BOARD OF SUPERVISORS
STAFFORD COUNTY, VIRGINIA
MINUTES
REGULAR MEETING
FEBRUARY 18, 2025

CALL TO ORDER – A regular meeting of the Stafford County Board of Supervisors was called to order by Deuntay Diggs, Chairman, at 5:00 p.m.. on Tuesday, February 18, 2025 in the Board Chambers, George L. Gordon, Jr. Government Center, 1300 Courthouse Road, Stafford VA.

ROLL CALL – The following members were present: Deuntay Diggs, Chairman; Tinesha O. Allen, Vice Chairman (arrived 5:07 p.m.); Meg Bohmke; Pamela Yeung; Darrell English; Monica Gary; Crystal Vanuch.

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

INVOCATION

Ms. Gary led the invocation.

PLEDGE OF ALLEGIANCE

Boy Scout Troop 2220 members Emery Hartel and Brady Fox led the Board in the Pledge of Allegiance to the Flag of the United States of America.

CHAIR REMARKS

Mr. Diggs said that he would like to take a moment to acknowledge the challenges brought by the ongoing winter storms affecting their region and the nation. He said that their thoughts were with those impacted, and they encouraged everyone to remain vigilant as another storm approached. He said that now was the time to take precautions, prepare their homes, stay informed, and most importantly, sign up for a Stafford Alert at staffordalert.com to receive real-time updates and emergency notifications.

Mr. Diggs said that the public's help was needed in preserving their sanitary sewer system. He said that two factors contributed to costly blockages in wastewater pipes in homes: flushing flushable wipes, and pouring fats, oils, and grease or food down drains. He said that when these combined with wipes, which did not break down as quickly or as efficiently as toilet paper, they formed a fatberg. He said that by the time the mess reached their pump stations, it could cause damage. He asked that citizens please ensure they disposed of grease properly by tossing it in the trash and refrain from using flushable wipes.

Mr. Diggs said that he was excited that the Stafford African American Heritage Trail would debut this week. He said that this trail system was part of Discover Stafford's commitment to sharing the complete story of the County's history. He said that the Stafford African American History Trail, developed with the assistance of the University of Mary Washington's Department of Geography, historians, and community members, captured their three centuries of African American heritage in Stafford County.

Mr. Diggs said that he would like to congratulate and commend their Tourism Department for their hard work in coordinating and collaborating with all entities to ensure the trail's success. He asked the public to please visit the Discover Stafford website at DiscoverStafford.org to find details. He said that visiting the trail was a great way to celebrate Black History Month. He said that to further celebrate and recognize Black History Month, they had a short video about the new history trail for this meeting.

PRESENTATIONS

There were no presentations.

ADDITIONS – DELETIONS AND APPROVAL OF THE REGULAR AGENDA

ADD-ON TO PRESENTATIONS/REPORTS BY DEPARTMENTS; PLANNING AND ZONING; R24-240(R); A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AGREEMENT AND DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON TAX MAP PARCEL NO. 56-112A, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT, AND TO BUDGET AND APPROPRIATE FUNDS FOR THE PURCHASE

Mr. English motioned, seconded by Ms. Gary, to approve the Regular Agenda as amended.

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

WORK SESSION ITEMS

ITEM 1. COUNTY ATTORNEY; R25-47; FIRST READ OF PROPOSED AMENDED BY-LAWS TO PROVIDE INVESTIGATORY PROCESS FOR THE REMOVAL OF BACC APPOINTEES OF THE BOARD

Rysheda McClendon, County Attorney, said that at the Board's C-Day work session on January 28, the Board provided staff direction to make amendments to the bylaws to establish an investigatory process for the removal of Boards, Authorities, Committees, and Commissions (BACC) members appointed by the Board. She said that the bylaws were previously only addressed in one area, so they were reorganized to better address BACC membership in a document that remains readable.

Ms. McClendon said that the bylaws were reorganized to establish a new Article 10, which deals with BACC membership. She said that in Attachment 2 to the bylaws, which is part of their Board package, the provisions that were moved from old Section 2.1 and are now under the new Article

10 are highlighted in green. She said that additionally, a few new sections were added to this new Section 10.1.

Ms. McClendon said that this section establishes who it applies to, Section 10.3 outlines the requirement for BACC members to provide the clerk with updates if significant information changes after they have been appointed, and Section 10.4 is where the investigatory process the Board has requested has been added. She said that to provide further clarification, she would like to highlight Section B and Section C in this section. She said that if a Board member has concerns about a BACC member's conduct or behavior, and wishes to request the Board's consideration of removal or discuss the member's behavior, the Board will follow this process.

Ms. McClendon said that first, the Board member will discuss their concerns in a closed session. She said that following the closed session and any necessary direction from the Board, an investigation of the alleged conduct or behavior will be conducted. She said that as part of this investigation, the Board will invite the BACC member to discuss the member's behavior in the closed session.

Ms. McClendon said that the BACC member will receive at least 24 hours' notice from the Chair, provided through email and phone, informing them of their invitation to a closed session and the alleged conduct or behavior to be discussed. She said that any removal action taken by the Board must be conducted in an open session, as mandated by law. She said that finally, this procedure applies only to removal for a cause, and was not applicable for removal of a member the Board appoints at their pleasure or if the BACC member had been convicted of a crime.

Ms. McClendon said that the Board has the authority to appoint members at its discretion or remove members who have been convicted of a crime. She said that this proposed bylaws amendment will be presented for the first time at this meeting. She said that the Board is required to conduct two readings before adopting the changes. She said that if the Board wishes to proceed with adoption, it will be considered at the next meeting on March 4. She said that at that time, the page numbers in the table of contents will also be updated to reflect any changes made by the Board.

Dr. Yeung said that she would like to reiterate her concerns about rushing this process. She said that she believed it was crucial that they take their time to ensure everything was right. She said that when she mentioned last time that she thought they were not circling back, she wanted to ask some questions to clarify what was needed. She said that specifically, regarding the notice period, she was concerned that 24 hours may not be sufficient for someone to gather all the necessary paperwork or information before attending the board meeting. She said that she was thinking more along the lines of five days.

Dr. Yeung asked if the BACC member would receive the same written notice as the Board, detailing the alleged conduct or behavior to be discussed, at the same time. She said that she thought it was essential that they have at least five days to review the information. She said that regarding the stipulation that the Board shall invite the BACC member into closed session to discuss the allegation and address the Board, they should submit relevant information, documentation, and witness statements earlier than that meeting date.

Dr. Yeung said that following the Board's decision, the Chair should provide a written summary of the findings, actions taken, and reasoning behind the decision within a reasonable timeframe, such as five business days. She said that she believed these details were missing from the current proposal.

Ms. Gary said that she was grateful to Dr. Yeung for bringing this to their attention and championing this initiative. She said that she believed it was crucial and would like to briefly reflect on the past year's events. She said that she thought this could have potentially prevented some of the issues that arose. She said that she supported Dr. Yeung's efforts and believed this proposal should move forward. She said that she also wanted to reiterate the importance of upholding integrity and adhering to the law, as sometimes this was a factor in the problems that occurred.

Ms. Gary said that even with well-intentioned policies, a lack of integrity could lead to issues. She said that therefore, she wanted to make it clear that if they proceeded with this, it would need to be in good faith and cannot be performative. She said that she was not suggesting that Dr. Yeung or anyone in particular was not acting in good faith, but they needed to do better for the public and work together as a Board to achieve this.

Dr. Yeung said that the part she was referring to, and similarly regarding integrity, she believed if the BACC member could bring their information, statements, and truth to that meeting, it would be helpful and should be included in the procedure.

Ms. Gary said that she concurred with that. She said that if it were a motion, she would second it. She asked if this was the appropriate way to add these changes to the language.

Ms. McClendon said that a motion was not necessary, but she would need clarification, because what had been included was based on previous direction from the Board.

Ms. Bohmke said that since she had been Chair during this incident, she would like to ensure that the public is aware that the majority of what they were including in this new bylaw was already permitted by state law. She said that they were adding a few things, but it was essentially what state law already granted them the authority to do.

Ms. McClendon said that was correct; ultimately, the Board was codifying provisions and procedures that it could always follow.

Ms. Bohmke said that she agreed with Dr. Yeung that 24 hours was not a sufficient amount of time for someone to provide information on a topic that was crucial to them, regardless of the outcome of a meeting with the Board of Supervisors. She said that she thought they should consider a minimum of three to five days to allow for more thorough discussion and consideration. She said that there needed to be more time, and she would not object to the additional amendment that Dr. Yeung had mentioned.

Ms. Vanuch said that her only concern was that they establish a minimum of 24 hours, giving the Board the discretion to go longer than that. She said that she would not want to tie future Boards hands to a three- to five-day timeline if action was necessary sooner than that. She said that she wanted to consider the potential implications of a press release, as soon as the email was sent, it became a public record, and any inaccuracies could be amplified through the media, potentially harming the individual's reputation.

Ms. Vanuch said that she was trying to mindful of this aspect and believed that a 24-hour minimum was necessary to protect the individual's rights and prevent any potential misrepresentation. She said that the Board could then use the closed session to determine if additional time was warranted.

Dr. Yeung said that she would like to refute that comment. She said that she would like to emphasize the importance of bringing truthful and integrity-driven information to the table, as this would alleviate concerns about the 24-hour window.

Ms. Vanuch said that she was not suggesting that Board members would intentionally mislead, but as they had seen, they had been provided inaccurate information, and that was unacceptable. She said that she believed they wanted to ensure that they were giving the constituent or appointee the opportunity to provide accurate information, and she was concerned that as soon as an email was sent, it could be misinterpreted and spread to the media, leading to a distorted narrative. She said that her concern was to protect the constituent, especially if they were innocent and simply wanted to clarify their situation.

Ms. Vanuch said that if they were forthcoming and explained their side of the story, it shouldn't take more than 24 hours for them to do so. She said that considering the recent incident, where a woman explained her situation in under three minutes, she thought they should maintain flexibility as a Board to make informed decisions. She said that the state code did not dictate a specific timeline, so she proposed a minimum of 24 hours, while being mindful of the Freedom of Information Act (FOIA) implications.

Mr. Diggs said that he shared Ms. Vanuch’s concern that citizens may be impacted when a Freedom of Information Act (FOIA) request was made and an email was sent out. He said that once the information was released, they no longer had control over it.

Ms. Vanuch said that she wanted to add one more point. She said that there was an individual who had served on the Planning Commission many years ago, who had been accused of sexual misconduct. She said that the incident had become public when it had been reported in the local newspaper, just as he was about to be pulled into closed session. She said that she believed that this incident highlighted the importance of being mindful of such situations, as they could occur and have serious consequences.

Ms. Bohmke said that she raised a valid point. She said that if they were truly committed to protecting the appointee, then they needed to strike a balance between giving them more time and moving forward with the process. She said that by establishing a minimum timeline, they provided the Board with flexibility and allowed for a more efficient process.

Ms. Gary said that she did not think that the time frame was crucial in this situation, as it felt somewhat performative. She said that she had brought the issue back to the Board, stating that they had made a mistake and done the wrong thing, and despite the uproar and public comments, no one wanted to address it. She said that she was accepting of the 24-hour timeline, considering the complexities involved in these situations.

Ms. Gary said that in her opinion, if someone was accused of wrongdoing, they should have a bit more time to gather evidence and prepare their statements, as Dr. Yeung had mentioned. She said that if the Board's decision was to stick with a 24-hour time frame, she would support that, but she believed a longer period would be more suitable.

Mr. Diggs said that the 24 hours would be the minimum, and the Board could give more time if needed for the specific circumstances.

Ms. Gary said that she understood, but she believed that if the Board was not held accountable for providing sufficient time, future Boards may find themselves in a situation where they were given only 24 hours to complete tasks, and due to the nature of their positions, which was unfortunately influenced by politics, important details may fall through the cracks. She said that given the dedication of the public who had stepped up to serve, she thought it was essential to provide more flexibility to them. She said that she would support a minimum of 24 hours, but more time would be her preference.

Mr. Diggs said that there was consensus from the Board to provide a minimum of 24 hours to notify the BACC appointee.

Dr. Yeung asked if the notice for the closed session could be sent out five days prior, so the person will receive it at least five days prior to the session, ensuring they are aware of the upcoming meeting.

Ms. Vanuch said that this was similar to what was just discussed. She said that a closed session must be publicly noticed for three days.

Ms. Gary said that she would support Dr. Yeung's proposal, especially after having been pulled into multiple closed sessions, sometimes at the end of a meeting and without any prior notice, by the previous Chair. She said that she would support providing a lot more notice to the person involved. She said that she agreed with Dr. Yeung.

