BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
October 1, 2024

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Meg Bohmke, Chairman, at 5:00 p.m. on Tuesday, October 1, 2024 in Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

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

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

INVOCATION

Ms. Gary led the invocation.

PLEDGE OF ALLEGIANCE

Me. English led the Board in the Pledge of Allegiance to the Flag of the United States of America.

CHAIR REMARKS

Ms. Bohmke said that this evening was National Night Out, taking place from 5:00 p.m. to 8:00 p.m. at the Stafford Marketplace. She said that this event, hosted by the Stafford Sheriff's Department, provided an opportunity to meet neighbors, engage and learn about the community, and have some fun.

Ms. Bohmke said that today was an A Day on their new meeting schedule. She said that they would present proclamations, approve the consent agenda, hear public presentations and reports from Board members, the County Attorney, the County Administrator, and listen to presentations and reports by agencies and consider action items. She said that there were no public hearings this evening. She said that all public hearings were on B days.

Ms. Bohmke said that she wanted to take a moment to acknowledge the outstanding work being done by Stafford County's Swift Water Rescue Team. She said that as they heard in the prayer by

Ms. Gary, she thanked the team for going down to southwest Virginia. She said that many of them knew that this team was deployed to southwest Virginia in the aftermath of Hurricane Helene. She said that they had worked around the clock to support communities devastated by the storm.

Ms. Bohmke said that they had cleared roadways, helped local rescue teams, and saved nearly two dozen people stranded when bridges were washed away. She said that their team had joined forces with rescue crews from Prince William County and Arlington County. She said that this collaborative effort had made a significant impact on the ground, demonstrating the power of teamwork in crisis situations. She said that they were incredibly proud of the professionalism and dedication the team brought to every mission.

Ms. Bohmke said that at home, their Water Rescue Team continued to provide exceptional service. She said that she thanked all the staff who worked hard to make this deployment possible. She said that their efforts to serve both near and far were remarkable, and they could not be prouder for their work. She said that they had several proclamations on consent that day, recognizing awareness months. She said that October was Breast Cancer Awareness Month. She said that in 2003, 300,000 women were diagnosed with invasive breast cancer. She urged them to make an appointment to be scanned and help prevent an issue.

Ms. Bohmke said that October is also Domestic Violence Awareness Month. She said that one in four women and one in seven men aged 18 and older in the U.S. have been the victim of severe physical violence by an intimate partner in their lifetime. She said that those experiencing domestic violence were encouraged to call the National Domestic Violence Hotline at 1-800-SAFE, which is 7233, or visit their website and chat or text START to 88788. She also said that October is Cybersecurity Awareness Month. She said that they could visit www.staysafeonline.org to find tips on how to keep their family safe.

Ms. Bohmke said that she wanted to remind everyone that early voting began and runs through November 2, 2024. She said that there would be no early voting at the Government Center this year. She said that early voting occurs at the General Registrar's new office, which is 124 Old Potomac Church Road, Suite 205. She said that if they turned down Hospital Boulevard from Route 1 towards the water tower, then took a right on Old Potomac Church Road, the office is the old Germanna Community College Building.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

Mr. Diggs motioned, seconded by Ms. Gary, to adopt the agenda as presented.

The Voting Board tally was:

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

CONSENT AGENDA

Ms. Vanuch asked to pull Item #1.

Dr. Yeung asked to pull Item #3, #14, and #16.

Ms. Allen motioned, seconded by Ms. Gary, to adopt the Consent Agenda as amended.

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

Ms. Vanuch said that she would like to abstain from voting on Item #1 because she was not present at that meeting.

Ms. Allen motioned, seconded by Dr. Yeung, to approve Item #1, September 3, 2024 Board of Supervisors meeting minutes.

The Voting Board tally was:
Yea: (6) Allen, Bohmke, Diggs, English, Gary, Yeung
No: (0)
Abstain: (1) Vanuch

Dr. Yeung said that she would like to discuss Item #3, which pertained to the Central Rappahannock Regional Library. She said that last year, she had requested additional data, and Ms. Bohmke did as well. She said that she had conducted some research and found comparisons between the data points from 2022 and 2023. She said that school visits had increased from 9 to 44, attendance had risen from 182 to 1,619, and computer usage had jumped from 28,574 to 50,578.

Dr. Yeung said that she was certain that these numbers had increased even further. She said that she was unsure if Ms. Gary had further information to share, but she was interested in the latest data to determine if they should consider extending library hours. She said that the increase in student visits had led to overcrowding at Porter Library, and extended hours may help alleviate this issue.

Ms. Gary said that she would be happy to provide Dr. Yeung with more information. She said that she did not have those details on hand right now, but she could follow up with her.

Dr. Yeung said certainly.

Ms. Bohmke said that she agreed with Dr. Yeung that they would like more data. She said that this quarterly report provided information on all the activities and services the library offered on a quarterly basis. She said that considering that taxpayers contributed $7 million in tax dollars to the library system, she believed they should receive financial information on a quarterly basis. She said that this was especially pertinent now that they had a new library director. She asked if Ms. Gary could initiate a conversation with the library regarding this matter.

Ms. Gary said absolutely. She said that financial information should be coming along; they just started talking about the budget and approving the requested budget to be forwarded to localities. She said that the information would be coming to staff as well.

Ms. Bohmke said that one of the things she would like to discuss is how they could be creative in light of the fact that there are many more online services being used nowadays, as opposed to traditional book lending. She said that she would like to explore ways in which their community could utilize the library more effectively. She said that she was also interested in identifying any opportunities where they could reduce expenditures on resources that were not being utilized.

Ms. Gary said absolutely. She said that she would follow up with Ms. Bohmke and Dr. Yeung as well. She said that they could have a more comprehensive discussion if she wished. She said that with their interviews with their incoming directors, including Ms. Purdy, who was their new director, that was part of the conversation. She said that the Board seemed very happy with her responses and what she intended to do, so she was glad to have those conversations with them.

Ms. Bohmke said that if Ms. Gary could share anything with her, she would send it to the full Board.

Dr. Yeung motioned, seconded by Ms. Gary, to approve Item #3, receiving Central Rappahannock Regional Library's Quarterly Report.

The Voting Board tally was:

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

Dr. Yeung said that she believed it was time to address the condition of their current gymnastics facility, which had been subpar for too long, especially considering that it was a space where young children spent a significant amount of time. She said that the facility was in a state of disrepair, and after years of leasing, she thought it might be more prudent to invest in a new location in the long run, rather than continuing to pay for an inadequate space. She said that to put this into context, neighboring Prince William County was planning to build a state-of-the-art sports complex, yet they found themselves falling behind once again.

Dr. Yeung said that the landlord, Osborne, was proposing an over 66% increase in the lease, which would raise the monthly cost from $3,000 to $8,000. She said that she understood that this was not the annual cost they paid, but it was important to consider the financial implications. She said that Mr. Southall could potentially clarify the annual lease cost and how long they had had it. She said that they had had it for 25 years.

Brion Southall, Director of Parks, Recreation, Facilities and Tourism, said that they had been leasing parts of the facility since the mid-90s. He said that the entire lease for one year was $177,000, which they paid in monthly installments.

Dr. Yeung said that they had been leasing this for 25 years, so it was $4.5 million in total. She said that they needed to consider whether they should continue to invest in this location or seek a more suitable and long-term solution for their children. She said that given the current state of the warehouse, she believed it would be more responsible to ensure that it was properly maintained while they explored new options. She said that she understood Mr. Osborne's perspective, as he had been one of their previous supervisors.

Dr. Yeung said that while the leasing price was good, it had been 25 years, and they needed to make a change now. She said that she was aware that Mr. English had been very involved in the Paralegal, Paraprofessional, Paralympics initiative, which had left for Richmond. She said that some of them on this Board had family, friends, and community members who were complaining to them and sending emails about the location. She said that she was not going to vote for this, and she wanted to express that.

Mr. English said that he wondered if it was feasible for them to consider purchasing that building from him, and then proceed with their own plans.

Mr. Southall said that considering the conditions of the site, they had outgrown the space.

Mr. Diggs said that with the Belmont project, they had secured land for the potential construction of a new gymnastics center. He said that this was one of the reasons he had worked to approve that project. He said that there was a plan for the future. He said that they still needed to work through all the details. He said that recognizing the issue, he believed that if they abandoned this building, they must consider where they would send their community's children currently. He said that he did not necessarily agree with the increase. He said that he would like to hear what the alternatives were.

Dr. Yeung said that she would like to see what they were fixing in order to justify the increase. She said that they should keep the current lease amount and not be wasting money.

