BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
September 17, 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, September 17, 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 (arrived at 5:07 p.m.), Vice-Chair; Deuntay Diggs; Darrell E. English; Monica L. Gary; Crystal L. Vanuch; Dr. Pamela Yeung

Also in attendance were William Ashton, 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 as a reminder, today was B-Day in the Board's updated meeting schedule, which meant that they would conduct all regular business and hold public hearings. She said that public presentations would commence at 6:30 p.m. She said that they were advised to refer to their website at www.staffordcountyva.gov for comprehensive details of their meeting schedule.

Ms. Bohmke said that Constitution Week was celebrated from September 17 through September 23 to honor its history and significance, and it drew attention to its relevance today. She said that the Daughters of the American Revolution petitioned Congress in 1955 to dedicate this week to the observance of Constitution Week, which President Eisenhower signed into law in 1956. She said that they encouraged everyone to take a moment this week to reflect on this document and appreciate its enduring basis for their great heritage and foundation for their way of life.

Ms. Bohmke said that early voting commenced this Friday, September 20, and would continue until November 2. She said that there would be no early voting at this government center, as in previous years. She said that early voting would take place at the General Registrar's new office located at 124 Old Potomac Church Road, Suite 205. She said that to find this location, they were instructed to turn down Hospital BouLeviard from Route 1 towards the Water Tower, take a right onto Old Potomac Church Road, and they would easily spot the Old Germanna Community College building.

Ms. Bohmke said that September was recognized as National Suicide Prevention Month. She said that the hashtag for the 988 Suicide and Crisis Lifelines message was #BeThe1To. She said that they were urged to be the one to take five steps to help prevent suicide. She said that they were reminded to be there, to keep them safe, to help them stay connected, and to follow up. She said that they truly could make a difference. She said that for more information, they were directed to visit 988lifeline.org. She asked everyone to please watch a quick video for more ways they could help with suicide prevention.

PRESENTATIONS

PRESENTATION OF A PROCLAMATION RECOGNIZING SEPTEMBER 15 TO OCTOBER 15, 2024, AS NATIONAL HISPANIC HERITAGE MONTH

Ms. Bohmke said that tonight, they had a presentation to honor Hispanic Heritage Month, which runs from September 15 to October 15. She said that every year, they invited a representative of the Hispanic community to accept a proclamation on their behalf. She said that she was thrilled that they had invited her neighbor, Hernan and Ana Levia, and their children to accept the proclamation this year. She read the proclamation.

Mr. Eleazar Levia said that he was very thankful that he was here. He said that it was a privilege to him, and this was the first time he had an experience like this in public. He said that he was thankful to the community of Clearview Heights. He said that it was a good community with nice neighbors. He said that Ms. Fenwick and Mr. Garland had been very kind to them, and they had a connection with each other. He said that they helped each other out, and some communities did not have that. He said that he felt privileged to have such a good community with each other. He said that this was what he wanted to talk about, and that they should be thankful for having such a good community in Stafford County.

Mr. Hernan Levia thanked Eleazar for his kind words. He said that he and his wife, Ana, were very honored. He said that it was an honor to be here in this County, and they attended church in Woodbridge, but soon they would be attending in Fredericksburg. He said that used to live in

Clinton, Maryland, and their realtor told them there were great schools in Stafford, so that was what brought them here. He said that they looked forward to raising their kids here. He said that like his son said, they came to Clearview Heights and it had been an honor to be neighbors.

Mr. Levia said that they were Latinos, and he was from Honduras. He said that his mom brought him to the United States, which was a big journey. He said that his mother left when he was two years old and returned to Honduras when he was eight years old so they could come to the United States. He said that he was very grateful to this country and the support he had received from many Americans and the good experiences he had here.

Mr. Levia said that he may buy a house in Honduras, but would be staying in the United States because it was a great country to raise their kids in. He said that this County had been awesome to them. He said that he felt very welcomed here, and as his family was very Jesus-oriented, he appreciated that Stafford was too. He said that they were here to serve them and were honored to take this proclamation in the name of the Latino families of Stafford County.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

William Ashton, County Administrator, said that they would find a folder related to Item 10, Planning and Zoning, in front of the Board that evening. He said that the project in question was the Stafford Technology Campus, which involved a proposed zoning reclassification from the A1 Agricultural Zoning District to the M2 Heavy Industrial Zoning District on Tax Parcel numbers 38-124 and 38-29A. He said that the Board had before them a revised proffer statement and a revised redlined proffer statement.

ADD-ON TO ITEM #10

REVISED PROFFER AMENDMENT

REVISED PROFFER AMENDMENT REDLINE

Ms. Vanuch motioned, seconded by Ms. Gary, to approve the agenda with the add-on to Item 10 and to reschedule the closed session to begin at 6:00 p.m. instead of 6:15 p.m.

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

WORK SESSION ITEMS

ITEM 1. CAPITAL PROJECTS TRANSPORTATION; TRANSPORTATION FUNDING AND ENGINEERING UPDATES

Matthew Lehane, Transportation Planning and Funding Manager for Stafford County, said that he would provide the transportation planning and engineering updates. He said that Route 1, Telegraph, Woodstock, and Route 1, Courthouse Road, and Stafford Boulevard were projects that they expected to commence construction the following year. He said that for Brooke Road, they had tentatively been awarded funding for this project and had been working with the County Attorney's Office and Federal Highways on that grant agreement.

Mr. Lehane said that regarding Onville Road and Enon Road, they were working on closing scoping. He said that specifically regarding Onville Road, there had been a new shortfall in the project due to an increase in project costs, amounting to approximately $5.7 million. He said that despite this setback, they had a few options to address the deficit. He said that one of these options was VDOT's Revenue Sharing Program, which they were currently considering. He said that by utilizing this program, they anticipated reducing the deficit to around $2 million to $2.5 million.

Mr. Lehane said that they would discuss this further in the upcoming year, but as of now, they were continuing to move forward with that project. He said that in addition to the aforementioned projects, they were also progressing with the Shelton Shop Road project, which was led by VDOT. He said that VDOT had redesigned the project, which now cost upwards of $50 million, an increase from the initial estimate of about $30 million. He said that in this redesign, VDOT had removed the shared use path and the roundabouts at Winding Creek Road and Courthouse Road.

Mr. Lehane said that other projects, including Stefaniga, Mountain View, Leland Road, Poplar Road, and Truslow Road, were progressing well. He said that Mine Road and Greenspring Drive sidewalks and Chatham Heights and Kings Highway sidewalks were also moving ahead and were being considered for the TAP and Revenue Sharing Program the following year. He said that this concluded the general updates to their transportation engineering work.

Mr. Lehane said that additionally, he would share some status updates on the VDOT dashboard. He said that they had assigned a Performance Development Improvement Plan with VDOT, which had been agreed upon by both the County and VDOT. He said that they were currently meeting all the tasks required, which meant keeping all their projects on schedule and having the ability to complete the projects within a certain timeframe. He said that they would update this dashboard the following spring to include additional details and data that VDOT was using to track all of their projects.

Dr. Yeung said that she was reviewing the dashboard and found herself confused, seeing half red and half green. She said that perhaps a one-on-one discussion with staff all later would provide further clarification. She said that they had been in this situation from the previous year to the current one, and she had previously inquired about their actions to ensure good standing. She said that now, she was hearing that they had a performance improvement plan in place. She said that as a manager, she put someone on a performance improvement plan when their performance was not satisfactory.

Mr. Lehane said that Dr. Yeung was correct. He said that in short, they had been working on the performance development improvement plan, and they were currently on track with all of their projects according to that plan. He said that they were continuing to move forward with the plan.

Ms. Gary asked if staff could elaborate regarding the expected timeline for the Brooke Road grant.

Mr. Lehane said that at the moment, he did not have a detailed timeline for how long the process would take. He said that when they worked on grants, especially federal discretionary grants, the process became more complex with additional requirements and higher costs. He said that this federal grant was the most challenging they could obtain. He said that it would take some time to navigate through the grant agreement. He said that they were currently collaborating with the County Attorney's Office and Federal Highways. He said that they aimed to send the grant agreement to them within the next one to two months, if not sooner.

Mr. Lehane said that after that, it was up to Federal Highways to review their agreement and determine the extent of back-and-forth communication required. He said that while they had observed that Safe Streets for All projects could take three months, some had taken up to two years. He said that they certainly did not anticipate a two-year timeline for Brooke Road, but they were unsure of the exact timeline while they finalized the grant agreement.

Ms. Gary said that she heard that the process could take up to one year, which was new information to her. She said that she appreciated that they provided that update because she understood that the timeline could vary. She said that having realistic expectations was indeed very important.

Mr. Lehane said that the next step for that project would be to present the grant agreement to the Board for approval. He said that they would likely discuss budgeting and securing appropriate funding for the project. He said that in summary, they were still moving forward.

Ms. Allen said that regarding the upcoming funding grants, especially since they did not receive the one at Enon Road and some others with potential shortfalls, she would like to know when could they expect an update from him to get the process started. She said that, if possible, she would appreciate it if staff could share with them an email debrief from USDOT. She said that it did not need to be a Board presentation, but it might help them understand where they needed to focus their efforts to assist the grant funding process. She believed this could be a great opportunity for them to identify any necessary actions.

Mr. Lehane said that today's objective was to provide the Board with a general overview of the projects they were currently considering, as well as the grants they had previously received and those they were anticipating in the future. He said that the RAISE grant, which was expected to be available later that fall, would require a decision on whether to apply, reapply for Enon Road, or consider additional projects, both new and existing, in their Capital Improvement Program (CIP).

Mr. Lehane said that feedback from the Board would be appreciated, although any decisions would be revisited at a later date, likely in October or November, when they would begin the application process. He said that the RAISE grant was due in January or February, so a decision would need to be made by November at the latest.

Ms. Allen said that she believed a refresher email regarding the criteria would be beneficial for them. She said that it might be challenging to remember what projects qualified for RAISE off the top of their heads. She said that they knew if Enon did not score, they would want to see the information to determine which projects they should apply for through RAISE.

Mr. Lehane said that yes, once they received that back, they could certainly follow up with the Board on some of their next steps. He said that staff had been working with their grants consultant, Merchant McIntyre, who had been supporting them through this process and helping them write the grants. He said that they would be working with them to decide on some of their next steps.

Mr. Lehane said that he was hoping that they would have that debrief for the next one to two months; that was the timeline DOT had given them. He said that however, they would have to see how that process went. He said that staff did hope to come back to the Board sometime in October or November to seek further feedback.

Ms. Allen asked if there was a timeline for when they would be informed about VDOT's sharing for Onville Road.

Mr. Lehane said that they would revisit that project next spring. He said that currently, VDOT required the County to fully fund the project. He said that VDOT informed them that as long as the County agreed to continue seeking additional funding, the project would proceed. He said that they had agreed to this and the project was moving forward.

Mr. Lehane said that the revenue sharing program would be discussed next spring. He said that the pre-application was due by May or June of next year. He said that staff would inform the Board, likely at a work session or another Board meeting, probably in February or March, about their progress. He said that Onville Road would certainly be on that list to help meet some of the shortfall.

Ms. Bohmke asked if Mr. Lehane had anything further to share with the Board.

Mr. Lehane said that he would like to mention a couple of additional points. He said that one of the updates staff wanted to bring up was the Smart Scale application status for round six. He said that they applied for $385 million in project cost and requested approximately $341 million. He said that this meant that about $40 million was local or leveraged funding, which aligned with other localities such as Spotsylvania, Chesterfield, Prince William, and Fairfax County, which had applied for over $1 billion.

Mr. Lehane said that with that, they provided about 11% or 12% of leveraged funding for all of their projects, whereas with past projects they had provided around 29%. He said that as they moved forward with expectations for the Transportation Master Plan and the general transportation program in Stafford County, they would need to have discussions on local funding for all of their projects.

Mr. Lehane said that they had estimated that to fund all of their projects, which had never happened before, they would need around 60% of funding to be leveraged. He said that for instance, out of $385 million, that would be about $200 million in local funding. He said that this was not sustainable; however, they needed to consider how much local funding they wanted to provide towards Smart Scale projects moving forward.

Mr. Lehane said that they would keep the Board updated on Smart Scale and hear initial results next January. He said that they wanted to keep in mind the local funding for transportation and other potential projects as well as the expectations for the Transportation Master Plan and the transportation program as they continued to move forward into later this fall and next year with other grants and projects.

Ms. Allen asked why the County only leveraged $11.5 million in round six.

Mr. Lehane said that that was the only funding available within the Transportation Fund and available to allocate to existing projects. He said that no new funding was assigned or pulled for any projects. He said that in FY 30 and FY 31, there was around $10 million to $15 million available in funding to assign to projects, and that was what they followed to assign to two projects.

He said that additionally, $21 million was already allocated to the Garrisonville Road widening project.

Ms. Allen asked if it was based on future projections.

Mr. Lehane said that that was correct. He said that 29% was based on past rounds. He said that in round five, the total project cost was $138 million; however, their Smart Scale request was $75 million. He said that therefore, the County provided about $60 million in local funding or approximately 40%. He said that their request had increased significantly, while the local funding had not, based on the available funding within their transportation fund at that time. He said that it would be up for future discussions on whether they should scale back and focus on smaller projects, or continue to pursue some of these larger, significant projects in future years.