Dr. Yeung said that she had been working on this for the whole year of 2024, and she was aware of the content. She said that Ms. Vanuch's approach was hindering her efforts by trying to sidestep the actual issue she was trying to address and improve.

Mr. Diggs said that they had agreed with a minimum of 24 hours to work with. He asked what specifically the second action regarding three to five days' notice would achieve.

Ms. Gary said that she believed the request from Dr. Yeung was a notice of a three to five days prior to the closed session.

Ms. McClendon said that with regards to the notice, as she understood it, the Board's polling indicated a minimum of 24 hours. She said that there was no second notice provision to extend the five-day period, so she would like clarification on where that direction would be.

Dr. Yeung said that if they were saying a minimum of 24 hours of notification, with Board discretion, perhaps that made sense if something crazy was happening from the Planning Commission's perspective. She said that in general, they were looking at the individual who had to come before the Board in closed session.

Ms. Allen said that to respond to Dr. Yeung, she believed the sentiment was that constituents should be notified 24 hours in advance. She said that her understanding was that after notification, it was the responsibility of the Chair or Vice Chair, and staff, to work with the constituent to determine the required timeframe and then present that information to the Board or County Attorney during a closed session. She said that in essence, the notification served as a starting point, and they then engaged with the constituent to gather the necessary information, which would be presented in a more detailed manner, rather than a blanket 24-hour timeframe.

Mr. Diggs said that he wanted to take some time to consider their discussion and reflect on what they had covered. He said that they had established a minimum of 24-hour notice, and they would move forward with that. He asked if any further direction from the Board was requested from staff.

Ms. McClendon said that she believed there were three parts to the proposed language. She said that the first part was just discussed, and the second part addressed adding language regarding the individual being allowed to present evidence in closed session.

Mr. Diggs said that there was consensus from the Board to include language to specify that allowance.

Ms. McClendon said that she wanted to clarify that they were discussing evidence, which involved bringing in actual items, not inviting additional witnesses to closed sessions. She said that the last part of the proposal pertained to the Board's actions in writing, requiring a written explanation for the actions taken and providing written notice by the Chair.

Ms. McClendon said that she requested that the Board consider seeking legal advice on this matter. She said that if the Board wished to proceed with this, they should ensure that any actions taken in closed session were not contrary to the spirit of the requirement, as all actions must occur in open session. She said that, furthermore, if the Board decided to move forward with written communication, it should follow the open session action.

Ms. Gary said that she would also like to give her thanks to Ms. Bohmke for publicly acknowledging their discussion regarding the letter that was not sent out. She said that this clarification helped to clear up a point of confusion. She said that she believed that by doing so, it would be beneficial in the future to ensure that these processes were followed in a way that respected the individuals who volunteered to serve.

Ms. Bohmke said that based on her understanding, she believed the County Attorney would likely handle this matter on their behalf regardless. She said that she was unclear about the specifics. She said that as they were aware, they could not take votes in closed session, so she was seeking clarification on this matter. She asked if Ms. McClendon could elaborate on this further.

Ms. McClendon said that this was not typically something she would do. She said that since the Board could not take actions in closed session, if a member was to be removed, it would need to occur in an open session. She said that following that open session action, the Chair would then send a letter to the BACC member informing them of the removal and the Board's action.

Mr. Diggs said that there was consensus from the Board to include that language.

Dr. Yeung said that she had another question for their attorney regarding the distinction between the A and B sections in section 10.4. She said that she was wondering about where the Planning Commissioners fit into this classification.

Ms. McClendon said that all sections related to removal would be in compliance with applicable law, which meant that each BACC may have different provisions. She said that for example, the Planning Commission would fall under Section B. She said that in this case, members of the Planning Commission could be removed for cause, but the specific reasons for removal would be determined by state code. She said that this could include instances of misfeasance or attendance-related issues. She said that while the procedure for removal was outlined in their bylaws, they must ensure that the reasons for removal were in accordance with state law.

Dr. Yeung said that she would ask another question related to the Planning Commission during her Board comments later today.

PRESENTATIONS/REPORTS BY DEPARTMENTS

ITEM 2. COUNTY ADMINISTRATION; GENERAL ASSEMBLY UPDATE

Anthony Toigo, Intergovernmental Affairs Manager, said that he would like to introduce Lauren Gilbert with Advantus Strategies to provide the update. He said that following her presentation, he would repeat any questions the Board Members had so that Lauren could hear them clearly.

Lauren Gilbert, Advantus Strategies, said that the General Assembly session was coming to a close. She said that they were in the final days of this year's scheduled session, and they anticipated adjourning as scheduled on February 25, this Saturday. She said that even with the anticipation of the storm, both the House and the Senate had been working to complete their long floor agendas quickly, and they anticipated building on some time in case of any disruption due to the snow.

Ms. Gilbert said that the big thing everyone was waiting on right now was the budget conference report, which would recognize the House and Senate proposed budget amendments and then go to the Governor. She said that both the House and Senate had released their proposed budget amendments a few weeks ago, and they were very close. She said that it was clear that they had coordinated closely on many of their big spending initiatives, including education spending and

Medicaid spending. She said that most of the negotiation was now focused on small things in the margins, but some of those seemingly small things were not insignificant.

Ms. Gilbert said that they were working to ensure that local government, particularly Stafford's voice, was heard by the budget conferees. She said that there had been a lot of work on legislation in the last week, with committee meetings yesterday. She said that from now on, they could expect long floor days for both the House and the Senate, as well as conference committees, which would reconcile any differences between what passed in the Senate and House.

Ms. Gilbert said that they had had a strong defense of their priorities, particularly with housing bills and local land use bills, and they had coordinated closely with their association in Virginia Association of Counties (VACo) and other local government coalitions. She said that they had been successful in defeating or amending legislation that was harmful to their interests, and some amendments also included reenactment clauses, which would require the legislature to return next year. She said that this gave them an idea of what they would be looking at next year for legislative goals.

Ms. Gilbert said that Local Government Day had been a big success, and she would like to extend her gratitude to Supervisors Bohmke, Gary, Yeung, and Mr. Toigo for making the trip. She said that they had had excellent communication with members of the delegation this session, and they were regularly in touch to ensure they were aware of Stafford's position on bills or how legislation may impact Stafford as it moved through committee and now towards the floor. She said that they had made significant progress in their state support for disabled veterans' real estate tax exemptions.

Ms. Gilbert said that the main area of progress had been building a wider coalition on this issue. She said that Senator McPike had done a great job explaining this issue, and he had successfully carried legislation on the issue to the Senate Finance and Appropriations Committee, which had caught the attention of Chair Louise Lucas, who could be a very powerful ally as they continued to move forward. She said that they were also able to mobilize VACo and Virginia Municipal League (VML) around this issue.

Ms. Gilbert said that she would also like to thank Mr. Mayausky for coming to Richmond at the start of February to present to the Military Veterans Caucus. She said that Senator Durant had helped them set this up, and the presentation was excellent, with a lot of good conversation among the dozen members who were involved in military affairs. She said that funding, however, had been a challenge this year, with a directive from leadership for no ongoing spending.

Ms. Gilbert said that next year would be a budget year, which meant more options would be available. She said that they had a lot of options for moving forward if they decided this was still a legislative priority for 2026. She said that the education they had provided, while people had been in Richmond, had been extremely helpful and positioned them strongly to look at options moving forward.

Ms. Bohmke said that she was glad to hear that Senator McPike was actively working on the 100% disabled veterans tax bill, which had a significant impact on Stafford County, currently costing around $22 million annually and growing. She said that it was essential that localities throughout the state understood that this was not just a local issue, but a statewide concern that would affect many localities, including those with high veteran populations.

Ms. Bohmke said that she appreciated Senator McPike's commitment to carrying this forward. She said that given the current legislative landscape, she was not surprised that progress would be minimal this year. She said that she had forwarded the relevant information to the Board and reached out to Katie Boyle to gain insight into the ongoing negotiations between the House and Senate. She said that she was wondering if they should consider sending an email to the conferees regarding the Children's Services Act (CSA) bill, as she was concerned about the potential cap being set.

Ms. Gilbert said that she appreciated the funding information for the schools that Ms. Bohmke had forwarded along. She said that she had a conversation with Mr. Toigo about that earlier today. She said that according to Katie Boyle with VACo, this was something she had been making progress on, but conferees were continually discussing how to address the budget differences. She said that even outside of meetings, Ms. Boyle reported that Delegate Cole had expressed optimism about the situation. She said that however, after a conversation with him over the weekend, it seemed that the Children's Services Act might be back on the table and potentially used as a negotiation point for other issues.

Ms. Gilbert said that given the rapid pace of these conversations, she emailed all 11 conferees to reinforce Stafford's position that they should remove the language capping CSA reimbursements and explain why it would be detrimental. She said that she was also happy to forward a letter, although they did not have any members of the Stafford delegation participating in the conference, which altered their strategy slightly. She said that she wanted to inform them that they had informed all the conferees of Stafford's position as of this afternoon.

Ms. Gary said that she was appreciative of Ms. Bohmke emphasizing the importance of that particular issue. She said that serving on the Community Police Management Team (CMPT) had given her a better understanding of the needs, and she was grateful for Ms. Gilbert's efforts in reinforcing the County's position on that matter.

Mr. English said that he would like to thank Senator McPike for bringing this issue to the forefront, as he had mentioned. He said that he was also concerned that this was not a unique issue, but rather one that other Counties were facing as well. He said that he appreciated Senator McPike's willingness to address their specific concern.

Dr. Yeung said that it was a pleasure to be in Richmond with her colleagues, Ms. Gary and Ms. Bohmke, as well as Mr. Toigo, with whom they had a great time meeting their counterparts from other counties. She said that she did want to inquire about the funding. She said that she was wondering if there was any possibility of allocating the general overage funding towards education, or, more specifically, providing additional leftover funding at the end of the year for individuals with disabilities.

Dr. Yeung said that she was inquiring about whether there were any end-of-year overages allocated towards education. She asked, if so, were there any specific funds or initiatives set aside for individual students with disabilities? She said that she was also seeking information about any upcoming projects or initiatives that she was aware of since their last discussion.

Ms. Gilbert said that she had sent the budget proposal to staff, which compared the House and Senate proposed amendments to the Governor's proposed amendments. She said that both the House and Senate included a special education add-on funding mechanism, which originated from the Joint Legislative Audit Review Commission (JLARC) report. She said that this reflected the Commonwealth's historical struggles with education funding.

Ms. Gilbert said that both the House and Senate included the same special education add-on funding. She said that another significant point in the education funding was the reversal of the support staff cap, which was introduced during the 2008 recession. She said that this had been a long-standing issue in the education community, and both the House and Senate had included raising the support staff cap in their proposals.

Ms. Gilbert said that the main difference between the two was a technical one. She said that both budgets included a teacher bonus, but the amounts and timing differed. She said that this was where they anticipated negotiations between the two chambers. She said that she would leave it to Mr. Toigo and staff to circulate the budget proposal comparison. She said that based on the House and Senate budget proposals, Stanford could expect a significant increase in education funding compared to previous years.

Mr. Toigo said that to add to Ms. Gilbert’s point, he had circulated the budget proposal comparisons in the Week 5 legislative update last week. He said that this provided some context, as the House budget allocated approximately $15.7 million for education in the upcoming year, while the Senate budget allocated $12.1 million. He said that given the additional funding Ms. Gilbert mentioned, they could anticipate further funding in the conference committee. He said that the question remained regarding what this would look like once they reached that stage.

Ms. Bohmke said that she would like to ask one more question. She asked if these funding amounts were in addition to the $223 million the state was committing for the support cap.

Ms. Gilbert said that if Stafford were to lift the support staff cap, it would have a significant impact, particularly for Fiscal Year 26. She said that for Stafford, this would translate to approximately $6.7 million in additional funding. She said that she would need to review the statewide numbers, but she could confirm that the support staff cap lift was not included in the current Fiscal Year 24-26 budget or the Governor's proposal. She said that however, it appeared that the legislature had proposed a new initiative to lift the support staff cap as part of their budget amendment.

Ms. Bohmke said that it was a huge amount that had been discussed when they visited Richmond, so she wanted to make sure it was not off the table.

Ms. Gilbert said that this was another reason they were all eagerly awaiting the conference report, which would reveal where the House and Senate had come together on these issues. She said that they were hopeful that the support staff track would remain included, as it was identical in both the House and Senate, sending a strong signal that they were working in lockstep and coordinating their efforts. She said that this would be a top priority and was unlikely to change drastically when the conference report was released.