Ms. Allen said that she wanted to reiterate what Mr. Diggs had started discussing. She said that they were aware that it was not ideal, and they had known that they needed to expand their facility capabilities for their gymnastics program, field hockey, and volleyball, among other activities. She said that these were amenities that their students and children were showing up for. She said that however, as Mr. Diggs had mentioned, they needed to consider what the alternative was. She said that she was not trying to pontificate, but she was suggesting that perhaps this was a conversation they should have as they approached budget season.

Ms. Allen said that they needed to examine their debt capacity, their financial abilities, and their available funds before making suggestions about purchasing properties or starting the process of adding to their Capital Improvement Plan (CIP). She just said that she wanted to remind their Board that last week, they had been reminded that some of their revenues were $7 million short. She said that she just needed them to keep a little perspective. She said that as Mr. Diggs had said, they must examine the alternatives. She asked Mr. Southall if there was an opportunity for them to negotiate the lease.

Ms. Bohmke said that she would like to raise a question. She said that if they looked back at their board documents, they approved a resolution in October of 2020, which included Ms. Allen, Ms. Vanuch, and herself. She said that in that resolution, it stated that the landlords had offered a new lease for a one-year term with four optional one-year renewals at an initial rate of $166,800, with an increase of up to 2% per extension term. She said that it stated the 2% was a maximum and that it would not escalate past 2% per extension term. She said that in the resolution they were being asked to approve right now, it indicated in one paragraph that the increase was due to higher property values.

Ms. Bohmke said that she believed that the increase in rent should not be their problem. She said that it also mentioned increased insurance rates, so maybe they could absorb the 2% increase there. She said that it also mentioned unexpected fire safety improvements made to the building, so the landlord was requesting a 5% increase. She said that she wanted to understand if there were any unexpected fire safety improvements in the building that should have been done a long time ago or more recently, and if they should not be paying for those. She asked if Mr. Southall could provide details on this matter.

Mr. Southall said that earlier this year, there had been a fire wall that divided the back third of the gym. He said that at the top of this fire wall, there had been two-by-twelve blocking placed between the pylons of the roof's seat. He said that unfortunately, one of these blocks had fallen out one night and landed on the floor. He said that this incident had been considered a severe safety issue, as it could potentially harm a child if it had landed on them. He said that to avoid shutting down the facility, they had collaborated with fire marshal inspectors and the facility's owners. He said that they had agreed to replace all the blocks at their own expense. He said that the increase in property values, which had risen by 40% from $1.6 million to $2.4 million within two years, had been one of the issues discussed.

Ms. Bohmke asked how the value of the building was impacting the lease amount, considering that it was stated in the 2020 resolution that they agreed to that they shall not escalate the price beyond the 2%. She said that this was her main concern. She said that they agreed to something and now were changing it on them. She said that there was no provision in there that mentioned unexpected maintenance costs or anything else, so she did not believe it was the County’s responsibility. She said that she understood they could not go anywhere else right now and this was their facility, so the Board needed the ability to negotiate with the owner and express that they were not in favor of the lease agreement as it was stated. She said that while $5,800 was not a huge amount of money, it was the principle of it and the fact that it involved taxpayer dollars.

Mr. English asked if the camera situation had been straightened out.

Mr. Southall said yes; it was on them. He said that it was recording but the playback did not work at the time, but it was now fixed.

Mr. English said that he agreed with Ms. Bohmke that they needed to renegotiate this agreement.

Ms. Bohmke confirmed that there was consensus from the Board to defer action on this item today.

Dr. Yeung said that she would be voting for this item, but she pulled it so that she could express her gratitude to SASA and Barry Hill, the Executive Director and staff, for their hard work. She said that as a parent whose children participated in Stafford soccer and continued playing throughout their college careers, she had witnessed the positive impact that sports programs could have. She said that soccer, in particular, had instilled discipline in children and kept them engaged, preventing them from getting into trouble.

Dr. Yeung said that she had recently received an email about the planned conversion of grass fields to turf, which was scheduled for 2033, eight years from now. She said that she urged the Board to expedite this process. She said that she was not aware of the current budget allocations, and she understood that Ms. Allen had mentioned the financial challenges they were facing. She said that if there was any available funding for Parks and Recreation at this time, she believed investing in turf fields would be beneficial.

Dr. Yeung said that with climate changes affecting field conditions, turf would allow for year-round use with reduced maintenance requirements. She said that the Stafford soccer team had requested funding of $1,300,000 for the turf field conversion. She said that by acting now, they could ensure that their children had high-quality spaces to practice and play, while also saving on long-term maintenance costs. She asked Mr. Southall how much the field conversions would cost in eight years.

Mr. Southall said that his memory was that last year it was submitted to be 2033, and in the final version of the budget, it was moved up to 2026. He said that it was currently in their plans for next year.

Mike Morris, Deputy County Administrator, said that last year they approved in the FY 25 through FY 34 CIP for it to be started in FY 26. He said that it currently stood at $1.5 million in FY 26. He said that they could reconsider that in the upcoming budget to determine if that was the desired allocation. He said that the gymnastics center was in FY 33 for $30 million.

Ms. Bohmke said that this was a conversation for their CIP.

Dr. Yeung motioned, seconded by Ms. Vanuch, to approve Item #16, authorizing the County Administrator to execute an agreement renewal with the Stafford Area Soccer Association, Inc. to operate the County's recreational and academy youth soccer programs.

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

<u>ITEM 1. COUNTY ADMINISTRATION; APPROVE SEPTEMBER 3, 2024 BOARD OF SUPERVISORS MEETING MINUTES</u>

<u>ITEM 2. COUNTY ADMINISTRATION; APPROVE SEPTEMBER 17, 2024 BOARD OF SUPERVISORS MEETING MINUTES</u>

ITEM 3. COUNTY ADMINISTRATION; RECEIVE CENTRAL RAPPAHANNOCK REGIONAL LIBRARY'S QUARTERLY REPORT

ITEM 4. COUNTY ADMINISTRATION; R24-298; APPROVE A CLERICAL CORRECTION TO THE BOARD'S ADOPTED 2025 GENERAL ASSEMBLY LEGISLATIVE PROGRAM TO UPDATE LANGUAGE REGARDING REAL ESTATE TAXES AND THE DISABLED VETERANS' REAL ESTATE TAX EXEMPTION

ITEM 5. CAPITAL PROJECTS PUBLIC CONSTRUCTION; R24-303; RATIFY A TASK ORDER EXECUTED WITH BKV GROUP DC PLLC FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE FIRE AND RESCUE STATION 8, ROCK HILL, PROJECT

ITEM 6. CAPITAL PROJECTS PUBLIC CONSTRUCTION; R24-304; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A TASK ORDER WITH SAMAHA ASSOCIATES, P.C. FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE FIRE AND RESCUE STATION 9, AQUIA, REBUILD PROJECT

ITEM 7. COMMUNITY ENGAGEMENT; P24-15; PROCLAMATION TO RECOGNIZE OCTOBER 6-12, 2024 AS FIRE PREVENTION WEEK

ITEM 8. COMMUNITY ENGAGEMENT; P24-16; PROCLAMATION RECOGNIZING OCTOBER AS BREAST CANCER AWARENESS MONTH

ITEM 9. COMMUNITY ENGAGEMENT; P24-17; PROCLAMATION TO RECOGNIZE OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

ITEM 10. COMMUNITY ENGAGEMENT; P24-18; PROCLAMATION RECOGNIZING OCTOBER AS CYBER SECURITY AWARENESS MONTH

ITEM 11. COMMUNITY ENGAGEMENT; P24-20; PROCLAMATION RECOGNIZING OCTOBER 24, 2024, AS WORLD POLIO DAY IN STAFFORD COUNTY

ITEM 12. DEVELOPMENT SERVICES; R24-315; PETITION VDOT TO INCLUDE GLENMERE ROAD, CARTWELL DRIVE, AND MCFERREN ROAD WITHIN KENDALL HILLS SUBDIVISION INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

ITEM 13. DEVELOPMENT SERVICES; R24-315; PETITION VDOT TO INCLUDE SUNFLOWER DRIVE (SR-2456) WITHIN THE EMBREY MILL TOWN CENTER DEVELOPMENT INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

ITEM 14. PARKS, RECREATION, FACILITIES AND TOURISM; R24-289; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDED LEASE EXTENSION FOR THE STAFFORD GYMNASTICS AND RECREATION CENTER

ITEM 15. PARKS, RECREATION, FACILITIES AND TOURISM; R24-291; RATIFY THE CONTRACT EXECUTED WITH COLONIAL FORD TRUCK SALES, INC. FOR CUSTOMIZABLE WORK TRUCKS AND AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES

ITEM 16. PARKS, RECREATION, FACILITIES AND TOURISM; R24-300; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT RENEWAL WITH THE STAFFORD AREA SOCCER ASSOCIATION, INC., TO OPERATE THE COUNTY'S RECREATIONAL AND ACADEMY YOUTH SOCCER PROGRAMS

ITEM 17. PARKS, RECREATION, FACILITIES AND TOURISM; R24-317; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A WORK ORDER WITH CENTENNIAL CONTRACTORS ENTERPRISES, INC. AND TO BUDGET AND APPROPRIATE FUNDS, ALL TO RENOVATE THE TREASURER'S OFFICE

ITEM 18. PLANNING AND ZONING; R24-305; REFER AMENDMENTS TO THE ZONING ORDINANCE, INDEX OF OFFICIAL ROAD NAMES, TO THE PLANNING COMMISSION TO CONSIDER NAMING AN EXISTING UNNAMED PRIVATE ROAD OFF OF MCCARTY ROAD IN THE FREDERICKSBURG POSTAL AREA

ITEM 19. UTILITIES; R24-199; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH INDIAN RIVER EQUIPMENT CO. FOR THE PURCHASE OF A SEWER INSPECTION PERMIT

ITEM 20. UTILITIES; R24-245; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH SJK SERVICES LLC FOR TEMPORARY TRAFFIC CONTROL SERVICES AND MATERIALS

ITEM 21. UTILITIES; R24-246; AUTHORIZE THE COUNTY ADMINISTRATOR TO APPROVE ADDITIONAL EXPENDITURES WITH HOWARD BROS. INC. FOR UTILITIES RESTORATION SERVICES

ITEM 22. UTILITIES; R24-295; RATIFY A CONTRACT EXECUTED WITH VISU-SEWER EAST LLC FOR SEWER MANHOLE AND ALTERAL LINING REHABILITATION SERVICES

ITEM 23. UTILITIES; R24-30; AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT WITH TROJAN TECHNOLOGIES CORP. FOR THE PURCHASE OF FILTRATION MODULES AND ANCILLARY SERVICES FOR THE LAKE MOONEY WATER TREATMENT FACILITY

ITEM 24. UTILITIES; R24-296; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO STAFFORD COUNTY CODE SEC. 25-165 “TYPE, CAPACITY, LOCATION, ETC.” REGARDING ON-SITE DISPOSAL SYSTEMS

ITEM 25. UTILITIES; R24-302; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE STAFFORD COUNTY CODE TO REPEAL SEC. 17-28 “PROHIBITED ACTIVITIES AT TERMINAL RESERVOIRS” AND CREATE AND ORDAIN SEC. 17-28 “TERMINAL RESERVOIRS” TO UPDATE THE SECTION AND INCLUDE LAKE MOONEY

ITEM 26. UTILITIES; R24-254; AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO STAFFORD COUNTY CODE SEC. 25-193 “SEPTAGE HAULING” TO ALLOW FOR THE RESTRICTION OF HAULED WASTE

ITEM 27. R24-320; SHERIFF; AUTHORIZING A GRANT APPLICATION FOR THE FISCAL YEAR (FY) 2024 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

PRESENTATIONS

There were none.

PRESENTATIONS BY THE PUBLIC

1. Kristen Barnes, Hartwood District, said that she wished to discuss Item #30, Planning and Zoning Tree Canopy Requirements. She said that she was absolutely thrilled that this topic was on the agenda and that they were taking this on. She said that this was something she had been working on for a very long time, possibly even since 2018 when she first stood in this location.

Ms. Barnes said that she urged the Board to pursue tree canopy preservation and encouraged the County to establish robust requirements, up to the maximum extent allowed by the state. She said that she reminded them of the Dillon rule, which restricts them from doing what the state does not permit. She said that she wanted to ensure that they strived to reach that allowance.

Ms. Barnes said that in Chapter 3 of their comprehensive plan, a new section was added in 2021 when the County updated its comprehensive plan. She said that she had been part of the subcommittee responsible for this update, and she emphasized several important points that she believed should be included. She said that the preservation of trees and forest cover was a priority over replanting where existing tree cover existed. She said that any new development should aim to preserve existing mature tree cover rather than removing it.

Ms. Barnes said that this was a significant issue, as developers often preferred to clear the entire area for convenience and efficiency, which was not their concern. She said that they needed to consider tree canopy preservation and the existing character of adjacent properties. She said that their goal should be to maintain uninterrupted forest areas, stream, and wildlife corridors, especially within the Urban Services area, which was predominantly parking lots.

Ms. Barnes said that retaining mature tree cover was recommended to buffer uses from adjacent properties and developments. She said that she was glad to see that they had this consideration. She said that she hoped the Planning Commission would stand by it, and she thanked Mr. Morris and Mr. Zuraf for translating their desires into planner-speak to make it look favorable for them. She said that she would stay and hopefully hear the Board vote in favor of this item.

2. Peter Stencavage, Garrisonville District, said that he thanked the Board for their time and effort in serving the community, and he appreciated the frequent use of the term "community" among them. He said that he had a personal confession to share: he sometimes skipped eating his vegetables first in the morning. He said that a few years ago, he began incorporating vegetables into his breakfast routine.

   Mr. Stencavage said that he believed that by consuming vegetables early in the day, even if he became tired or lazy later, he would still have consumed something healthy. He said that his motivation for this change was to improve his health and enhance his quality of life in the future. He said that he once read that they were all responsible for their future selves, much like a parent cares for their child.

Mr. Stencavage said that this notion made him think of his future grandchildren, potentially a toddler holding his hand while crossing the street, such as Austin Ridge Drive near Courthouse Road. He said that the safety of that toddler was in their hands. He said that he imagined holding the hand of Stafford Vision 2040, metaphorically speaking. He said that he wondered what actions they would take to help Stafford County grow and flourish as a community, with community businesses and community green spaces. He said that Buc-ee's was not about community.

Mr. Stencavage said that with Buc-ee's, they could expect an average of 21,000 cars per day, which would bring noise, light, and environmental pollution. He said that 2040 was not that far away, just over 15 years from now. He said that as a parent to their future self and to their future community, he wondered what his future self would think of their decision regarding Buc-ee's. He said that he urged them not to be short-sighted and to reject Buc-ee's.

3. Kristen Maxson, Aquia District, said that today's packet, page 416 of 634, noted that there was a blank page after a header, which should read that the page was left blank concerning September 5, 2024. She said that page 371 of 635 incorrectly used the word "target" multiple times, which should have been replaced with “a specific interest.” She said that the Memorandum of Understanding was shared by the public or just placing interest in acquisitions and in silence.

   Ms. Maxson said that regarding data centers, Breast Cancer Awareness Month included increased electromagnetic frequencies as an impact to the public, and she asked that they keep that in mind. She said that there were 4,365 vehicles approved project, it negatively impacted the homeowner's travel path and the Stafford people. She said that page 74 of 635 packet today was missing information about the transmission site with the acquired treatment facility that would provide 6 million gallons of usable water capacity.

   Ms. Maxson said that the term "acquired" was used instead of "acquiring," indicating a past action rather than a future one. She said that the Board had no water agreement from the developer. She said that it was a cart before the horse on page 77 of 635 of today’s packet. She said that the central area of Stafford was considered a resource-depleted area on page 91 of 635. She asked how this could be. She said that the veterans population was growing at a rate of 30% annually as described in the last budget review. She asked if the veterans would pay out.

   Ms. Maxson said that violations of departure design standards in this past month included sections 140 notation D, page 451 of 635 of today’s package. She said that hurried work trespassing on open front lawn space location 1816 Richmond Highway. She said that Virginia was the “don’t tread me state.” She said that protection of such concerns were listed in today’s packet, number 9, page 373 of 635, and more.

REPORTS BY BOARD MEMBERS

Ms. Allen – stated that she had nothing to report at this time.

Mr. Diggs – wished their new County Administrator, Mr. Ashton, a happy birthday. He said that they were thrilled to have him on board and looked forward to his leadership as they moved forward. He said that they held a town hall on Wednesday, September 25, where they addressed key community concerns and received valuable feedback from residents. He said that he appreciated town halls because they allowed for a back-and-forth conversation, which could help clarify policies and laws, reducing community angst and misunderstandings. He said that he extended his deepest condolences to those affected by the tragedy of Hurricane Helene, as the death toll currently stood at 150 and continued to rise.

Mr. Diggs said that he attended the groundbreaking ceremony for Elementary School 18, which he found to be an honor. He said that he was excited about the development in their County and the opportunities it would bring for their children's future. He said that he attended the Rappahannock River Basin Commission meeting with Dr. Yeung. He said that they discussed septic tank issues and potential grants to address system failures. He said that they also reviewed the water contamination alarm system and the state's testing process to ensure water safety. He said that additionally, they discussed communication among jurisdictions, not just on public safety, but also among local governments.