Ms. Gary said that she was concerned said that their needs were expanding significantly, and this growth was something they could not control. She said that although the Board had not officially taken a position on a Regional Transportation Authority, they lacked the necessary funding for their needs. She said that they could not continue to neglect transportation funding. She said that this approach was not sustainable.

Ms. Gary said that traffic issues were affecting school buses, making it difficult for them to navigate roads and safely reach schools. She said that this problem was escalating. She said that they needed to revisit this issue and find a solution. She said that they currently did not have a solution, and they must make a decision. She said that they needed a solution.

Dr. Yeung said that when infrastructure was not already in place in certain roads, and they decided to place schools in locations that were not appropriate, and then considered how to provide more buses to certain places, they needed to make good decisions. She said that she agreed with Ms. Gary that transportation funding was necessary, and they would work on it. She said that she could not let this issue just pass without addressing it.

<u>ITEM 2. CAPITAL PROJECTS PUBLIC CONSTRUCTION; LAND ACQUISITION FOR UTILITIES AND CENTRAL SERVICES COMPLEX UPDATE</u>

Mike Overton, Capital Projects Program Manager, said that he was here to present an update following up on their discussion from the June 26 work session, where they had introduced the concept of a multiple department central services facility. He said that at their previous meeting, they discussed a complex that originated from a study aimed at relocating Utilities operations from Coal Landing Road to support the wastewater reuse system. He said that the study identified several departments with similar space requirements for their operational functions, which were listed on the form.

Mr. Overton said that they concluded with two potential paths forward. He said that the first involved acquiring approximately 25 acres of land solely for the relocation of the Utilities field operations facility. He said that the second option required acquiring a minimum of 80 acres to accommodate the Utilities field operations and provide sufficient space for a future multi-department service complex. He said that the acreages were estimates and would depend on the property's developability.

Mr. Overton said that both options necessitated a central location within the County and the Urban Services District to ensure operational efficiency. He said that currently, there was no available land in the targeted area for sale on the open market. He said that their assessment was based on the assessed property value, which for the smaller property acquisition ranged from about $420,000 to $728,000. He said that for the larger property acquisition, the estimated range was between $1.7 million and $2.4 million.

Mr. Overton said that their goal was to secure property that was currently in high demand and was expected to remain so for the coming years. He said that staff recommended acquiring a larger piece of property now, as it would become increasingly challenging to find suitable land in the future due to the growing demand for such facilities in the County. He said that they sought the Board's direction on which property acquisition option to pursue.

Ms. Bohmke asked what parts of the Fire and Rescue and Sheriff’s Departments would be located in the central facilities complex. She asked if they had overcrowding in their current facilities and needed more space.

Mr. Overton said that the Sheriff's Office had a combination of needs. He said that their primary issue was vehicle parking, as they currently had vehicles waiting for parts, repairs, and scattered across various locations, including Abel Lake, the Public Safety Building, and behind the Fire and Rescue Training Center, which was the former boat building. He said that these vehicles were not protected, leading to some damages and associated costs for impounded vehicles. He said that therefore, consolidating their vehicle storage was their most significant need.

Mr. Overton said that they also required storage for equipment, with some currently at the Public Safety Building and others at the Fire and Rescue Center. He said that the Fire and Rescue Training Center's space was also insufficient for their needs. He said that they had requested expansion to accommodate training and logistics functions. He said that this new facility would be designated to support that function.

Ms. Bohmke said that if they purchased a property only for Utilities, they would still have the issue of space needs with the other departments.

Mr. Overton said that the concept was to incorporate Utilities into the larger property area for efficiency purposes. He said that this was due to their significant outside, covered, and warehouse storage requirements, which were shared by other departments. He said that starting with a well-designed and planned Utilities facility allowed for future expansion to accommodate other facilities.

Ms. Vanuch said that she noticed the cost difference was approximately $700,000, to $2.7 million, which ranged from small to large scale. She asked whether they currently had that kind of money in their Land Acquisition Bank.

Mr. Overton said that they definitely had that money in the Capital Projects Land Account, as well as other funds in Utilities.

Ms. Vanuch asked if staff knew the exact amount available.

Mr. Overton said that he believed it was $3 million in the Capital Projects Fund, and Utilities had another $3 million.

Dr. Yeung asked if, in addition to what Ms. Vanuch asked, they included all aspects, such as design and services, in their considerations.

Mr. Overton said that staff conducted some preliminary cost estimates, which were presented during the work session. He said that these estimates were still very conceptual and would be refined as the projects progressed further, with each individual department involved.

Mr. English asked if the schools would be included in these project plans.

Mr. Overton said that they would need to coordinate with them absolutely regarding the planning, particularly. He said that he was uncertain whether they would be the lead in developing the bus garage or the fleet services garage, whichever came to be. He said that the initial concept was that the current garage was insufficient for maintaining the buses and the County fleet of vehicles that they assisted with maintaining, and therefore, growth was necessary. He said that whether that growth involved building to replace the existing facility or simply expanding the capabilities was yet to be determined, but that was the intent.

Mr. English asked if they could utilize the larger parcel for the bus garage.

Mr. Overton said yes.

Ms. Vanuch motioned, seconded by Ms. Gary, to proceed with the larger request of consolidating multiple facilities onto one parcel.

Ms. Vanuch said that she believed it was standard procedure, but she wanted to emphasize for the record that staff should bring the information regarding those parcels back to the Board for approval in a closed session before acquiring them.

Dr. Yeung said that she wanted to ensure the chosen location would be an appropriate location for buses to launch from.

Mr. Overton said that this was something they could discuss with the schools as they developed their recommendations.

The Voting Board tally was:

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

No: (0)

ITEM 3. UTILITIES; SEPTAGE POLICY AND RATE UPDATES

Jon Brindle, Environmental Compliance Manager, said that tonight they were discussing the septage policy and rates, and he wanted to inform the Board that this was an informational session only. He said that staff did not want the first time the Board members saw the topic to be the authorization for a public hearing. He said that septage was the concentrated waste that was pumped out of septic tanks.

Mr. Brindle said that any facility or building not connected to County sewer in the Urban Service District would have some type of septic tank or alternative system discharging to a drain field, which must be maintained and pumped out. He said that as they were in the Chesapeake Bay drainage area, the requirement was that these septic tanks be pumped out every five years. He said that approximately 30,000 of the 150,000 residents in Stafford County were on drain fields.

Mr. Brindle said that the waste itself, partially treated in the ground, was very high in solids, and a lot of other waste that was hard to treat at the wastewater plant, accumulated over five years in that tank. He said that Stafford policy accepted both inside and outside County waste, while neighboring jurisdictions like King George would not accept septage at all. He said that this was part of the issue they were facing today, with approximately 60% of the loads coming into Little Falls being from outside the County, compared to only about 25% going to the Aquia plant. He said that an average home had a septic tank of approximately 1,250 gallons.

Ms. Vanuch asked if it was possible to change the policy of accepting waste from areas outside the County rather than raising rates.

Mr. Brindle said that it was staff's recommendation to no longer accept septage from outside the County. He said that they also had a separate recommendation to not raise rates on constituents.

Ms. Vanuch said that if the rates were to increase, people may be less inclined to have their tanks emptied.

Chris Edwards, Director of Utilities, said that one of the reasons they were proposing a rate increase was due to the fact that they had not requested a rate increase since 1993. He said that currently, their rates were significantly lower than in any other jurisdiction. He said that they were proposing an rate of $25 per thousand, up from $18, to help them recover costs. He said that this increase was not substantial, but it was necessary to cover costs, as they were treating five years' worth of septage all at once.

Ms. Vanuch said that before considering an increase in rates, she would need to review how they were calculating that. She said that it was important because if they were already accepting sewage from outside of their locality or outside of Stafford, it was understandable that they were losing money. She said that if they ceased this practice, the likelihood of their financial situation stabilizing would probably be much higher.

Mr. Edwards said that he believed Mr. Brindle had compared their situation to other jurisdictions. He said that although they were still operating at a loss, their goal was to become more comparable to those other jurisdictions. He said that in most other jurisdictions in the area, the cost per thousand was approximately $25.

Ms. Allen said that the $25 per thousand was for those facilities that did not accept waste from other localities.

Ms. Bohmke said that they needed to examine some comparables from other jurisdictions, which she may have overlooked in the presentation. She said that this information would be provided by the Utilities Commission and then returned to them. She said that her primary concern was why they had delayed this process for so long, considering it had been over 31 years since 1993.

Mr. Edwards said that the primary issue was the prohibition of septage from outside the County. He said that the main driver behind this decision had been their several projects at their plants that involved heavy construction, which increased truck traffic, so the prohibition would reduce that traffic into the plants.

Mr. Edwards said that while it was a small percentage of their budget, they wanted to keep pace with current rates, which was why they had increased the septage hauling fee from $18 to $25, and if there was a 5% increase, the septage hauling fee would also increase by 5%. He said that this approach ensured that they were not consistently revisiting this issue but were instead keeping pace with the cost to treat wastewater.

Mr. English asked how the rate increase would affect the rates charged by the companies pumping out the septic tanks.

Mr. Edwards said that if they had a 1,250-gallon tank, they charged $18 per thousand gallons, which amounted to $22. He said that if the fee was between $300 and $400, the remainder of that fee was going to the septic hauler, and the County would receive only $22. He said that if the cost was going up to $25, then the County would only receive about $29 for that septage. He said that secondly, the way the remainder of the County was justified was that they actually needed to have a ticket and a receipt for where they pumped from. He said that if they did not have a receipt going back to that address, they could not dump. He said that although this system was not perfect, it was the best they had to prevent unauthorized dumping.

Dr. Yeung asked what other localities were being compared when determining these measures.

Mr. Edwards said that most of them were neighboring localities such as Fauquier, King George, and Spotsylvania. He said that if someone was pumping a septic tank in Spotsylvania, they may actually be closer to a plant in Stafford, so they would come to the County to dump the septage. He said that they were not traveling far, but it still meant that the County had a lot more waste to treat.

Dr. Yeung asked if the department had performed an audit since 1993 to determine the effectiveness of the department's operations.

Mr. Edwards said no. He said that this was one of the few fees outside of the user fees for water and sewer. He said that they were evaluating the septic policy more than the fees to determine where to accept septage from. He said that they wanted to ensure that they were staying up to date since it had not been changed since 1993.

Ms. Allen asked if they could do a phased approach into the new fees for septage.

Mr. Edwards said that they could approach this by presenting two separate resolutions. He said that the first resolution aimed to eliminate the use of outside septage, which seemed to have garnered support from the Board. He said that they would provide comparables for the second resolution regarding the fee increase and discuss it with the Board during the public hearing.

Ms. Gary asked if staff had considered charging increased rates for the outside septage in order to offset rate increases.

Mr. Edwards said that staff had considered that option, but they wanted to alleviate traffic and reduce the overall load. He said that they would not be recouping their costs anyway, so limiting it was their best option.

Ms. Vanuch said that she was supportive of moving forward with the first resolution regarding prohibition of outside septage. She said that regarding the fee increase for septage, she was concerned about the drastic increase in the rate from its current status. She said that even with a phased approach, there may be issues in how it would be integrated by the various septage haulers.

Ms. Vanuch said that she would like to see more numbers before reviewing a draft resolution regarding the rate increases. She said that furthermore, she would like the Utilities Commission to create a more comprehensive policy on how to validate haulers dumping waste in Stafford County. She said that she believed it would be beneficial to entrust the Utilities Department with establishing a robust control policy.

Mr. Edwards said that staff would bring back the ordinance amendment and work on the septage policy over the next couple of months, then return with the proposed rates.

Ms. Bohmke said that the Board was amenable to that.

<u>CLOSED MEETING</u>

At 5:58 p.m., Ms. Allen motioned, seconded by Ms. Vanuch, to adopt Resolution CM24-25 to authorize closed session.

The Voting Board tally was:

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

<u>Resolution CM24-25 reads as follows</u>:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel regarding a zoning reclassification request which is a specific legal matter requiring the provision of legal advisement by such counsel; and

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of September, 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 6:32 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-25(C) to certify the closed meeting.

The Voting Board tally was:

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

No: (0)

Resolution CM24-25 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON SEPTEMBER 17, 2024

WHEREAS, the Board has, on this the 17th day of September, 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 17th day of September, 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.

PRESENTATIONS BY THE PUBLIC

1. Leonard Craig, Falmouth District, said that his granddaughter had recently visited, and she had asked why they did not have sidewalks. He said that he would look into a neighborhood improvement program where they could collaborate to establish sidewalks. He said that he knew it was an old neighborhood, but he had observed children riding up and down the street, which he found dangerous. He said that having grown up in Michigan, where they had sidewalks, he believed it would be a beneficial addition to their neighborhood.

2. Peter Stencavage, Garrisonville District, said that he had only recently heard of the allegory of good government and bad government. He said that there were some paintings from the late 1330s by the artist Lorenzetti. He said that according to Wikipedia, the paintings had been interpreted as being designed to remind local magistrates of the importance of their decisions. He said that this reminded him of Charles Dickens' A Christmas Carol and the Ghost of Christmas Future.

