

BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
WORK SESSION
September 24, 2024

CALL TO ORDER – A work session of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 5:00 p.m. on Tuesday, September 24, 2024 in Conference Room ABC, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

WORK SESSION ITEMS

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

Ms. Bohmke said that today was their work session to discuss the by-laws, code of performance, and all the proposed changes. She said that she wanted to thank Ms. McClendon and her team, Ms. Gary, and Dr. Yeung for their efforts on the committee to bring this forward. She said that she was glad that they were taking time at a work session to focus on this so they could move this forward with whatever additions and changes the Board would like.

Ms. Bohmke said that she would like to welcome Mr. Ashton to his first work session with the Board. She said that she understood that Ms. McClendon had a PowerPoint presentation. She said that if all Board members had read it, they could go review it page by page.

Mr. English said that some things were not redlined so it was unclear what had been changed.

Rysheda McClendon, County Attorney, said that the document had been reorganized substantially. She said that if they were to provide a redlined version, the entire document would have been lined. She said that she went through and listed the substantive changes in their PowerPoint presentation to show them what they were proposing or what the committee proposed for changes. She said

that the red section number then told them where in the new by-laws that provision would be. She said that if it was not in the substantive change, it just meant that it was not proposed to change from the old by-laws; it may be moving to a new location.

Ms. Vanuch said that she had reviewed the presentation and found it to be extremely helpful. She said that she compared the old and new by-laws section by section. She said that she would propose that they quickly go through each section, allowing Board members to ask questions or provide comments. She said that by keeping it brief, they could efficiently move through the presentation and discuss issues as they came up.

Ms. McClendon asked if Ms. Vanuch meant reviewing the section-by-section by-law changes in the PowerPoint.

Ms. Vanuch said that she was referring to the by-laws document. She said that for example, under Section 2.1, Item 4, was about establishing a regular meeting calendar for the year. She said that she would propose that the proposed holidays for County employees be presented at the annual Board meeting with a vote by the Board expected at the next regular meeting. She said that this was to avoid the situation that had happened the previous year, where the County Administrator had presented all the holidays and it was consent, and then suddenly they had voted on all these additional holidays without being aware.

Ms. Bohmke said that she did not believe it was on consent, but she thought where the tricky part was that Dr. Yeung was still the Chair, and then she came in as the new Chair. She said that the County Administrator had not run an additional Board item on the agenda by the former Chair because he was clerking that meeting. She said that this situation created a bit of awkwardness.

Ms. Bohmke said that he proposed holidays, but no one had the opportunity to talk about anything, and then they had to vote on it. She said that if they were considering proposing holidays or any other items, it would be beneficial to inform the previous Chair if there was going to be an item that needed to be on the agenda. She said that they should not rush to action unless it was an emergency situation; they could discuss and vote on it at the next meeting.

Ms. Vanuch said that that was a little different. She said that this comment was specific to the holiday calendar. She said that she was on page 4. She said that under Section 2.1, number four, she proposed adding a new Section C. She said that this section could specify that the holidays would be presented at the second meeting in January. She said that this approach allowed the chair to be established and provided an opportunity for Board members to review and address any issues beforehand, during the agenda review. She said that this way, there would be no surprises when the topic appeared on the agenda.

Donna Krauss said that she could refer to the before and after calendar, which showed that two additional holidays were added. She said that the current policy in Human Resources for holidays in the County was to follow the state calendar. She said that this policy was incorporated into their hiring practices, and most of the holidays that the County adopted were based on the state's calendar. She said that there may be some nuances that were addressed separately. She said that she was trying to distinguish between these two aspects because they had a policy that dictated this.

Ms. Vanuch said that she was attempting to address the County's half-scheduled days as part of holiday breaks.

Ms. McClendon said that those half-days were already addressed in their calendar as state holidays. She said that additional holidays would be separate from the Board's calendar. She said that if they decided to address this at their second meeting in January, that would be a B-day, so it would need to be a work session item or some type of presentation. She said that since there was no consent agenda on B-days, it would need to be scheduled for another day.

Ms. Gary asked if it was possible to include a note that any holidays deviating from the state calendar would be discussed with the previous Chair.

Mr. Ashton said that he would take his consideration of the January holidays, ensuring they remained in place, as they were state holidays.

Ms. McClendon said that the policy was that those would be approved with the County's set calendar every year. She said that for instance, there was an additional day off before the 4th of July and another around Christmas.

Ms. Krauss said that it was important to distinguish what was in their HR policies and the Board by-laws. She said that any changes requested by the Board were regarding their by-laws and separate from the HR policies.

Ms. Vanuch said that she wanted to ensure the County Administrator and the Chair of the Board had the opportunity to review holidays together and reach a consensus before they were publicized.

Ms. Bohmke said that her concern was regarding the actual timing. She said that several years ago, there was a period from December 31 to the date of their organizational meeting when they had no Chair. She said that while that had been resolved, she would like to know if it was stated that the County Administrator would coordinate with the outgoing Chair to ensure any outstanding items would be addressed at the organizational meeting.

Ms. McClendon said that it was enumerated in the Board's by-laws that the agenda would be established by the County Administrator in coordination with the Chairman.

Ms. Vanuch said that basically, the County Administrator had violated the by-laws last year. She said that he should have coordinated with Dr. Yeung regarding the agenda.

Ms. Gary said that they just needed to follow the by-laws.

Mr. Ashton said that to clarify, deviations from the state calendar or HR policy would be coordinated between him and the Chair before it was published on the agenda.

Ms. Allen said that she had some confusion regarding the incoming chair's role. She said that her question was about the coordination piece. She said that she wondered if the incoming Chair could simply decline to have it on the agenda, even though there would still be discussions around it at the Board level.

Ms. McClendon said that the by-laws stated that the current Chair would serve as Chair at the start of the organizational meeting. She said that last year, with Dr. Yeung as the Chair, she held that position until the organizational meeting, after which she was no longer Chair. She said that if a Chair was no longer a member of the Board, the Board had to appoint a member to fulfill that role in accordance with the by-laws or by using the Vice Chair. She said that essentially, they needed to anticipate this situation if there was not a Chair who would continue or a member who could serve until the organizational meeting.

Ms. Allen said that this was where she had confusion. She said that once the organizational meeting happened, the clerk was the current Chair until they elected the new one. She asked how they could have that conversation.

Ms. McClendon said that the clerk called the organizational meeting to order and oversaw the establishment of the Chairman. She said that that was all. She said that any conversations prior to that meeting should have been happening with the Chair from the previous year.

Ms. Allen said that what Ms. Vanuch had proposed was to have that conversation with the new Chair. She asked if she was requesting for the calendar to come back after their first meeting.

Ms. Vanuch said no. She said that they addressed it with Mr. Ashton's statement. She said that any deviation from the state's holidays had to be presented to the Chair prior to being put out on the public agenda, regardless of who the current chair was.

Ms. Allen asked how that was different from their current procedure.

Mr. Ashton said that it would be dependent on the timing of when it was presented to the Board.

Ms. Allen said that it did not make a difference because the Board still had to discuss it prior to voting on it.

Ms. Vanuch said that if the County Administrator was presenting changes, then the Chair would be responsible for informing the Board before it became public. She said that the Board would then have the opportunity to express their support or opposition to the changes, and request additional time if necessary.

Ms. Allen said that they would have that conversation as a whole Board.

Ms. Bohmke said that the Chair could talk to Board members separately.

Ms. Allen asked what would happen when the calendar was presented to the Board and Board members expressed disapproval of the two additional days. She asked what would happen to that calendar.

Ms. Vanuch said that her point was that it would not be on the public agenda because the County Administrator would inform the Chair before it got on the agenda.

Ms. Gary said that she understood the intent of the request; they did not have to actually change anything and just had to do what should be done. She said that it required communication and the understanding that the current Chair would contact Board members to discuss if there was Board support for it. She said that then, they would go forward with the County Administrator setting the agenda.

Ms. Allen asked what happened if the Chair did not say anything.

Ms. Vanuch said that she believed that as they moved forward in the preparation of the agenda, it would work itself out anyway.

Ms. McClendon asked for clarification that there was a change in the by-laws for that particular item.

Ms. Gary said no.

Ms. Vanuch said that in Section 3.1, which pertains to the preparation of the agenda, there was no specification regarding when the draft agenda should be presented to the Board. She said that they needed to establish a timeline, not a specific date, for when the draft agenda should be forwarded to the full Board of Supervisors. She said that this timeline should have been set a certain number of days prior to the Board meeting.

Ms. Bohmke said that it used to go out to the Board on Mondays, but everyone liked it going out on Fridays. She asked if staff had difficulty meeting that Friday deadline.

Ms. Krauss said that the current structure involved staff meeting with the County Administrator the day after the Board meeting, which was Wednesday. She said that on Thursday, they met with the entire leadership team to discuss all items, ensuring everything was in order for the Chair-Vice-Chair meeting scheduled for Thursday. She said that any changes that occurred during this meeting were addressed, and this was typically an afternoon meeting, lasting from 2:00 p.m. to 3:00 p.m. depending on the schedule. She said that they then sent the draft to the Board on Friday. She said that this was the established timeline.

Ms. Vanuch said that she would like to clarify this point in the document because later in the by-laws under Section 15F, it stated that if any Board member had any changes to the draft agenda on consent, they must notify the chairman within 72 hours, but it was not specified if it meant 72 hours after they received the draft agenda. She said that this applied to both regular meetings and committee meetings. She believed it would be beneficial if the entire Board received a draft of the committee meeting schedule.