Mr. English – reported that he also attended the groundbreaking of Elementary School 18. He said that it was a good start and the high school was coming along very well. He said that he was surprised by how much progress they had made up there, so that was exciting. He said that he believed they would be holding a similar event for Elementary School 19 this month. He said that he wanted to thank the fire crew and swift water rescue team, and that they come back safely. He said that his prayers went out to those people who had lost everything in the affected states. He said that he wanted to thank Mr. Bryon Counsell and his staff for their work on the completion of Richards Ferry Road, which he had received positive feedback about.

Ms. Gary – reported that on September 18, she attended the VPRA public meeting concerning the upcoming detours that would affect the community during the Leeland Bridge reconstruction in the coming years. She said that although they had a few years before the implementation, VPRA hosted that meeting. She said that she would be posting the presentation slides on her Facebook page that week, so she asked everyone to keep an eye out for that. She said that she could also send those to Ms. Bohmke as well.

Ms. Gary said that she attended the regular VRE Operations Board meeting on September 20, the VACo virtual meeting for Regions 6 and 7, where they discussed various issues with state legislators and the staff of some of their federal representatives. She said that she expressed her gratitude to Anthony Toigo for being present and articulating very well their Board's legislative priorities. She said that she thanked Advantus for being present as well. She said that she attended the Elementary School 18 groundbreaking and expressed her excitement to be breaking ground that month on Elementary School 19 at the Brooke Point High School campus, as mentioned by Mr. English.

Ms. Gary said that she asked everyone to keep those affected by the hurricane in their prayers, not only the communities where the hurricane hit but also their first responders. She said that they had been serving around the clock from many different places, including their own County. She said that people from the swift water rescue team had witnessed numerous instances of heroism, but they had also encountered some very difficult situations.

Ms. Gary said that one story that particularly stayed with her involved an elderly woman whose house was basically cut in half by the water. She said that the woman had been trapped on the top floor and rode the house as the water continued to push until it finally settled. She said that the rescue team had managed to save her from that perilous situation. She said that it was difficult to comprehend the hardships that people had endured. She said that she urged everyone to keep these individuals in their thoughts and prayers. She said that she extended her warmest birthday wishes to Bill Ashton, the County Administrator, and expressed her gratitude for his service.

Ms. Gary said that she was eager to collaborate with Ms. Rebecca Purdy, the new director at the Central Rappahannock Regional Library, and looked forward to hearing her innovative ideas on how they could better serve and engage with their community. She said that she encouraged her fellow Board members to reach out via email with any questions regarding the CRRL Quarterly Report or library-related matters. She said that she promised to ensure that they would receive all the necessary information by forwarding it to their Chair. She said that early voting was still ongoing through November 2 on Old Potomac Church Road near Stafford Hospital.

<u>Ms. Vanuch</u> – wished County Administrator Mr. Ashton a happy birthday. She said that she was grateful for his presence at his second meeting with the Board and was glad to celebrate him. She said that she would like to echo the sentiments expressed by her colleagues regarding the recent Hurricane Helene. She said that their prayers were with those affected, and they extended their gratitude to the swift water rescue team for their life-saving efforts over the past few days.

Ms. Vanuch said that regarding updates for the Rock Hill District, the land had been acquired for Rock Hill's relocation of the fire and rescue station. She said that the new location would be at the corner of Mountain View and Poplar Road, where a dual-located fire and rescue station would be established. She said that they would hold a groundbreaking ceremony once the site was better prepared and parking could be accommodated. She said that she hoped to erect a sign indicating the progress of this project in the spring.

Ms. Vanuch said that furthermore, she expressed her appreciation to all the constituents who attended the open meeting for the Stefaniga Mountain View Lightfoot realignment and traffic circle. She said that the overwhelmingly positive feedback from the community highlighted the necessity of this project. She said that she was particularly impressed by the enthusiasm and engagement of the community members. She said that this project had been in the works since 2019, and it had required several votes to secure the necessary funding and move it forward. She said that she thanked her colleagues for their continuous support in this endeavor. She said that the Rock Hill District appreciated their cooperation on that matter.

Ms. Vanuch said that regarding the next update on the dog park project, she said that she would read an email from their staff. She said that the project was currently running a little behind schedule. She said that the reason for the delay was that they encountered some engineering work related to stormwater management for the large impervious surface area that would be created with the parking lot, building, and sidewalks.

Ms. Vanuch said that the magnitude and associated time of this engineering work were not adequately estimated when the proposed opening date was shared with the public last year. She said that she apologized for this oversight and wanted to assure that it had been accounted for in all future projects. She said that the appropriations had been approved, and the contract was awarded. She said that they anticipated groundbreaking very soon, with a soft opening planned prior to the year's end.

Ms. Vanuch said that she wanted to inform the public and express gratitude to a constituent, Mr. Smith, for bringing a concern to the Board. She said that in June, she had mentioned that a resident had reached out about Medicare coverage at the Rouse Center. She said that they were allowing Medicare residents to utilize and access the gym. She said that she was so grateful for the hard work of Mr. Southall and Mr. Morris for their coordination efforts with the Rouse Center.

Ms. Vanuch said that she would now read the email from them to ensure that individuals on Medicare and Prime understood that they could now access the Rouse Center. She said that Silver Sneakers and Prime, which were fitness benefits from Medicare and a state program for those aged

18 and over. She said that these members would not be required to pay any dues or fees for a basic membership. She said that they would assist them in setting up Silver Sneakers or Prime memberships and provide a key tag upon their arrival for setup. She said that verification of eligibility would be conducted by checking their ID card, granting them access to the equipment and gym.

Ms. Vanuch said that existing dues-paying members who became eligible would have their memberships converted to include silver sneakers or Prime benefits. She said that all members, including those with Silver Sneakers or Prime, would have access to the same benefits as other members, including fitness groups, classes, and personal training. She said that this opportunity was truly significant for those with Silver Sneakers and Prime. She said that she thanked the staff, Mr. Smith for introducing this, and her colleagues for their assistance in disseminating this information.

Dr. Yeung – wished the County Administrator a happy birthday and congratulated him on making it to another Board meeting. She said that Ms. Bohmke was not only the Chair, and she appreciated her empathy and personal touch of giving her a flower from her own garden. She said that she thanked her for that. She said that Hurricane Helene's devastation served as a stark reminder of the increasing intensity of storms due to climate change. She said that it highlighted the urgent need for action to protect communities and adapt to a changing climate.

Dr. Yeung said that she wanted to express her gratitude to those individuals who were working tirelessly in the field. She said that her daughter, who resided in North Carolina, was a nurse and a doctor, and she was also serving in the Air Force, providing assistance out there. She said that she was thankful for her and all the nurses and doctors, including those on their staff who were helping the people affected by the storm.

Dr. Yeung said that she would like to remind everyone of the celebration of the solar array project, which consisted of 3,300 solar panels. She said that this project was expected to save the electric bills of North Stafford High School by approximately $2.8 million. She said that it was installed on the school's roof. She said that her colleagues celebrated at the groundbreaking ceremony for Elementary School 18 on September 18. She said that she was grateful to Mr. Diggs for giving her report at River Basin Commission meeting. She said that she wanted to add that one of their upcoming topics was the data center and water usage.

Dr. Yeung said that on September 19, she attended the 21st Annual School Board Office Student Art Exhibition opening and reception. She said that later that same day, she participated in the Office of Youth Meeting, where they discussed the yearly financial budget funding and the need for adequate staffing. She said that she attended the Regional Housing Assembly meeting, where they discussed the creation of a website and reviewed progress on regional housing priorities. She said that they acknowledged the importance of housing as a priority, particularly the need for affordable and workforce housing.

Dr. Yeung said that on September 26, at Porter Library, Mary Washington Health Care and Rappahannock Area Health District conducted a community health assessment, examining health outcomes and quality of life indicators, including access to care and social determinants of health, to inform the three-year community health improvement plan. She said that community leaders, including the Sheriff, participated in this event.

Dr. Yeung said that she received several requests from residents in Embrey Mill, Park Ridge, and Hampton Oaks school areas, where homes were being blocked for hours each day, making it difficult for residents to exit their driveways. She said that this situation was particularly challenging for parents working from home. She said that she observed the invasive nature of this issue firsthand and noted several near-misses, raising safety concerns.

Dr. Yeung said that she was requesting that the Board consider implementing a code that prohibited parking in front of driveways, similar to measures in Fairfax and Fredericksburg. She said that this code, Section 15-51, prohibits vehicles from parking in front of public or private driveways, aligning with Virginia Code 46.2-1220, which allows localities to prohibit parking in front of mailboxes and driveways. She said that she was asking if the County Attorney Office could investigate this further.