   Mr. Stencavage said that in the story, Scrooge asked if the future could be changed. He said that unfortunately, they could not see the future as clearly as Scrooge, but they could make educated predictions. He said that some statistics for proposed Buc-ee's included that 21,000 cars per day. He said that the environmental impact would include gas and spill runoff, as well as light, noise, and air pollution. He said that there would be decreased police and ambulance response times, increased road maintenance costs, and a general strain on infrastructure.

   Mr. Stencavage said that to conclude, he quoted St. Francis of Assisi: "Start by doing what is necessary, then what is possible, and suddenly you are doing the impossible." He said that as a community, they did not have to strive for the impossible. He said that they only needed to strive for what was possible. He said that they had the Stafford Vision 2040, which Buc-ee's did not align with most of its goals. He said that much like Lorenzetti, he was reminding them of what was at stake. He said that he urged them to vote against Buc-ee's and vote for community-oriented businesses.

3. Darla Stencavage, Garrisonville District, said that she did not have a prepared speech to read through for them, so she decided to share a story instead. She said that she was tasked with setting up a command center in an agency, but she would not mention the agency's name to protect its privacy. She said that upon arrival, they realized that the command center infrastructure had not been established beforehand. She said that consequently, they worked tirelessly, around the clock, for 24 hours. She said that as someone who was passionate about

tackling challenges, she was determined to give her all and put everything she had into the task.

Ms. Stencavage said that they soon discovered that no matter how much effort they put in, it would not matter because the infrastructure was not in place. She said that the agency desperately needed the command center, but the preparation had not been done ahead of time. She said that this situation reminded her of a Buc-ee's. She said that there was a hole in the board, and they needed to fill that hole. She said that however, they were trying to fit a square peg into a round hole, and the more they pushed, the more it cracked the infrastructure below because they had not chosen the right thing to put in there or prepared adequately.

Ms. Stencavage said that from her perspective, she had worked tirelessly at this job. She said that unfortunately, this led to a stroke, which occurred after working 24 hours a day without ceasing. She said that the individual who initially hired her ended up quitting due to the situation. She said that she had a hole in her heart, which was discovered during her 32 years of military service, including most of her time as a pilot.

Ms. Stencavage said that she had yearly physicals, and this condition had never been detected. She said that the issues of stress, overwork, and lack of support led to her health crisis. She said that this was also similar to Buc-ee's, where traffic problems already existed, some of which were unknown. She said that she was concerned that continuing to push forward without first building the necessary infrastructure and support system could lead to a catastrophic event.

4. Kristin Maxson, Falmouth District, said that number two, today's packet acquisition, taking land now rather than when needed due to expense, was questionable. She said that taking land now and selling it at prices that did not allow the public to buy at the same rate when moving costs were included in their expenses, would put the citizens of Stafford in financial difficulty. She said that Stafford had already taken land now, which was sitting idle and collecting at zero dollars.

   Ms. Maxson said that a County half an acre was sold at $65,000, taken by Stafford roads, under a Resolution 24-215. She said that this action was wrong and was not for the people but rather using the people. She said that concerning the future of the Old Potomac Church Road SR 24-20 intersection with Haverhill Lane, which was 2.19 miles south of the South Campus Boulevard, there was no lane but there was a road under the name of Haverhill.

   Ms. Maxson said that Stafford's search for this name yielded no results. She said that she wondered if there was a cart before a horse. She said that the public had not been served under such descriptions. She said that the Stafford GIS map did not allow people to pull up plat numbers; the feature that allowed people to pull up plat numbers was disabled. She said that the August 24, 2024 transportation impact free advisory document was mislabeled as 125 instead of 126. She said that that would be the date of 126, and there was no such date.

Ms. Maxson said that page 2 of 129 was empty and should read that it was intentionally left blank. She said that Route 1, near South Campus Boulevard, had one lane and was currently obstructed by over a dozen trucks and earth digging equipment, blocking driveways and parking in private driveways. She said that there were no construction speed limit signs posted, which was a bad safety practice and was a potential risk to homeowners. She said that the VDOT permit had a date of August 26, 2024.

5. Daniel Cortez, Aquia District, said that he was speaking today as a private citizen, a proud American of Hispanic descent, and an independent, not a presidential or a gubernatorial appointee. He said that eight years ago, around this time, he stood with the President of the United States, being honored at the White House, as the Chairwoman did today, respectfully and honorably honoring the Levia family without prejudice, as required by federal law for Hispanic Heritage Month. He said that it was not always that way.

   Mr. Cortez said that the Cortez family continued to demand a formal apology at this podium by Mr. Paul Milde, who had insulted Virginia Hispanics when he was chairman of this Board, refusing to issue the proclamation that the Chairwoman did today. He said that the Chairwoman was aware of this quite well because, despite the great uproar by the community to right this racial wrong, Mr. Milde refused and remained fecklessly silent, leaving the job to atone for his grievous racial insensitivity, causing pain and suffering to their community, to then-Vice Chair Meg Bohmke. He said that this was a matter of public record, known by too many and not to be forgotten or disputed by the Chairwoman today. He said that they lived in troubling times.

   Mr. Cortez said that he prayed for the safety of President Trump and denounced those who made light of the attempted assassination. He said that this statement was not an endorsement for the Republican candidate, whom independents should question his ability and integrity. He said that unfortunately, there was ignorance and arrogance on both sides of the aisle. He said that they needed President Trump back in the White House because he was a responsible individual who understood the outreach efforts of Chairman Bohmke and others. He said that he knew him personally, and like him, he was an imperfect man.

   Mr. Cortez said that their community was suffering, and the economics were worse than they had ever been. He said that they had made great racial progress, but they were not there yet. He said that they did not wish Mr. Milde any harm and would allow him to wallow in his racial hate of the community, would do what they could to keep the public informed, and would remove him when the time came. He said that he would not be here later, so he wanted to encourage the Board to support the data center and Buc-ee's, as they needed jobs. He said that without jobs, some of them may not be here next term. He said that he wanted to wish the new County Administrator well, and offer his ear if it was ever needed.

6. Alaine Callander, Falmouth District, said that she wanted to give public comment due to Mr. Cortez's comments, which she had heard him make before, criticizing or praising members of the Board of Supervisors, representatives to Congress, or the General Assembly, and even commenting on the president. She said that she found such comments distasteful. She said that she had been politically active like Mr. Cortez, but she had never come up to the podium and given those kind of comments.

PUBLIC HEARINGS

ITEM 7. PARKS, RECREATION, FACILITIES, AND TOURISM; R24-256; CONSIDER LEASING COUNTY-OWNED PROPERTY AT DUFF MCDUFF GREEN MEMORIAL PARK TO CHARLES L. HENDERSON FARMS, LLC

Brion Southall, Director of Parks, Recreation, Facilities, and Tourism, said that he was here to discuss the Duff Farm Lease. He said that Duff McDuff Green was a farmer and businessman. He said that he had served Stafford as a Falmouth trustee, justice of peace, and in the Virginia House of Delegates from 1879 to 1885. He said that he had passed away in 1885. He said that his great-grandson, Duff McDuff Green, Jr., had donated approximately 60 acres to the County in 1994 for a park to honor his great-grandfather. He said that Duff Green had passed away in June of 2009.

Mr. Southall said that through a deed of gift, he had conveyed the remainder of the farm to Stafford County, approximately an additional 139 acres. He said that he had been proud of his agricultural roots and had continued a tradition on Little Falls Farm. He said that he had raised cattle and was a grain farmer until the last few years of his life.

Mr. Southall said that in 2003, Mr. Green had entered an agreement with the Henderson Farms to continue planting and harvesting crops. He said that Stafford County had contracted with Henderson Farms since 2011. He said that in addition to the little revenue collected and paying the taxes, he had provided maintenance on the property, saving additional funds. He said that therefore, staff had recommended leasing the cropland at Duff Farm to Charles Henderson Farms, LLC.

Dr. Yeung said that the current lease generated over $4,000 a year. She said that she wondered how much the Henderson family earned from the farm.

Ms. Bohmke said that the Board did not have access to that private information.

Dr. Yeung said that she wondered if he contributed back to the community or to the County.

Mr. Southall said that he paid the lease and paid taxes on the parcel he farmed.

Dr. Yeung asked if he ever brought students to his farm to teach them about agriculture.

Mr. Southall said that he was not aware of any.

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. Allen, to approve proposed Resolution R24-256 to approve the lease of Duff McDuff Green Park to Charles L. Henderson Farms, LLC.

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

ITEM 8. DEVELOPMENT SERVICES AND PLANNING AND ZONING; O24-16; CONSIDER REPEALING AND REPLACING THE DEPARTMENTS OF DEVELOPMENT SERVICES AND PLANNING AND ZONING FEE SCHEDULES

Paul Santay, Chief Director of Community Development, said that he was presenting the proposed fee schedule for building permits and planning and zoning-related fees. He said that the presentation that night would not individually itemize or discuss the fees unless they all had specific questions. He asked the Board members to keep Attachment 1, which was the actual proposed ordinance, handy as it was color-coded for reference. He said that he wanted to bring up the ordinance at the end of the presentation, and he could explain that in a little bit.

Mr. Santay said that as they were most likely aware, there were various regulatory requirements and state code provisions and other mechanisms that allowed for localities such as Stafford County to collect fees, to defray the costs of application, applicable services administered, provided, and enforced by the locality. He said that specifically, it was their current fees involved with plan review, permitting, and inspections in Planning and Zoning and Development Services.

Mr. Santay said that he would provide a little bit of history on this process. He said that the last fee schedule update was in 2017. He said that they had had a few different variations of that, including some small change and some rather large, comprehensive changes. He said that over the past few years, if they recalled, this proposed fee schedule that was before them that night was part of their process review study that their consultant matrix consulting group had helped them put together.

Mr. Santay said that they reviewed the current fee schedule and offered up a whole bunch of different ideas and data collection that he would review shortly. He said that most importantly, they did a very, very thorough peer comparison of localities. He said that they had presented the findings of the process review study to the Board through the CDEC committee in the past and most recently at the Board's advance meeting in February, where they had presented the final report document and introduced some new fee schedule items that would be presented to the Board.

Mr. Santay said that additionally, they had been updating the community on the new fee schedule, placing it on the County website, providing copies in the permit center, and meeting with the local builders' association and regular customers in the permit center to discuss the proposed fee schedule. He said that they had not received much feedback, which he was unsure as to whether it was good or bad. He said that he hoped that citizens were there that night to offer any feedback or guidance on the proposed fee schedule.

Mr. Santay said that their strategy, as outlined by their consultant, was a bottom-up approach to developing the proposed fee schedule. He said that this approach evaluated the time spent on specific services, the number of hands involved from intake to processing through the permit center, plan review, inspections, and finally, issuing the building official's approval. He said that this method was widely accepted for local government fee schedules for these services.

Mr. Santay said that they also planned to start with a 100% cost recovery evaluation, as directed by the Board. He said that this would involve reviewing the time estimates of services, staff involvement, interviews, and gathering data to understand the process fully. He said that the next part was to determine what the actual costs were, both direct and indirect costs. He said that direct costs were fully burdened staff hourly rates, benefits, and budget-approved operating expenses. He said that these were the costs that must be applied to the services provided.

Mr. Santay said that they also had indirect costs. He said that their staff regularly interacted with customers in person, over the phone, and attended meetings and public hearings. He said that these were costs that they did not receive fees for, but they were incorporated into their cost recovery model, which their consultant had developed. He said that they were pleased with this approach. He said that he would like to discuss the overall impact of these costs.

Mr. Santay said that although he could spend several hours analyzing the various degrees of impact, the Board should understand that County staff had aimed to ensure that the proposed changes, whether they were implemented or not, were reasonable and practical. He said that they had focused on the basics and averages, knowing that these represented the bulk of the costs associated with the services they provided. He said that regarding building permits, their consultant had concluded that they generally undercharged for most of their services in terms of plan review and inspections.

Mr. Santay said that it was not by much; they had done a commendable job in ensuring that the services provided were accurately replicated. He said that however, it had been nearly a decade since they last updated their fees. He said that with inflation and personnel costs, some fee adjustments were inevitable. He said that the fee increases were primarily associated with amendments to permits. He said that for instance, if plans under review now required changes or amendments by the applicant, some of these changes were reflected in the fees.

Mr. Santay said that fees for trades such as electrical permits, inspections, and plan reviews had increased due to the complexities involved. He said that similarly, the process for certificates of occupancy (COs) had become more thorough, involving multiple sign-offs, including from their building official, Carrie Jameson. He said that they had introduced new fees for building permits, including third and subsequent review fees for plan review and inspections, which were previously not charged. He said that there were no new decreases in permits based on use.

Mr. Santay said that this idea was brought up in their original discussions, but the consultant recommended and staff confirmed that the fee schedule would become excessively complex and challenging for customers, builders, and developers to prepare and pay. He said that instead, they had averaged all the fees and arrived at the number proposed in the fee schedule. He said that he believed it worked well. He said that regarding Planning and Zoning, the costs of services had decreased compared to the current fees.

Mr. Santay said that for example, the base fee for Planning and Zoning costs had been reduced, but the application costs for rezonings and construction plans had been shifted to specialty reviews. He said that overall, it was a balanced approach. He said that he had not heard much complaint about the proposed fees, and their consultant had done a good job finding a middle ground. He said that therefore, staff recommended adopting the fee schedule as provided in Ordinance O24-16.

