's at Exit 140, Courthouse Road, and Austin Ridge Drive. I strongly urge you not to approve the Conditional Use Permit/Buc-ee’s for several crucial reasons.

First and foremost, the introduction of Buc-ee's at this location will significantly exacerbate the already horrendous congestion on I-95. The influx of traffic will not be confined to the highway; it will overflow onto our local roads, creating bottlenecks and increased congestion as travelers try to access Buc-ee’s from both Exits 140 and 143. Our infrastructure is not designed to handle the surge in traffic that a large travel center like Buc-ee's will bring. This will inevitably lead to gridlock, frustration, and a decrease in the quality of life for our citizens.

In addition to the traffic concerns, the environmental impacts cannot be overlooked. The development of a large travel center will likely result in increased pollution, from vehicle emissions and potential spills of hazardous materials to the 24-hour lights throughout the travel center. The construction and operation of such a facility will also strain our local resources, potentially harming our natural landscapes and wildlife.

Safety is another critical issue. Having a large travel center so close to the highway, residential areas, and small businesses poses significant safety risks. The increased traffic could lead to more accidents and endanger pedestrians and cyclists in the area, an area approved by Stafford County to be walkable with extensive sidewalks along Mine Road, trails, a shopping area, and sports center. The presence of a large number of transient travelers can also raise concerns about crime and public safety.

There has been a lack of consideration for the citizens who will be adversely impacted by this project. Many residents outside of Austin Ridge, Westgate and Embrey Mill will also feel the effects of increased traffic, environmental degradation, and safety risks. The local government has a duty to be transparent and to communicate openly with its citizens, especially regarding projects of this magnitude that affect homes, neighborhoods, schools, emergency services and more. It is imperative that the voices of the community are heard and that their concerns are addressed before moving forward with any decisions.

I urge you to consider the long-term impacts of approving Buc-ee's Conditional Use Permit and its proposed construction at Exit 140. The potential negative consequences on traffic congestion, environmental health, and community safety are too significant to ignore. Let’s prioritize the well-being and quality of life of our citizens by rejecting this project and seeking more suitable solutions that do not compromise our community's integrity.

Thank you.