Ms. Allen said that she had a question regarding the veteran tax relief. She said that she was not sure if Mr. Mayausky could answer it, but she would try to clarify. She said that although it was a bit before the budget cycle, she was wondering if Mr. Mayausky could provide an early estimate of how much they might be responsible for this year. She said that Ms. Gilbert had mentioned earlier that they would not be addressing this until FY26 from the General Assembly level. She said that she was wondering if there was any possibility of earmarking funds towards education to help offset the cost of the veteran tax relief.

Ms. Gilbert said that she believed this was a question they should address in the interim, especially considering Stafford was receiving a significant increase in funding in the proposed budgets. She said that they would see how the actual budget unfolded, but she anticipated additional funding. She said that this was a suitable way to illustrate the impact of the disabled veterans tax exemption in a locality like Stafford. She said that she believed this was a strategic conversation they should have. She said that for this year, they had actively pursued every available means to offset the disabled veterans tax exemption. She said that they had legislation in both the House and the Senate, some tied to education and others not.

Ms. Gilbert said that they also had budget amendments from Democrats and Republicans in both chambers, with some tied to education and others not. She said that some even proposed a study, and they received interest and some willingness to discuss the issue further. She said that nevertheless, this year's Medicaid shortfalls, the Democrats' focus on education, and potential changes in federal funding had led to a reluctance to commit to on-demand funding. She said that as a result, they would need ongoing financial support for this in a year where it was primarily budget amendments, not a full budget. She said that they would continue to prioritize this issue, and she planned to revisit the conversation in the coming weeks.

Scott Mayausky, Commissioner of the Revenue, said that he had confirmed with Budget Director Andrea Light that she was projecting $28 million for the upcoming budget year. He said that he would also like to highlight the challenge of arriving at this number, as the program was experiencing a dramatic growth rate. He said that over a 10-year period, it had grown at a 32% annual rate, with last year's growth rate reaching 40%. He said that given this rapid expansion, it was logical to assume that growth would eventually slow down; however, it appeared that this was not the case. He said that therefore, $28 million was the projected budget for the upcoming year.

Ms. Allen said that this indicated it was a $0.05 to $0.06 increase from the last year. She said that this was her frustration with the General Assembly's approach to this issue. She said that they wanted to continually review it, but in the meantime, taxpayers would continue to bear the burden until this situation was addressed.

Ms. Allen said that it would have been helpful if they had reinvested a significant portion of this funding into education to help alleviate the shortfall. She said that since schools were their top priority due to their substantial budget, they would have to find ways to cut elsewhere without compromising their schools. She said that it was a challenging situation, and she wished the General Assembly had a better understanding of the difficulties they were placing localities in.

Ms. Bohmke said that she was wondering if Mr. Mayausky could provide some insight into the volume of new applications he received on a daily basis.

Mr. Mayausky said that they were approving approximately 10 applications per day. He said that if the average tax bill was $4,000, that translated to $40,000 in daily tax revenue being removed from the tax rolls. He said that Ms. Allen had mentioned the impact on taxpayers, and he would like to note that calculations indicated that every single real estate bill was costing taxpayers $395.

Dr. Yeung said that based on this, it appeared that the estimate provided for 2030 was no longer accurate. She said that given that they were already at 2080, five years from now, it was unlikely that the figure of $30 million would be accurate.

Mr. Mayausky said that he was not certain where that number originated, but he believed it would be too low. He said that the number he had provided to Ms. Allen for the upcoming budget was $28 million.

Ms. Gary said that they had had this discussion before, but she wanted to reiterate for the public that this trend would continue, particularly in Stafford where property values had significantly increased. She said that relying solely on the average may not have been the most accurate way to project this. She said that the average home that utilized this exemption was around $580,000.

Mr. Mayausky said that was correct.

Ms. Gary said that this was likely due to the fact that people considered the taxes they would have to pay when evaluating the value of a property. She said that she believed it was an important factor to consider as they moved forward.

Mr. Mayausky said that he agreed. He said that when he worked on the projections with Ms. Light, they were specifically examining the properties within the program.

Ms. Gary said that she appreciated the clarification. She said that to clarify, the average value of the homes in Stafford would not be included.

Mr. Mayausky said that was correct; they only addressed the homes in the program.

Ms. Bohmke asked if Mr. Mayausky could provide the public with a brief history of this constitutional amendment, as it would be helpful for those who may not be aware of the current developments and are following the local and state issues.

Mr. Mayausky said that the program was a constitutional amendment, which was significant. He said that the only changes that could be made to the program itself were through another constitutional amendment. He said that since its inception in 2011, they had been voted on several of these amendments. He said that the program was first created in 2011, and 78% of Virginians had voted in favor of it, including himself. He said that he wanted to emphasize that this was not an issue with veterans, but rather a funding issue with the state. He said that the program went into effect in 2011, initially costing Stafford County taxpayers approximately $400,000, which translated to about $12 on the average tax bill.

Mr. Mayausky said that over time, the program had expanded to include spouses of veterans killed in action and spouses of officers killed in the line of duty, as well as natural growth due to their unique geographical location near Quantico and the Veterans Administration (VA) hospital. He said that as a result, the program's funding had increased from $400,000 to $22 million. He said that currently, they had 4,300 veterans in the program, which exceeded the VA's original statewide projection significantly, and the impact on localities had been substantial.

Ms. Bohmke said that as a result, the impact was that those tax dollars, since veterans are exempt, would not be collected in the local coffers every year thereafter.

Mr. Mayausky said that was correct; once a veteran reached 100% disabled due to a service-related disability, they were no longer required to pay property taxes on their home. He said that in 2019, this exemption was expanded to include both vehicles and primary residences. He said that as a result, veterans would never pay property taxes on their home and primary vehicle.

Ms. Vanuch said that the program she was currently set at was $22 million per year. She said that if the Board had raised taxes by 30% over the last three years, she assumed she was doing the math correctly by adding 30% to that $22 million. She said that this would technically increase the tax deductible ratio by $6.6 million. She said that as a result, the more they raised taxes, the more they conflated this number as well.

Mr. Mayausky said that the growth number encompassed several factors. He said that one factor was the actual increase in the number of veterans, but then there was also the periodic reassessment of property values, which tended to increase the value. He said that additionally, any tax rate increase also contributed to the growth of the number. He said that while there were multiple factors at play, the growth rate of the number of disabled veterans was experiencing a dramatic increase. He said that the tax rate was just one piece of the puzzle.

ITEM 3. COUNTY ADMINISTRATION; R25-49; CONSIDER MODIFYING THE STRUCTURE OF THE WETLANDS, SAND DUNES, AND CHESAPEAKE BAY BOARDS AND MAKE APPOINTMENTS

Donna Krauss, Deputy County Administrator, said that before the Board this evening was a resolution to amend the number of members on the Wetlands and Chesapeake Bay Board, as they had previously discussed at their last meeting. She said that the County Attorney had assisted in laying out the details. She said that she was there to address any questions they may have before they took action on this resolution.

Ms. Vanuch motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-49.

Ms. Gary said that she wanted to acknowledge the purpose of this board as they moved forward. She said that the supervisors in districts directly impacted by certain issues, such as the landfill or Virginia Railway Express (VRE), typically served on committees or boards related to those areas. She said that similarly, this was the intention behind this board. She said that as the composition of the board changed, she encouraged everyone to keep this in mind and strived to ensure that future boards considered appointing individuals who had a deep understanding of the material and the issues at hand.

Mr. English said that he appreciated Ms. Krauss's work on this; it was a challenging process. He said that he believed they were now back on track where they needed to be.

The Voting Board tally was:

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

No: (0)

ITEM 4. CAPITAL PROJECTS; UPDATE ON LAKE CARROLL SERVICE DISTRICT DAM IMPROVEMENT PROJECT

Bryon Counsell, Chief Director of Infrastructure, said that tonight, staff would provide a status update on the construction process and advertisement for construction for the Lake Carroll Service District Dam Improvement Project. He said that during this brief presentation, he would provide a short history of where this project came from and why it was being undertaken. He said that three years ago, the state legislature passed legislation requiring changes to high-hazard dams, including a number in Stafford County. He said that Stafford County had one dam that was still in the process of meeting these new regulations.

Mr. Counsell said that the Lake Carroll Service District was established to assist property owners in the area around the lake in supporting them in bringing the dam up to the new regulatory requirements. He said that over the years, the process had faced challenges of increasing costs and complexities in timing. He said that a grant had been applied for and received, and the Board had directed staff to execute the project, get it out to bid, and complete it.

Mr. Counsell said that however, some risks had developed over the past couple of months that staff believed the Board should be aware of before moving forward with the project. He said that one of these risks was the need for maintenance on the face of the dam. He said that this maintenance included two activities: clearing trees and performing other work.

Mr. Counsell said that they could clear the trees between November and December. He said that to clear the trees now, they would need to cut them off at ground level, but this would leave stumps, root mats, and other organic material in the dam. He said that if the trees were removed and those were not fixed, and the project did not move forward due to high bids or other reasons, the dam would be susceptible to long-term damage, erosion, and structural issues.

Mr. Counsell said that they wanted to bring this to the Board's attention specifically because the Board of Supervisors was the decision-making authority for the service district, and staff could not make these decisions, especially if there was a risk involved. He said that the Board needed to make this decision and provide direction to staff on how to proceed.

Mr. Counsell said that this was a funding and timing issue, as well as a "what-if" scenario regarding the bids and the potential need to clear the trees. He said that the Department of Conservation and Recreation (DCR) would not accept trees that were not cleared. He said that if the trees were cut, they would have to remove the root mat and organic material, or they would have to move forward with the project.

Mr. Counsell said that the DCR had authority to provide remedies for the dam if the regulations were not met, including completing the project and back-charging the dam owners, draining the dam, or taking no action. He said that the DCR could only answer questions about their potential actions. He said that staff brought this to the Board's attention tonight for direction on how they should move forward.

Ms. Vanuch asked if there was a service district authority board appointed to this, such as the one in Lake Arrowhead. She asked if there was a required board to be set up.

Mr. Counsell said that no; the Board of Supervisors was the decision-making authority for the service district, with no intermediary group involved. He said that a Property Owners Association had been consulted throughout the process and was kept informed of all developments, but they did not participate in the decision-making process regarding the loan and the application of the project.

Ms. Vanuch asked why they had not established a board for this service district.

Mr. Counsell said that he did not know.

Ms. Vanuch asked if they could revisit the origins of the documents to see if it was a requirement, as it was in the Lake Arrowhead case. She said that in the Hidden Lake case, it was also a requirement to have a service district authority board. She said that the district was required to have a board that governed the actual service district independently of the Board of Supervisors.

Mr. Counsell said that the reason for that was due to the dissolution of the Lake Arrowhead Property Owners Association, or HOA, which no longer existed, resulting in the lack of representation. He said that as a result, a resolution or ordinance was passed to establish a representative board for that service district only. He said that he believed that was the case.

Ms. Vanuch said that there was an HOA for this neighborhood and that they had been consulted. She said that she would like him to elaborate on what specific requests or concerns the HOA had raised regarding this project.

Mr. Counsell said that he would not speak on their behalf, but based on his recollection of their representatives who appeared before this Board, they had requested additional funding and additional time to repay the loan from this Board to make the project more viable.

Ms. Vanuch said that she believed that there were only two districts that currently had service districts, which were Mr. Diggs' district and hers. She asked if they were to provide additional funding and time for these districts, would it be necessary to reconstitute the existing service district or create a new one? She asked if, alternatively, would they need to revise the requirements for the existing service district, or would they need to dissolve it and establish a new one?

Mr. Counsell said that he would defer to the County Attorney's Office, but according to his information, the Board would need to amend the ordinance that established the service district to align with the new parameters regarding term and loan amounts.

Ms. Vanuch asked if they would be provided with the budget implications of such a project, as they did not currently know the budget implications. She said that given that they were approaching a challenging budget cycle, there would be significant implications to consider, as they would essentially be loaning them the funds upfront.

Mr. Counsell said that the payment would be made in increments as the construction progressed, but yes, it would result in an increasing loan amount over time.

Dr. Yeung said that Ms. Vanuch had asked some great questions, and she was wondering who was keeping the stakeholders informed. She asked if staff was keeping them informed about the project's progress.

Mr. Counsell said yes.

Dr. Yeung asked if staff had kept them informed of what staff just shared with the Board today.

Mr. Counsell said that they were aware of this information today, but periodically, especially when changes occurred and new information became available, he had informed the Board of their efforts and had met with those stakeholders on multiple occasions, involving not only the district's supervisor, both past and present, but also a number of staff members and residents. He said that a number of property owners had been part of this process as well.

Dr. Yeung said that she did not see information regarding the application, specifically the funding amount and timeline. She said that she needed to know the timeline they were requesting in order to make an informed decision.