Mr. Santay said that however, he would like to draw the Board's attention to four fees associated with zoning services, specifically the BZA variance, the special exception, the BZA appeal, and the certificate of appropriateness, as outlined in Attachment 1 on page 9. He said that their consultant had examined the 100% cost recovery for those services, which were quite high, ranging from $4,000 to $5,000. He said that currently, the appeal process before the Board of Zoning

Appeals cost about $600. He said that they aimed to avoid being prohibitively expensive for their citizens and community.

Mr. Santay said that if someone wanted to challenge whether their shed was on a property line or boundary line, they could not appeal to the BZA due to the high cost of $4,500 under the new proposed fee schedule. He said that staff recommended that the Board adopt the fee schedule as proposed in the ordinance, but maintain the four items in the zoning fees at their current rates. He said that these fees could be revisited later, but implementing them in the fee schedule would be too complex a task.

Mr. Santay said that if the Board approved the fee schedule, it should be effective from November 1 in order to give staff adequate time to update their permitting software applications and test the payment options. He said that their consultant had recommended that they should perform a comprehensive review of the fee schedule every three to five years to ensure it remained reLeviant, considering factors such as changes in the economy, personnel, and possibly the consumer price index for goods and services.

Dr. Yeung asked if they would be updating their systems before implementing the new fee schedule.

Mr. Santay said that he assumed that Dr. Yeung was referring to their permitting software and plan review software. He said that they would need to implement these new fees before they transitioned into the new world of permitting software. He said that he was currently working with their IT team to explore options, potentially putting together RFPs. He said that he believed that they needed a different look at the permit process from both an external and internal perspective.

Mr. Santay said that there were many different options available, and they had been using the same application for over 20 years. He said that he thought that they might still be the right application, but they should competitively bid that out and see what other options were available. He said that they would need to adopt a new fee schedule before they adopted a new permit software application system, as that was probably about a year away.

Dr. Yeung asked if Mr. Santay believed they were providing excellent customer service at this point in time with the increase in fees.

Mr. Santay said that he believed they were providing great customer service with their current staff and limitations. He said that some customers may not believe that, and their feedback was valuable. He said that their locality still did many different things that other localities did not offer, and he was proud of that and of their staff. He said that they may need more staff in the future, but they still had more than 20 positions in Community Development that they still could not hire. He said that he would like to fill those vacancies before looking into hiring more staff, but he did believe they were providing the best customer service they could with their available resources.

Ms. Allen said that she preferred to see a fixed number of years for review rather than a time frame. She said that although she understood the need for flexibility due to external factors, she believed that a consistent number of years for review would be more beneficial to their department. She said that this consistency would help avoid lapses in staying current and competitive with their practices. She said that she would prefer setting a review period of three years.

Ms. Gary said that she was part of the CEDC when staff was working on this, so she knew how hard staff had worked on this. She said that she really appreciated their work and she hoped the Board could continue to provide better support to Mr. Santay and his staff in the future. She said that her question was, when they moved to approve this, if they needed to explicitly state that they were leaving out the items mentioned on page 9, as it would be a change in the document.

Ms. McClendon said that when the Board was ready to make the motion, she recommended that they read out the fees. She said that she had them and she was prepared to read them for the Board. She said that they were repealing the old ordinance, and they wanted to ensure that the new numbers were accurately reflected in the motion to be incorporated into the ordinance.

Ms. Bohmke said that she agreed with Ms. Allen's suggestion for a three-year benchmark review as opposed to a five-year period.

Ms. Bohmke opened the public hearing.

1. Dana Brown, Rock Hill District, said that she was a member of the Board of Zoning Appeals. She said that her comments were her own personal opinions. She said that she hoped the Board would support Mr. Santay's position to keep the BZA fees flat. She said that the BZA was the homeowner's last stop and last chance to get a little justice, and they did not want to make the process so cost-prohibitive that they could not afford to come before them. She said that there were often extenuating circumstances in some zoning violations, and they did not want to limit home businesses. She said that she would encourage the Board to support Mr. Santay's recommendation and keep the fees level right now.

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

Ms. Gary motioned, seconded by Dr. Yeung, to approve proposed Ordinance O24-16.

Ms. McClendon said that she would read the numbers related to Ordinance 024-16, which included the following changes to the zoning fees: a Certificate of Appropriateness fee of $25; a BZA variance fee for Individual Residence Property at $600; an Other fee of $1375; a BZA Special Exception fee for Individual Residence Property at $600; an Other fee of $1375; a BZA Appeal fee for Individual Residence Property at $600; and an Other fee of $1900.

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

ITEM 9. 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, TO CHANGE THE FUTURE LAND USE DESIGNATION AND URBAN SERVICES AREA LIMITS 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)

Mike Zuraf, Director of Planning and Zoning, said that the information he would provide tonight was a brief summary of his previous presentation, which covered Items 9 and 10, including the rezoning. He said that they were reviewing this again because it was a continuation of the public hearing. He said that the item in question was the project known as Stafford Technology Campus.

Mr. Zuraf said that the two requests were as follows: the first was the comprehensive plan amendment to amend the Future Land Use Plan, expanding the Urban Services Area, amending the Future Land Use designation from Ag Rural to Central Stafford Targeted Development Area, and making Future Land Use recommendations in that Targeted Development Area.

Mr. Zuraf said that the rezoning would change the property from A1 Agriculture to M2 Heavy Industrial with proffers. He said that this would permit a data center campus, public facilities, and related accessory uses. He said that the property encompassed over 500 acres and was located in the Falmouth Election District.

Mr. Zuraf said that Charlie Payne would be representing the applicant during the meeting tonight. He said that provided on the slide was the site location. He said that the site was situated on both sides of Eskimo Hill Road and on the east side of Richmond Highway across from the intersection with Sage Lane. He said that next was the existing zoning map of the site and surrounding properties. He said that the light green shade indicated the property's current A1 Agricultural Zoning.

Mr. Zuraf said that surrounding properties included a mix of other A1 properties and other properties in the area, including light industrial and heavy industrial zoning. He said that he would briefly discuss the comp plan amendment and the map amendments proposed. He said that the first amendment was to Figure 3.1, which was the Urban Service Area designation. He said that it proposed to expand the Urban Services Area to include the entirety of this property.

Mr. Zuraf said that currently, half of the site was outside of the Urban Services Area, and this change would include the entire property within the Urban Services Area. He said that Figure 3.9 presented the current and proposed future land use map. He said that the current designation of agriculture rural was highlighted in green, and they transitioned to the orange shading of the targeted development area.

Mr. Zuraf said that Figure 3.13 showed the recommended land use designations within the targeted development area. He said that since this area was currently outside, it would be added in and designated as business and industry, like the rest of the property. He said that staff recommended approval of these amendments pursuant to Resolution R24-187. He said that on June 12, the Planning Commission voted 4-2 to recommend approval of these changes.

Mr. Zuraf said that next, he would discuss the zoning reclassification portion of this project. He said that the general development plan identified up to 23 buildings. He said that these were depicted with yellow boxes. He said that these would all be individual data center buildings in total. He said that the project would have up to 5.8 million square feet of data center floor area.

Mr. Zuraf said that the buildings were generally clustered into four campus areas on the buildable areas of the property and avoided critical resource protection area streams and other wetlands. He said that the approval of the proffers would permit the buildings to be up to 105 feet in height above the maximum permitted height of 65 feet.

Mr. Zuraf said that the bright green shaded area on the general development plan identified the proffered tree preservation areas that would include at least 63 acres or more. He said that the general development plan also proposed and identified six electric substations, which were the grey boxes in the middle of the site. He said that the substations would connect to the adjacent high voltage power line that bisected north-south through the middle of the site.

Mr. Zuraf said that regarding the transportation impacts related to the property, the applicant conducted a traffic impact analysis for the project, which was estimated to generate up to 4,365 vehicle trips per day. He said that the analysis evaluated impacts on intersections along Route 1, from Hospital Center Boulevard down to Centreport Parkway. He said that based on the traffic impact analysis, a transportation plan exhibit was developed to illustrate the different improvements that would be provided and required through the project to mitigate identified impacts.

Mr. Zuraf said that the project would incorporate recommendations from the County's comprehensive plan, including right of way dedications along Richmond Highway and along Eskimo Hill Road. He said that additionally, a new east-west connector road from Eskimo Hill to U.S. Route 1 would be added. He said that the next image highlighted the new connector road in red, with the existing Eskimo Hill Road located in the blue dashed line.

Mr. Zuraf said that the new road would be required by approximately the halfway point of the project, as stated in the proffers. He said that the next slide was one page that was part of the project's transportation plan, which detailed some of the improvements proposed. He said that the plan included the proposed intersection where the new connector road would meet Sage Lane along Route 1 and how it would be designed.

Mr. Zuraf said that staff believed that the positive aspects of the project outweighed the negatives, and thus, staff recommended approval of the reclassification pursuant to Ordinance O24-20, subject to the approval of the concurrent comprehensive plan amendment. He said that as noted previously, there were concerns about the proposed alignment of the inter-parcel connection to the southern properties, which may be challenging to construct and could impact the proffered buffers.

Mr. Zuraf said that he would note that this alignment was not mandatory and could be adjusted to a more suitable location. He said that staff recommended a phased approach to the project based on the progress of the reuse water system. He said that this construction was part of the project's proffers. He said that since the last meeting in August, two proffer revisions had been submitted.

Mr. Zuraf said that the September 9 proffer revisions, which were within the initial Board package, included minor adjustments that addressed VDOT concerns and ensured that the proffered improvements followed appropriate road design standards. He said that these changes were satisfactory to VDOT.

Mr. Zuraf said that the last proffer changes, provided recently, included a new utility requirement that would contribute funding for capacity upgrades to the Aquia Wastewater Treatment Facility. He said that this upgrade was necessary to treat flow from portions of the site that were currently outside of the Urban Service Area, as the additional land may now require treatment. He said that the Planning Commission voted 6-0 to recommend approval of the project on July 24.

Ms. Bohmke asked how much infrastructure in the County's Capital Improvement Plan (CIP) would be built by this developer.

Mike Morris, Deputy County Administrator, said that the current proposal in the CIP or bridging water and sewer infrastructure was approximately $58.6 million.

Ms. Bohmke asked if Mr. Morris could explain the bridging system he was referring to.

Mr. Morris said that they currently did not have water access in that general area, so they were working on establishing a connection between Lake Mooney and Smith Lake to ensure redundancy in their system. He said that their Capital Improvement Plan included the construction of these improvements over the next three to four years. He said that these improvements would now be the responsibility of the applicant, at a cost of $58.6 million.

Ms. Bohmke asked when the County anticipated completing those improvements if they were not constructed by the applicant.

Mr. Morris said that the improvements were scheduled in the utility CIP to begin in years FY 26, FY 27, and FY 28, with completion expected in FY 28.

Ms. Bohmke asked if those projects would be completed a year or two earlier by the applicant.

Mr. Morris said that yes, they would. He said that the applicant wanted to have those done more quickly, which was part of why they were agreeing to take on those projects.

Ms. Bohmke asked if there were any additional benefits for the County in having this applicant build that infrastructure.

Mr. Morris said that saving time and money were the primary benefits for the County.

Charlie Payne said that he was representing the applicant during tonight's public hearing. He said that Ms. Cameron could not be there due to a scheduling conflict, so he would be stepping in as the backup quarterback. He said that he appreciated the Board's time that evening and welcomed Mr. Ashton. He said that this was the largest economic development project in Stafford County's history, and if it got approved, it would be a significant milestone. He said that he had the honor of handling this discussion that night and representing both the Peterson team and the SAC team.

Mr. Payne said that if there was a question he could not answer because he wasn't fully up to speed, he acknowledged that Ms. Cameron and her team, along with Walsh Colucci, had done an excellent job navigating the process. He said that the project was initially filed in February 2023, towards the end of the County's efforts to create a new zoning ordinance for data centers. He said that the County had passed a comprehensive plan in October 2023, which aligned perfectly with the vision for this project.

Mr. Payne said that the project's location near major transfer and transmission facilities, east of Route 1, and its proximity to the Old Potomac Church site, where Amazon was constructing a facility, were notable. He said that the County had entered into a water infrastructure agreement with Amazon, which was integral to the project's success. He said that the infrastructure agreement would provide 6 million gallons of reused water capacity at the acquired treatment facility and extend the purple pipe to the STC site.

Mr. Payne said that this project not only contributed major utility infrastructure but also transportation infrastructure. He said that it was projected to generate approximately $127 million annually upon full buildout. He said that the project encompassed a 5.8 million square foot area, with the first phase covering 1.263 million square feet, including five to six buildings, capped at five based on bridging capacity or one million gallons, whichever was reached first.

Mr. Payne said that in addition to relieving taxpayers from a $58 million hit and providing capacity sooner rather than later, the project also set aside 1 million gallons of capacity temporarily to facilitate the project's progress. He said that this was done responsibly and in accordance with the water services agreement, which had been submitted and set milestones, scoping, and timelines for project completion.