Mr. Morris said that they currently had an ordinance that only protected mailboxes and driveways. He said that he believed the new request was inclusive of some footage away from driveways.

Ms. Bohmke confirmed there was consensus from the Board to have staff review the situation further, and if necessary, bring the topic back in a work session.

Mr. Morris said that staff would review what other codes included and bring it back in a work session.

Ms. Bohmke – thanked all her colleagues who attended the groundbreaking for Elementary School 18. She said that unfortunately, she was unable to attend due to visiting her new grandchild, and she apologized for missing the event. She said that it was challenging to travel on a rainy day from there to Dulles Airport due to unpredictable traffic. She said that she wanted to mention the Virginia Public Rail Authority meeting that Ms. Gary attended, which was located on the third rail by Leeland Road. She said that she was following this closely and would provide more information as it became available. She said that although it was a few years away, it would significantly impact the people in that area.

Ms. Bohmke said that she would also like to thank Anthony Toigo for facilitating the VACo 6 and Region 7 meeting; he had done an excellent job. She said that in her absence, she had asked him to step in, so she appreciated his efforts. She said that she was deeply affected by the devastation caused by the hurricane. She said that it was truly unbelievable and she expressed her heartfelt sympathy to all those affected. She said that her children had attended a worship center in Asheville, North Carolina, for many years, and that area had been significantly affected. She said that anything they could do would be greatly appreciated by the people there.

Ms. Bohmke said that lastly, she wanted to draw the Board's attention to a matter. She said that while a decision was not required at that time, as members of various boards and commissions, they had been asked by VRE for an 8% increase in their budget for that year. She said that this amounted to $222,000 in the upcoming Fiscal Year 26 budget. She said that when reviewing VRE's six-year financial plan, they indicated that the increase would be closer to $69,000. She said that they needed to revisit their discussions with them as part of their budget process.

REPORT OF THE COUNTY ATTORNEY

Rysheda McClendon, County Attorney, said that she had nothing to report at this time.

REPORT OF THE COUNTY ADMINISTRATOR

William Ashton, County Administrator, said that he appreciated the Board for recognizing the swift water rescue team and the work they had done this past weekend. He said that it was truly remarkable and some of the stories they were hearing were absolutely heart-wrenching. He said that having an asset able to help those in need was great, and the Board acknowledging this was sending a powerful message to them, which he thanked them for.

Mr. Ashton said that he wanted to thank the Board for their birthday reception and the cake for him. He said that he must commend Chair Bohmke for developing a very valuable intelligence resource on all matters pertaining to him. He said that he would have to talk to that person later about that, but he appreciated everything they had done.

Mr. Ashton said that his third comment was that in the past two weeks of orientation with staff and the Board had been phenomenal. He said that he truly appreciated all the work they had invested in him to get him to stand up in this position. He said that he thanked staff for all the silly questions they had answered over the past two weeks, and there would be more coming, so he asked them to stand by. He said that he appreciated all the work they had been doing to help him get ready to operate more fully. He said that he thanked everyone for that and for the birthday wishes.

Ms. Bohmke said that regarding the swift water rescue team, for those attending the VACo conference, they would be hearing accolades from their colleagues in southwest Virginia, because they truly did not have those resources down there and appreciated it when northern localities were able to step in and help.

PRESENTATIONS AND REPORTS BY AGENCIES

ITEM 28. HUMAN RESOURCES; R24-298; R24-294; O24-24; CONSIDER UPDATES TO THE COUNTY'S SALARY ADMINISTRATION POLICY TO ENHANCE RECRUITMENT AND RETENTION INCLUDING AUTHORIZING A PUBLIC HEARING FOR SELECT POLICY RECOMMENDAITONS

Ms. Allen asked if the Board would be willing to take this matter to a work session due to the nature of the topic and depth and breadth that the Board wished to discuss it.

Ms. Bohmke said that they had all read this item and Ms. Wagner's understanding that this item was quite complex. She said that there were a lot of aspects to it and some of them felt that it would be better addressed during a work session and subsequently bring it back.

Mr. English said that the County Administrator should take up this issue rather than the Board.

Ms. Bohmke said that the Board must take action on certain aspects of this item.

Dr. Yeung said that she would be amenable to holding a work session or a two-on-two information session to discuss it further.

Ms. Vanuch said that she would lean towards deferring to the County Administrator in order to allow him as much discretion as possible over these issues. She said that it would be beneficial to report to the Board either in a quarterly closed session or during their monthly one-on-ones. She said that this way, they could receive a report on where these bonuses and other resources had been utilized, purely for informational purposes. She said that she was open to scheduling a two-on-two meeting to better understand which decisions required Board action and which ones could be deferred to the County Administrator.

Ms. Gary said that she would prefer having a two-on-two session in order to sit down and have questions answered.

Mr. Diggs said that he would like for the entire Board to discuss the item and hear questions rather than a two-on-two meeting. He said that he would like for the County Administrator to take the primary role in handling this, and the Board could take action as necessary.

Ms. Allen said that she was in favor of either option, but would defer to staff regarding scheduling and determining which was more efficient. She said that she agreed with Mr. Diggs that she liked all Board members to voice their questions and concerns at the same time, but if it was more effective to hold a two-on-two, she was amenable to that route. She said that she would defer to staff to determine what the best option was to get this policy moving forward.

Donna Krauss, Deputy County Administrator, said that she had a couple of questions to clarify. She asked if the reference to a work session was for a C day to have an hour or so to ask questions.

Ms. Bohmke said that yes, that was what they were requesting. She asked if a C day would be at the end of the month.

Ms. Krauss said that yes, it would be, but likely not for this item. She said that they would schedule it for some time in November. She said that their goal was to have this item completed by the new year, but it was not absolutely necessary.

Mr. Ashton said that part of this involved distinguishing between matters that required a public hearing and those that fell within his discretion, which he could work with the Board on directly. He said that he had experience with these tasks, having dealt with them several times before, including four years ago. He said that it had become a routine practice in local governments to acquire specialized skill sets, such as those of planners, engineers, and law enforcement personnel, to address staffing crises.

Mr. Ashton said that as he joined the organization and briefed with Craig Meadows, they identified significant gaps in their organization. He said that Mr. Meadows' final words to him emphasized the opportunity to build bench depth, which he suggested they prioritize. He said that this approach, focusing on micro markets for specific roles like engineers or law enforcement, allowed for flexibility in staffing and resource allocation. He said that completing this sooner would help alleviate the problem more quickly. He said that however, if the Board wished to take more time with this, he was willing to accommodate their decision.

Mr. Diggs said that in light of Mr. Ashton's comments, he would support a two-on-two session to further address this item. He said that he recognized that it was indeed a crisis, so they should move as quickly as possible.

Ms. Krauss said that from the staff's perspective, managing the Board's busy schedule presented some challenges. She said that she could work with Andrea Light to bring this to the Board on the 22nd, which would allow all seven members of the Board an opportunity to ask questions and hear the information. She said that the five-year financial plan could be completed in approximately an hour, and then they could discuss this item.

Ms. Vanuch said that she had a significant amount of questions and believed that they should take up the matter in two-on-two sessions. She said that they could commit to scheduling this by the end of the week.

Ms. Allen asked if they could utilize video so they had some flexibility for those members who could not physically attend a meeting in the building.

Ms. Krauss said that was absolutely possible. She said that she and Ms. Wagner could determine what time frame worked in their schedule and return to the Board to find time in the next few weeks.

Ms. Bohmke asked her colleagues to make themselves available for the two-on-two sessions and respond to the email as quickly as possible.

Dr. Yeung asked if staff could keep track of all Board questions so that they could stay apprised of all questions that had been individually posed.

Ms. Bohmke confirmed there was consensus from the Board to move forward with two-on-two sessions to address the salary administration policy.

ITEM 29. PLANNING AND ZONING; LAND CONSERVATION UPDATE AND NORTHERN VIRGINIA CONSERVATION TRUST/COUNTY PARTNERSHIP AGREEMENT RENEWAL

Kathy Baker, Assistant Director of Planning and Zoning, said that Laura Hassel from the Northern Virginia Conservation Trust was also present. She said that today, they would discuss land conservation efforts and continue their partnership agreement. She said that the Board had authorized an MOU between the County and NVCT in late 2022. She said that Ms. Hassel had been hired by NVCT as their dedicated employee for Stafford County's land conservation.

Ms. Baker said that they had developed a work plan in April 2023 to outline their land conservation strategy. She said that this plan focused on outreach and education, strategic planning, and property and easement acquisition, including donated properties and lands. She said that they would be requesting the Board to consider renewing the MOU, which expired the following June. She said that they aimed to have it in place by July of the next year.