Mr. Counsell said that based on his recollection of what their representatives had stated, he believed the increase in funding required to make the project viable could be in the range of $250,000 to $600,000, with a term of at least five years. He said that their representatives were willing to discuss this with the County, and he did not wish to speak on their behalf.

Dr. Yeung said that she required more information.

Mr. English asked if someone was present from the district.

Mr. Counsell said yes, they were.

Mr. English asked how long this had been going on.

Mr. Counsell said that the service district was established in the year 2017.

Mr. English said that he was curious about how much money they had already banked.

Mr. Counsell said that the estimated cost was between $100,000 and $150,000.

Mr. English said that if they continued down this path, the situation would likely deteriorate further. He said that something bad was likely to occur.

Mr. Counsell said that it had not become less expensive over the years.

Mr. English said that due to the bats, the issue was that the trees had to be removed before April 1.

Mr. Counsell said that if they did not cut or remove the vegetation and trees before April 1, they would not be able to complete the task until next November, which would be another year.

Mr. English said that if they would be willing to provide additional money, and if they could extend their loan, they would be willing to do so.

Mr. Counsell said that according to their representatives, they had indicated that they would do that, and they had also communicated this to staff. He said that their representatives were the ones who could provide the necessary information on their maximum parameters and limits. He said that they had requested additional funds and time, and that was the extent of their knowledge on the matter.

Ms. Vanuch said that it seemed that it was related to the HOA parameters. She said that staff had provided four different options in the packet. She said that she believed it would be beneficial to clarify the upper end of what the HOA was comfortable with in terms of the time parameter and its impact on their taxes and their budget. She said that it would be helpful to present this information in a table format, outlining what they were willing to pay. She said that if she understood correctly, if they were to send this to bid and the price was too high, it would bind the County to the project if they started work immediately.

Ms. Vanuch said that additionally, it would bind the taxpayers who were not part of the service district, potentially leading to increased costs for them. She said that she recalled a similar situation in Lake Arrowhead, where they had to wait five years due to easement issues. She said that in that case, they had to prioritize the smaller project to avoid the state intervening and draining the dam. She said that she suggested that they revisit the HOA and determine the upper tier of the pricing structure to see if it was palatable for them. She said that it may be a better option for them financially, as the potential cost of the project was estimated to be $2 million, which may not be immediately apparent until they bid out the project.

Ms. Vanuch said that she believed they lacked sufficient information regarding the residents' desires. She said that they could spend hours discussing potential solutions, such as providing additional funding or expanding the service district. She said that however, once the residents were presented with the specifics, including a $20,000 annual property tax burden over a five-year repayment period, they were unlikely to be enthusiastic about the proposal.

Mr. Diggs said that he had a good understanding of what they were looking for, as he had had the opportunity to meet with them.

Ms. Vanuch said that she would like to hear that information so they did not talk in a circle.

Mr. Diggs said that he would like to hear everyone's thoughts on the matter so that he could address each of them individually, rather than having to respond to each Board member separately.

Ms. Gary said that she did not have a strong opinion either way, and she intended to listen to the various concerns that had been raised.

Ms. Bohmke said that she had reviewed the materials and focused on the comments addressed by Mr. Counsell, as well as his own statements regarding this matter. She said that she was concerned about the risks associated with their current timeline, particularly with the deadline of April 2 for the longhorn bat. She said that given that they were already nearing the end of February and entering March, she was nervous that they may have to cut down trees, remove stumps, and then receive bids that were significantly higher than expected.

Ms. Bohmke said that she did not think this was the desired outcome. She said that she believed it would be better to wait, as bidders often attended the Board’s meetings and adjusted their bids accordingly. She said that she was worried about the risks involved in this situation, and she felt that there were too many variables at play. She said that she was particularly puzzled by the fact that the dam's maintenance had been neglected for 20 years. She said that she recalled a comment in the packet regarding this issue. She asked if Mr. Counsell could clarify the circumstances surrounding it.

Mr. Counsell said that some of the growth on the dam was estimated to be about 20 years old. He said that he was uncertain whether any maintenance had been performed over the last 20 years, but it was clear that some maintenance that was needed over the years had not been kept up with. He said that in fact, some of the maintenance that was required had not been done. He said that there was significant erosion of a drainage outlet, which was severely eroded, and this had been incorporated into the project, as well as the vegetation.

Ms. Bohmke said that in her mind, this situation was similar to a stormwater pond in a major subdivision, where maintenance was often unavoidable and Department of Environmental Quality (DEQ) oversight was a concern. She said that she was a bit surprised that the facility had not been maintained as well as it should have been, but she may be missing other information She said that what was causing her some concern was the tight timeline between now and April, and the possibility that high bids could impact their plans, leaving her feeling a bit anxious about the outcome.

Ms. Allen said that she believed she had previously mentioned that one method would be the most cost-effective, but she also acknowledged that waiting another year would be financially significant. She said that to reiterate, one of the points made was that waiting could potentially have a negative impact on the cost. She said that making a decision now versus waiting for a few more years could result in an exponential increase in costs to the community.

Ms. Allen said that she believed the County had intended to bid this project with something else to help offset those costs. She said that however, if they were bidding it out as part of two separate projects, she was not convinced that the argument for a higher bid was as strong. She said that typically, when two projects were done simultaneously, the costs could be absorbed more easily. She said that she would defer to the Chair, who had had conversations with the community, and allow him to share his thoughts before making her decision.

Mr. Diggs said that he would summarize the community's concerns regarding the dam. He said that during his campaign and subsequent discussions, the community had consistently emphasized the need to address this issue. He said that they did not want to drain the dam, and were willing to pay for the necessary repairs. He said that their primary concern was the potential increase in rates. He said that therefore, the community’s request was to provide the additional funding if necessary and extend the loan to maintain a consistent monthly payment.

Mr. Diggs said that he thought this was a reasonable request. He said that he had personally inspected the dam and observed cracks in the road and leaking areas. He said that he was concerned that a failure could occur, which would have significant impacts on Route 3, Kings Highway, and the house below it. He said that the community had been patient, but felt that the project was being delayed and they were receiving inadequate information.

Mr. Diggs said that he had hoped that the presentation would provide more detail on the project's budget, which included approximately $1.2 million in funding, supplemented by a grant. He said that the estimated cost range was $200,000 to $500,000, with some contingency funds included. He said that he would like to review the previous bids to better understand the scope of the project and potential costs.

Mr. Counsell said that they had advertised the project for construction twice. He said that the first bid they received was around $1.2 million to $1.3 million, which was a reasonable price. He said that however, the next bid was significantly higher at $1.7 million.

Mr. Counsell said that the low bid was ultimately disqualified due to concerns about the bidder's responsiveness. He said that after advertising the project again, the low bid was around $1.3 million, but there was insufficient funding to proceed. He said that as a result, they decided to seek a grant, which was successfully awarded.

Mr. Counsell said that based on this information, the best estimate they had was that the cost could range from $1.2 million to $1.5 million. He said that one of the risks associated with bidding out the project was that one firm had bid it twice and been the low bidder both times. He said that unfortunately, they were disqualified both times due to issues with their application and bid process. He said that they did not know if they would bid on the project again, and if they did not, they were uncertain about the types of bids they would receive.

Mr. Diggs said that based on what he had heard, he was hoping to address the community's concerns and the issues at hand. He said that this had been a prolonged process. He said that people had been repeatedly told that certain steps would be taken, only to have them halted. He said that when meetings were held, attendees often felt like progress was being made, only to have it stall. He said that in his opinion, to move forward, they should provide the necessary funding, conduct the bid, clear the trees, and take care of it. He said that they could move forward from there.

Dr. Yeung said that she wanted to ensure that she did not miss any crucial points. She said that her comments may be unpopular today, but she believed it was essential to see a timeline. She said that she noticed that many numbers were presented, but she would like to see the timeline and the original request in any application, as well as documentation on previous costs. She said that she was looking at the information provided, which stated that expedited tree removal was scheduled for March 31, 2023, to avoid costly schedule impacts due to time of year restrictions. She said that she was curious to know what had happened to those trees.

Mr. Counsell said that was the work they needed to do to avoid another delay. He said that they must clear the trees as soon as possible.

Dr. Yeung said that they had submitted a change order from 2023, two years prior.

Mr. Counsell said that this was not a change in order, but rather a change in conditions, as they were required to clear the trees by a certain time of year. He said that they only began implementing this requirement last year, and it was one of the factors that contributed to their decision to apply for a grant.

Dr. Yeung said that regarding the HOA discussion, she knew that with her HOA, the HOA raised funds for projects that needed to be undertaken within the community.

Mr. Counsell said that was not something that staff was currently working on. He said that it would be the responsibility of the property owners.

Ms. Vanuch said that to clarify, she had an issue similar to the one in Seven Lakes. She said that in that case, the HOA managed the dam, and staff had had to work with the state to address certain requirements. She said that the issue she saw here was why the HOA did not raise the necessary funds to repair the dam. She said that the HOA could potentially return the service district funds, bid out the work, and complete the repairs and bring the dam into compliance, without the assistance of the County.

Mr. Counsell said that he was unable to answer that, but it had worked that way in other developments.

Ms. Vanuch reason they established a service district for Hidden Lake and Lake Arrowhead was that they lacked Homeowners Associations, which led her to question how a service district was created for Lake Carroll, since they already had a governing HOA that could handle the work.

Mr. Diggs said that he did not know the answer to that, but regardless of how the service district came to be, it existed now. He said that in his opinion, this would be another instance where they were delaying the issue or diverting it to another path in an attempt to address it. He said that it was simply a matter that needed to be done.

Mr. Diggs said that this issue had been a topic of discussion before, and that was one of the reasons he had pushed for it to be brought to this meeting. He said that he wanted to have the trees cleared before the season changed, specifically before the long-eared bat season, to ensure that the issue was addressed before it became even more complicated. He said that that was his position on the matter.

Ms. Vanuch said that she would like to request an answer from the HOA regarding why they could not perform the work themselves, as they were setting a precedent by involving the County. She said that the second point of concern was that they could not simply commit to clearing the trees, put out the bid, and have the County put the rest of the amount into the loan. She said that this approach was problematic because if the low bid came in at $2 million with a new contractor, it could have a greater impact on their overall budget.

Ms. Vanuch said that she was not comfortable with the Board committing to doing a small amount of work now and then adding the higher bid to the loan without knowing the budget implications. She said that if the HOA was requesting the same amount they were paying, but then continuing to pay it over 10 to 15 years, it could be an unfunded mandate that was being created outside of the budget process. She said that she would like to better understand the numbers involved and how they would be allocated.

Ms. Vanuch said that if they had information showing that the bid came in at $1.2 million, for example, they could determine what would be covered by the service district and what would require additional funding. She said that she was concerned that without this information, they were not making informed decisions. She said that she was also concerned that if this were a risk to the house or Route 3, the state would take immediate action and drain the dam when it reached a level of failure.

Ms. Bohmke said that Dr. Yeung had raised a valid point regarding the HOA, but she had believed the impact as being limited to the residents living around the dam, who would be assessed.

Mr. Diggs said that was correct.

Ms. Bohmke said that in that case, it was not the entire HOA. She said that she, along with many Board members, seemed to have more questions than answers. She said that she believed it would be beneficial to have more information before proceeding. She said that Supervisor Coen was working on this project as the former George Washington District Supervisor.

Ms. Bohmke said that she recalled that the bids increased, and she thought the project's scope was initially more extensive than initially thought. She said that she genuinely felt that the Board needed more information before moving forward. She said that perhaps if the numbers could be simplified, it would help clarify the situation. She said that as someone who dealt with these issues daily, Mr. Counsell understood the complexity, but it seemed like they were missing some essential details.

Mr. English said that they had $690,000 available, so with that amount, combined with the grant, it brought the total to $1 million.

Mr. Counsell said that they currently had $1.38 million available, including the matching grant.

Mr. English asked if that amount would cover the costs.

Mr. Counsell said that so far, no submitted bid had been that low.

Mr. Ashton said that in addition, since they did not know the conditions when the project began, they must ensure that they had adequate contingency funding in place.

Mr. English asked if staff could provide, hypothetically, what the County would be responsible for if such a situation were to occur.

Mr. Counsell said that the total amount the County could be on the hook for was $690,000, as approved by the Board in the resolution. He said that they still had $690,000 available for construction, and the $690,000 matching grant. He said that one of the options he had proposed was to increase the loan amount by $20,000, which would allow them to utilize the full $750,000 from the grant, bringing the total project cost to $1.5 million. He said that this would be in line with their projected bid costs, which were expected to be slightly over $1.5 million.