Mr. Payne said that the project brought an additional 4 million gallons of capacity to the site for other users and future users. He said that this was significant as it provided water in the northern part of the County. He said that the transportation infrastructure improvements, estimated at over $100 million, included on-site and off-site enhancements from Centreport to Route 1. He said that these improvements were essential for the project's success.

Mr. Payne said that if this proposal was approved, and their client wished to expedite the process, today the property was designated for land use and was also approved for 144 single-family homes. He said that it contributed approximately $5,400 annually in taxes on over 500 acres. He said that it was an ideal location for a data center in the County. He said that it was situated near the transmission corridor. He said that its neighbors included a landfill, a former penitentiary, and the Sheriff Office’s shooting range.

Mr. Payne said that this aligned with what the County envisioned in its comprehensive plan; large campuses with ample buffering and setbacks, located near transmission facilities to minimize off-site infrastructure requirements, and six substations on-site to manage the full build-out of 5.8 million square feet, checked all the boxes that the County envisioned in its comprehensive plan.

Mr. Payne said that the County's comprehensive plan also stated that data center projects were viable economic development projects. He said that the County noted that they generated about $18.5 million per million square feet for every data center project. He said that this was the County’s estimate and was in the County's comprehensive plan.

Mr. Payne said that everyone knew the extensive history of the data center industry in the Commonwealth of Virginia. He said that northern Virginia had been a beneficiary for 20 to 25 years of data center investment in Virginia. He said that recently, it had completely shifted, and the Fredericksburg region was now the beneficiary of this new investment in the data center industry. He said that this project presented a game-changing opportunity for the community.

Ms. Bohmke asked why this industry was moving from northern Virginia to their area.

Mr. Payne said that the Commonwealth of Virginia Economic Development Partnership had been asked by the Governor’s Office to prioritize retaining data center investment and expanding it within Virginia, rather than taking it to other states. He said that when considering the new style of development planning for data centers, it was important to note that large campuses were significant. He said that this was because it was more efficient not to have to develop these projects in pieces.

Mr. Payne said that in northern Virginia, there was limited space to develop large campuses, and transmission corridor constraints were also a factor. He said that further south, they had open transmission corridors and areas of land where they could build these campuses without the need to place them near dense development. He said that it just made a lot of sense to choose this location. He said that he was genuinely excited about this opportunity. He said that they all should share in this excitement.

Mr. Payne said that Loudoun County was on track to generate $1 billion a year in tax revenue from data centers by 2025. He said that this was a significant amount. He said that they had some of the best schools in Virginia, and possibly even in the world, which meant they had some of the best schools in the world. He said that Fairfax County, Prince William County, and many other counties were also generating hundreds of millions of dollars from data center development. He said that this presented a unique opportunity for Stafford County.

Ms. Bohmke asked if Mr. Payne knew about the current status of the development of the reuse project at Potomac Church.

Mr. Payne said that they executed the agreement with the staff and the County in July, as far as he was aware. He said that they had been working on developing a design process and a permitting process. He said that he was uncertain about the specifics, but perhaps the Utilities Department could provide more details.

Mr. Edwards said that on August 20, the Board had approved a contract for the County to design the level one reuse improvements. He said that this project would be funded by AWS, the developer of Potomac Church. He said that they were approximately a month into the design process. He said that Amazon was actually designing the reuse lines. He said that his understanding was that they were about 30% complete with that. He said that this progress had occurred over the last one or two months. He said that they still anticipated breaking ground for that project in July 2025.

Dr. Yeung asked how much tax revenue would be generated even if the building were empty.

Mr. Payne said that Mr. Mayausky could provide his office's interpretation, but he would share his thoughts. He said that each of these projects would generate significant real estate tax revenue and personal property tax revenue. He said that the personal property tax had a sliding scale and a depreciation schedule, so it varied, but was typically higher than real estate tax. He said that for instance, the first phase of the project, estimated at around $1.3 billion for the first six buildings, was projected to generate approximately $8 million to $10 million in tax revenue.

Mr. Payne said that with the first phase, it was projected to be around $24 million dollars including both personal property tax and real estate tax, so a little less than half of that was likely to be the real estate tax generated. He said that if they considered the top 10 real estate tax payers in Stafford County, the highest assessment was around $330 million. He said that each of these buildings would be a significant taxpayer. He said that if they only considered the real estate tax, the first five buildings would be the largest taxpayer in Stafford County.

Dr. Yeung said that $404 million of their revenue came from taxes, with property taxes accounting for 71%. She said that she would like to understand the breakdown between personal taxes and commercial taxes. She said that they often discussed diversifying their tax base.

Scott Mayausky, Commissioner of Revenue, said that the percentage of real estate tax paid by commercial properties fluctuated based on the strength of the real estate market. He said that currently, about 18% of their real estate tax was being paid by commercial properties, while 82% was being paid by residential properties. He said that this percentage had ranged from as high as 20% to as low as 12% over the past 15 years. He said that the variation largely depended on the real estate market's strength. He said that when the real estate market was very strong, the percentage of commercial tax decreased, not because they were losing commercial properties, but because residential properties could grow at a much faster rate than commercial properties.

Dr. Yeung asked what this project's effect would be on their tax base.

Mr. Mayausky said that the most effective way to expand the commercial base was to introduce more commercial properties. He said that while a residential property could see an increase of 25% to 30% within a year, two, or three years, a commercial property typically did not. He said that the only method to grow the base number of commercial properties was to add more commercial properties.

Mr. Mayausky said that this approach would certainly aid in moving the percentage higher, potentially exceeding 20%. He said that the ideal target had always been 25%, although it could fluctuate. He said that this strategy would bring them closer to that goal. He said that he could calculate the numbers and send them an email with the details in today's dollars, considering the current base, to show them the impact of this project on the percentage.

Mr. English asked what taxes would be collected if the buildings remained empty.

Ms. Bohmke said that all of that information was on the provided sheet.

Mr. English asked who the highest taxpayer was in Stafford.

Mr. Mayausky said that currently, VEPCO was the highest taxpayer in Stafford. He said that one of these vacant buildings, if it were to be developed, would become the second highest taxpayer in Stafford County. He said that VEPCO, along with other entities, was calculated annually for the Comprehensive Annual Financial Report (CAFR). He said that they calculated the top 10 taxpayers every year. He said that VEPCO's tax contribution was approximately $370 million.

Mr. Mayausky said that the value of one of these buildings, depending on its size, could be around $2.5 million. He said that if they considered the split in revenue, about 40% of the total revenue generated by this building came from real estate, while the remaining 60% came from business property. He said that this was a reversal of the typical scenario for most commercial properties, where the majority of revenue came from real estate. He said that this was due to the value of the computer equipment in this building.

Ms. Bohmke opened the public hearing.

1. Edward Davin, Falmouth District, said that he lived with his wife Mary in the Falmouth District. He said that in the 1990s, executives from the computer industry, with a marketing perspective, coined the term "the cloud" to depict the burgeoning capacity for Internet data storage. He said that since then, they had come to understand that the cloud was a very earthly creature that was housed in data centers and required access to land, water, and electricity. He said that he wished to share his family's perspectives on the proposed amendment to the comprehensive plan and the proposed rezoning classification, both of which aimed to authorize the construction of a data center within the County and district where his family lived.

   Mr. Davin said that within the context of access to land, water, and electricity, he offered four thank-you’s and one please. He said that regarding access to land, he had three thank-you’s. He said that first, they had convened this public hearing about the two proposed land use actions. He said that second, the School Board, appointed by the members of this Board, had permitted access to the roof of North Stafford High School for a solar installation. He said that third, this Board granted a waiver of the statutory waiting period to allow the request for a conditional use permit for the Enon-Truslow solar farm to be presented before this Board for the second time that year.

   Mr. Davin said that regarding access to water, he wanted to give a big thank-you for negotiating with Amazon to secure their commitment of $150 million for the construction of a water reprocessing facility. He said that he commended their use of jurisdiction over water to leverage a major corporation's contribution. He said that while this Board did not have jurisdiction over electricity in the same way as land and water, he urged the Board to proceed in this area in a manner consistent with their handling of land and water access.

   Mr. Davin said that in 2023, the electricity grid was powered 60% by fossil fuels, 19% by nuclear fuel, and 21% by renewable fuels, with solar energy contributing only 4% to the renewable share. He said that in contrast, projections indicated that by the end of 2024, solar power would account for 60% of the new energy to be added to the grid. He said that he believed it was imperative that they continued to support and facilitate such initiatives when the access granted to land and water enabled a major corporation to access the electricity grid, primarily powered by renewable sources.

2. Alaine Callender, Falmouth District, said that she understood that the Board had been conscientious in their efforts to understand data centers and how to mitigate any potential issues. She said that at the same time, the County was being enticed with promises of big dollars to pay for critical needs like schools. She said that for herself, it would not matter how many pages of numbers were put in front of her, as she would still be thinking about the potential drawbacks. She said that she had read extensively about the problems associated with

data centers in Loudoun and Prince William, which led her to question whether the situation would unfold optimistically for Stafford.

Ms. Callender said that during construction, she envisioned wooded areas being cleared and streams and creeks being polluted. She said that although tree preservation areas and landscape buffers were planned, she would significantly increase their size. She said that she would ensure the establishment of wildlife corridors for the wildlife that currently inhabited the areas that would be developed. She said that Virginia's stable climate was an attractive location for data centers, as the state did not experience major earthquakes, extensive wildfires, or severe droughts like those reported in the West.

Ms. Callender said that she was concerned about the 180 million square feet of space already reserved in Virginia for data center development. She said that she hoped that without data centers, Virginia could have a surplus of energy and reduce fossil fuel use, helping the state meet climate goals. She said that unfortunately, she feared that the opposite was happening, with severe water shortages and rising power costs. She said that she recalled a County official's response to a question about their access to the necessary electricity, which was that Dominion had not told them they could not handle it and they were obligated to meet their needs. She said that it was no wonder they did not want to be restrained by climate goals.

3. Dana Brown, Rock Hill District, said that she had spoken to the Board two weeks ago, expressing her concerns about the water services agreement. She said that since then, she had become aware of a new concern regarding power services. She said that Dominion, the utility company, had mandated that all customers switch to smart meters, allowing them to monitor electricity usage in real time. She said that this capability enabled Dominion to implement congestion pricing, charging higher rates during peak demand periods.

   Ms. Brown said that she recalled instances in California, where her mother resided, where planned brownouts occurred daily due to insufficient electricity supply. She said that these brownouts affected various clusters of people, with the number of individuals impacted varying daily. She said that she was concerned about whether Dominion's power supply would be prioritized for data centers over residential needs. She said that she urged the Board to address this issue and ensure that residents were not disadvantaged in favor of data centers.

4. Kristin Maxson, Falmouth District, said that she had concerns about the project's progression, likening it to deploying the entire Army before receiving General orders. She said that there was already ongoing work before this project had been approved, suggesting that momentum was already in place. She said that she also raised concerns about automation leading to fewer jobs, potentially impacting Stafford employment in the long term. She said that she urged the

Board to respectfully refrain from taking private land for public use and then transferring it to the private sector, which she believed was wrong.

Ms. Maxson said that the property for this campus was completely filled to the borders, with very little open space, and where there was open space was where the RPA zoning was. She said that the local paper advertised for a Utilities meeting on September 12, 2024 at 7:00 p.m. She said that this meeting was canceled and there was not a chance for the public to ask about the wrinkle defined on May 14, 2024 on page 20. She said that the agenda for the meeting initially asked what topic the citizens would like to hear, and they said they would like to hear about the utility fiber cables being exposed and causing damage to private property near South Campus BouLeviard before the rezoning amendment had been approved.

5. John Farrell, Falmouth District, said that he was relatively new to this topic, but today, he was struck by the mention of water usage. He said that there was a reference to a water use report or something similar. He said that he wondered if someone could address today whether this could impact a potential water shortage in the future, considering the significant amount of water that might be used for data centers. He said that he was unsure if this issue was being raised at the moment. He said that he wanted to ensure the Board was aware of the potential negative consequences of the data center. He said that he was supportive of the idea of a data center for the future, but they must consider those negative aspects.

Ms. Bohmke closed the public hearing and the matter rested with the Board. She asked if the applicant would like to respond to any of the public comments.

Mr. Payne said that he understood that it was always beneficial to hear comments from the community, and he acknowledged that there was often a lot of discussion about data centers, especially since they were relatively new to the area and there were both pros and cons to such projects. He said that data centers were a necessary technology infrastructure. He said that they were not going away. He said that they were expected to continue growing.

Mr. Payne said that everything that the average home did, the average home had 10 to 15 electronic devices in it. He said that they worked virtually and met virtually. He said that AI was growing exponentially. He said that it was an infrastructure that was necessary and had continued to grow. He said that if it did not grow here, it was going to grow somewhere else. He said that that this was just a reality.

Mr. Payne said that he understood that there were concerns about power and water. He said that these were fair questions and fair discussions to have. He said that regarding the water, they were not taking any capacity away from any current user. He said that they actually had to build infrastructure to bring new capacity to the site. He said that they were not taking capacity away from Stafford citizens with the infrastructure that they were building for temporary bridge and water.