Ms. Krauss said that the C-day structure was somewhat different because the items on the agenda were driven by current needs, including volume and discussion time. She said that Mr. Morris and she had organized these items, which were previously on a long list due to the lack of committee meetings. She said that as of now, C-day agendas were prepared for December and included budget matters. She said that the five-year financial planning process started on October 22. She said that this was acceptable, but these agendas were still being developed, and there was limited time to finalize them before the Board meeting. She said that everyone had received the agenda yesterday.

Ms. Vanuch said that they should be receiving the draft agenda for a committee meeting by at least the Friday before. She said that this way, if any member believed that an item was supposed to be on the agenda but was not, they would have the opportunity to contact the Chair and discuss the matter.

Ms. Krauss said that the challenge lay in the fact that those work session agendas were not items that were being requested by the Board. She said that for example, there was a tree canopy request.

She said that when the Board had a meeting and during their Board comments, if someone said they wanted to talk about tree canopies, and four Board members agreed, staff would gather information and bring the topic back in a work session. She said that the referral process originated from the Board meeting, but staff was then tasked with figuring out where to place that item, considering they currently had about 15 to 20 items and were preparing for the budget season.

Ms. Vanuch said that she believed that the Board should receive a draft agenda several days before the committee meeting. She said that they could collaborate to ensure that the agenda was well-coordinated. She said that she did not think it was necessary for them to dictate the agenda. She said that there should be a mutual understanding that they needed a plan of what would be on the agenda.

Ms. Vanuch said that this way, they could conduct their research and prepare for those items well in advance, rather than just 24 hours before. She said that she proposed that somewhere in the by-laws, it should be expected that the work session agenda should be presented to the Board, in draft form, no later than the Friday before the work session. She said that the date of the draft agenda for the regular Board meetings should be clearly stated in the by-laws as well.

Ms. Vanuch said that during her tenure as Chair, if the Chair and Vice Chair were in agenda review, they would review the draft agenda, the draft agenda would be sent out the following day on Friday. She said that any changes, whether they were additions or deletions, would be communicated via an email from the County Administrator to the full Board. She said that this practice had not been followed for several years, resulting in items appearing on the agenda that were not previously discussed in the Chair and Vice Chair meetings, catching everyone by surprise.

Ms. Vanuch said that she proposed that under Section 3.1, any additions or deletions to the draft agenda that were communicated to the Board should also be sent as a separate email to the entire Board. She said that this would highlight the changes, ensuring that everyone was informed and maintaining transparency. She said that this procedure would not prevent the addition of items but would ensure that all members were aware of any modifications to the agenda.

Ms. Krauss said that that happened today. She said that she had a conversation with the Chairman about an item that could be placed on the consent agenda because the agenda had not yet been published. She said that they discussed it with Mr. Ashton first, then asked the Chair if they could add it to the agenda.

Ms. Bohmke said that it was something that was non-controversial. She said that it was a small dollar item, but she understood the point because then it may be the one item that three Board

members were concerned about or wanted more information about, and as result, they would not have time until the full agenda was released.

Ms. Vanuch said that when a Board was divided, it may appear as though the Chair was aware of something that others were not, which could create unnecessary tension among Board members. She said that her recommendations were to address this issue and prevent such misunderstandings in the future.

Ms. Gary said that she suggested that they define a specific number of days in advance that would be considered sufficient notice.

Ms. Bohmke said that when she was out of town that weekend, she saw an email that someone had sent to one of the staff members, and had directly copied Julia, asking her what was on the work session agenda. She said that she texted her back because she happened to know that it was the by-laws. She said that in this instance, she was unaware of the contents of the agenda.

Ms. Allen said that there was no set timing for the Chair or Vice Chair; the timing was determined by the team for that particular year. She said that in this case, it was a late afternoon meeting. She said that staff needed enough time to prepare the information for the draft to be distributed. She said that since the Board had given consent for a timeframe, she suggested that it be done by the close of business. She said that she believed this would provide sufficient time for the information to be disseminated by Friday at 5:00 p.m.

Ms. Vanuch said that they could state that it would be 11 days before the regular Board meeting, so that when they got to Section 15f, the Board had a period of 72 hours to review the draft. She said that if anyone had an issue with the items that the Chair and the Vice Chair had included on the agenda, there were three days to review it and provide feedback to the staff.

Ms. Gary asked if they could phrase it to be in relation to the Chair and Vice Chair meeting rather than a set 11 days so they did not have to make more changes to the schedule in the future.

Ms. Vanuch said that it should be no later than 10 days before the regular Board meeting. She said that this ensured it was no later than 10 days before the regular Board meeting and also no later than three days before the work session.

Ms. Krauss said that regarding the work sessions, they had not effectively communicated their plan to the Board. She said that they had discussed it internally, but they needed to present it to the Board. She said that they had spent considerable time planning and had considered various aspects,

such as the time required, the information needed, and potential questions. She said that they had also discussed this with Mr. Ashton.

Ms. Krauss said that they would send a draft plan to the Board, outlining the work sessions through December, to provide a clear understanding of their plan and accomplishments. She said that this would allow the Board to assess if they were meeting their expectations. She said that if there were any concerns or questions, they could review their plan to ensure it aligned with the Board's requirements.

Ms. Bohmke said that that would be very helpful. She said that they were planning very far ahead.

Ms. McClendon said that they discussed the Board's agenda for the regular meetings. She asked if there was a timeline established for the work session agenda.

Ms. Vanuch said that it should be no later than three days prior to the work session.

Ms. Bohmke confirmed that there was consensus from the Board.

Ms. Vanuch said that they should not forget to send an email to the entire Board if anything was being added or deleted from the agenda after the draft.

Ms. Allen said that regarding the minutes section of the by-laws, she would like some clarification regarding the word choice of "adequate." She said that she knew that in the past year and a half, Board members had had issues with the accuracy of the minutes at times. She said that she would prefer a better word than "adequate."

Ms. Allen said that she was not saying that it was the intention of staff, but it seemed that they were suggesting that sufficient or bare minimum to translate. She said that Board members had complained about the minutes not being accurate. She said that it was a lot of stuff for them to go through, so she did not know if there was some way for them to change the wording for that. She said that she did not like the word "adequate."

Ms. McClendon said that she would recommend striking the word "adequate." She said that it was unnecessary and provisions 1 through 4 already provided what the Board was requesting to be included in the minutes. She said that these provisions ensured a recorded account of each vote taken, detailing how each Board member voted, along with the date, time, and location of the meeting. She said that they required the presence or absence of each Board member to be noted in the summary of the discussion on matters proposed, deliberated, or decided.

Ms. Allen asked if they could take out the word “adequate.”

Ms. McClendon said yes.

Ms. Bohmke confirmed there was Board consensus for that change. She said that she would like to remind everyone that it was their responsibility and duty to read the minutes before approving them, regardless of the meeting they were attending in this Commonwealth. She said that once they approved them, that meant that they had read them. She said that this was just a friendly reminder.

Ms. Vanuch said that she would like to make a point regarding section 4.13 on closed meetings. She said that there seemed to be a time limit for submitting requests to hold meetings in closed session. She said that she wanted to caution the Board about past instances where they had been sitting in Board meetings and said that they needed to talk about something in closed session, such as Board appointments that showed up in new business.

Ms. Vanuch said that this section would prohibit them from doing that. She said that she recommended maintaining the current procedure and not altering the requirement that requests must be submitted to the County Attorney by 10:00 a.m. She said that this was particularly important when dealing with controversial land use cases, as they may need to discuss them in closed session. She said that she believed they were limiting themselves unnecessarily on something that may require a time constraint.

Ms. Bohmke asked if staff could provide further clarification.

Ms. McClendon said that the goal was to facilitate better coordination when handling items before the Board. She said that if there was a legal necessity or an emergency that required a closed session, making changes was fine. She said that however, it would be more efficient to coordinate issues with appointments prior to the Board meeting. She said that this ensured that the closed session agenda and the item were appropriate.

Ms. McClendon said that since the closed session agenda was published, the public could be informed about what was being discussed. She said that during Board meetings, it was challenging to make changes to the agenda while the meeting was in progress. She said that for emergencies, this approach was acceptable, but for appointment items that may be controversial, it was advisable to coordinate in advance, allowing Board members and staff to prepare.

Ms. Allen said that doing this should not prevent them from being able to enter a closed session when an emergency deemed it necessary, such as in important land use situations that could not

be discussed publicly. She said that to her, it did not seem appropriate to limit this ability. She said that she was curious as to why they chose 10:00 a.m. and not perhaps a later time that day.

Ms. McClendon said that staff sent the closed session agenda to the Board, usually after their internal meeting to review the agenda. She said that by 10:00 a.m., they had enough time to go over the request, depending on its nature, to ensure it met all legal requirements. She said that sometimes, if requests required the approval of two Board members, they needed to make sure they met all necessary conditions. She said that afterward, they updated all the documents and agendas, as they were typically prepared prior to their 1:30 p.m. meeting. She said that this situation allowed her and her staff the opportunity to update everything.

Ms. Vanuch asked if they could find a compromise regarding the time staff had to present closed session items to the attorney. She said that while she understood that Ms. McClendon did not like the spontaneity of things that popped up in meetings, but it was just the nature of what they did. She said that sometimes things needed to go into closed session. She said that she was hesitant to commit to a schedule that required them to have requests ready before 10:00 a.m. the day before the meeting.