Ms. Baker said that they would provide an update on their progress before discussing the MOU renewal in detail. She said that they had been working with various landowners, individuals, and agencies to achieve their goals as outlined in the partnership agreement. She said that over the past 18 months, they had made significant accomplishments. She said that renewing the MOU would maintain their conservation momentum.

Laura Hassel, Northern Virginia Conservation Trust (NVCT), said that during her time in the County, she had established contact with 33 new direct landowners, which accounted for approximately one-third of their organization's total new contacts in a year. She said that their network of agency and individual partners included partners at Quantico, Virginia's Department of Conservation and Recreation, and local groups such as Friends of Widewater State Park and the Soil and Water Conservation District.

Ms. Hassel said that they ran a successful ad campaign in February through Facebook. She said that they had created three videos that highlighted three types of conservation in Stafford. She said that they showcased the PDR program, the TDR program, and voluntary conservation easements.

Ms. Hassel played a sample video of a PDR property that was featured in their ad campaign.

Ms. Hassel said that the video was an example of one of three videos they released in a two-week Facebook ad campaign, which was limited to Stafford County. She said that the 124,000 impressions indicated the number of times the videos appeared on people's phones or computers as they scrolled through Facebook. She said that the 95,000 reach referred to the number of people who watched the videos. She said that the unique clicks, totaling 589, represented individuals who clicked on the videos to learn more information.

Ms. Hassel said that they participated in the Virginia United Land Trust Conference this year, where they presented their work in Crow's Nest. She said that their presentation emphasized the significance of collaboration between various agencies, including the County, the state, NVCT, and private citizens. She said that they aimed to demonstrate to other land trusts and interested parties the importance of such cooperation.

Ms. Baker said that currently, there were approximately 12,000 acres preserved throughout the County. She said that this included the PDR program, various land trusts with easements and properties, and state agency acquisitions. She said that since April of the previous year, over 400 acres had been conserved through all three programs combined, which included the PDR program, NVCT's efforts, and Department of Conservation and Recreation acquisitions. She said that there were also over 500 acres that were in the process of being conserved. She said that these figures pertained to the PDR program, which had nearly 1,200 acres under easement to date. She said that there were six more parcels in process, with two expected to close by the end of the year.

Ms. Hassel said that regarding the conserved lands in Stafford that NVCT was involved in, they had 270 acres of fee properties. She said that this included properties that they conserved through ownership, including about 20 two-acre parcels in Crow's Nest as part of their Completing Crow's Nest campaign. She said that for easements, they had over 1,100 acres in conservation easements, which included their stewardship. She said that they were out at least once a year to take a look at the property. She said that a few people on their staff did stewardship of properties, visiting them regularly, answering questions from landowners, and giving advice.

Ms. Hassel said that they assisted with 182 acres, referring to instances where they had helped partners protect land by either connecting them to landowners or assisting with due diligence, grant writing, or even purchasing and holding a property before a partner had the funds to acquire the land themselves. She said that they had a couple of exciting current projects in the works.

Ms. Hassel said that one was a 20-acre property up in Widewater, adjacent to Quantico, which a landowner had purchased 40 years ago to protect it from development. She said that the landowner was now elderly and concerned about the property's future, so she had reached out to them to see if they could help. She said that they were working on campaigning to raise the necessary funds. She said that they had already secured grant money and some private donors to assist in purchasing it. She said that it was a wonderful parcel, undeveloped with hardwood trees, a spring originating on the property that led to Tank Creek, and it was one of the remaining pieces of land of the Chelsea Estate.

Ms. Bohmke asked if the public would be allowed to access the property if it was conveyed.

Ms. Hassel said that yes, that was the plan, but it would not include 24/7 access. She said that their plan for the property would include organizing guided naturalist hikes four or five times a year, allowing people to visit and learn about the property. She said that the 200 acres in Rock Hill were part of the military's Readiness and Environmental Protection Integration (REPI) program, which encouraged landowners to conserve their land to prevent excessive development around Quantico. She said that they were collaborating with another partner who was actively seeking properties to conserve in this manner. She said that their goal was to become the conservation easement holder for this property. She said that it had been accepted into this year's application round, and they anticipated the process to be completed sometime next year.

Ms. Baker said that they collaborated closely with the Department of Conservation and Recreation. She said that the map on the right illustrated the area surrounding Crow's Nest, with Crow's Nest Harbor at its center. She said that DCR had recently acquired the 227-acre parcel and incorporated it into the preserve, which was highlighted in gold. She said that the other properties owned by NVCT around the preserve had also been designated as part of the preserve. She said that consequently, the total preserve size now surpassed 3,300 acres. She said that with the addition of the Crow's Nest Harbor lots, a new parking area and trail expansion at Crow's Nest were forthcoming.

Ms. Baker said that this area represented the Crow's Nest Harbor subdivision. She said that the County now held 305 of the lots, depicted in purple, while NVCT owned 20. She said that in the past year, NVCT had acquired 12 lots. She said that these, along with the County lots, would be conveyed to DCR to be added to the preserve. She said that approximately 28 parcels still remained in private ownership. She said that Ms. Hassel had initiated contact with many of these property owners and would continue to engage with them.

Ms. Baker said that they aimed to identify areas for protection as part of this initiative. She said that they had discussed this topic with the Board the previous year. She said that NVCT had developed a GIS database that prioritized lands based on various criteria and models conducted by state agencies. She said that this database provided a clear idea of how to prioritize lands and where to begin. She said that they could incorporate other data into this database. She said that their Transportation Department was working on a project called Safe Roads for All. She said that once they had data from this project, they could integrate it into the database.

Ms. Baker said that NVCT had been actively fundraising and applying for grants to support land conservation efforts. She said that they also covered out-of-pocket costs for surveys, appraisals, and assisted landowners through the process. She said that they were looking to continue in this direction and would bring back an updated MOU for a potential three-year extension if the Board desired.

Ms. Vanuch said that they had touched upon the importance of focusing on critical areas within the Urban Services Area for conservation as Stafford expanded. She said that she recalled visiting larger counties that were mostly developed, where she had seen beautifully preserved parks and green spaces, thanks to early conservation efforts. She said that it would be wonderful if they could develop a plan to identify and protect green spaces adjacent to neighborhoods and in areas currently suitable for development.

Ms. Baker said that even on this map, everything inside and outside the Urban Services Area had been included. She said that this included the purple areas, which represented properties that had already been developed. She said that they could observe other properties in those vicinities that were prime for conservation.

Ms. Bohmke said that the Board was supportive of moving forward with this in the future. She said that regarding the finances, the County was paying approximately $55,000, and NVCT contributed an additional amount. She asked if this amount would increase based on the CPI.

Ms. Baker said that it already increased annually. She said that currently, they were around $58,000. She said that it was likely that they would need to seek additional funds, but they were currently working through some numbers. She said that this would be part of Planning and Zoning's budget items. She said that as they started having discussions with the budget, when the budget was due in the next couple of weeks, they would begin refining that figure and determining where additional funds would come from.

Ms. Bohmke said that she felt that this position was intertwined with everything they did with PDRs and TDRs. She said that if she were to present this to the public, she would need to clearly explain the specific actions taken as their appointee with NVCT. She said that if she were addressing 100 people in an elementary school, she would need to justify the allocation of tax dollars for these purposes. She said that when they returned with a presentation, she would appreciate it if they could separate these aspects.

Ms. Hassel said that part of her role involved promoting County programs such as PDR. She said that PDR had its limitations and could only assist a certain number of landowners. She said that when she spoke with a landowner, she considered the potential for a PDR opportunity. She said that if PDR was not a viable option, she explored alternative ways to support the landowner, whether it was through a purchase like acquiring 20 acres with water rights or by establishing a voluntary conservation easement. She said that in doing so, she was supporting both the County and NVCT.

ITEM 30. PLANNING AND ZONING; TREE CANOPY REQUIREMENTS

Ms. Vanuch said that she would like to make a recommendation. She said that she had reviewed these slides, and she did not need to see them again. She said that her focus would be on discussing how they could move forward. She said that she proposed that they proceed by taking this to the Planning Commission for further refinement and then return it to the Board for a vote.

Ms. Bohmke said that there was a benefit for the public to see what the County was doing.

Ms. Vanuch said that it would require a public hearing, so the public would be able to see it as it went through the process.

Ms. Bohmke asked staff to provide the presentation.

Brian Geouge, Planning and Zoning Department, said that Supervisor Gary had introduced the tree canopy discussion item in June as a topic for further information. He said that they were aware that tree canopy offered numerous benefits, both regionally and locally. He said that these benefits included improved air quality, carbon sequestration, wildlife habitat, and stormwater management. He said that tree canopy could be considered a Best Management Practice (BMP), leading to recent projects that had recorded easements for conserved tree canopy instead of constructing BMP facilities.