Mr. Payne said that on the power side, they lived in the dom zone. He said that Dominion controlled the transmission corridor in the Commonwealth of Virginia. He said that every generator in the Commonwealth, Dominion or otherwise, was part of one market, known as the PJM Market. He said that 13 states all bought power from this market. He said that they were all impacted by the power supply in this market.

Mr. Payne said that even if data centers were located in Pennsylvania, they still had access to the same power supply as Virginia, but they did not receive the tax revenue. He said that the reality of power supply would continue to be a topic of discussion, but it would also resolve itself. He said that Dominion had acknowledged that it had sufficient capacity for this site. He said that a load letter from Dominion confirmed that they would have enough capacity for operations and six substations on the site. He said that he wanted to ensure that everyone was aware of this.

Dr. Yeung asked whether they could install solar panels on the roofs of the data centers.

John Brillant, representing the applicant, said that there was a possibility of implementing solar panels to power the general electricity of the building, but not for the computers.

Dr. Yeung asked if they were planning to use solar power for that purpose.

Mr. Brillant said yes.

Ms. Bohmke asked where the panels would be located.

Mr. Brillant said that they would not be located on the roof, but they could be placed along the driving lanes and aisles.

Ms. Gary asked if Mr. Payne could discuss the load letter received from Dominion. She said that typically, they did not provide that load letter so early in a project's development.

Mr. Payne said that they had been working on this project for 18 months.

Ms. Gary said that it was unusual to have it before the rezonings were approved, but it was good that they had it because it provided more information up front.

Mr. Payne said that they were accustomed to working with Dominion and their requirements. He said that its location was ideal, as it was situated directly on the transmission facility.

Ms. Gary said that she would like to add a note for the public who was concerned about energy. She said that if they were worried about Dominion, which was regulated by the state, she encouraged them to contact their state legislators.

Ms. Bohmke said that she had a question regarding the applicant's willingness to provide land for a future fire station. She said that they had Station 2, which was 2.3 miles from Eskimo Hill Road, and the Falmouth Fire Department was approximately 6 miles away. She said that this area was akin to a mini city with numerous data buildings, and they currently lacked fire coverage in that part of the County. She said that in the event of a major fire, she was curious if the applicant was willing to offer a piece of land for this project.

Mr. Payne said that this question had been raised previously, including by Mr. Shelton during the Planning Commission meeting and at the last Board meeting. He said that before addressing her question, $1.5 million had been offered for Fire and Rescue services. He said that there was a proffer for an emergency action plan and services plan to collaborate with FRIM and Emergency Services in case of an emergency on the site. He said that the client had property under contract off-site for a future fire station location. He said that they had managed to fit the same footprint that was currently at Fire Station 2 on that site. He said that it was located in a general area off State Shop Road.

Ms. Bohmke asked how large that site was.

Mr. Payne said that it was approximately 4 acres.

Ms. Bohmke said that she understood that would be sufficient for Station 2 to be put on that property.

Ms. Vanuch said that she appreciated Mr. Payne's attendance at the initial meetings where they discussed potential locations for data centers. She said that the chosen location seemed ideal, as it was not in close proximity to residential areas, which was a concern for many constituents. She said that her concerns persisted regarding the phasing and water usage. She said that while she generally supported this initiative, having previously voted in favor of a previous data center, she was particularly worried about the access to potable water.

Ms. Vanuch said that during those committee meetings, they all agreed to limit data center access to the County's drinking water, as it involved their potable water supply. She said that she was concerned that there was no clear phasing timeline outlined in the proffers. She asked why they were not including this in the proffers and instead opting for a water services agreement that had not been publicly reviewed. She said that she wanted to know if there was a specific reason for this approach.

Mr. Payne said that to provide some context to her question, the proffers stipulated that if water cooling was to be used for the project, reuse water must be utilized. He said that this requirement was part of the plan because the reuse system had not yet been constructed. He said that the plan included provisions for potable water to be used temporarily. He said that the term "bridging" was mentioned, which was similar to what was found in the Amazon proposals and the Amazon WIA. He said that this process involved building all the infrastructure that was currently part of the CIP which had reached $58 million and was projected to total $120 million of new infrastructure.

Mr. Payne said that this infrastructure would eventually be transferred to the County, which would own the reuse water system. He said that the proffers also clearly stated that a Water Supply Agreement (WSA) must be entered into before the first Certificate of Occupancy was issued. He said that this requirement aligned with the issues being discussed. He said that a draft WSA had been provided, which included scoping elements and timing that were consistent with the County's requests. He said that this model was believed to be appropriate and successful, similar to the model used by Amazon.

Mr. Payne said that it was the Board that held the ultimate decision-making power regarding what the Water Services Agreement would be. He said that they could not operate a building without the Board's approval. He said that they would adhere to the format approved by the County in the AWS Water Services Agreement. He said that this project included numerous components, added significant value, and required extensive infrastructure. He said that to him, it was essential to move forward with the project. He said that they would negotiate the Water Services Agreement to the County's comfort level, ensuring all desired elements were included. He said that this approach would prevent further delays and allow the project to progress.

Ms. Vanuch said that her question was why they did not want to include the phasing in the proffers if they were okay with them voting on it in a water services agreement. She said that her concern was why they could not easily alleviate these concerns by including the phasing in the proffers, so they knew exactly what the plan was, that there was a phase, and a plan to completely come off of using potable County water. She said that otherwise, they would have access to the County’s potable water indefinitely, which was counter to the Board’s intent for data center development in the County.

Mr. Payne said that they were following a prior model. He said that it made more sense to proceed this way. He said that they were not avoiding any responsibilities. He said that there was a significant risk for the developer to wait for the County's approval of a WSA. He said that they were subject to the County's desires in the agreement. He said that this process was more detailed.

Mr. Payne said that unlike a proffer statement, which could not contain all the necessary details, the WSA included the thoughtful process of what Utilities had been studying for some time, especially now with the background on the WIA with Amazon and moving forward with this large project. He said that they could not pack all that information in a proffer statement. He said that ultimately, the Board made the decision, so he did not understand what the issue was with this approach and respectfully disagreed.

Ms. Vanuch said that the issue for her was that it was not clearly stated in the proffer agreement, which must be presented before the Planning Commission and the Board of Supervisors for a public hearing if changes were made. She said that she wondered if they had received any recent proffer amendments filed within the County on the former project that they had just approved.

Mr. Zuraf said that yes, a proffer amendment was submitted by the Amazon data center at Potomac Church.

Ms. Vanuch asked what the proffer amendment stated.

Mr. Zuraf said that the current proffer limited the occupancy of only one of the two buildings before the reuse line was constructed. He said that the amendment would permit both data centers to be occupied, with other conditions proposed that would require all bridging improvements to be constructed at the site.

Ms. Vanuch asked if it was correct that they were requesting a proffer amendment, which received public hearings with the Planning Commission and Board of Supervisors, to delay building the reuse system before receiving both occupancy permits in both buildings.

Ms. Bohmke said that she believed that they essentially preferred to use potable water rather than constructing the reuse system, which was the agreement they made with the County.

Ms. Vanuch said that she supported that project because they had not intended to open up the data centers to County drinking water. She said that her underlying concern was that the Board had not reviewed any studies or background reports to understand the ongoing risks of opening up data centers to drinking water that competed with their residents.

Mr. Payne said that Ms. Vanuch's statement was inaccurate. He said that they had filed a proffer amendment because they were under construction and wanted to move forward with the second building sooner rather than later. He said that they were also constructing the reuse system. He said that the proffer continued to subject them to a reuse system, not potable water. He said that it was temporary. He said that they must build the capacity for the temporary water, just like this project. He said that nothing was different.

Mr. Payne said that this project was subject to requirements for reuse water for cooling. He said that it only had temporary capacity. He said that it was only a million. He said that this did not even get them to Building 6. He said that there were 23 buildings in this site. He said that if they were going to have cooling for industrial data center use, they must have the reuse system because the County would not approve, as Ms. Vanuch noted, to use potable water on an entire site.

Ms. Bohmke asked why they would allow the County to approve the project if they knew they would have to amend the proffer. She said that it showed bad faith.

Ms. Allen said that she did not believe that asking an applicant to discuss another project was reLeviant to this public hearing.

Ms. Bohmke said that going back to the question asked by Ms. Vanuch, the applicant was aware that the County wanted to have the phasing of this project in the proffer agreement. She asked Mr. Payne if the applicant was unwilling to do that at all and they would only put it in the WSA.

Mr. Payne said that they believed it was more appropriate within the WSA to restrict them to the WSA's approval before they could proceed with their project. He said that the WSA outlined all details of water usage, including usage limits. He said that they had successfully implemented this approach in a prior project, and they anticipated it would be a successful process for them.

Ms. Vanuch said that staff had stated in an email on August 20 that they strongly believed the phasing of the project should be incorporated into the proffers. She asked why they should go against staff's recommendations how to address the phasing. She said that if they were to adopt the phasing that staff had suggested, she would support the project, but she found it difficult to support it because they were so firm on it being only the WSA, which they did not even have in front of them currently.

Mr. Payne said that he could not speak for staff, but he assumed that they did not have the WSA in place on August 20. He said that they had one now that included the scoping.

Ms. Vanuch said that staff suggested it be put in the proffers for legal reasons rather than the WSA.

Mr. Payne said that he could not speak on staff’s behalf, but he respectfully disagreed because the WSA was certainly enforceable.

Ms. Gary said that in the presentation they were just provided, staff recommended approval on this project. She said that there had been numerous considerations and negotiations with the applicants to reach this juncture. She said that it was crucial to present the entire context, not merely to assert that the staff opposed this because of a single aspect that occurred during negotiations, which some of them were not pleased with.

Mr. Payne said that he had been working with the staff hand-in-hand for probably three years. He said that staff were very professional and prioritized the County's interests. He said that he believed they had accomplished everything that staff had asked them to do with the WSA.

Ms. Allen said that she believed this project was contingent upon the completion of the water reuse system portion. She asked if the applicant was aware of the water reuse system being engineered to the point where they could expect some type of groundbreaking or whatever it was.

Mr. Payne said that it was expected to begin in July 2025.

Ms. Allen asked if there was actually engineering work and movement towards implementing the water reuse system.

Mr. Payne said yes. He said that in their proposed WSA, the milestones they had proposed for scope one involved bringing the normal potable water needs, sewer needs, and fire flow to the site, and scope two was increasing those priorities and also bringing the bridging water to the site, and that was projected to be completed by April 2027. He said that the reuse system should be completed by January 2028.

Ms. Allen said that the tenant of the site was also the entity responsible for construction.

Mr. Payne said that that was correct.

Ms. Allen said that she found it difficult to comprehend why they would invest so much money to build it and then not utilize something they built for this site. She said that it seemed counterintuitive to invest in a facility and then not use it for its intended purpose.

Mr. Payne said that that was right, and they also must have the reuse system because they could not use potable water full-time.

Dr. Yeung asked if staff could discuss the risk as it was written.

Bryon Counsell, Chief Director of Infrastructure, said that when they discussed risk, through the process of working with the applicant and working with staff, they analyzed all the potential impacts that they could imagine from the project. He said that they worked with the applicant to develop language in proffers and in water services agreements for the future to try to mitigate that risk as close to zero as possible. He said that the language mitigated it to a very small level. He said that it was not going to be absolute zero risk. He said that he was not advocating for or against the project. He said that what he was trying to do was just explain what had gone on to ensure that the project was moving forward.

Mr. Counsell said that the phasing ensured that, whether it was in the water services agreement or in the proffers, it ensured that the applicant was limited to the number of buildings they could get on potable water before the reuse line was complete. He said that if for some reason the reuse line was abandoned by the applicant for another project, they should be aware of this well before any buildings started to come online. He said that that was the idea behind the phasing. He said that it just gave them a heads up that they could at least limit or prevent any of the buildings from going on potable water if that reuse line was not complete. He said that they wanted to keep the risk to the lowest level they thought was possible.

Ms. Allen asked Mr. Counsell to discuss the utility CIP needs that this project might potentially help offset. She said that she believed it was around $58 million that the County did not have to pay, which meant that there would not be an increase in people's utility bills since they were not having to cover the cost of upgrading their utility system.

Mr. Counsell said that that was correct.

Ms. Allen said that since she began her tenure on this Board, Mr. Edwards had discussed increasing water capacity to the north due to population density and needs. She said that this project would achieve a significant portion of that.

Mr. Counsell said that was correct. He said that several years ago, their master plan indicated the need to move more water from Lake Mooney to the southern part of the County to the northern part. He said that this move was essential for major repairs and replacements for Smith Lake and to establish a redundant line and capacity throughout the central part of the County, as well as the north and the south. He said that these projects were planned to be effective in about four to five years, providing approximately 5 million gallons per day (MGD), moving from south to north.

Mr. Counsell said that this action would not only allow more water in the central part of the County, where there was currently insufficient infrastructure, but also saturate the central part of the County with water. He said that this was in their plan. He said that the current estimated cost for the County to build this infrastructure was about $58 million. He said that the funding challenges for the next four to five years were uncertain, and it could require additional rate increases. He said that it currently did not indicate this far out for the rate model.

Mr. Counsell said that regarding the temporary use of one million gallons a day from the applicant for four or five buildings, if the reuse line was built, they would get all that capacity back. He said that the 5 million gallons per day was in excess of what they currently needed for the system. He said that it was still healthy for their system to withstand the million gallons per day temporarily for five buildings.