Ms. Vanuch said that if a request was made after this deadline, the item would only be considered for inclusion in closed meetings if it pertained to an emergency situation, was defined as time-sensitive, and was of significant consequence if waiting until the next Board meeting. She asked if a majority vote of the Board determined that threshold.

Ms. Gary said that they had discussed this matter, and it was difficult to determine how to include all types of emergencies in that language. She said that it was something that would have to be decided by the Board.

Ms. Vanuch said that they could vote to hold a closed session and if four Board members did not wish to hold it, they could vote against the closed session.

Ms. Gary said that they had discussed this in committee. She said that she understood the contingencies, but did not see that happening to this. She said that if there was something time-sensitive that needed to be discussed in closed session, they would go into closed session.

Ms. Vanuch said that this Board might do so, but she was referring to the governing by-laws.

Ms. Gary asked if Ms. McClendon had a recommendation.

Ms. McClendon said that she did not have any feedback, but she would like to note that if it was the Board's direction to make the change of Ms. Vanuch's request, the paragraph could be removed. She said that this issue did not govern staff; staff provided their closed session items well in advance. She said that they worked with staff on scheduling. She said that if the Board wanted to eliminate this provision, they could just strike that.

Ms. Gary asked if staff had encountered any situations where staff requested closed session discussions directly before meetings, necessitating the establishment of parameters.

Mr. English asked if this rule would apply to the County Administrator. He said that the County Administrator may have an item they want to bring to the Board on the same day.

Ms. Bohmke said that there was an item recently pertaining to a Board appointee, and she reached out to Ms. McClendon and asked her to prepare the resolutions both ways. She said that she did not have a lot of time to do it, but she did it.

Ms. Allen said that instead of saying, unless it was an emergency, which, as they noted, was nebulous to define, they could say "the exception being if the Chair approves it."

Ms. Bohmke said that she believed they should just strike the phrase.

Ms. Gary said that they should respect the legal department's time and provide them information in advance.

Ms. Vanuch said that she had concerns about Item 4, which pertained to the removal of the reconsideration of a vote if the vote was cast with the incorrect ticker. She said that she had witnessed this situation physically, where a Board member had voted with the knowledge of their choice, yet they did not like the outcome of the vote, so they said they voted with the wrong ticker in order to reconsider the vote.

Ms. Vanuch said that she believed the process of requiring a motion to reconsider the vote on the prevailing side was the appropriate procedure. She said that although it could be uncomfortable when mistakes occurred during voting, she thought this process ensured that votes were not easily changed, preventing undue pressure on the Chair to revote, whether due to an accidental vote or an intentional attempt to change the vote's outcome.

Ms. Bohmke asked if this was a new addition to their by-laws.

Ms. McClendon said yes. She said that there were some recommended changes made to the by-laws to help the Board address some of its procedural issues, and this was one of those.

Mr. Diggs asked what the issue was with reconsidering the vote.

Ms. Allen said that the issue brought up was that people may want to recast their vote depending on the outcome of the first vote, so they said they made a mistake when it was not a genuine mistake.

Ms. Bohmke said that her other concern was that if people were changing their votes on a land use issue, it could set them up for a lawsuit. She said that it was their responsibility to be very careful when they hit yes, no, or abstain.

Ms. Allen said that she had made the mistake before.

Ms. Vanuch said that they never had an issue with making a motion to reconsider so they had the prevailing side. She said that there had been instances where someone thought that it would get passed and say they hit the wrong thing. She said that it was better to just give a motion to reconsider, which the whole Board had to agree to. She said that they could move on from there. She said that she would recommend striking Item 4. She said that they would also remove Item 5.4B.

Mr. English said that in reference to motion to voting, it was mentioned in A1, a green light is yes and a red light means no. He said that nothing was mentioned regarding abstention. He said that abstentions also had to state the reason why, which he did not see mentioned.

Ms. Bohmke asked Ms. McClendon if they could add that yellow means abstain. She said that she also would like to clarify that on page 18, under public hearings, D and E, there was a reference to the BACC appointee being able to speak at a public hearing. She asked if that was state code.

Ms. McClendon said that that was in their current by-laws, and there had been instances when BACC members had spoken. She said that it had been their recommendation that if a BACC member wished to present their recommendation, they should seek approval from the Chair in advance. She said that if not, they may speak during the public comment period. She said that this was not an addition or a change to the by-laws.

Ms. Bohmke said that she believed that the BACC members should speak under the public comment period and not be a part of the public hearing process. She said that it could potentially sway the Board one way or the other and it did not feel right to her.

Ms. McClendon said that the BACCs they were discussing here would be one that aligned with the substantive item the Board was addressing in the public hearing. She said that it would be akin to inviting the Utilities Commission to speak on an item that was referred to the Utilities Commission by the Board. She said that it was not any BACC. She said that it was the BACC that may have considered the item.

Ms. Bohmke asked if it would potentially be a Planning Commission member.

Ms. McClendon said no. She said that it was not anything special for BACC members. She said that it was primarily concerning the item that was currently before the Board if they considered it.

Ms. Bohmke asked if that could be clarified in the document language.

Mike Morris, Deputy County Administrator, said that his understanding was that it was only that the Board may ask questions of that member and they did not just get to present.

Ms. Allen said that it was only direct questions.

Ms. McClendon said that the decision largely depended on the Chairman, who oversaw the public hearing. She said that if the Chairman decided to recognize a BACC member for a presentation, which would be arranged in advance, the Chairman would acknowledge the BACC member for the presentation. She said that in the case of questions from the Board members, the Chairman would permit the Board members to ask the BACC member questions, and the BACC member would answer.

Ms. Vanuch asked if they could state that if the BACC member was going to give a presentation, the Chair must approve.

Mr. English asked if they were speaking on behalf of their committee. He asked if they chose to spoke as a private citizen, would they state that they were part of a BACC.

Ms. Bohmke said that they could. She said that they were only one single member. She said that if the committee voted a certain way and they were on the dissenting side, that was their right to come speak.

Ms. Allen said that if the committee had pertinent information, the Board could request them to come talk to them as opposed to an individual member.

Ms. Vanuch said that all they had to say that it was approved by the Chair ahead of time.

Ms. Allen said that regarding Section C, she wanted to know what comments they were withholding. She asked if they had thoughts on a land use matter that they should wait to make comments on until after Board discussion.

Ms. McClendon said that this was in their current by-laws. She said that they were being a very strict follower of Robert's rules. She said that the Board members should not engage in debate and discussion until there was a motion on the floor. She said that a lot of the questions and commentary that occurred when there was no motion on the floor was outside of Robert's purview, but that had been the Board's practice and that was the way they had been operating.

Ms. Vanuch said that there was a typo under Section 4.12. She said that under public hearings, it read "A, B, C, C, D, E," and it should read "A, B, C, D, E, F."

Ms. Bohmke asked where it was located in the document that if a Board member was going to be participating remotely that they must notify the Board Chair. She asked when they needed to notify the Board Chair. She asked if it would be beneficial to put in language that gave staff enough advance notice to prepare for the virtual participation.

Ms. Krauss said that any advance notice was helpful so they could ensure everything was functioning correctly, whether they preferred to communicate by phone only or if they wished to be seen virtually.

Ms. Allen said that it would be beneficial to have a standard period of notification time, regardless of method of participation.

Ms. Vanuch said that she was aware of instances where other members had experienced a family emergency, but they still wanted to participate, so they called in via phone. She said that as a Board, they needed to be flexible. She said that she understood that it was challenging for the staff, but she felt that they should try their best to coordinate in those extenuating circumstances.

Ms. Allen said that they should notify staff as soon as possible.

Ms. Vanuch suggested that Item 5.3 in their current by-laws was acceptable as it stated no member could speak a second time on a motion until every member who was designated to speak had had the opportunity to do so once. She said that when several Board members desired to speak or there was a lot of discussion on an item, the new language stated that "the Chairman should systematically call Board members to speak." She said that she proposed that the Chairman should

call them in the order they had requested to speak. She said that this would ensure that everyone had a chance to contribute, rather than someone potentially speaking over others.

Ms. Vanuch said that that she had two other suggestions. She said that if an issue was within the district of a particular supervisor, the Chairman should defer to that supervisor to make the motion first. She said that she proposed that the Chairman should recognize the supervisor whose district the item pertains to. She said that this would provide clarity and ensure that the appropriate representative was given the opportunity to make a motion. She said that if the supervisor declined to make a motion, the floor would then open up for discussion.

Ms. Allen said that someone could still be undercut with a substitute motion.

Ms. Vanuch said that she acknowledged that they could make a substitute, but the Chair should always recognize the supervisor whose district an item pertained to. She said that it had been a long-standing practice that was abandoned last year. She said that the Chair had always deferred to the supervisor in whose district it was located. She said that for instance, when it came to Supervisor Bohmke's district, the Chair would ask, "Supervisor Bohmke, how would you like to proceed?" She said that after that, the matter was debated, but the Chair should give deference to the supervisor to make the motion.

Ms. Vanuch said that she believed they should also clarify in the by-laws that the Chair should first call on the person who made the motion for comment, followed by the person who seconded it. She said that this would allow the Chair to ask if they would like to discuss their reason for making the motion. She said that if others wished to speak, they could, but the Chair should manage the discussion to ensure it proceeded efficiently.