Mr. Diggs said that they would need to table this discussion for now as they were currently starting public presentations.

PRESENTATIONS BY THE PUBLIC

1. Kristin Maxson, Falmouth District, said that she wished everyone a Happy Valentine’s Day. She said that Virginia is for lovers, and true lovers stand for life. She said that they should let governance go forth and serve clarity for their families in health and happiness in Stafford. She agreed with the comments made regarding the principle that two wrongs do not make a right. She said that she concurred with the suggestion that a minimum of five days is necessary regarding the proposed changes to bylaws, rather than the proposed minimum of 24 hours.

   Ms. Maxson said that the Board seemed to have a strong directive to rush action, which can lead to a lack of clarity and further misunderstanding. She said that they should please remember that the public was informed about concerns regarding freedom of speech and civil rights during the procedure. She said that she believed it was essential to take a little more time to ensure that procedures were done correctly.

Ms. Maxson said that the Board with Economic Development Authority (EDA), or independence quasi-government agency, she would like to know who has access to the bank accounts, government passwords, and words of engagement. She asked how FOIA requests can be properly served. She said that the five-year EDA study was not included in the public review packet.

Ms. Maxson said that this came after considering a proposal to give the Stafford public a felony for using too much water, which was considered but not passed. She said that she thanked them for deferring that decision. She said that people needed to be aware of the impacts. She would like to address the investigatory process of the boards, commissions and committees, which was not required to provide minutes to the public in 2024. She said that unless people attended and witnessed, this information may still be unknown for today's agenda.

Ms. Maxson said that next, she would like to discuss the proposed change to Article 10.1, now proposed as Article 11.1, which concerns no action on matters in an election year. She said that in 2024, where many stacked up cards were placed during closed meetings, resolutions, ordinances, and other definitions, she questioned if this was not related to an action to keep. She said that the new proposed Article 10 concerns boards, authorities, commissions, and committees, as redlined on page 10 and page 37 of 197. She said that she understood that the BACC was formed in the first year.

2. Mel Soult, Rock Hill District, said that he initially came to discuss taxes, but as a retired Marine Corps veteran, he wished to share his perspective on the veterans' tax relief. He said that as a 20-year veteran, he was aware of the struggles many veterans faced in the County. He said that he had seen veterans who were barely able to leave a chair, yet he had also encountered those who were making over $250,000 per year and were not paying real estate taxes.

   Mr. Soult said that he understood the need for assistance with truly 100% disabled veterans, but simply being deemed 100% disabled by the VA did not make it right in every case. He said that these individuals were often working full-time jobs, earning significant incomes, and not contributing to taxes. He said that he would recommend that the state consider implementing an income threshold for 100% disabled veterans to ensure fairness.

   Mr. Soult said that the current tax burden was unsustainable, and it was affecting all of them, regardless of party affiliation. He said that he had noticed that multiple families in the County were living in the same house, trying to cut costs whenever possible. He said that however, he did not see any clear information on where the County was cutting back to save money.

   Mr. Soult said that he wished the County would provide more transparency in their property tax bills, such as a breakdown of how the funds were being allocated. He said that for example, he received his property tax bill, but it did not provide any information on how the funds were being used for his local schools. He said that as a homeschooling parent, he was paying taxes for schools that his children no longer attended.

Mr. Soult said that he wished to know if Colonial Forge had received an increase in funding last year and if it had led to an increase in the number of teachers. He said that the lack of transparency made it difficult for them to understand where their money was going. He said that it should be as simple as having a link in the property tax bill that allowed them to see how their money was being spent.

Mr. Soult said that as a government civilian, he worked for the Army, and he had experienced freezes in personnel due to budget constraints. In his previous role, they had reduced their staff from 13 to 4 people. He wondered if this was a similar situation in the County. He asked if they were simply continuing to hire and expect the taxpayer to bear the cost indefinitely. He said that at some point, it was essential to acknowledge that they had reached a breaking point. He said that he had spoken to neighbors from both parties, and they were all fed up with the current situation.

Mr. Soult said that unfortunately, not everyone had the time to attend meetings, and this was the first he had attended. He said that as a resident of Stafford County for 30 years, he was shocked to be paying over $400 a month in real estate taxes. He said that in his previous location in North Carolina, he had paid $30 a month 20 years ago. He said that he understood that time and inflation were factors, but new businesses were emerging, and he would like to know where the additional tax revenue was coming from. He said that if bringing in new businesses was supposed to increase the tax base, then where was the corresponding tax revenue?

3. Tolanda Parker, Falmouth District, said that she lived in the Leeland Station area. She said that her husband and she had moved there last year, and she was present to introduce herself and get to know the community. She said that she must admit that they had relocated from California for lower taxes and a lower cost of living, but she was surprised to see that taxes had increased by 30% over the past three years. She said that she had attempted to review the budget, but it lacked specific details.

   Ms. Parker said that to better understand the budget, she planned to delve deeper and ask questions. She said that before arriving, she had spoken with her neighbors, and they expressed uncertainty about the budget's transparency. She said that they, like the gentleman who spoke previously, likely had many questions. She said that she intended to discuss these concerns with them and return with more specific inquiries. She said that she hoped that as she dug deeper, the budget became more transparent, and the explanations for the funds were clear.

   Ms. Parker said that the community wanted to know if the money was allocated to specific projects and if those projects were completed. She said that they would also like to know if the funds were used as intended. She said that she believed this was essential for the community's sustainability, especially considering the rapid tax increases. She said that she looked forward to having her questions answered, including those of her neighbors.

4. Joe Parker, Falmouth District, said that his wife spoke previously. He said that the first two speakers had already covered some of the points he would like to discuss, so he would refrain from being redundant. He said that as she had mentioned, they both relocated from California,

and he was originally from South River, Virginia, which was why they had chosen Virginia in the first place.

Mr. Parker said that they specifically chose Stafford, and had been very pleased with their decision, and it was wonderful to meet them all. He said that he had not had the opportunity to meet everyone yet, except for Meg, whom he would have to locate. He said that his wife and he were known for being social and engaging with their neighbors to stay informed about local issues. He said that as part of his business, he specialized in analysis and optimization. He said that when they moved to Stafford, he decided to review the County's financial situation.

Mr. Parker said that upon reviewing the numbers, he noticed a significant increase in the budget, with a 30% growth over the past few years at a rate of 9% each year. He said that he believed they were all aware of this issue, and he would like to offer some advice. He said that to maintain sustainability, the County needed to either expand its tax base or raise taxes, which could have a ripple effect on other tax revenues. He said that their neighbors often asked them to leverage their expertise in local government spending and budgeting, and they would like to offer their assistance.

Mr. Parker said that he would appreciate it if they could provide them with clarity on the county's financial situation and offer guidance on how to navigate these issues. He said that they could return to their neighbors and discuss the matter further. He said that one of the factors they considered was the school district's experience with budgetary issues. He said that schools consistently experienced cost overruns, often exceeding projected expenses. He said that according to his understanding, the school district had seen a 12% annual increase in costs, as well as a 147% increase in construction costs.

Mr. Parker said that this represented a significant expansion, potentially involving new schools, replacements, or growth in student enrollment. He said that he would assume that someone had conducted an analysis on this growth rate, although he was not certain. He said that if they had the opportunity, he planned to work with the County to understand how the budget was being managed, analyzed, and compared to the growth projections.

5. James Fisher, Garrisonville District, said that as he was growing up, his parents taught him and he learned in school that a person must live within their means. He said that he was here to remind the Board that they too must live within their means, or the means of the County. He said that one of the key things they must do is review all the budgets for various County services, determine what expenses are necessary, what expenses are not, and strive to operate within the County's means. He said that specifically, he would like to bring to their attention a pressing issue. He said that they often heard that the United States spends more per student on education than any other country in the world.

   Mr. Fisher said that unfortunately, they ranked dead last on this list. He said that Stafford County was not doing significantly better. He said that he researched the data and found that last year, Stafford County students performed as follows: English, 68%; U.S. history, 45%; world history, 35%; seventh-grade math, 49%; math overall, 50%; eighth-grade science, 62%; and chemistry, 31%. He said that in most cases, these percentages decreased from the previous year. He said that given the recent 30% increase in taxes over the last three years, he was concerned that their investment was not yielding the desired results. He said that their children's test scores had declined.

Mr. Fisher said that the public school review only gave Stafford County a rating of 6 out of 10, and the school board district ranked 71st out of 130 in the state. He said that in light of this, he respectfully requested that the Board be good stewards of their taxpayers' dollars, conduct thorough reviews of the budgets, and make informed decisions. He said that they examine the return on investment they were getting for their money, and whether that return on investment worth it.

Mr. Fisher said that furthermore, if possible, they needed receipts from those services to determine exactly what they were spending the money on. He said that they needed to know what services they were actually utilizing the funds for, not just what they were initially given the money for. He said that this was a fundamental aspect of business, and he believed it was essential to understand.

6. Deanna Fisher, Garrisonville District, said that she was here tonight to respectfully ask that the County not raise their taxes this year. She said that Stafford residents are already feeling the strain, and their property taxes have increased by 30% in just three years. She said that Stafford needs to prioritize spending smarter, not bigger, and explore alternative funding sources.

   Ms. Fisher urged the Board to set the advertised rate in a way that maintains zero increase in property taxes, allowing them to focus on finding ways to make their County more efficient and less wasteful. She said that they need to apply common sense and recognize that they cannot afford to continue increasing taxes without seeing tangible improvements.

   Ms. Fisher said that Stafford County Schools have received funding increases, but have they seen corresponding improvements in education? She said that many parents are concerned about the learning loss their children are experiencing since COVID-19, and they are not receiving satisfactory responses to their concerns. She said that their schools are failing in multiple areas, and they deserve accountability to know that their tax dollars are being spent effectively.

   Ms. Fisher said that simply throwing more money at a problem without addressing the underlying issues only wastes more money and hurts their community. She said that it had been reported that the U.S. spends more per pupil than other countries, yet they rank near the bottom for learning. She said that she has seen that they spend over $17,000 per pupil, while home-schooled students in their area are scoring better with a cost of just $1,000 per year.

   Ms. Fisher asked the Board of Supervisors to require that funding requests demonstrate a clear connection to improving problem-solving. She said that additionally, she suggested exploring state and federal sources to support children across the state, as well as investigating the financial burden on their community caused by individuals who are not legally residing here. She said that they should be seeking state and federal assistance to address these issues and find solutions that do not disproportionately burden Stafford citizens. She said that the current path of increasing spending without addressing the underlying issues is unsustainable.

7. Metria Singleton, Rock Hill District, said that she had been here last month to discuss the flea markets on Route 610, pop-up shops, and other similar ventures. She said that she would like to extend her public gratitude to Dr. Yeung whom she had to contact multiple times regarding these pop-up shops on Garrisonville Road.

   Ms. Singleton said that Dr. Yeung promptly addressed the issue and handled it efficiently. She said that she appreciated her swift action, as it was essential that their County presented a positive image, especially when visitors arrived to see the various pop-up shops, selling everything from fruits to flags. She said that as one of the wealthiest counties in the United States, they should strive to maintain a more appropriate appearance, rather than resembling a flea market.

8. Kevin Wydell, George Washington District, said that he was the Lake Carroll person that the Board was wondering about. He said that to clarify a couple of issues, he would like to address the confusion. He said that there was a question regarding dam maintenance. He said that the dam had indeed been maintained in accordance with state law, with the assistance of Dr. Wang from the Department of Wildlife Resources (DWR).

   Mr. Wydell said that however, the requirements had changed recently, and the new maintenance personnel were questioning why the dam had not been maintained as per the new regulations. He said that the issue lay with the extension of the buttresses on either side, which were not part of the dam itself but rather part of the overflow system that passed through this hill. He said that as it had never been part of the dam, it had never been maintained.

   Mr. Wydell said that now, they needed to cut down those trees to bring the area into compliance with the new regulations. He said that Lake Carroll LTD, their homeowners association, consisted of 18 members, not a large community with several hundred people. He said that as a result, the cost of any necessary work was divided among the 19 of them, including one individual who owned two lots.

   Mr. Wydell said that this made the cost significantly higher than if it were divided among a larger community. He said that upon reviewing the deeds, it was clear that the lake itself did not belong to the homeowners association. He said that only the individuals who resided on the lake were owners, which was why their group was so small.

   Mr. Wydell said that he had petitioned for the establishment of a service district in 2017 to provide the homeowners with expertise, with approximately half of their members being retired. He said that however, they lacked the experience to write grants, conduct engineering studies, and navigate the process on their own. He said that they required guidance and support to ensure the dam was properly maintained.