Ms. Allen asked what the debt capacity for $58 million would be for the County considering their other shortfalls and necessary projects.

Andrea Light, Chief Director of Financial Services, said that the debt on $58 million would amount to approximately $5.5 million annually for a period of 20 years. She said that in their debt capacity model, they excluded utilities from this calculation as they had their own funding source in their enterprise fund. She said that there would be no impact on schools or fire stations.

Ms. Allen asked if the cost would be borne by the taxpayers on their bills.

Ms. Light said that was correct; it would be through the water and sewer rates.

Ms. Allen said that the proposed agreement would result in County taxpayers having to pay $58 million less, and they would also benefit from potentially 5 million gallons of water being pumped into a resource-depleted area, particularly in the central area where they aim to promote commercial development.

Ms. Bohmke asked Mr. Counsell if it was correct that the County could not afford to give this project a million gallons of water indefinitely.

Mr. Counsell said that that was correct.

Ms. Bohmke asked what would happen if they gave them one million gallons up to the fifth or sixth building and the bridging system was built, but the reuse lines were not.

Mr. Counsell said that they would need to recognize that the applicant proposing the other project, which involved building a reuse system, had abandoned that project. He said that if the applicant abandoned it, they would know that they could not provide potable water to STC.

Ms. Bohmke asked how they would know that.

Mr. Counsell said that staff would be closely involved with this project; they would be part of the design, construction, and right-of-way acquisition process. He said that they would be following every single step of the entire project and would be working on it every day.

Ms. Vanuch said that according to state code, they were not permitted to turn off the water supply. She said that based on the agreement made tonight and the current situation, they could not turn off the water. She said that they would commit to providing a million gallons of water per day to this project. She said that if the reuse facility was not built, they would have to continue supplying a million gallons of County drinking water daily to this project due to state law. She said that this raised the question of what they would do in such a scenario.

Mr. Counsell said that timing would play a role, and the proffer statements currently being considered by the Board were crucial. He said that there were two phases to this proffer. He said that the first phase involved the client's capital investment to restore capacity within their system. He said that the second phase required them to build the necessary infrastructure if the current responsible party did not do so.

Ms. Vanuch said that it was a good faith effort, so that was concerning.

Ms. Bohmke asked if they could change the language so that it stated they shall build the reuse system.

Mr. Counsell said that they would review that, but he probably was not in the best position to suggest what the language should or should not be in assessing the risk of the project. He said that the impact would be if the million gallons of water a day that they did not ever get back, it would affect the County's ability to provide water to all of the water in the Urban Services Area in the future. He said that if the Board wished to pursue this, staff would certainly review it and provide them with the impacts.

Ms. Gary said that she was concerned that Board members were asking staff questions that they already knew the answers to. She said that there was fear-mongering around water and statements that the reuse lines would not be built when it was noted in the design and they had dates for groundbreaking, which had been confirmed by staff. She said that she felt that they should do better business and move forward with this item.

RECESS

The Board recessed at 8:34 p.m. and reconvened at 8:47 p.m.

Dr. Yeung asked how the applicant would be working with the community, protecting the Rappahannock River, and the surrounding environment.

Mr. Payne said that there were 63 acres of preserved forest area on the site. He said that they were extensively set back and buffered from surrounding properties, and as the Board knew, all of the entire site was subject to the Chesapeake Bay Act and the County's stormwater management requirements.

Mr. Payne said that they would comply with all of those from an environmental perspective. He said that they were preserving a significant amount of acreage in its natural state. He said that the developer had a history of being very much engaged in the community, similar to what Amazon was doing today in the region and other communities. He said that once the project was entitled and progressing forward, that engagement would occur at that point.

Ms. Gary said that she was wondering about the $127 million in annual revenue that this project would generate at full build-out. She said that she was interested in understanding how they could generate that kind of revenue through tax increases.

Ms. Light said that it would require approximately $0.45 on the current tax rate.

Ms. Bohmke motioned, seconded by Dr. Yeung, to approve proposed Resolution R24-187.

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

ITEM 10. 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)

Ms. Bohmke motioned, seconded by Ms. Gary, to approve O24-20, with the proffer date of September 13, 2024, and completely signed by September 16, 2024, as revised during the public hearing that night.

Mr. Payne said that in Proffer 21, the applicant agreed that all public water demands required for industrial cooling in data centers would utilize reuse water as the sole primary water source once the reuse water system was completed and extended to the property boundary. He said that Proffer 21B, to allow for reuse water for industrial cooling in data center buildings, the following infrastructure improvements would be completed by the applicant or others, which was currently under contract with Amazon, which included reuse water and return sewer piping, as well as reuse water storage on the property. He said that the applicant was required to build a reuse water system if it was not built by others.

Ms. Bohmke said that she had been living with this transaction since February of the previous year. She said that she believed there were some benefits to this. She said that several years ago, the Board had wanted to bring data centers to the County. She said that they had worked out a good piece of land in the center of the County with transportation lines, electricity, and water. She said that the water reuse system with the purple pipe was going to be unique to Stafford County. She said that it was a big system, and she was thrilled that they were going to build a bridging system worth $58 million, which would not help the general fund but would help the sewer and water rates. She said that they had 63 acres north of the transaction, providing a good buffer.

Ms. Bohmke said that she was happy that they were also building Sage Lane, which would alleviate traffic on Eskimo Hill Road. She said that this was significant. She said that she would rather have a data center there than the originally proposed single-family homes. She said that she had not wanted those homes in her district due to insufficient road infrastructure. She said that she was also pleased that they were contributing $1.5 million for Fire and Rescue equipment. She said that she wanted to see the phasing in of the proffer agreement, which she had wanted from the beginning, but it was going to be in the WSA. She said that if they had to go to court, it would be a longer process.

Ms. Bohmke said that she acknowledged that there were negatives and positives to every project, and there was no perfect project. She said that she believed this project would bring in significant tax revenues. She said that she was unsure if it would bring in $88 million. She said that with changing technology, by the time that full build-out of this project was occurring in seven to ten years, they may not be able to predict what the last few buildings on this campus would look like. She said that she was eager to see the revenues that this project would bring in, just based on real estate revenues alone.

Ms. Allen said that her support for this project stemmed from the significant CIP investment that the County was facing due to years of neglecting infrastructure needs. She said that there were schools coming online, government facilities that needed to be built, and utility investments that the County must upgrade to meet the growing needs.

Ms. Allen said that having applicants willing to shoulder some of this financial burden, not just in terms of tax revenue generation, but also by investing in significant infrastructure, was a huge step forward. She said that she expressed her gratitude to STC and the petition group for their patience throughout this process. She said that she understood that working with local government could sometimes be challenging when it came to land use, but they appreciated their patience.

Ms. Allen said that she was looking forward to the campus. She said that every day, as she drove up to the Gainesville-Manassas area, she often passed some of their facilities on her way to work. She said that in terms of design and appearance, she was always impressed and hoped that they would have similar buildings in their County that enhanced their infrastructure. She said that she was eagerly anticipating the full build-out so that they could maximize the tax revenues.

Dr. Yeung said that she understood that technology was a necessary evil. She said that they had a variety of needs that they must address, not only phone service. She said that she expressed her gratitude to the staff for their extensive due diligence. She said that Ms. Bohmke and she had attended several meetings and closely followed the progress. She said that she believed the work had been thorough and commendable. She said that diversifying their tax base was crucial to reduce the tax burden on their constituents. She said that she appreciated all the assistance and hard work that had been put in over the past nine months. She said that she thanked Ms. Bohmke for her dedication to her district and for ensuring that they reached this point.

Ms. Gary said that they could achieve progress in Stafford that benefited both the County and businesses. She said that she hoped that this demonstrated to other businesses that they were willing to engage in dialogue and advocate for what they believed was best, across a spectrum of issues. She said that ultimately, they could reach a solution that was truly wonderful. She said that she was looking forward to more peaceful meetings in the future, where they could discuss other matters. She said that she wanted to thank staff for their hard work over many months, and especially to Ms. Bohmke.

Mr. Diggs said that one word came to mind with this project, which was “transformative.” He said that when they considered the tax burden for their constituents and why they were at the dais, it was to make decisions like this in the best interest of the community. He said that he would be supporting the project.

Ms. Bohmke called the vote on proposed Ordinance O24-20.

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

PRESENTATIONS/REPORTS BY DEPARTMENTS

ITEM 4. BUDGET AND MANAGEMENT; YEAR END (UNAUDITED) FINANCIAL REPORT

Andrea Light, Chief Director of Financial Services, said that she would present Stafford County's 2024 year-end unaudited financial results. She said that their general fund revenues had reached approximately $404.4 million, which is roughly 1.4% above their budget. She said that she would like to discuss a few items in detail. She said that their local non-property tax revenue was currently below the Fiscal Year 23 level by about $2 million, indicating a decline rather than growth.

Ms. Light said that similarly, their meals tax was also below budget by approximately $1 million, despite a 2.3% increase over Fiscal Year 23. She said that they anticipated continued scrutiny of these taxes as they approach the Fiscal Year 26 budget. She said that their real estate tax revenue exceeded budget expectations by over $1 million. She said that the change made to the tax rate in Calendar Year 24 should have brought in $7.6 million in additional revenue, which was not occurring.

Ms. Light said that this was not fully realized due to the growth in the unfunded state mandate for 100% disabled veterans, which was increasing at a rate of 30% annually. She said that the budget did not reflect that large of an increase. She said that they anticipated there would be an impact of about $7 million if the tax rate was maintained to the FY 25 budget. She said that as a result, staff recommended a temporary increase of about $5 million to their revenue stabilization reserves to mitigate potential shortfalls. She said that this reserve would provide a cushion, allowing the Board to make more manageable adjustments to the real estate tax rate if necessary.

Ms. Light said that they achieved approximately 4.5% savings in their general fund operating budgets for Fiscal Year 25. She said that their vacancy savings exceeded the budget by $7.6 million, largely due to a 16% increase in their overall salaries budget. She said that they experienced a 4% growth in new positions during Fiscal Year 24, which did not fill as quickly as expected. She said that additionally, their health insurance was over budget by approximately $1.3 million across all funds. She said that there was an increase in health insurance costs in Fiscal Year 25, and they expected it to remain a significant burden.

Ms. Light said that Volunteer Fire and Rescue savings for the year amounted to about 30% of their budget, or roughly $270,000, which would be allocated to the Fire and Rescue Volunteer Fund balance for future uses. She said that regarding their fund balance, they had approximately $20 million available for projects as part of the Board's adopted Fiscal Year 25 budget, with $11.4 million already planned for use. She said that the unassigned fund balance would be around 13% or $56.4 million. She said that the Board might recall that this year they adjusted the financial policies to maintain a fund balance range of 10% to 14%, and they were well within this range.

Ms. Light said that there was approximately an $8 million use of unassigned fund balance that was planned in the FY 25 budget. She said that revenue stabilization would be at $13.9 million if there was an agreement to include the $5 million for the unfunded mandates of the 100% disabled veterans to help soften any financial impacts for Fiscal Year 25. She said that the Volunteer Fire and Rescue's available fund balance for one-time capital projects at volunteer station one would increase by $269,000, bringing the total to just under $500,000.

Ms. Light said that all of these allocations would need to be returned to the Board for appropriation. She said that in other funds, regarding the Fire and Emergency Services levy, their real estate revenue came in just about $13000 under budget. She said that they were just under $1 million over budget for fuels tax. She said that water and sewer utilities fees were also coming in slightly above budget, as anticipated. She said that the finalization of school year-end expenditures was still pending.

Ms. Light said that they were currently assuming that all funds would be either fully expended or allocated to the fund balance for future purchases. She said that these results were preliminary and unaudited. She said that their auditors were expected to begin their work the following week and aim to complete the ACFR by December. She said that the general fund had year-end savings, which would enable them to meet all fund balance requirements as per their financial policies. She said that all other funds were projected to have positive results of operation.

Ms. Allen asked if Ms. Light could provide data regarding the changes between the initial assumptions and the final figures.

Ms. Light said that the sales tax was approximately $2 million less than expected, which was significant compared to FY 23, when it was approximately $4 million under budget. She said that the meals tax was $1 million under budget.

Ms. Allen said that if they added those together, it was essentially two pennies on the tax rate. She asked how they could anticipate the increases in 100% disabled veteran tax relief in the County so they could make better assumptions when creating their budget.

Ms. Light said that regarding the consumption taxes, this change in consumer behavior was happening across the United States, not just locally in Stafford. She said that nationwide, savings were dwindling and credit card use across the nation was increasing. She said that consequently, people's consumption behaviors were starting to change. She said that they needed to adjust their budget assumptions to account for these changes.

Ms. Light said that with the veterans, they collaborated closely with Mr. Mayausky’s group to monitor these changes frequently. She said that during reassessment years, such as the one they experienced that year, the veteran group's average home price was significantly higher, around $550,000, compared to their average home price of about $430,000. She said that when their assessments increased, it significantly impacted a larger portion of this population.

Ms. Allen asked if there was a way to include them in the assessment equation to help them bridge the gap.

Ms. Light said that they would continue to look at this issue with the Commissioner of the Revenue. She said that they would also monitor this issue with possibly more frequency since they had identified the need to address this issue now.