Ms. Vanuch said that currently, the Chair often spoke last, which could lead to a backlog of discussion as people waited for their turn. She said that by spelling out these guidelines into the by-laws, they could streamline the process, allowing the Chair to summarize the discussion and facilitate a quicker decision-making process.

Ms. Allen said that she personally disagreed with this approach. She said that she did not believe they should, particularly if there was a Chair that might become contentious in the future, they did not want it to have the last opportunity to speak, especially if it might weaponize its podium. She said that she disagreed with the idea of giving a Chair the last chance to speak, as she felt it limited people's ability to speak. She said that instead, she would be in favor of allowing every person two turns to speak, but she did not want to dictate in their by-laws the order in which people spoke.

Ms. Bohmke said that she did not believe it was about the order of speaking.

Ms. Allen said that although they had previously agreed that the person who motions should speak first, there were instances where individuals may not wish to speak first. She said that the person who motioned may want to gather their thoughts before speaking or hear others comments before making closing arguments.

Ms. McClendon said that, according to Robert's Rules of Order, the person who makes the motion should speak on the motion first and then their second. She said that this rule was outlined in Robert's Rules of Order.

Ms. Gary said that she wholeheartedly agreed with the intention of this initiative and sincerely appreciated the idea of having the representative from the district in question be the one to motion. She said that turning practice into policy may not be necessary here. She said that the Chair, whoever they may be, should have the flexibility to run the meeting according to their discretion. She said that the Board majority elected the chair, so that was sufficient.

Ms. Vanuch said that the Chair was required to run the meeting by the by-laws and by Robert's Rules of Order. She said that her suggestion was to put into writing the Robert's Rules of Order here to be very clear on how the meetings should be run.

Ms. Gary asked if it was Robert's Rules of Order for the Chair to speak last.

Ms. Vanuch said that it was the motioner, then the seconder, then the Chair.

Ms. Gary said that it was a practice that they did not need to put in the by-laws. She said that she thought if that was something the current Chair wanted to do, that was great. She said that they should have some flexibility for the person currently chairing.

Ms. Bohmke said that in reality, as the Chair, she was constantly thinking and observing her colleagues to see who wanted to speak and who had a comment. She said that consequently, it became inherent that she, as the Chair, always spoke last. She said that they did not need to hear the Chair speaking first all the time; she found it rude. She said that it was her responsibility to hear from her colleagues, and she always spoke last.

Ms. Bohmke said that it was challenging because she wanted to express her thoughts, either to agree or politely disagree with someone, but she always saved her comments until the very end. She said that this approach was because she believed that if the Chair got involved in the conversation with all the colleagues, the meeting may become disorganized.

Mr. English said that he did not believe the Chair should have the final say if it was within someone's district. He said that it was just rude. He said that if he had proposed a motion that he wanted to see implemented, and then it went round robin, and the Chair, whoever that may be, was the last to speak, it could potentially change the outcome of the vote. He said that he did not feel comfortable with this. He said that he believed the last person to speak should be the district supervisor, whoever that may be. He said that in his opinion, if the chair wanted to speak, they should do so before anyone else. He said that if issues continued to arise, and they called the question, he was unsure of the procedure.

Ms. Vanuch said that that procedure was in the document. She said that to clarify, everyone had the chance to speak once. She said that the Chair would not be trying to flip the vote in someone else's district. She said that the person who made the motion would speak first, the second would go next, and the whole Board had the opportunity to speak. She said that once the Chair went last, if it was in someone's district and they wanted to speak on it again, they could continue the discussion.

Ms. McClendon said that in response to Mr. English's question, on page 21, Section 5.3e, referring to the motion to call the question, this was the appropriate motion after everyone who wanted to speak on the motion had spoken at least once.

Mr. English asked if a vote was required to call the question.

Ms. McClendon said that the call to question was essentially a motion because it halted all further discussion. She said that the Board had to vote to stop discussing it.

Mr. English asked if the Board could continue to discuss the item if the vote to call the question failed.

Ms. McClendon said that if they called the question and everyone had spoken once, the Chair should recognize it, and after the motion was seconded, immediately should halt debate. She said that if the motion passed, all debate stopped and they would take up the original motion.

Ms. Allen said that she supported following Robert's Rules and allowing the supervisors who motioned and seconded to speak first and second, but she did not support the Chair speaking last unless it was an item in their district.

Ms. Bohmke said that even after the Chair speaks, other Board members were still permitted to raise their hands and share additional comments.

Ms. Vanuch said that it was the responsibility of the Chair to manage the meeting effectively, which included calling on colleagues to speak and summarizing their own thoughts at the end. She said that as the Chair, one should not prioritize speaking first or third but rather ensure that all voices were heard. She said that if a statement made by the Chair was not well-received by a colleague, it was appropriate for them to express their differing opinion and for the Chair to respond as well. She said that the Board members should have the opportunity to speak again, with the discussion continuing until a question was called by someone other than the Chair. She said that the decision should then be made by a two-thirds majority vote.

Ms. Gary said that it seemed unnecessary to include in the by-laws.

Mr. Diggs said that after listening to the discussion, he did not believe it was necessary to include it. He said that he agreed with the first part. He said that if they could continue to speak, he did not understand why they would limit themselves in that way.

Ms. Bohmke said that there was Board consensus to include Robert's Rules. She said that there was not support for the Chair to speak last, but in reality, that was kind of what happened. She said that there could still be other debate.

Ms. Allen said that they did not need it to be codified.

Ms. Vanuch said that as a housekeeping item, it was noted that Section 5.4B would also be removed under the reconsideration of the vote section.

Ms. Bohmke said that given that the schools were their largest partner agency, it would be beneficial whenever they attended the three-on-three committee meetings to ensure that the information from these meetings was shared with the Board members. She said that this was particularly important as they may not see their Capital Improvement Plan (CIP) until November, with the approval likely happening in October.

Ms. Bohmke said that it was crucial for the Chair of the committee, who would also be the Chair of the Board, to distribute the information from the three-on-three meetings to the Board members. She said that there was a significant amount of information discussed in the last meeting, which is why she requested staff to make copies of the handout for everyone's reference.

Mr. English said that he was aware that this may not be included in the current document. He said that he was considering whether they should establish a three-on-three committee with the School Board. He said that this would demonstrate their commitment to working with them and not attempting to exclude them, and would be written in their by-laws to be required each year.

Ms. Bohmke said that she liked the idea. She said that however, if there was a situation in which the schools did not want to do it, then that was on them.

Ms. Vanuch said that if it was in their by-laws, then they would be violating their by-laws.

Ms. Allen said that if the Board nominated three members to serve, then they would not be violating their own by-laws.

Ms. McClendon said that the Board could not compel or command the School Board, but they could establish the Board's side of the three-on-three as a regular committee of the Board. She said that this would allow for the opportunity to appoint to it annually.

Ms. Vanuch said that she saw there were three regular committees listed. She said that there was the legislative committee, by-laws committee, and the workforce and affordable housing committee. She said that she was uncertain about how they would handle the School Board three-on-three scenario, as she believed it was somewhat different. She said that she was okay with the legislative committee disbanding and coming to the Board during work sessions. She said that this approach allowed for legislative updates to be presented to the Board in a timelier manner.

Ms. Vanuch said that she saw the by-laws committee as potentially necessary, as it may not always be required unless the Board wished to update the by-laws. She said that the workforce and affordable housing committee may face challenges in securing the necessary votes for by-laws. She said that the intention behind this proposal was to avoid excluding any committee work and to bring all matters to the attention of the entire Board, rather than confining discussions to smaller committees. She said that she did not know why they were still going down the committee track.

Ms. Bohmke said that she liked the idea of disbanding all of them. She said that the legislative committee had faced difficulty because they did not have enough time at their meetings to review all of the necessary information efficiently. She said that Mr. Toigo was up to speed on everything happening and working with their lobbyist. She said that their legislative initiative should be shared more with the public. She said that she did not feel that they needed to do that anymore. She said that the by-laws committee was always an ad hoc committee because they only would meet when they needed to. She asked when the committees were last updated.

Ms. McClendon said that they were last updated in 2022.

Ms. Bohmke said that if there was a consensus among Board members that three issues, ten issues, or any other number of issues needed to be changed, they could present it to the Board using one

of their A, B, or C structures. She said that the same was true of the workforce and affordable housing committee, as it was a nationwide issue.

Mr. English said that they discussed some of that issue at GWRC last night. He said that they had someone who was working on eviction prevention. He said that he thought it was a great idea for a committee, but it may be better for the whole Board to be involved in a work session. He said that GWRC had recently received funding for eviction prevention and were working on workforce housing. He said that they may be able to collaborate with them.

Ms. Gary said that regarding the ad hoc committee from last year, it reviewed a lot of the information from GWRC. She said that some of that information was also used in 2021 for the comprehensive plan, and several Board members voted for that. She said that they supported the recommendation for that comprehensive plan, which discussed the issues GWRC had addressed in their studies for affordable housing.

Ms. Gary said that they recommended it to the Board of Supervisors, and Supervisors English, Bohmke, and Vanuch all voted in support of it. She said that she did not know if they had made adequate progress on because people continued to struggle severely with rent. She said that the numbers were all there, and the Board members all agreed to do something about it, but she questioned what they were actually doing. She said that she understood relying on GWRC, but they needed to do their own work in Stafford County to ensure they had affordable housing for people.