   Mr. Wydell said that the service district had been created to address these needs, but the maintenance function had never been funded. He said that the initial plan was to pay for the dam's repair and then focus on maintenance. He said that however, delays ensued, and the maintenance aspect of the dam also needed to be addressed.

Mr. Wydell said that there was no funding for the proposed maintenance work, and the County stated that it was not permissible to use the funding intended for the dam repairs for this purpose. He said that adding a second line item to fund the maintenance would be illegal. He said that as a result, they were unable to proceed with the maintenance work.

Mr. Wydell said that instead, he requested residents to give $500 to $1,000 annually, which included the tax bill they had been paying since 2017, amounting to $3,000 to $3,500 per year. He said that despite these efforts, delays and increasing costs had occurred, exacerbated by the COVID-19 pandemic. He said that currently, they had $690,000 remaining, which, when combined with a matching grant, would yield approximately $1.4 million. He said that they were seeking a buffer to cover and repay this amount, but required a guarantee to secure the necessary funds to complete the project.

9. Arnold Levine, George Washington District, said that he was also a resident of Lake Carroll. He said that he and his wife had lived there for 21 years. He said that they had been working with the county on this issue for eight years, starting with Supervisor Bob Thomas. He said that he had brought this matter to the Board eight years ago, and the Board had unanimously voted to loan. He said that notably, in the Lake Owners Association, there was a distinction under the law between a Lake Owners Association and a homeowners association. He said that he wanted to express his frustration with the prolonged process.

   Mr. Levine said that he had personally presented this issue to them four times last year, so it was surprising that nobody would claim it was a surprise. He said that this issue had been before the County for eight years, and they were still waiting for the project to begin. He said that furthermore, they had provided the County with additional funding, but to date, no County funds had been allocated for this project. He said that in fact, the County had paid down the initial balance, leaving them with $690,000. He said that funds had been spent on studies and other expenses, making it challenging to match the state's contributions to this project. He said that he would not elaborate further on this matter; it had been heard and it was reiterated again tonight.

10. Nancy Rueter, Garrisonville District, said that she was there to discuss item six on the agenda, which pertained to the Planning Commission's proposed amendment to Stafford County Code Section 2835, Table of Uses and Standards. She said that the proposed ordinance aimed to modify the permitting and authorization process for data centers, including a joint public hearing. She said that based on neighboring counties' data center regulations, as well as Stafford's own experiences, it was essential to gather citizen input to ensure informed decisions regarding these facilities.

    Ms. Rueter said that as citizens, they were significantly impacted by the costs associated with data centers, including electricity, water usage, noise, pollution, and tax incentives. She said that by hearing their voices, the Board could make decisions that benefited the community as a whole. She said that she requested that the entire Board support this recommendation and forward it to the Planning Commission.

11. Al Watkins, George Washington District, said that he would like to extend his gratitude to Supervisors Bohmke, Vanuch, and Dr. Young for their advocacy on behalf of the County at the last Fredericksburg Area Metropolitan Planning Organization (FAMPO) Policy Board meeting.

    Mr. Watkins said that several concerns were raised regarding the public survey completed by approximately 1,500 people. He said that the survey should have initially included an option to not build the new bridge, and he concurred, even though he supported the bridge. He said that while public support was always welcome, the lack of depth and accuracy in the information presented to the public did undermine the survey's validity.

    Mr. Watkins said that for instance, two similar options, B1 and B2, were presented, forcing survey takers to split their votes for essentially the same option. He said that the current FAMPO policy was being taken to allow the City of Fredericksburg to participate in the data center craze, which involved creating a large technology overlay district that occupied a significant amount of land south of the river. He said that the TOD encompassed all five potential river crossing options and may restrict or prevent any of them.

    Mr. Watkins said that the City Planning Commission recently grappled with issues related to data centers. He said that the Commission proposed several recommendations for the City to consider if it moved forward with data centers, but ultimately did not support the creation of a technology overlay district. He said that instead, they voted to approve a requirement for special use permits to advance the proposed data center projects.

    Mr. Watkins said that the outcome of the City Council's vote this week remained to be seen. He said that however, one item that received full approval was an amendment to the City's comprehensive plan, which still included a river crossing option, provided that the chosen option was A. He said that the City planned to add option A, the easternmost option, nearest the I-95 bridge, to their comprehensive plan.

    Mr. Watkins said that this option required over two miles of new roadway to be constructed, and it was the only bridge and parkway without existing environmental protection. He said that it was situated close to streams, squeezed at an angle between the mouth of the England Run stream and the Quarry Lake, creating the longest bridge. He said that this option was also the most expensive and would likely be utilized the least by drivers, resulting in reduced congestion on existing roads and bridges by less than it should be. He said that the City still desired a new river crossing west of I-95, provided it was option A.

12. Bart Randall, Garrisonville District, said that he wanted to discuss a couple of matters with the Board. He said that he thought it would be beneficial to include a presumption of innocence in their bylaws, requiring that everyone be treated as innocent until action was taken. He said that in this case, he believed some action had been taken prematurely without first considering the

presumption of innocence, which ultimately proved to be inappropriate. He said that he thought this should be included in their bylaws.

Mr. Randall said that there had been discussion about a proposed 30% tax increase. He said that although his taxes may have increased, the actual increase was not 30%. He said that using simple math, if the tax rate was $0.90 and it increased by 30%, the new rate would be $1.20, but his actual tax rate was not $1.20 because the increase was not solely due to the 30% tax rate hike. He said that it may be attributed to assessments, but the actual increase was not 30%. He said that to clarify, the tax rate did not increase by 30%. He said that he wanted to emphasize that their tax rate was not $1.20.

Mr. Randall said that school funding was another issue he wanted to clarify. He said that people often claimed they did not want to pay taxes, but the reality was that their County was growing at a rapid pace, ranking as the fourth-fastest growing County in the state. He said that they were adding approximately 15,000 people annually, and the schools were expanding by about 600 students every year, which was roughly two-thirds of an elementary school. He said that it was impossible to fund these essential services on zero taxes.

Mr. Randall said that he often shared a personal anecdote to illustrate this point. He said that if one imagined running a family budget with no children, and then suddenly added four children, the answer to the question of whether they could maintain the same budget with four children was clearly no.

Mr. Randall said that they found themselves in a similar situation, struggling to balance the needs of their growing community with the limited resources available. He said that they would like not to have any taxes, but they should be serious here. He said that the County was growing rapidly, which required support.

Mr. Randall said that moving on to the next topic, they had been putting off several issues for a long time. He said that they needed a new Sheriff's Office, as they were running out of space there soon. He said that they also needed a new Fire training center and a community center that was over 100 years old. He said that they had been delaying many items.

Mr. Randall said that regarding per pupil expenditure in the schools, he had mentioned why their schools were not receiving adequate funding. He said that they ranked 112th out of 132 counties in the state for per pupil funding, and that was the key issue. He said that currently, they were at the state minimum. He said that it would take $81 million to bring them up to the state average.

PUBLIC HEARINGS

ITEM 5. UTILITIES; R25-42; CONSIDER GRANTING A PERMANENT UTILITY EASEMENT TO DOMINION ENERGY VIRGINIA ON COUNTY-OWNED TAX MAP PARCEL NOS. 29-28 AND 29-29

Bryon Counsell said that tonight's public hearing was to consider granting an easement to Dominion Energy to complete a program initiated by Dominion Energy a few years ago, which involved relocating some of their aerial lines that were prone to damage from wind and weather. He said that specifically, Dominion Energy had identified some lines on a Stafford County property near Colonial Forge High School and had submitted a proposal to obtain an easement from the County to realign these lines closer to the property line, thereby improving safety. He said that this was an easement request by Dominion Energy, and he was happy to address any questions the Board may have.

Mr. Diggs opened the public hearing. Seeing no speakers, he closed the public hearing and the matter rested with the Board.

Ms. Allen motioned, seconded by Ms. Bohmke, to approve Proposed Resolution R25-05.

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

PRESENTATIONS/REPORTS BY DEPARTMENTS (CONTINUED)

ITEM 4. CAPITAL PROJECTS; UPDATE ON LAKE CARROLL SERVICE DISTRICT DAM IMPROVEMENT PROJECT

Mr. Diggs said that at this point, he would like to poll the Board on whether to move forward with clearing the area. He said that he would also like to confirm that they were considering a 20% contingency for additional costs.

Mr. Counsell said that staff believed that it would be an appropriate contingency for this type of work.

Ms. Vanuch said that she would like to see how this affects the budget, specifically how the repayment period correlates with the estimate. She said that she was concerned about the cap on estimates, as a single high estimate could significantly impact their planning. She said that by publicizing the need to clear the trees within 60 days, she thought they may have lost leverage.

Ms. Vanuch said that she was looking ahead, and she believed there was no rush. She said that she understood that residents were in a hurry, but there was no timeline between now and April, other than the trees. She said that they could potentially move this to October and take their time to advertise and get a better understanding of the actual cost.

Ms. Vanuch said that Lake Arrowhead had already been advertised, and it would barely meet the April deadline. She said that that was after two and a half years of work. She said that she appreciated the context that had been provided regarding the differences between the Lake Owners Association and HOA. She said that she was concerned that they were creating a fictitious timeline when they could simply do it in November and have a better understanding of the cost estimates.

She said that by doing so, they could avoid potential overpayments, such as the $500,000 they had experienced in the past, which had occurred within a five-month period.

Mr. Diggs said that his understanding was that they were not responsible for paying it, as the residents would be repaying it. He said that they were currently paying into a fund that would cover the costs.

Ms. Vanuch said that if the bid came in at more than $1.8 million or $2 million, she did not think the residents would be willing to pay the $800,000 difference.

Mr. Diggs said that they were being taxed, so they did not have a choice.

Ms. Vanuch said that it was a service district, and the Board voted, and it would be a significant amount. She said that what they did not have was the breakdown from a budget to see if that would be a five-year repayment or a 10-year repayment. She said that these were the types of details they needed to see in order to know that. She said that once they cleared those trees and started the process, they were essentially holding the residents' feet to the fire.

Ms. Vanuch said that she did not think that was fair to them if they got a high bid, such as the $1.7 million dollar bid, plus those contingencies. She said that she was concerned that they would get a high bid. She said that this was why the small dam only got finished. She said that the contractor realized there were numerous issues once they got involved. She said that these types of dams were old, and they were not kept up to code, which was why the state codes changed.

Ms. Vanuch said that there would be hundreds of thousands of dollars in contingencies needed, and every bit of it would be spent. She said that she was only saying this because she was basing it on her own district's experience. She said that they had to be judicious as they moved forward. She said that they thought what they should do was authorize the County to put it to bid with a start work start date of November 1 or whatever date the tree clearing could happen. She said that then, they could proceed with the clearing and the work, and bring the amount back to the Board. She said that at that point, they could provide them with the frontage of what they knew it was, after they had agreed to pay the difference.

Mr. Diggs said that if they followed that approach, then they would have to wait a year before they could proceed with clearing the site.

Mr. Counsell said that their plan would be to put the project out to bid in early October, with bids due by the first week of November. He said that by then, they would have a better understanding of the budget ramifications. He said that the Board could reconsider any necessary changes to move the project forward, and they would have until April 1 to clear the trees on the next round.

Mr. English asked if they could put the bid out sooner.

Mr. Counsell said that they could put it out for June or July. He said that the thing was that the bids were only valid for 90 days. He said that they could increase the validity period of the bids, but that would drive up the cost because it would require the contractor to carry the locked-in prices for a longer period to assemble their bid.

Ms. Vanuch said that she thought they had lost the advantage, which was what happened with Lake Arrowhead. She said that she knew that was part of the original plan to save costs, as staff was unprepared. She said that Rock Hill had been waiting for five years, and she felt bad that they had had to wait that long. She said that they had set up their service district in 2019, which was state-mandated, and they had had to rush to repair the dam. She said that they had used all the money from the big dam to fix the little one, and they had had to raise it, obtain a grant, and wait for everything to come together.

Ms. Vanuch said that she understood that service districts could be complicated, and she knew staff agreed. She said that she thought they were looking at it as a one-year wait, when in reality, they were preparing the schedule for clearing the trees and moving forward as quickly as possible with respect to procurement laws.

Dr. Yeung said that earlier, she had explicitly stated that she was not ready to make a decision. She said that she did not have enough information regarding the timeline. She said that the summary provided did not align with her understanding of the project, as it contained numerous numbers that she needed to thoroughly review. She said that she was willing to participate in a two-on-two session or one-on-one meeting to gain more insight.