Mr. Geouge said that tree canopy also aided in temperature regulation, mitigating urban heat island effects, conserving energy, and enhancing property values, among other advantages. He said that as the County continued to urbanize, it became increasingly crucial to establish regulations to promote tree canopy preservation. He said that this was also addressed in their comprehensive plan under Objective 4.3. He said that he would briefly review some current regulations related to tree canopy.

Mr. Geouge said that they had a code section for tree preservation in Chapter 24, which focused on the preservation of individual trees, such as heritage trees, specimen trees, and memorial trees. He said that an arborist or urban forester had to designate these trees, and the designation had to be made through ordinance adoption. He said that once established, there were restrictions on the removal of these trees. He said that they also had regulations focused on transitional buffers, which were necessary where incompatible uses were present. He said that these included street buffers or street trees, depending on the road classification, and landscaping in parking lots.

Mr. Geouge said that currently, there were no specific canopy requirements in place. He said that state code permitted them to regulate canopy. He said that this permissive language was found in Section 15.2.961, which was enacted in 1989. He said that it allowed localities within the Chesapeake Bay watershed with a density of at least 75 per acre per square mile to implement these regulations. He said that Stafford County qualified under this criterion.

Mr. Geouge said that there were limitations. He said that the percentage of canopy required could vary depending on the property's use and zoning. He said that for commercial industrial properties, the requirement was 10%. He said that for higher density residential areas with 20 units or more per acre, the requirement was also 10%. He said that the only district with this level of density was their UD District for multifamily developments. He said that for densities between 10 and 20 units per acre, the requirement was 15%. He said that they had a few zoning districts with this level of density.

Mr. Geouge said that most of their residential areas had densities of 10 units or less per acre, which was more typical of the suburban development pattern in the County. He said that for these densities, they could require up to 20% canopy. He said that state code also mandated that the canopy needs to be calculated based on a 20-year growth projection.

Mr. Geouge said that the code required localities to incorporate reasonable exceptions and deviations from the requirements. He said that they identified areas devoid of suitable woody material, such as properties with surface water, ponds, or large wetlands, which would need to be excluded from canopy requirements. He said that they considered situations where applying the requirements would result in unnecessary or unreasonable hardship.

Mr. Geouge said that they consulted with the Berkeley Group. He said that their input, summarized in attachment two, outlined current local and state code requirements, compared some peer localities, and provided general recommendations on standards. He said that the key considerations for canopy requirements included establishing the calculation method. He said that different localities approached this differently, with some subtracting the building footprint or impervious area before applying the percentage, while others did not.

Mr. Geouge said that localities also varied in their approach to site-specific considerations, allowing deviations from standards if necessary. He said that another issue they had to address was tree preservation versus incentives. He said that some localities had stronger language for preservation, requiring a more formal process to clear existing trees. He said that for projects that may require a buffer in a currently wooded area, they had to decide whether to allow the clearing of that buffer for site grading and replanting or to require the area to be preserved.

Mr. English asked how the age of the trees was taken into consideration.

Mr. Geouge said that when discussing individual trees rather than a larger stand, he believed this approach aligned with their Chapter 24 requirements for preserving heritage or specimen trees through ordinance. He said that in such cases, the ordinance would prevent the removal of a tree unless permission was granted by the Board. He said that regarding general canopy requirements, they would include language to encourage the preservation of mature tree stands. He said that this would benefit their situation when calculating canopy coverage, as preserved canopy could be credited towards meeting the required percentage, rather than relying solely on new plantings.

Mr. Geouge said that another aspect they needed to consider was the development of a tree selection and cover guide. He said that currently, they did not have such a guide, but they could work on creating one. He said that they should consider waivers and exceptions. He said that the Berkeley Group suggested three options: addressing excessive costs to the developer due to canopy requirements, unique site constraints, and conflicts with other requirements. He said that staff believed it was easier to focus on site constraints and conflicts with other requirements for enforcement purposes.

Mr. Geouge said that an example of a tree selection guide was provided, taken from another locality, which they would need to develop with their canopy ordinance. He said that the tree selection guide would list all available trees for new plantings for developers. He said that it would also chart the projected tree canopy at a 20-year growth period based on the size of the trees. He said that this allowed engineers and staff to evaluate if the requirements were met.

Mr. Geouge said that it could also include other useful information such as the minimum planting area for a specific tree, the required spacing, the best location for planting, environmental tolerances, and any associated problems. He said that it would also indicate if a tree was drought or flood tolerant.

Dr. Yeung asked if there were endangered species of trees.

Mr. Geouge said that he did not know.

Dr. Yeung said that there were developers who were cutting down trees and then replacing them.

Mr. Geouge said that he was not certain regarding specific tree species. He said that when considering aspects such as long-eared bat protection, it was related to the tree canopy. He said that in a sense, it was connected to an endangered species.

Ms. Bohmke asked how they could regulate the location of tree plantings so that they did not grow too close to structures.

Mr. Geouge said that as planners, they were generalists. He said that they had a broad understanding of various subjects, but he believed it would be beneficial to have a landscape architect on staff.

Mr. Geouge said that as noted, state code mandated that localities include exceptions to requirements for areas lacking suitable woody material where requirements imposed an unreasonable hardship. He said that administrative waivers appeared to be the norm when examining other localities. He said that he found no localities that necessitated an engineer or developer to undergo a strenuous process for modifying canopy requirements. He said that exceptions could be made for sites with flood plains or wetlands. He said that exceptions could also apply to non-wooded recreational sites. He said that exceptions might be appropriate if the uses or densities were significantly compromised by imposing the tree requirement.

Mr. Geouge said that an example was a redevelopment site at Warrenton and Plantation, where they proposed a Panda Express. He said that over the years, they had made significant improvements to the site, including road improvements and widenings. He said that the utilities along the frontage limited the ability to plant new trees. He said that this could be a situation where they recognized the site's constraints and considered exceptions.

Mr. Geouge said that staff wanted to determine, with their current landscape requirements, what kind of canopy they were already achieving through parking lots, landscaping, street buffers, and transitional buffers. He said that they selected a few recent examples to focus on scenarios that represented a worst-case scenario, where there were no transitional buffers or preserved wooded areas. He said that this approach allowed them to assess the kind of canopy they were receiving.

Mr. Geouge said that for Berea Market, he calculated a 10.6% canopy, which was quite good. He said that commercial developments could require up to 10% canopy. He said that the Courthouse Tracks 7/11 had 13.8% coverage. He said that the Burns Corner Panda Express had 10.6% coverage, the Stafford Marketplace Starbucks had 9%. He said that Shimco Center was a 2.5-acre parcel located just south of Potomac Creek Industrial. He said that this site lacked transitional buffers and did not require interior parking landscaping. He said that there were only nine trees on the entire site, resulting in a mere 2% canopy for the project.

Mr. Geouge said that when they looked at the percentages on the slide, it was not the complete picture because this was a select sampling of projects and commercial corridors. He said that they also had industrial projects, which would benefit more from this canopy requirement. He said that these developments often had large buildings, limited parking areas, and sometimes no transitional buffers. He said that residential developments would also see a benefit from this requirement. He said that open space did not necessarily mean tree cover, as one could clear open space or put stormwater facilities there without maintaining tree cover.

Mr. Geouge said that a 20% canopy coverage was relatively high compared to commercial standards and could significantly benefit high-density residential developments. He said that developers often cleared the entire plot for grading and then sporadically planted trees. He said that regarding their recommendations, they acknowledged the benefits of this approach. He said that the effectiveness would vary depending on the specific use and site conditions. He said that they were also working on other updates to the DCSL.

Mr. Geouge said that if the Board was interested in implementing tree canopy regulations, they needed to develop comprehensive regulations. He said that this process could take a few months, possibly extending into the first quarter of the next year. He said that they aimed to ensure that these regulations were incorporated into the DCSL. He said that if the Board was considering canopy requirements, it might be prudent to temporarily halt DCSL amendments to allow the tree canopy regulations to catch up. He said that this way, they could integrate all the regulations cohesively.

Mr. English asked if the tree canopy requirements would put constraints on development.

Mr. Geouge said no, not necessarily. He said that most of the peer localities that he researched already had these regulations. He said that they did have exceptions and deviations, and they allowed developers to reduce the percentage based on certain criteria. He said that all the ones he found used the state code parameters, and they went to the fullest extent that they were able to regulate. He said that this was definitely not new for developers, but they would have to keep these impacts in mind when it came to making requirements reasonable and working within those appropriate exceptions.

Ms. Vanuch asked how long it would take to draft the regulations to be sent to the Commission.