Ms. Gary said that there were big ideas that people wanted to do, such as bringing in Buc-ee's, but there were no places for people to live and sell beaver nuggets in Stafford County. She said that it would create more traffic issues and all kinds of things. She said that they could not even talk about a lot of the other things they wanted to talk about until they dealt with the housing piece, and it was not going to get any better. She said that she believed that they needed this committee.

Mr. English said that he agreed with Ms. Gary. He said he believed it would be better if they all participated in a work session, because it put a lot of work on staff when they had not yet defined what affordable housing was. He said that he did not believe the work required a committee; it required a work session of the Board.

Ms. Gary said that a lot of what they talked about in their ad hoc committee included those definitions and if they needed to reframe them outside of just 30% of one's income. She said that the committee could do that granular work that GWRC would not do. She said that if they wanted to solve their problems, they had to deal with some of those things.

Ms. Bohmke said that they needed to remember that affordable housing was another issue that they needed to address in Stafford County. She said that this issue was not unique to their county, as it was a common problem nationwide. She said that affordable housing should be brought to the Board in a piecemeal manner, as they currently had limited staff. She said that they needed to consider their transportation, schools, utility issues, and land use cases.

Ms. Bohmke said that they also needed to assess whether they had developers and workforce members capable of securing funds at the banks, even if the rates were currently high. She said that they should be prepared to take action in the future if the rates decreased. She said that understanding the complexities of tax credits and other aspects of transactions was crucial. She said that nothing would be accomplished overnight. She said that she would appreciate it if Mr. Ashton could share any information he had about these projects.

Mr. Ashton said that it was a very complicated topic. He said that it was going to take them a while because it was going to be a component of their zoning ordinance. He said that it was going to require some changes. He said that as part of this, they would need a housing arm that managed these initiatives to ensure that developers qualified the appropriate individuals for the developments. He said that Virginia Housing had many resources. He said that he had set up three seminars for his past council and citizens interested in the topic. He said that he had invited state legislators who had significant experience in this area, as well as builders who worked in the space, to educate and lay the groundwork.

Mr. Ashton said that he believed this would be a consulting effort to create a roadmap from the beginning to the desired outcome. He said that the Board would need to make the strategic decisions about where they wanted to go with that. He said that it was likely to be a years-long endeavor, not a months-long one, to start assembling the necessary pieces. He said that affordable housing builders could access advantageous interest rates and leverage federal funding to help reach the desired goals, but it ultimately depended on the goals of the Board and the community.

Mr. Diggs said that his concern, based on his experiences in the community and discussions, was how this issue could be addressed by the Board regularly. He said that some citizens expressed concern that progress was not being made and that available programs were not being utilized. He said that if they decided to eliminate the committee and conduct work sessions instead, there must be a consistent schedule to demonstrate that progress was being made and that the public could observe this progress. He said that he was worried that this issue might get overshadowed by other ongoing matters. He said that they had 18 items already, so this was his sole concern.

Ms. Allen said that she agreed with Mr. Diggs. She said that if they were considering disbanding the committee and moving it to an entire Board work session, she wanted to ensure that they were

doing so in good faith. She said that reflecting on their previous experiences, they had not. She said that when they attempted to address this issue as a full Board, some individuals were reluctant to participate in discussions about affordable housing.

Ms. Allen said that it was not about personal preferences; it was about who was involved in the process to reach their goals. She said that she was willing to remove the committee if she was confident that people would set aside their personal opinions and genuinely engage with the information provided by staff and the invited participants, rather than selectively choosing who they wanted to hear from. She said that she was not sure if she could trust that they would do that.

Ms. Gary asked Ms. Allen if she was aware of any affordable housing communities in her district that were nearing the end of their period of affordability.

Ms. Allen said that she was not aware of any.

Ms. Gary said that she knew of several. She said that this committee could be one that the Board served on it or created an advisory committee composed of community members, but she believed that something needed to happen so they made consistent progress with providing affordable housing. She said that she did not believe that saying that they would bring it back in work sessions was sufficient.

Ms. Vanuch said that in order to accomplish anything, it would require coordination at the federal, state, and local levels. She said that having it addressed by a tiny committee with only two or three Board members would not achieve consensus among the Board members. She said that first, they needed to establish their priorities. She said that for instance, what the Board wanted to address regarding affordable housing, what opportunities they were looking to capitalize on, and identify the community's weak areas and how they planned to address those specific needs brought forward by constituents.

Ms. Vanuch said that the only way to do this was with the entire Board's attention during work sessions, not in committees. She said that this was why she believed it was crucial that if an issue was of importance, it should be discussed when the entire Board was present. She said that otherwise, they risked not paying attention to it. She also said that according to the by-laws, there would be no meeting minutes of Board committees, which reduced public transparency. She said that this was why she advocated for addressing it during full Board sessions.

Ms. Vanuch said that she would not oppose discussing this further at their Board retreat, exploring how they could engage with federal and state stakeholders to secure grants for firefighters, teachers, etcetera. She said that there were areas of agreement that they could find common ground

on, but they also needed to be aware of areas that may be contentious. She said that these decisions should be made by the full Board, not just a few individuals, to ensure transparency with the community and their involvement in the areas of importance.

Ms. Allen said that in that case, they should consider eliminating all committees, including the by-laws committee.

Ms. Krauss said that from the staff perspective, Mr. Morris and she had attended almost every workforce and affordable housing committee meeting. She said that the team had done an excellent job of setting the stage and creating a plan with some immediate, low-hanging fruit that they could implement. She said that there were also some longer-term initiatives that they needed to consider, as Ms. Vanuch had pointed out. She said that they needed to involve other stakeholders at the state and federal levels. She said that regarding the GWRC, they were very aggressive in their plans to address affordable housing, but their plans were regionally based and not entirely Stafford-specific.

Ms. Krauss said that they could extract parts of their plan and integrate them into their own, should the committee decide to disband. She said that if the full Board gave staff the responsibility to integrate this topic into the work sessions, they could plan it out and set a course moving forward. She said that they were committed to looking ahead and planning for the work that needed to be done. She said that there was a lot of work ahead, and they needed to consider how they could best utilize their staff to meet these challenges. She said that if the Board expected them to plan this out, they were ready to meet that expectation.

Ms. Gary asked if staff had a preference for this being addressed in committee or in work sessions with the full Board.

Ms. Krauss said that she believed there were pros and cons to both approaches. She said that one disadvantage of working solely within the committee was that they might have to present their case to the entire Board, as the Board needed to hear this information to move forward. She said that the committee was well-informed, with many speakers addressing various topics. She said that the rest of the Board was not as informed. She said that they attempted to capture this in a report, but it may not be as informative.

Ms. Krauss said that to initiate progress, if the Board was committed, this process would take years. She said that it was not just about the current moment but also about what they could do now. She said that if they could educate the entire Board and gain their buy-in on their priorities, they could start making progress. She said that they could also revisit this issue at the advance

meeting and delve deeper, as that would take several months. She said that that the committee did great work, but ultimately, they had to come back to the full Board.

Ms. Gary said that she was personally in favor of revisiting this issue at the advance meeting and provide some recommendations on what that could entail. She said that she would appreciate it if their Board could align on what specific component they should focus on. She said that while it was essential to consider housing as a whole, she personally believed their focus should be on workforce housing. She said that they should discuss this further at the next meeting and then decide on the way forward.

Mr. English said that if they committed to this, he suggested that they hold regular work sessions. He said that by-laws and legislation were different than issue. He said that he did not believe that they should be putting it on staff to present work to the committee and to the full Board.

Ms. Bohmke said that she felt she was not much further along with the affordable housing issue. She said that as someone not on the committee, she did not focus on it as much due to other responsibilities. She said that by addressing it as a Board, they could have a meaningful discussion and make decisions. She said that they could decide where to start, whether to move forward, and what it would take. She said that they could also discuss the Board's intentions. She said that she thought it required a commitment from the entire Board, not just the committee.

Ms. Gary asked how Mr. Toigo and the lobbyist would be updating the Board members if they chose to disband the legislative committee.

Mr. Morris said that Mr. Toigo and he had this conversation last week. He said that he asked Mr. Toigo's opinion on the matter. He said that he had already begun to communicate more with the entire Board. He said that from his perspective, it would be beneficial for the entire Board to be engaged, as opposed to just a committee.

Mr. Morris said that this approach aligned with Ms. Krauss' views on other items; they had to present to the entire Board regardless of the committees. He said that he thought communicating with the entire Board would provide an advantage. He said that he acknowledged that this created an additional step for him, but from his perspective, having his office and Advantus communicating with the whole Board may be more effective.

Mr. Diggs said that what he was hearing was that they should get rid of all committees. He said that they could give the whole Board all the information and ensure they had a consistent schedule with affordable housing.

Ms. McClendon asked if they should remove the provisions for special committees, or allow the creation of special committees when the Board deemed it necessary.

Ms. Bohmke asked if Ms. McClendon was referring to ad hoc committees.

Ms. McClendon said under the new by-laws, the composition of special committees would change, and everything else would remain the same.

Ms. Vanuch said that by-laws could fall under the Chair's purview, and similarly, legislative matters could be addressed by the Chair if there was a hot button topic that required more regular updates. She said that in such cases, the Chair could establish a special ad hoc committee to handle unfunded mandates on legislation. She said that once the issue was resolved in the General Assembly, the committee would disband, simplifying the process. She said that when she first joined the Board, she had been part of the legislative committee every year, but they did not provide regular updates to the full Board.