Dr. Yeung said that she had individuals who had been seeking her assistance for the past four years on a stormwater issue, and they had been waiting for eight years. She said that she empathized with their situation, particularly the 18 individuals who lived around the lake. She said that she had hoped that others would contribute to paying for the solution through tax money. She said that she fully understood this perspective, but she was not willing to make a decision tonight, so she would not vote on this proposal at this time.

Mr. English said that there was a dilemma here, and he had sympathy for those individuals who had been waiting so long. He said that however, they also did not want to put them in a difficult position, as multiple parties may face increased costs.

Mr. English said that his remaining question was whether it was possible that if additional funds were available, they could be taken from the grant money instead of the existing funds that had been allocated for studies and other expenses. He said that this would allow them to avoid taking money from the existing budget, which had already been set aside for these purposes.

Mr. Counsell said that the design had been completed, and that was the extent of the work that had been done so far.

Mr. English said that they needed to get another bid on this now.

Mr. Diggs said that he supported Ms. Vanuch's recommendation. He asked if they should get it out to bid on November 1.

Ms. Vanuch said that she would prefer that they clear the land by November 1. She said that it would be beneficial to complete the project before the weather sets in. She said that they should put the project out to bid in August or September.

Ms. Allen said that she believed the issue was that constituents wanted to know they would take action on it, and she said that she appreciated Ms. Vanuch for her experience with this issue, which was more recent than most. She said that as a result, she valued her recommendations and said that by taking this step, she hoped the citizens of the George Washington District saw that the Board was demonstrating their commitment to helping them.

Ms. Allen said that Ms. Vanuch also emphasized the need to ensure that they were making the best financial decision for the County and its residents, so that they were aware of the potential financial risks and burdens involved. She said that she was in favor of Ms. Vanuch's recommendations, but she would like to consider moving the date forward to September.

Ms. Bohmke said that she believed they were being prudent in waiting and she would like to proceed with the bid in September and have them hold it for 60 days. She said that she thought 90 days might be too long, as Mr. Counsell had mentioned the price could increase. She said that she would like to see more detailed financial information on the impact to the 19 landowners, including the additional one.

Ms. Bohmke said that she would like to know how an overage of $200,000 would affect the situation, as well as what would happen if the overage were $500,000. She said that she needed to be able to understand the implications in her own mind. She said that she thought it would be better for everyone, and she had mentioned this to Mr. Ashton when he told her the grant came in right when he started in September.

Ms. Bohmke said that she wished they had heard about it in October and potentially bid on it then, but they were where they were. She said that hindsight was 20/20, and she thought the Board was making a smart decision by delaying to get everything in place.

Mr. Diggs said that there was consensus from the Board to schedule bidding for the Lake Carroll Service District Dam Improvement Project in September 2025, with an anticipated start of construction in October or November 2025.

PRESENTATIONS/REPORTS BY DEPARTMENTS

ITEM 6. DEVELOPMENT SERVICES; R25-43; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO APPROVE A CONTRACT AMENDMENT FOR FIRE REPAIR CONSTRUCTION SERVICES WITH KBS EARTHWORKS, INC FOR THE ST. CLAIR BROOKS STREAM RESTORATION PROJECT

Emily Torrey, Executive Assistant Director of Construction, Engineering, and Environmental Programs, said that she would be presenting this update. She said that she understood the Board's concern regarding the cost of the change order for the fire repair for the Brooks Park Stream Restoration Project. She said that today, she would walk them through the scope of the change order request and the broader impact to their MS4 permit and grant funding to help you make the best decision for the County.

Ms. Torrey said that to begin, she would like to provide some background on why this project is important. She said that some of them were familiar with MS4 requirements, but for those who were not, she would like to provide a quick overview. She said that under the Clean Water Act, the Environmental Protection Agency (EPA) through DEQ required municipalities like Stafford County to implement stormwater management programs and reduce pollution to natural waterways.

Ms. Torrey said that one of the most effective ways to meet these requirements is through stream restoration projects. She said that however, there were strict standards and specifications that these projects must meet to receive pollutant removal credit. She said that the Brooks Park stream restoration project was specifically designed to meet reduction goals under MS4 permit.

Ms. Torrey said that the design was coordinated with DEQ and was expected to exceed their pollutant reduction requirements. She said that however, if DEQ did not approve of the project, the constructed project would lose the credits, meaning that they would have to find another way to comply, either through alternative projects or by purchasing expensive nutrient credits. She said that as she mentioned a few weeks ago, a milestone for pollutant removal was required to be completed by Fiscal Year 24.

Ms. Torrey said that DEQ was understanding of their current situation with the fire damage and therefore was not pursuing enforcement actions. She said that however, noncompliance was not really an option under their MS4 permit and could mean fines, legal action, and permit revocation. She said that the goal with this change order was to keep the project on track for funding and pollutant removal credits, while also saving them money and ensuring compliance under MS4.

Ms. Torrey said that as a brief background on the Chesapeake Bay Total Maximum Daily Load (TMDL) action plan, which is required under their MS4 permit, the displayed slide illustrates the Potomac and Rappahannock River watersheds, each with distinct pollutant removal requirements under their permit. She said that each watershed had a specific daily load limit for pollutants like nitrogen and phosphorus. She said that to meet these requirements, they must implement stormwater management projects such as the Brooks Park Stream Restoration Project.

Ms. Torrey said that they had completed their requirements in the Potomac River watershed, and the Brooks Park Stream Restoration Project would help them meet the requirements in the Rappahannock River watershed, but they still needed to complete the project. She said that the Board had requested some images of the fire damage. She said that as one could see from these images, the fire had caused extensive damage to the project site.

Ms. Torrey said that the initial estimated cost for repairs was higher, but had been reduced by $48,000, which was achieved by removing the timber mats originally planned to protect the asphalt trail through the park. She said that this should not pose an issue, as the contractor would use equipment with rubber treads. She said that however, if the asphalt was damaged, there would need to be another change order to repair the damage to the asphalt. She said that this brought the current estimated repair cost to $242,000.

Ms. Torrey said that briefly, KBS was the contractor for this project and had extensive experience in construction and stream restoration projects in Virginia. She said that working with their engineer and the DEQ staff team, who were subject matter experts in stream restoration, ensured that the repair would be completed efficiently. She said that since the contractor would already be at the site under this change order, they had included maintenance tasks and a small improvement to the downstream end to ensure the project's longevity.

Ms. Torrey said that the improvement was shown in the third image, where the rock was depicted, which would protect the vertical bank shown in the first image, potentially presenting an issue in the future, so they had included placing rock to armor the bank. She said that the maintenance items included grouting the stairs for pedestrian access down into the project, and removing soil deposits that had accumulated in the upstream end of the project.

Ms. Torrey said that the next slide provided a visual overview of the work to be completed under the change order. She said that the burn scar was highlighted, showing the extent of the fire damage. She said that the area of additional work was marked, covering the improvements discussed in the previous slide, and was located to the right. She said that the changed access path is also shown.

Ms. Torrey said that the revised access route is ultimately more cost-effective, but it is clear how the length of the path impacts the contractor's efficiency. She said that additionally, the areas where the contractor will apply vegetation are identified. She said that they had requested that the contractor return to this area, as the soils and slopes are not suitable for vegetation. She said that this was due to the steep terrain and poor soil quality.

Ms. Torrey said that the next images show the project area before construction. She said that as can be seen, this area is not easily accessible to the public, with steep eroded banks and unstable terrain. She said that the stream itself is severely degraded, offering little habitat for microorganisms and aquatic life. She said that the degradation contributes to poor water quality and reduced ecological function, which was what made this project a good choice in 2016, when it was selected to meet their TMDL requirements in the Rappahannock River Watershed.

Ms. Torrey said that the next images highlight the improvements made to the project area. She said that the newly created floodplain helps reduce stream velocity during large storm events, decreasing erosion and improving overall stream stability. She said that at the same time, the area is now usable to the public, providing more accessible natural space. She said that the stabilized stream, designed with natural features, supports habitat for microorganisms, which plays a crucial role in maintaining water quality and ecosystem health.

Ms. Torrey said that the breakdown of the project's funding and budget status is the most relevant portion of this presentation for the Board. She said that the total appropriation for this project under the Fiscal Year 2022 Capital Improvement Plan (CIP) was $1.8 million. She said that the contract sum prior to this change order was $956,000, and the original bid for the project was $784,000 in

2022. She said that they had received several change orders that had increased the project cost to $956,000.

Ms. Torrey said that they had received a Stormwater Local Assistance Fund (SLAF) grant award for this project, which was originally for $435,000. She said that the allowable amount had been increased to $585,000, following their request to DEQ due to the change orders and damage from the fire. She said that the cost of change order number four, which was $324,000 two weeks ago, had been reduced to $277,000 due to the removal of the timber mat.

Ms. Torrey said that the likely project cost with repairs was $793,000, which would provide pollutant removal credits under the MS4 permit and compliance with their permit. She said that they would likely receive reimbursement from the SLAF grant. She said that if repairs were not included, the project cost would be $956,000, but they would not be compliant with their MS4 permit.

Ms. Torrey said that the summary highlighted the consequences of the decision being made today. She said that with repairs, the cost would be $793,000 without repairs and permit compliance. She said that without repairs, the cost would be $956,000, and they would likely face additional costs due to the need to complete additional projects to meet MS4 permit requirements.

Ms. Torrey said that the Board had requested that she investigate insurance claims. She said that they had submitted an insurance claim to their insurance companies, with a deductible of $25,000. She said that an appraiser would be sent out to the site the next couple of weeks, and Ms. Light could assist with insurance questions.

Ms. Bohmke said that if they had had that presentation two weeks ago, it would have been much easier to understand. She said that she appreciated Ms. Torrey's work in pursuing the insurance claim, as that was a significant fire that they did not know who started, and they needed to recover the insurance money. She said that she had a question regarding the steps. She said that she appreciated the new, improved steps which was a change order.

Ms. Bohmke said that she was in favor of that, as the old steps were rickety and unacceptable. She said that there was a note that stated they had to remove deposits and restore to design elevation. She said that her question was about the area around the steps; the area was not burned, so she was unclear whether it was originally not designed properly and had to be redesigned and fixed.

Ms. Torrey said that to clarify, she would like to revisit the section regarding the removal of soil deposits, which is an upstream section. She said that according to the cost estimate, the total cost for this removal was approximately $1,000. She said that within the project itself, there were rocks, and behind those rocks, there was a pool; the pools were designed to catch sediment.

Ms. Torrey said that on the upstream end, the pools had successfully caught sediment, making it a maintenance activity to ensure the project operated as efficiently as possible. She said that this process was not related to the steps. She said that the steps were being treated with a vegetation removal solution, and then grouted to prevent vegetation from growing between the cracks. She said that the theory was that this approach would require less maintenance on the steps.

Ms. Bohmke said that to clarify, this was something they had discovered that after the project was largely completed, and they were revisiting it now. She said that this was indeed an additional cost to the project. She said that she understood that he had wanted to clarify this point. She said that to confirm, this issue was not related to the fire.

Ms. Torrey said that was correct; it was unrelated to the fire.

Ms. Bohmke said that she was glad that they had cleared that up. She said that however, she still wanted to express her concern about the price. She said that she believed it was ridiculous. She said that in fact, she thought it was reasonable to assume that anyone in the room could reinstall the plugs in a proper manner after a two-hour training session. She said that the cost was simply too high. She said that she was glad that staff had taken the initiative to remove some of the timber mat, but she was still surprised that their original project cost of $800,000 now had this additional $242,000 cost for a smaller area. She asked Ms. Torrey if she thought it was a lot of money.

Ms. Torrey said that yes, she believed that the cost was substantial, but it was necessary.

Ms. Bohmke said that she understood the project requirements and was supportive of it; however, she must reiterate the amount of money seemed way too high. She said that she hoped the insurance company would cover a lot of it, because otherwise it would come out of their general fund.

Ms. Torrey said that was correct.

Mr. English said that they did not know how much the insurance would pay.

Ms. Torrey said not yet. She said that Ms. Light may be able to provide further information.

Randy Helwig, Finance Director, said that presently, the change order was for $242,000. He said that the deductible was $25,000, so his estimate for the cost would be $217,000.

Mr. English said that if this were to catch fire again, they would be back to the same situation as before. He said that he was unable to support this project due to the significant financial investment it required. He said that they had already spent a substantial amount of money on this, and he believed it was too costly.

Dr. Yeung asked if the Stormwater Local Assistance Fund grant was currently in the process of being allocated.

Ms. Torrey said that yes, they had a signed agreement with the Department of Environmental Quality.

Dr. Yeung said that she wanted to confirm that this was a state grant. She said that if the state grant was tied to federal funding, they should start working on their federal-funded projects to ensure they used the funds available. She said that it was essential that they had a clear understanding of the available resources. She said that she recommended reviewing and increasing the insurance coverage to ensure it adequately covered future incidents, as neglecting to properly clean and maintain the floors could lead to more severe consequences.