Mr. Geouge said that it could be drafted by early 2025.

Ms. Vanuch asked the Board to agree to allow staff to draft the regulations. She said that when the resolution came back before the Board, it could go on the Consent Agenda. She said that this way, the Planning Commission would retain the authority to make necessary changes. She said that they should focus on industrial and high-density residential development. She said that this approach would minimize the impacts on businesses such as a Starbucks trying to fit into a small parcel of land. She said that their goal should be to avoid negatively affecting these smaller enterprises while concentrating on larger-scale developments.

Mr. Geouge said that they could work that into the exceptions.

Ms. Gary said that she agreed. She said that she had a question regarding the legislation that permitted them to do this. She said that she wanted to know how it compared to the recently passed legislation for Planning District 8 related to canopies.

Mr. Geouge said that Planning District 8 had stronger requirements that they could potentially adopt, as he believed it was tied to being in an eight-hour non-attainment area for ozone. He said that the requirements were very similar, except that they could go up to 30% for residential areas. He said that it was 25% if there were between two and four units per acre and 30% if there were under two units per acre.

Ms. Gary said that she brought up this point because she believed there was more flexibility with recent developments. She said that some localities were part of two different planning districts. She said that the Board should consider exploring this possibility. She said that if they were to become part of Planning District 8, it could potentially allow them to benefit from some of its advantages. She said that they would then not need to lobby the state to change any legislation related to their current planning district.

Ms. Bohmke said that she wanted to ensure that they provided the Planning Commission with as much flexibility as possible, particularly when it came back to the Board.

ITEM 31. PLANNING AND ZONING; R24-307; AMENDMENTS TO THE DESIGN AND CONSTRUCTION STANDARDS FOR LANDSCAPING, SCREENING & BUFFERING MANUAL (DCSL) AND TO REFER PROPOSED AMENDMENTS TO THE PLANNING COMMISSION

Brian Geouge, Planning and Zoning Department, said that they were considering amendments to the DCSL manual. He said that this manual was last updated by the Board in 2019. He said that the purpose of these amendments was to streamline processes, clarify requirements, and enhance standards where appropriate. He said that they had received feedback from the development community as part of the commercial development review study. He said that there had been stakeholder meetings with the study where developers and engineers had expressed the need for more flexibility in landscape standards.

Mr. Geouge said that some of their current regulations were deemed unnecessarily burdensome. He said that they had held a separate meeting with engineers, specifically focusing on landscape regulations. He said that the key takeaways from that meeting were the need for more administrative flexibility in landscape standards and the need to simplify the process of claiming credits for preserving existing trees.

Ms. Vanuch asked if they should hold off on this item while they developed the tree canopy regulations. She said that this item could be addressed at the same time as the tree canopy regulation.

Mr. Geouge said that it was up to the Board's discretion.

Ms. Bohmke said that the Board was in favor of the tree canopy regulations, so this item can wait until the tree canopy regulation was brought back.

ACTION ITEMS

PLANNING AND ZONING; R24-306; SUBDIVISION ORDINANCE AMENDMENT RELATING TO FAMILY SUBDIVISION STANDARDS, AND TO UPDATE REFERENCES TO CHAPTER 11 – EROSION AND STORMWATER MANAGEMENT

Brian Geouge, Planning and Zoning Department, said that the update mainly addressed family subdivision regulations, but it also included a few cleanup items. He said that their code permitted family subdivisions. He said that to qualify for these, one had to own the property for five years, and after transferring it to an immediate family member, they had to own it for another five years before it could be transferred to anyone outside of the immediate family.

Mr. Geouge said that there were several benefits to family subdivisions. He said that the most significant one was the exemption from the six-acre density requirement for A1 developments, which was where most family subdivisions were located. He said that other benefits included the possibility of subdividing in the urban services area even without immediate access to public water and sewer, which was not possible with conventional subdivisions. He said that there were access advantages, such as the ability to have multiple lots.

Mr. Geouge said that regarding application volumes, the County typically received around eight family subdivision applications annually, primarily within the A1 district. He said that families could request a waiver of the ownership requirement, which was then presented to the Board for consideration. He said that this waiver had to be based on an extraordinary hardship for the subdivider. He said that over the past three years, they had received eight such requests. He said that the most common hardships cited were the need to provide family care for aging parents or financial difficulties. He said that these requests had been approved in the past and were not typically contentious.

Mr. Geouge said that all time limit reductions granted thus far had been for the pre-subdivision five-year requirement, not the post-subdivision five-year requirement. He said that the Board had requested that staff explore administrative reductions to avoid Board involvement for every request. He said that in their proposed regulations for Section 22.5, they had sought input from the Berkeley Group and consulted with the County Attorney's Office. He said that they had concluded that state code permitted them to handle these matters administratively, but they needed to specify the criteria for such reductions in the delegation of authority.

Mr. Geouge said that the proposed regulations outlined the submission process, which included a signed affidavit, and it had to relate to family care or financial hardship. He said that the agent had the authority to approve or deny the request. He said that denial by the agent could be addressed in the same manner as any other action derived from the subdivision ordinance and could be appealed to the Board within 10 days of the decision. He said that other updates were to align their code more closely with state code.

Mr. Geouge said that their current code stipulated that if an immediate family member inherited a property, the five-year ownership period would reset. He said that by aligning their code with state code, it introduced more flexibility, allowing the five-year ownership to be considered cumulatively among all immediate family members. He said that this change would eliminate the issue of repeated requests and streamline the process.

Mr. Geouge said that other updates were for cleanup and clarification. He said that unrelated amendments to the subdivision ordinance were primarily for cleanup and general housekeeping. He said that Chapter 21.5 was removed, which pertained to stormwater management, and was incorporated into Chapter 11, but there were still references to Chapter 21.5, which would be removed. He said that he believed these amendments would streamline the process for time limit reduction requests and ensure consistency with state code. He said that staff recommended that the Board refer this matter to the Planning Commission.

Ms. Vanuch motioned, seconded by Ms. Allen, to adopt R24-306, referring the matter to the Planning Commission.

Ms. Vanuch asked if the proposal allowed the Commission to recommend changes.

Mr. Geouge said that it did not, and if the Board wanted the Commission to recommend changes, the motion should be amended to reflect that.

Ms. Vanuch said that she wanted a requirement to notify the district supervisor whenever such an event occurred in their district. She said that this way, they could be prepared and not caught off guard if a constituent asked about it. She said that every year, the Board should receive a report detailing these. She said that this would help them ensure that there was no abuse by residents.

Mr. Geouge said that he believed this could be managed administratively. He said that the proposed code required that requests be submitted on approved forms by the department. He said that staff could certainly incorporate this requirement into their internal SOPs for handling these requests.

Ms. Vanuch said that she had experienced situations during her time on the Commission where the Board sent a hard-lined resolution and they might vote it down due to one factor. She said that the recommendation came back to the Board, and they had to figure out why they voted it down and recommend any necessary changes. She said that she would like the Board to be informed about these changes. She said that the Commission should be able to make amendments if they believed there was something that needed to be changed.

Ms. McClendon said that the Board did not necessarily need to worry specifically about the language, it just needed to be included in the motion. She said that the motion should allow the Commission to make modifications to the ordinance.

Ms. Vanuch amended the motion to allow the Commission to make modifications to the ordinance.

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

CLOSED MEETING

At 7:02 p.m., Ms. Allen motioned, seconded by Dr. Yeung, to adopt Resolution CM24-27 to authorize closed session.

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

Resolution CM24-27 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for (1) consultation with legal counsel and briefings by staff members pertaining to Stafford County v. Anderson and Williams, Case No. CL22-3006, where such consultation or briefings in open meeting would adversely affect the litigating posture of the Board, and (2) consultation with legal counsel regarding Virginia FOIA provisions, which is a specific legal matter requiring the provision of legal advice by such counsel;

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

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 1st day of October, 2024, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING – SEC. 2.2-3711 (A)

At 7:31 p.m., Ms. Allen motioned, seconded by Mr. Diggs, to adopt Resolution CM24-27(C) to certify the closed meeting.

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

Resolution CM24-27(C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON OCTOBER 1, 2024

WHEREAS, the Board has on this the 1st day of October, 2024, adjourned into a Closed Meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act provides for certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 1st day of October, 2024, that to the best of each member's knowledge (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the Motion by which the Closed Meeting was convened, were heard, discussed, or considered by the Board.

Ms. Allen motioned, seconded by Ms. Gary, to adopt Resolution R24-308.

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

ADJOURNMENT
At 7:32 p.m., Chair Bohmke adjourned the October 1, 2024, Stafford County Board of Supervisor's meeting.

William Ashton, II
County Administrator

Meg Bohmke
Chairman