Ms. Vanuch said that it was primarily the Chair's responsibility to brief the Board. She said that Mr. Toigo had since become more engaged with lobbyists and understood how to get things across the finish line. She said that Advantus had done an excellent job of disseminating reports, such as those from the school JLARC studies, and communicating timely issues to all members. She said that it seemed appropriate to pull back from individual Board members and allow Mr. Toigo to inform them as needed.

Ms. Allen said that she suggested that because these committees were so specialized, to ensure that they were proactive and not just addressing issues once a year or even less frequently, perhaps they could consider having biannual or quarterly updates within their committee meetings about those committees as they prepared for the schedule in 2025. She said that this way, they could keep themselves informed and address any concerns promptly.

Mr. Morris said that he believed, as Ms. Krauss had mentioned earlier, that they would start to provide the Board with a draft, possibly a two or three-month preview of what was forthcoming in their work sessions. He said that as they planned this, they aimed to have a work session on affordable housing every quarter or every four months, whichever the Board preferred.

Ms. Allen said that she wanted to ensure they were not just addressing it once per year.

Ms. Krauss said that for legislative, that was never going to happen. She said that Mr. Toigo was currently providing weekly updates.

Ms. Allen said that in the event that they did not have a very active session, she wanted to make sure they still kept regular work sessions to discuss these important issues.

Ms. Gary said that the operational tempo for the three committees was different, so the schedules were different. She said that she would appreciate if the Board could commit to discussing housing on a quarterly basis at a work session.

Ms. Krauss asked if they had addressed the Public Safety Memorial Committee.

Ms. Vanuch said that that was an ad hoc committee.

Ms. Krauss said that it was a BACC, so she wanted to make sure it was addressed. She asked if they had addressed the three-on-three in their discussion.

Ms. McClendon said that if regular committees were removed, she would review the by-laws to identify another section where they could express the Board's commitment to the three-on-three. She said that she needed to determine the appropriate location for this language.

Ms. Gary asked if the Chair would poll the Board to removing these committees and committing to quarterly meetings about housing during their work sessions.

Ms. Vanuch asked how they would be communicating these housing work sessions to the public. She asked how they would schedule work sessions if an issue required meetings on a more frequent basis.

Ms. Gary said that she did not want the topic removed because it would be disregarded in favor of other priorities. She said that it was important that they make a commitment to affordable housing.

Ms. Bohmke said that Board members had agreed that they had a commitment to it. She said that she thought they were telling staff that they wanted to meet quarterly on something where staff may not have sufficient information to even warrant a work session.

Ms. Allen said that she suggested they hold a meeting at least every four months to assess and discuss the suggestions from the committee. She said that they had talked about low-hanging fruit that they could be tackling as a Board. She asked if there was enough work for them to discuss in quarterly work sessions. She said that if not, they should communicate that to the Chair and propose revisiting the topic in a few sessions.

Ms. Allen said that it was all about communication. She said that while transportation and land use were always high priorities, she believed they should also consistently address housing development issues. She said that a quarterly approach would help them track progress and address challenges. She said that it would not be helpful to only meet once per year to discuss a year's worth of issues.

Ms. Bohmke said that she would like to ask Mr. Ashton, as the new County Administrator, what his thoughts were on this matter. She said that as the County Administrator worked for all seven Board members, it was their responsibility to share with him their priority. She said that he had heard this from all of them, except for Dr. Yeung, who was not present. She said that it was challenging to understand the benefit of meeting quarterly, as staff provided them with information as it became available. She said that they were aware that this was a priority, and they knew that it would not happen overnight. She said that it would be a steady race.

Mr. Ashton said that he was just jotting down a question for high-priority items, such as education, transportation, housing, etcetera. He said that he wanted to see how the staff was driving it and who was responsible on staff for pushing those priorities forward. He said that there was a lot of talk, but he wanted to see what cohesive plans to push it forward and get things in front of the Board at some point. He said that it was challenging to determine the reporting cadence when it was unclear who was responsible for reporting and what they were reporting on. He said that he was also unsure of their plan to gather more information to refine their priorities as they progressed.

Ms. Bohmke said that during their one-on-one meetings, she hoped that he would continue this practice, as they had seen other County Administrators do. She said that these meetings were very beneficial. She said that it would be great if he could provide Board members with updates on the current happenings in the housing world. She said that she would like to know what initiatives were being undertaken and what the staff was working on.

Mr. Ashton said that they could certainly do that, but he believed they would eventually require guidance from the governing body.

Ms. Bohmke said that she was saying they should do that in the interim.

Ms. Gary said that the last comprehensive plan that was approved contained several action items, each assigned to responsible entities such as Planning and Zoning, Planning Commission, and Board of Supervisors. She said that there were seven items listed, with three currently ongoing. She said that one had a completion date set for 2022, while the remaining four were expected to be completed by 2025.

Ms. Gary said that she was confident that Mr. Ashton could address these items and provide an update. She said that they also needed to commit to regular meetings to review progress. She said that currently, there seemed to be no such commitment, and she was not in favor of removing this as a committee responsibility. She asked if there was a possibility of polling to identify members who were available to meet quarterly to discuss this.

Mr. English said that he believed that Ms. Gary should be the member to bring new information forward to the Board.

Ms. Gary said that that was fair. She said that the Board had already established a comprehensive plan and directed staff to carry out specific tasks. She said that since that plan was already in place, she believed that Ms. Ashton could stay on top of it and report back to them. She said that she was simply requesting that the Board agree to meet regularly in work sessions to receive those updates and provide feedback and guidance.

Ms. Allen said that they could have biannual meetings as a compromise because twice a year they had an idea of what was happening and what actions they might need to consider taking or what practices they might need to change in zoning to help. She said that they should be honest about this. She said that she was willing to consider biannual meetings as a compromise was because it appeared that they would not be having four. She said that she would urge the supervisors to reflect on the past 12 months and consider how many of them had actually brought something to staff about housing that was not on the committee's agenda to address housing.

Ms. Allen said that this was the issue at hand. She said that these issues had not only persisted but had worsened. She said that she was not asking for the committee's presence. She said that she was advocating for at least biannual engagement between the Board and staff. She said that during these meetings, staff should report back with initiatives they were working on, such as zoning changes or housing projects, and request funding for these initiatives. She said that without a clear directive, staff could not provide measurable outcomes for them to achieve their goals.

Ms. Vanuch said that she would like to offer a recommendation. She said that they were attempting to prioritize before establishing a clear understanding. She said that in terms of timelines, she suggested that the most valuable approach was for each Board member to engage in discussions with Mr. Ashton regarding their concerns and opportunities related to affordable housing. She said that Mr. Ashton could assist in finding synergy, allowing them to develop a plan based on shared objectives.

Ms. Vanuch said that this way, they could avoid talking past each other, as they had not yet reached a consensus on the priority of the plan. She said that she emphasized the importance of building

consensus through identifying low-hanging fruits that were agreeable to all Board members. She said that once a plan was established, it would dictate the frequency of discussions, similar to other priorities.

Ms. Vanuch said that she stressed the need to focus on building consensus and developing a plan before setting timelines. She said that it may become apparent that they need to meet quarterly or even more often to discuss their progress, but at this point in time they could not agree to meet over a certain time period when they did not know what they would be talking about. She said that they had already lost ground on the argument of keeping this as a committee, but the Board had said that they would like to focus on this issue and needed to determine the best way to do it.

Mr. Ashton said that as a newcomer, he agreed with everything that had been discussed. He said that he believed in the discipline associated with deadlines and the necessity to report out to them. He said that he also needed to gain a better understanding of the plan and the resources allocated for it. He said that they had previously discussed the role of Planning and Zoning, which currently faced staffing shortages. He said that he was wondering about whether this was progressing as quickly as they had hoped. He said that he suggested they commit to a regular cadence for these discussions, perhaps at the advance meeting, and work out the details once he had the opportunity to delve deeper into this matter.

Ms. Allen said that there was a plan in place. She said that it was not only written but also voted upon. She said that despite this, it appeared that no one had read it. She said that if Board members were to actually read the plan, it would clearly outline what the plan was. She said that they did not come up with it themselves. She said that the GWRC and others informed them of the low-hanging fruits, so they had a starting point from which to work.

Ms. Bohmke said that this was why she did not want to have a committee. She said that she wanted to ensure they all received this information.

Ms. Allen said that they did receive the information; the Board voted to approve it on the consent agenda.

Andrew Spence, Chief Director of Information Services, said that he wanted to give the guideline on the strategic plan under the growth priority. He said that there was a priority concerning workforce housing, and staff was required to present a full plan of actionable choices and solutions at the next advance meeting. He said that this was part of phase two, and currently, there were no plans for Planning and Zoning to work on it until those plans were presented at the advance meeting. He said that he recommended allowing that passage to come through and present those options for how they were moving forward at the advance meeting.

Ms. Gary asked if they could request information from Mr. Santay regarding the requirements for his department to achieve some of the objectives already outlined in the comprehensive plan. She said that they needed to comprehend the potential alignment of these needs with the staff's plan, particularly as they approached the budgeting phase.