Dr. Yeung asked if Ms. Light could provide a mid-year update during a three-on-three or seven-on-seven session. She said that she wanted there to be no surprises at the end of the year and ensure everyone’s needs were met.

Mr. English said that this was a grim report. He said that the sales tax aspect was concerning because people were not buying, so the economy seemed like it was in decline. He said that there were no positive aspects to this report.

Ms. Light said that she did not believe it was quite grim; they were still moving towards a good place. She said that the fund balance increased by $1.8 million.

Mr. English said that he was mostly concerned with the sales tax because that slowdown indicated something was not right. He said that gas prices were coming down, which would help them a little bit, but prices in general were still unaffordable.

Ms. Light said that it was important to consider that in 2021, 2022, and 2023, their budget had infusions of federal dollars, so many people were receiving federal money and buying things they would be unable to purchase otherwise. She said that this inflated the sales tax revenues.

ITEM 5. CAPITAL PROJECTS TRANSPORTATION; R24-286; CONSIDER SUPPORTING CREATION OF REGIONAL TRANSPORTATION AUTHORITY (RTA)

Matt Lehane, Transportation Planning and Funding Manager, said that the packet provided the updated information previously presented by Mr. Ian Ollis of FAMPO. He said that there was a resolution in the packet that would adopt an update to their legislative agenda, which included support for a Regional Transit Authority (RTA).

Ms. Vanuch motioned, seconded by Mr. English, to deny proposed Resolution R24-286.

Mr. Diggs said that he supported the creation of a Regional Transit Authority because of the County's transportation needs and lack of revenues available to support them. He said that it was an initiative they would need to move the process forward.

Ms. Vanuch said that she was part of FAMO with Supervisors Gary and Bohmke, where they had discussed this topic in depth. She said that this was a good idea when all localities were interested in joining the RTA. She said that however, Spotsylvania, King George, and Caroline had all passed resolutions stating they did not wish to join the RTA. She said that this limited the RTA to just Stafford and the City of Fredericksburg.

Ms. Vanuch said that she had expressed this view multiple times, despite knowing her colleagues may not agree. She said that the RTA competed directly with the sales tax that would go to schools if the bill passed the General Assembly. She said that she could not support the RTA at this time, as it competed with the sales tax that would benefit schools. She said that the residents of Stafford were tightening their budgets, and it was not the right time for another tax, especially after significant real estate property tax increases over the past three years.

Ms. Vanuch said that the state and federal governments needed to do more to improve transit on I-95 and secure better funding. She said that they had received nearly $15 million to $18 million from the federal government this year for transportation projects. She said that she would continue to advocate for protecting the school funding from this specific sales tax area at the state level. She said that therefore, she was opposed to the RTA at this time.

Dr. Yeung said that she had also been in the FAMPO meetings regarding the RTA and had also recently spoken with Senator McPike. She said that he would not proceed unless Stafford County was supportive. She said that she wanted to understand the numbers better, particularly without Spotsylvania, King George, and Caroline Counties. She said that she was concerned that the benefits did not outweigh the disadvantages or the liability. She said that imposing another tax on her constituents at this time, she could not see the necessity. She said that she would not be voting for this.

Ms. Gary said that in summary, this item came down to differing perspectives. She said that the taxes that people paid should be used for services they utilized. She said that being fiscally conservative helped address fraud, waste, and abuse. She said that it was not always about where they were, but what the tax dollars were being used for. She said that continuing to rely on a changing model of Smart Scale was not in their best interest at this point. She said that they needed a new way of addressing their transportation issues, and they did not have what they needed to deal with it.

Ms. Gary said that if they did not do this, that may be a really bad decision. She said that she would not be voting in favor of the current motion, which was to deny it. She said that she supported the RTA and hoped it would come back. She said that there was an opt-in option that could be provided, and they could still do well if it was just Stafford and Fredericksburg. She said that she was disappointed that this was not being supported and looked at more closely for how it could improve the quality of their constituents' everyday lives.

Ms. Allen said that as Ms. Vanuch said, she was disappointed that other jurisdictions had not wanted to participate. She said that she understood their perspective; it made them more competitive, especially Spotsylvania, which had dedicated money towards transportation. She said that the fact that Stafford was not contributing enough funds this year was concerning. She asked Mr. Lehane how much funding they had dedicated to transportation this year.

Mr. Lehane said that the transportation fund generated about $14 million.

Ms. Allen asked if they had $300 million in projects.

Mr. Lehane said that that was correct.

Ms. Allen said that she wanted the public to understand that they had $300 million worth of projects, which were not simple road maintenance tasks; they were significant upgrades. She said that since the beginning of the school year, they had received numerous complaints regarding the risks associated with Telegraph Road. She said that they were putting up $14 million to deal with projects in excess of $50 million to $100 million. She said that she could not understand how it was in Stafford's best interest to refuse to join a Regional Transit Authority which could expand

and potentially include more jurisdictions. She said that an extra $4 million to put towards Onville Road would make a huge difference to the residents there, especially since people had already been hit by cars trying to cross the road.

Ms. Allen said that they did not fund their transportation nor join organizations in the area to help fund it, but they were still looking for a better handout. She said that the government was not going to give them a handout because they scored too low when competing against jurisdictions that had smaller budgets but were funding transportation at a greater rate than Stafford. She said that they should be ashamed that they were not doing more. She said that if they were not going to join an RTA, then they needed to fund their transportation projects more.

Ms. Gary made a substitute motion, seconded by Mr. Diggs, to approve proposed Resolution R24-286.

Ms. Bohmke asked what the full transportation budget was.

Mr. Lehane said that in terms of the CIP, the current budget was estimated to be between $250 million to $300 million. He said that they generated approximately $14 million in transportation funds this year. He said that approximately $5.5 million was from the fuels tax. He said that most of that went towards operations, including VRE, Fredericksburg Go, PRTC, and other services. He said that the rest of that amount was allocated towards capital projects and debt service.

Ms. Bohmke said that gas tax revenues across the nation were going down due to the increased usage of electric vehicles. She called the vote on the substitute motion to approve proposed Resolution R24-286.

The Voting Board tally was:
Yea: (3) Allen, Diggs, Gary
No: (4) Bohmke, English, Vanuch, Yeung

Ms. Bohmke called the vote on the original motion to deny proposed Resolution R24-286.

The Voting Board tally was:
Yea: (4) Bohmke, English, Vanuch, Yeung
No: (3) Allen, Diggs, Gary

ITEM 6. CAPITAL PROJECTS TRANSPORTATION; R24-299; CONSIDER A REQUEST FROM THE TRANSPORTATION IMPACT FEE ADVISORY COMMITTEE TO EXTEND ITS RECOMMENDATION DEADLINE

Mr. Lehane said that the Transportation Impact Fee Advisory Committee had requested an extension of 106 days, from September 22 to January 6, to meet the deadline for submission to the January 21 Board of Supervisors meeting. He said that the additional time would allow the committee to deliver more thorough, accurate, and specific recommendations to the Board.

Mr. Lehane said that it would also provide adequate time for staff to prepare additional information at the committee's request, allow adequate time to gather, interpret, and coalesce input from the residential and commercial development community, and allow adequate time to verify the data utilized to create the fees. He said that the Impact Fee Advisory Committee had voted last week 4-1 to approve this request for the extension to 106 days. He said that an additional request for 60 days had not been approved.

Ms. Allen asked if staff had any concerns about this proposed extension.

Ms. McClendon said that she would like to clarify that the extension requests would indeed present challenges in relation to the Planning Commission's recommendation. She said that the Board had a 90-day period to consider the comprehensive plan amendments following the Planning Commission's recommendation, which was made on August 28. She said that if the Impact Fee Advisory Committee sought additional time, they would have to submit the comprehensive plan amendments back to the Planning Commission for a public hearing before proceeding with the Board's review.

Ms. Vanuch asked if 60 days would give them enough time to do that.

Ms. McClendon said that the staff recommended that they keep this entire proposal on schedule until Monday, November 4. She said that this would allow the Impact Fee Advisory Committee to continue its work and ensure that it had the recommendation it could return to the Board before the matter went to public hearing.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve proposed Resolution R24-299 with the date of November 4.

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

CLOSED MEETING

At 9:34 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-26 to authorize closed session.

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

Resolution CM24-26 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefing by staff members pertaining to VDOT, Stafford County, and VRA, where such consultation and briefing in an open meeting would adversely affect the litigating posture of the Board, and (2) discussion concerning prospective business where no previous announcement has been made of the business interest in locating its facilities in the County, and (3) discussion and consideration of the disposition of County-owned property and entering into a contract where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Board ; and

WHEREAS, pursuant to Virginia Code § 2.2-3711 (A)(3), (A)(5), (A)(7), and (A)(29), such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of September, 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 9:57 p.m., Ms. Allen motioned, seconded by Ms. Gary, to adopt Resolution CM24-26(C) to certify the closed meeting.

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

Resolution CM24-26 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED

MEETING ON SEPTEMBER 17, 2024

WHEREAS, the Board has, on this the 17th day of September, 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 17th day of September, 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 approve proposed Resolution R24-309, a Resolution authorizing the County Administrator and the County Attorney to execute any and all documents necessary to settle *Commissioner of Highways for the Commonwealth of Virginia v. Stafford County Board of Supervisors and Virginia Resources Authorit*y, case number CL243110.

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

REPORTS BY BOARD MEMBERS

Dr. Yeung said that on September 26 at Porter Library, Mary Washington Healthcare and the Rappahannock Area Health District were conducting a community health assessment to examine health outcomes. She said that additionally, there was a VDOT update to Exit 143 Aquia Garrisonville to Exit 148 from Monday through Thursday, 9:00 p.m. to 4:30 a.m. She said that there would be varying single- and double-lane closures for bridge maintenance. She said that also, North Hampton Boulevard between Eustis and Mine Road was being resurfaced due to the Board of Supervisors' decision to utilize CMAQ and STBG.

Ms. Gary said that there would be an in-person public hearing that VPRA was holding tomorrow night at 5:30 p.m. to 7:00 p.m. at Conway Elementary. She said that this would affect residents in the southern part of her district when they had to take a detour some years out. She said that she encouraged people to attend if they were able. She said that she had constituents in the harbor who would be affected by Dominion's clear cutting on their easement.

Ms. Gary said that she had attended their meetings and wanted the Board to consider supporting a letter with what they had sent to the State Corporation Commission, requesting replanting of screening trees after trees were cleared. She said that some of them would have no trees in their backyard anymore. She said that for more information the Board members were welcome to follow up with her.

Mr. Diggs said that on September 25 at 6:00 p.m., he would be holding his third town hall at Stafford High School. He asked the members of the public to attend if they had any questions or concerns.

Ms. Bohmke said that she wanted to inform her constituents about the third rail project at Conway. She asked Ms. Gary if the timeframe for the meeting was 5:00 p.m. to 7:00 p.m. or 5:30 p.m. to 7:00 p.m.

Ms. Gary said that VPRA's social media stated that it would take place from 5:30 p.m. to 7:00 p.m., but she could reach out and confirm that.

Ms. Bohmke said that she had provided handouts of the material they had discussed at the three-on-three meeting to those who were not present. She said that at the FAMPO meeting the previous night, they had covered several significant topics. She said that they had developed a new prioritization methodology for CMAQ, STBG, and CR, which pertained to congestion remediation. She said that they had received an update on the river crossing and discussed the new travel demand model update and new projects. She said that they had discussed the possibility of a new post in Spotsylvania County, which may involve a river crossing.

Ms. Allen said that she was not present earlier in the meeting, so she wanted to congratulate Mr. Ashton and hoped that tonight was the first of many in their work serving Stafford County and having a great relationship.

Ms. Gary said that the Clerk confirmed that the VPRA meeting would be held from 5:30 p.m. to 7:00 p.m. on September 18.

Ms. Bohmke thanked Ms. Gary for the clarification.

ADJOURNMENT

At 10:04 p.m., Chair Bohmke adjourned the September 17, 2024, Stafford County Board of Supervisor's meeting.

William Ashton, II	Meg Bohmke
County Administrator	Chairman

Public Comment Form

COMPLETE #94

CREATED

PUBLIC
Sep 11th 2024, 7:02:40 pm

IP ADDRESS

71.171.110.238

* Name

Kim Gretsuk

* Address

310 Montera Avenue
Fredericksburg
VA
22406
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* Email

kvfg321@gmail.com

Election District

George Washington

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

Vulcan conditional use permit

* Online Comments:

Concerns about the number of additional trucks entering and exiting Rt 17 (in addition to the Belmont development).
Feel that way too many trucks are being added to Rt 17. We are already experiencing heavy truck traffic and adding more will create traffic nightmares, backups to 95 (which we finally got rid of with the local lanes opening), noise levels from the road (already hear traffic in our residential area off Celebrate parkway), hours of operation (needs to be limited). Also concerned that additional truck traffic will create problems with the new high school being built off route 17. Student drivers, school buses, etc arriving and departing when school is in session will make it difficult to navigate the area.
Also concerned for the Stafford County School located off Celebrate Pkwy. This is a special needs school. No consideration being made for the children who use playgrounds regarding excessive noise, air quality-pollution, etc. Too close to the school