Mr. Morris said that they began last week discussing the topic of the resources needed for all the items in the pipeline according to the strategic plan. He said that Mr. Santay was currently developing that list. He said that they needed to consider whether they had planners, if they needed to restructure, if they needed to add staff, and what actions they needed to take. He said that they currently lacked expertise within their staff on housing, and they needed to acquire that knowledge.

Ms. Gary said that she would like to see that information specifically related to the housing issue, if it was possible to separate them.

Mr. Spence said that he would like to provide a timeline of what the staff was being asked to do for phase two of the strategic plan. He said that the process had begun in August, and the staff had until October to submit their initial plans to administration. He said that administration would then review these plans to prepare for the advance meeting, which would be ready in January. He said that he wanted to ensure that the Board was aware of the timeline for the staff to provide this information, so they could present the results to the Board in January.

Mr. Ashton said that however, he also believed it would be crucial for them to examine what they currently had in terms of the plan and what they had on the ground. He said that they should conduct a gap analysis of their capabilities to implement the plan effectively. He said that this assessment should accompany their approach when communicating with them.

Mr. Spence said yes. He said that all the recommendations in the strategic plan were presented in two parts. He said that the first part outlined the recommendations or the actions that the staff and/or resources needed to take to achieve the goal.

Ms. Bohmke said that they had had a very robust conversation here, and it seemed like there was a consensus to remove the committees from the by-laws, including the legislative, housing, and the by-laws committee.

Ms. Vanuch said that there were still some areas that needed to be addressed, and Ms. McClendon would have to make a few clerical changes. She said that under Section 6.4, serving on committees should be categorized as special committees, which would include the ad hoc committees. She said that Ms. McClendon would have needed to identify what changes were necessary to direct

this more towards a special committee. She said that the only question she had was whether the Board still wanted to maintain three or if they were open to allowing for the possibility of having two on special committees, if it seemed feasible and could continue to function effectively.

Ms. Bohmke said that two or three members would give them flexibility. She said that there was consensus from the Board to make that change to allow two or three members in Section 6.4a.

Ms. McClendon said that in light of the changes, since there were no longer regular committees, she wondered if the Board was open to reverting to the use of ad hoc committees as opposed to special committees.

Ms. Bohmke said that she would support the use of ad hoc committees.

Ms. Vanuch asked if the entirety of Section 6.5 would be removed as it pertained to committee agendas and committee business.

Ms. McClendon said that she planned to go through this section and clean it up, specifically to address the needs of special committees. She said that while she could not guarantee that everything would be removed, she intended to revise it according to the Board's direction that day and present an amended section to the Board.

Ms. Bohmke asked Ms. McClendon if she had any other questions for the Board regarding the by-laws.

Ms. McClendon said that she did not have any specific questions for the Board. She said that she wondered whether it was fair to assume that everything else was fine if the Board had not addressed it.

Ms. Bohmke said that she appreciated Ms. McClendon's PowerPoint presentation, which was very helpful to view prior to reading the documents.

Ms. Krauss said that she wanted to ask Ms. McClendon a question. She said that Mr. Spence had mentioned it. She said that she wondered if she could please explain what the Zoning Ordinance Recodification Ad Hoc Committee was. She said that it was listed on the website.

Ms. McClendon said that the committee had completed its work.

Mr. Morris said that they gave a report to the Board, which had been accepted about one year ago.

Ms. Bohmke said that there was another section, Section 7.1, on page 24. She said that she did not recall this from their previous by-laws.

Ms. McClendon said that it depended on which version she was referring to. She said that she believed that most of these provisions were present in the prior by-laws. She said that the only change here was to update it for modern technology, making a reference to email and social media when it came to Board comments. She said that previously, it only addressed Board comments in written form.

Ms. Bohmke asked if she was referring to subsection C.

Ms. McClendon said yes. She said that this was the only change that was made.

Ms. Vanuch said that she had marked that one off as something that needed clarification. She said that she wondered if this meant that if they made a social media post or sent a letter to their constituents, they must then include a disclaimer that this was her personal opinion and not the collective opinion of the Board of Supervisors. She said that as elected representatives, they often spoke on behalf of their district, reflecting the views of their constituents. She said that when she was speaking, it was her district's opinion based on what she had heard from her constituents.

Ms. Vanuch said that the original one said just a letter, so if they were to send a letter to the governor, they disclosed that it was a specific district supervisor speaking as their self and not on behalf of the entire Board. She said that it was sufficient to state that they were not speaking on behalf of the entire Board of Supervisors, but she did not think that every time they wrote a Facebook post, they needed to disclaim that it was their personal opinion.

Ms. Gary said that they discussed this matter in committee, and she believed that if a social media page was maintained, with clear disclaimers stating that the opinions expressed were solely theirs and not representative of the Board, it would be sufficient.

Ms. McClendon said that that was correct. She said that currently, their by-laws had the same requirement, which stated that letters, memoranda, or documents were applicable. She said that this update was made to make it more applicable to modern technology. She said that the provision of this statement and how it was required, as per their current by-laws, meant that if the Board wished to make any changes, they could accommodate that.

Mr. Diggs said that when he sent his letter to his district, he should have included a disclaimer at the bottom. He said that he was unsure if he had violated their past by-laws.

Ms. Vanuch said that in the past, they had enforced this by only addressing it in op-eds, such as letters to the editor, particularly when a Board member was expressing their opinion in opposition or in favor of something actively before the Board. She said that Cindy Shelton also exemplified this approach when she wrote an op-ed about the tax rate and included a disclaimer stating that it was her personal opinion and not representative of the Board's stance, as it was a matter actively before the Board. She said that in her opinion, they needed to consider this further because she was representing her district's viewpoint, and she did not want to put a disclaimer on something that encompassed the opinion of her district. She said that it may present a legal challenge.

Ms. McClendon said that it was the Board's discretion to decide on this matter. She said that she was seeking the Board's direction in this regard. She said that according to the current by-laws, it was stated that when any Board member wrote a letter or memorandum expressing their views, they should include the following if appropriate. She said that this letter, memorandum, or document represented only the views of the writer and did not necessarily represent the views of any other individual member of the Board of Supervisors or the Board of Supervisors as the governing body of Stafford County, Virginia. She said that if the Board wished to make changes to this provision, she was willing to make those changes.

Ms. Gary said that she was fine with leaving things as they were if no one wanted to make a change. She said that they still needed to include a disclaimer in their correspondence. She said that if another supervisor sent something that she disagreed with, she was not always aware that it had been sent. She said that people often assumed that what they read represented the County's or the Board's stance, and they tended to group them together. She said that she thought it was crucial that they maintained these different perspectives in the public eye.

Mr. English said that he did not know if they really needed to delve into this issue because it seemed to be getting into the details. He said that he had some concerns about the potential misuse of AI. He said that for instance, during an election year, someone might use AI in a way that could be problematic. He said that he was not sure how such a situation would be managed.

Ms. Gary said that she believed IT was actually preparing to address challenges with the County regarding all of that. She said that it might be beneficial to follow up with them to see if they had any thoughts on the matter.

Mr. Diggs said that when they visited VACo, Dr. Yeung and he saw how they could take a snippet of someone's speech and then use AI to alter it completely. He said that these were going to be challenges that politicians would have to address. He said that he was uncertain if there was much that could be done to combat or defeat this. He said that he did not support including the disclaimer because he did not want to put it on the bottom of his letters.

Ms. Vanuch asked if they could be agreeable and simply acknowledge that if a Board member was writing an op-ed, or they were writing a letter to another elected official with their opinion. She said that it was particularly important for the Chair not to sign a letter to the governor, thinking it represented the entire Board's stance. She said that if a Board member was writing an op-ed or a letter to another elected official or agency, they should include a disclaimer stating that it was their personal opinion.

Mr. Diggs said that he supported that option.

Ms. Gary said that she was supportive of maintaining the old language. She said that it served a purpose and made sense. She said that it could be confusing for people because they did lump the Board members together, but she did not know if the Board would support removing it.

Mr. English said that he supported Ms. Vanuch's suggestion.

Ms. Bohmke asked if Mr. English supported a disclaimer for an op-ed but not in other contexts.

Ms. Allen said that she was indifferent regarding this matter.

Ms. Bohmke said that she supported Ms. Vanuch's suggestion.

Ms. Vanuch said that she had a quick question regarding Section 7.3, which pertained to their staff. She said that they needed to consider how they wanted their staff to engage in certain issues. She said that for example, if there was an issue in Planning and Zoning and needed to look up a permit on the system, she believed they should be able to make a quick call to get the answer, rather than having to route it through Mr. Toigo or Mr. Ashton.

Ms. Vanuch said that while having a Board member handle such matters was different, she felt that their staff should be allowed to conduct this research. She said that she did not want to delay the meeting, but she just wanted to express her concern about this particular item. She also said that she noticed Section 7.4 was new, and she could not find it in the old version.

Ms. Bohmke asked if Ms. McClendon could provide insight into why a Board member would bring a draft resolution for consideration in a meeting. She asked why this was included in the language.

Ms. McClendon said that she could not explain why it was included in Section 6.3B. She said that all draft resolutions were required to be submitted to the Chairman, the County Administrator, and

the County Attorney before a Board meeting where they were to be presented. She said that she was unsure if this procedure was adopted from another locality. She said that in some localities, Board members had been known to bring draft resolutions to the Board meeting and present them. She said that she was not certain. She said that this procedure had already been present in their current by-laws and previous versions. She said that she was uncertain about its origin.

Ms. Vanuch said that it was under 8.2b; any draft resolution or ordinance prepared outside of the regular Board packet.

Ms. McClendon said that this applied only to the County Administrator's portion, which was there to ensure that if there was a document prepared outside of the process, both the Board and the County Attorney's Office would see that prepared by the County Administrator.

Ms. Bohmke said that she was unaware that people actually did that, so it surprised her.

Ms. McClendon said that she had never seen that provision used here; it was carried over from the past by-laws.

Mr. English said that on page 27, Section 10.1, in reference to actions on certain matters in an election year, he would like to know if there was a written rule regarding someone up for election would not serve as Chair or Vice Chair. He asked if it was a practice or a written rule.

Ms. McClendon said that the by-laws in the first section did prohibit a member whose seat was up for election from serving as Chair. She said that there was no such prohibition on the Vice Chairman, which was a rule created by the Board and included in the by-laws.

Ms. Bohmke said that that was something that was created years ago for various reasons. She said that it was always something that the Board could remove. She said that some Board members believed that if someone was running for election, their attention would be on many other things. She said that they felt that, given the size and growth of the County, they needed to focus on Board issues. She said that that why it was added.

Ms. McClendon said that it was Section 1.1(b)1.

Ms. Allen said that she had concern with the by-law regarding not being able to take action if the supervisor was not running for re-election. She said that she did not care what their party was or what their beliefs were, they were elected to serve from January 1 to December 31 and they should not be taking away people's ability to vote on actions because there was a lame duck. She said that it did not make sense. She said that they should not limit people's ability to vote or bring up issues

significant to their district. She said that she was not elected to stop working after November 5 or whatever date the election was.

Ms. Gary said that she agreed with Ms. Allen.

Ms. Allen said that even if a Board member may be skeptical about another's intentions after November, they still needed the support of at least four Board members to vote with them. She said that taking away a person's ability to serve out their term on any Board business was unreasonable. She said that this issue was not related to party affiliation or personal beliefs.

Ms. Vanuch said that this had been a long-standing operation of the Board for public trust and transparency. She said that they had the right to vote if they had a two-thirds majority waiving the by-laws to take action, which they had done on some non-controversial items. She said that even in Congress, there was a similar debate. She said that when a member was in a lame duck period, knowing they were being voted out or moving on, they may make different decisions than they would if they were staying in office. She said that they may also be influenced by other factors.

Ms. Vanuch said that it was just a matter of public trust and integrity from the local elected perspective that significant items, such as land uses, subdivisions, major commercial changes, or comprehensive changes, should be addressed before the November election. She said that Board members should feel comfortable voting on these important matters prior to the election, rather than delaying action until after the election to avoid being held accountable for their decisions in front of the public. She said that she sat on the opposite side of this issue. She said that in many instances, it had been beneficial to protect the public trust and integrity in their actions.

Ms. Allen said that there were many things that the public could be concerned about their integrity and trust as a Board. She said that she would not discuss what the Board had done over the last few years in general. She said that she was not pointing fingers at anyone. She said that collectively as a board, they had created instability. She said that she did not care what Congress did.

Ms. Allen said that half the time they sat there and said they did not care what the state did. She said that they did their own thing. She said that it was not like they were setting an example for them. She said that to say that pontificating and pushing it down the road was not true because at the end of the day, Stafford County had a very long process of zoning and review process. She said that sometimes it just may so happen that it fell on that.

Ms. Allen said that it was not to say that that was on that Board member for looking at a land use case and realized based on the timeline, it would not get to her until after the election date, and it was not anything to do with the review process. She said that it was not on them to ask staff to

hurry it along, because at that point, she was also unfairly moving the process along for one project and not the other. She said that other people could say they sped up the process for X, so why did they not do it for Y and Z. She said that it had nothing to do with people's intention. She said that if people were cynical, they could be cynical, but they still needed three Board members to vote with them.

Ms. Gary asked when this practice began on the Board.

Ms. Bohmke said that it was years and years ago.

Ms. Gary asked if Ms. Bohmke was on the Board during that time.

Ms. Bohmke said that it was implemented before her tenure on the Board.

Ms. Gary asked if anyone knew the exact date.

Ms. McClendon said that she was not certain about the exact timeframe. She said that she was aware that it had been in place for some time. She said that although she could find the specific year, she knew it was established before 2008. She said that it must have been in place for several years prior to that.

Ms. Allen said that Stafford County had been around since 1630.

Ms. Gary said that she was just trying to gather more information. She said that she did not like the rule very much. She said that if they were in office, they should do their jobs fully and thoroughly. She said that this was what they had been entrusted to do.

Ms. Bohmke said that she personally liked it being there. She said that as Ms. Vanuch mentioned, the by-laws could be waived if five Board members agreed to move forward. She said that throughout her years of experience, she had observed various instances where it had not always been beneficial to the community. She said that people had exploited it for their own benefit or hindered progress due to a lack of accountability. She said that she appreciated the presence of this rule and concurred with the notion that the public entrusted them with their vote. She said that she had witnessed individuals using their vote to their advantage or delaying progress to avoid accountability, as Ms. Vanuch had pointed out.

Ms. Gary said that it could potentially be used as a tactic to delay decisions if a supervisor disagreed with a proposed action and was aware that they would not be able to vote past November.

She said that it could be manipulated either way. She said that ultimately, they were accountable for their actions. She said that she would like to remove the practice.

Ms. Vanuch said that she wanted to respond to that because that was factually inaccurate. She said that it was the staff that put forward the public hearings, and the Chairman of the Board had no involvement in that process. She said that the Board must have a public hearing, which was a requirement for participation or control over public hearings. She said that consequently, the Chairman could not delay these items from being scheduled, regardless of personal preferences. She said that the staff moved it forward, and as Board members, they had no control over the public hearing process.

Ms. Gary said that she did not need a lecture on their processes. She said that to sit here and say that something was factually inaccurate, which was calling her a liar, was out of line. She asked if that could be avoided and for an apology. She said that this was not the way to work together.

Ms. Bohmke said that this was a hard one because they had not really been in situations like this before.

Mr. Diggs said that when he considered issues like this, he generally tried to avoid reacting to the lowest common denominator or the most negative aspect. He said that as someone who had been elected to a position, he believed he should be able to fulfill his duties until the end. He said that as he listened to everyone's perspectives, he understood the concern regarding people misusing or violating the trust placed in them. He said that he was neutral on this matter. He said that he could see someone who had been voted out continuing to serve without regard for the decision. He said that for now, he suggested they leave it as it was, but he would like to revisit this topic in the future.

Ms. Allen said that she was considering the business of the County in this perspective. She said that when they had years when four Board members were up for the next year, she wondered if they were expecting staff to pause business on four districts and say that land use decisions were off limits for two months.

Ms. McClendon said that it was for the entire County and was not specific to any district.

Ms. Allen said that she was aware that recently, they had been dealing with numerous matters from certain districts that had occupied their agenda. She asked what the course of action would be if that continued.

Ms. Bohmke said that the number of items in each district varied every year.

Ms. Vanuch said that staff put in a lot of effort to ensure they were aware of this timeline. She said that they worked diligently, starting from the end of the Planning Commission process, to make sure that it reached the Board members in October for a vote. She said that they were referring to essentially two meetings, the November meeting and the end of December meeting, as the so-called slowdown. She said that it was only the highly controversial issues, as described in the by-laws, that were subject to this process. She said that it was not referring to County business as a whole.

Ms. McClendon said that she found out that the change to the by-laws happened in 2010.

Ms. Bohmke said that there was consensus from the Board to keep that item in the by-laws. She said that the last item was the code of performance. She said that she was not interested in reviewing every page of this.

Ms. Vanuch said that she had conversations with her colleagues when this was on the agenda back in September, and she believed that the majority then, unless their opinions had changed, felt that their current code of performance was sufficient and did not require an update. She said that this seemed to be the consensus of the majority of the Board. She said that if opinions had changed, she was open to hearing about it. She said that they currently had a code that everyone was satisfied with. She said that they felt that it effectively fulfilled its purpose.

Mr. English asked how long this code of performance had been in existence.

Ms. Vanuch said that it was created around 2017.

Ms. McClendon said that it had been around for longer than that, but in its current form, it had been since approximately that time.

Mr. English said that he supported the old one.

Ms. Bohmke said that there was consensus from the Board to keep the code of performance as currently written.

Ms. Vanuch asked if Ms. McClendon would bring forward the revised by-laws to the Board at their next regular meeting. She asked what the process would be.

Ms. McClendon said that considering the amount of changes from today, it would be presented to the Board again on October 15 as a work session item with the redlined changes from today. She said that they could vote on it after that.

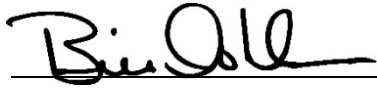
Ms. Bohmke asked if there would be no draft presented at the October 1 meeting.

Ms. McClendon said that there were too many changes to implement from tonight, so she did not think they could meet that timeline.

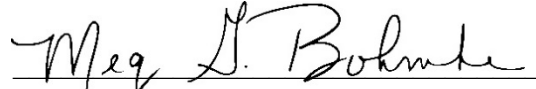
Ms. Bohmke said that she just wanted to confirm.

ADJOURNMENT

At 7:16 p.m., Chair Bohmke adjourned the September 24, 2024, Stafford County Board of Supervisor's work session.



William Ashton, II
County Administrator



Meg Bohmke
Chairman