Ms. Allen said that she had a question for those who were wondering why they had to pay this. She asked if Ms. Torrey could explain the part she had mentioned earlier about losing their credits and the fact that they would actually end up paying more. She said that by juxtaposing these two scenarios, it became clear that, while it may be a financial burden, not addressing this issue would result in significant penalties and the loss of their permits.

Ms. Torrey said that if they were not compliant and there was enforcement action against them under the code for the MS4 permit, they could face a daily penalty of $56,000. She said that this was a substantial amount of money. She said that another important aspect of this project was that they would have an excess of credits that they could sell or hold onto if the urban area continued to grow, which it was. She said that while the repair cost itself may seem like a lot of money, the successful completion of the project was crucial for maintaining their MS4 permit and could also be profitable.

Ms. Allen said that she greatly appreciated that clarification. She said that she brought it up because she knew some people were concerned about the cost, and she wanted to highlight the significant fiscal implications. She said that she believed the public would rather pay the upfront cost than face the ongoing expenses of being out of compliance.

Ms. Allen said that to put it into perspective, if they were to pay $56,000 daily, the cost for a year of noncompliance would be astronomical. She said that they would still need to factor in the costs of repairs and maintenance, which would add to the overall expense. She said that she wanted to emphasize the fiscal aspect of this issue to help the public understand the full scope of the costs involved.

Ms. Bohmke motioned, seconded by Ms. Allen, to approve Proposed Resolution R25-42.

The Voting Board tally was:

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

No: (1) English

ITEM 7. PLANNING AND ZONING; R25-48; CONSIDER REFERRING TO THE PLANNING COMMISSION AN ORDINANCE TO AMEND STAFFORD COUNTY CODE SEC. 28-35, "TABLE OF USES AND STANDARDS" TO MODIFY HOW DATA CENTERS ARE PERMITTED AND AUTHORIZING A JOINT PUBLIC HEARING

Mike Zuraf, Director of Planning, said that this item proposed referring a zoning ordinance amendment to the Planning Commission regarding data centers and authorizing a joint public hearing with the Planning Commission and the Board. He said that the specific amendment would move data centers from a by-right use in the M-2 Heavy Industrial Zoning District to requiring a conditional use permit in the M-2 District. He said that this request originated from the Board's Annual Advance Meeting on January 25, 2025.

Mr. Zuraf said that for context, in 2023, the Board adopted amendments to the Zoning Ordinance and Comp Plan regarding data centers, which allowed for by-right use in M-2 and the Integrated Corporate and Technology Park (ICTP) Overlay District. He said that conditional uses in the zoning ordinance were those that were generally compatible with other land uses in the same district but required individual review of their location, design, and configuration, and where imposing conditions would help ensure the appropriateness of the use, given the particular situation and location.

Mr. Zuraf said that in summary, the Proposed Resolution R25-43, which referred the zoning ordinance amendment (O25-08) to the Planning Commission and requested a joint public hearing with the Board, was anticipated to be held on March 18, 2025. He said that the proposed change only affected the M-2 District for data centers, while data centers would still be permitted by right in the ICTP Overlay District, which, although part of their ordinance, did not have any established areas within the County.

Mr. Diggs said that he would like to bring up a potential option for the Board to consider. He said that one idea was to explore the possibility of having certain overlays in the County where data centers could be located. He said that this would allow them to designate areas where data centers are permitted without having to come before the Board for a Conditional Use Permit (CUP) every time.

Ms. Gary said that they had had joint meetings with the Planning Commission to discuss something similar. She said that they did not establish specific overlays at the time, but they did have that discussion, which was why she believed they had been able to avoid a large number of proposals and the resulting whack-a-mole situation. She said that they could revisit that approach for actual overlays.

Mr. Diggs said that he would like that to be included in this discussion as well. He said that he believed it struck a happy medium.

Ms. Bohmke said that she thought it was great that their Board had jumped on the data center conversation many years ago. She said that for the record, she recalled a very constructive conversation they had back then about by-right data centers. She said that Ms. Vanuch stated at the time that they were not doing this right and emphasized the need for a CUP on by-rights in the M2. She said that she remembered arguing with Ms. Vanuch about this, and now they were attempting to do what Ms. Vanuch initially advocated for.

Ms. Bohmke said that sometimes, people who had previously served as Planning Commissioners may possess a deeper understanding of land use issues. She said that therefore, she expressed her gratitude to her. She said that at this point, she did not have an opinion on the overlays, as she would need to understand the specifics better. She said that as someone who did not think like a Planning Commissioner, she would likely require information from Mr. Zuraf and his staff to gain a comprehensive understanding. She said that given that they already had the ICTP district, she wondered if that could serve as the overlay.

Mr. Zuraf said that the specific overlay was created primarily for the Quantico Corporate Center at the time, but the concept never moved forward. He said that the land was subsequently redeveloped for another use, making it more of a theoretical concept than a practical solution. He said that, in the context of this discussion, it did not serve the purpose of addressing the issue at hand.

Mr. Zuraf said that to create an overlay, they would likely need to conduct further research and define a specific area of interest. He said that the issue tonight would involve initiating a hearing, which would require them to clearly outline proposed boundaries and demonstrate where in the County they would be looking. He said that they would also need to have in-depth discussions about this proposal, which would take some time.

Ms. Bohmke said that she would prefer that they focus on the main objective of this discussion and consider incorporating Mr. Diggs' idea into a separate item to send to the Planning Commission. She said that she believed that this issue was time-sensitive and warranted more attention because of it.

Mr. Diggs said that he agreed that it was important. He said that he just wanted to ensure that they were sending the right message as well. He said that he was concerned about the messaging surrounding this project and how it may be perceived by the community. He said that that was the thought process behind his concerns. He said that he agreed that it was particularly important, especially in his district.

Mr. Diggs said that however, he also thought that they should consider areas where they would like to locate data centers, and he would not want to add unnecessary steps to the process for those locations. He said that he was trying to approach this from a balanced perspective. He said that he felt like he was facing challenges in this regard.

Ms. Vanuch said that in her view, the overlay could not be implemented under this particular ordinance because it was an M-2 zoning ordinance and what he was proposing was essentially a conditional use permit for data centers. She said that a data center overlay ordinance would be a distinct ordinance, Countywide in scope, and would eliminate land use categories, potentially affecting zoning designations such as A-1, A-2, B-1, B-2, B-3, M-1, and M-2. She said that this would require careful consideration of the potential consequences, including proximity to residential areas and no requirements for public hearings.

Ms. Vanuch said that by making it a by-right overlay, they would essentially eliminate those restrictions, which could lead to unintended consequences, particularly when it came to water. She said that she strongly believed that they could not attach this overlay to the existing ordinance, as it would require significant staff time and effort, and would necessitate extensive public input to ensure residents understood the implications.

Ms. Vanuch said that once an overlay was in place, it could be difficult to reverse, and residents may not be aware of the potential risks associated with it. She said that she wanted to be mindful of the approach they took when considering this proposal, as it had the potential to significantly impact their community.

Mr. Diggs said that he agreed with that statement. He said that they already had some by-right locations throughout the County. He said that his intention was to ensure that they were not misrepresenting their position, as they were not anti-data center or anti-any specific type of facility. He said that his goal was to prioritize the best interests of the County and its constituents.

Ms. Gary said that she would like to hear from everyone on this matter now. She said that she appreciated Mr. Diggs' idea, and she understood Ms. Vanuch's concerns as well. She said that she also wanted to exercise caution as they moved forward with this. She said that she did not think rushing the process was a good idea, despite the time-sensitive issues. She said that she believed they already had some unfinished business to attend to regarding relationships and how they handled this specific situation. She said that as a result, she wanted to proceed with caution.

Mr. English said that if they proceeded with this, he wondered if there were any M2 projects currently in the pipeline that would be impacted.

Mr. Zuraf said that there were several proposed rezoning applications that they had on file. He said that the Board would want to consider this, as it was similar to what had happened in 2023, when there were active applications and the Board set a deadline. He said that at that time, all applications submitted up to that point were grandfathered. He said that this was something that the Board could consider, and they could provide a list of all active applications for their review.

Mr. English said that he believed that this conditional use was an important consideration. He said that some individuals may express concerns about data centers, but they must prioritize the needs of their constituents. He said that having a conditional use permit provided them with leverage to address any issues that may arise. He said that they should forward this to the Planning Commission and let them do what they needed to do.

Dr. Yeung said that most of her concerns had been stated or addressed by other Supervisors. She said that she would like to ask for County Administration to provide her with the list of data centers, including those that were pending and those that had been grandfathered in. She said that she would like to see that list, so she could understand the scope of the issue.

Dr. Yeung said that she was not opposed to data centers; she simply wanted to ensure that they took a cautious approach with the ones they already had on the docket. She said that they wanted to do the due diligence they had already done, including environmental and water assessments, to avoid scaring off potential funding sources, particularly for the schools. She said that she wanted to maintain the momentum and intentions behind their plans.

Ms. Vanuch motioned, seconded by Ms. Bohmke, to approve Proposed Resolution R25-43.

Ms. Allen said that following their conversation at the retreat, she conducted research on the concerns and potential solutions, as well as how they aligned with the business model of data centers. She said that after consideration, she decided not to support this proposal because data centers generally did not utilize well water, and it did not align with their business interests. She said that as a result, she did not see the need to support this proposal at this time. She said that if a resolution addressing the most applicable water concerns was presented in the future, she may have a different perspective.

Ms. Gary said that she agreed with Supervisor Allen, and she was aware that there were concerns beyond water. She said that in terms of how they conducted business, she believed they needed to exercise caution with this proposal. She said that as a reminder, the revenue generated from data centers, including real estate, would play a significant role in addressing some of their tax-related issues.

Ms. Gary said that given their large veteran population, who benefited from these types of businesses' contributions, she thought it was essential to prioritize their needs. She said that she personally wanted to ensure that they were making the right decision, so she would not support this proposal at this time. She said that instead, she suggested they explore alternative options.

Ms. Bohmke said that she respectfully disagreed, and she understood that everyone was entitled to their opinion, which was what made this Board so beautiful. She said that she cared deeply about their constituents and she knew they did as well. She said that she would never forget the data center they had installed near the Abberly apartments, located off Eskimo Hill Road.

Ms. Bohmke said that if the noise became a problem, she truly felt sorry for them, as there were only so many measures they could take to mitigate the issue. She said that in her opinion, while there may be potential revenue from these data centers, they simply did not know for certain. She said that the build-out of the large Stafford Technology Center, which she had supported, was still uncertain.

Ms. Bohmke said that there were many details that needed to be ironed out on that project. She said that for her, the CUP was crucial because it enabled them to work closely with their constituents who lived nearby. She said that ultimately, that was what mattered most to her. She said that therefore, she would be supporting the CUP.

Ms. Gary said that she wanted to add a comment to that. She said that as she mentioned earlier, she was aware of other concerns, and she was thinking about the noise level. She said that during their tours, he took them through the new facility and they went on top, where they were impressed by the quietness. She said that if this was the new standard, then she should be able to hear the issue. She said that she asked to be taken across the street to the old facility, which some people had mentioned was a problem. She said that a few others joined her on this little field trip, and they stepped outside.

Ms. Gary said that she listened carefully and could not hear any significant noise. She said that the only sounds were a hawk flying overhead and some nearby traffic. She said that she even recorded it on her County phone for reference. She said that if she genuinely believed that this was an issue that would impact the lives of her constituents, she would fight for it just as Ms. Bohmke was. She said that she understood her perspective, and she was simply in a different place. She said that she wanted to share this with the public.

Mr. Diggs said that to clarify, this item provided them with an opportunity to hold a public hearing with the Planning Commission and gather additional feedback from the public.

Mr. Zuraf said that this was a proposal to amend the existing ordinance. He said that the ordinance, which was attached to the package, would undergo consideration for change. He said that, however, the process would be undergoing a joint public hearing with the Planning Commission. He said that as a result, it was possible that the ordinance could be approved at the March 18 Board meeting.

The Voting Board tally was:

Yea: (4) Bohmke, Diggs, English, Vanuch
No: (3) Allen, Gary, Yeung

<u>ITEM 8. PLANNING AND ZONING; R25-51; DISCUSS AND CONSIDER REFERRING A PROPOSED ZONING ORDINANCE AMENDMENT RELATING TO CAMPGROUNDS TO THE PLANNING COMMISSION</u>

Brian Geouge, Principal Planner, said that he would be presenting some background information and research on campground uses. He said that to provide context, this discussion had been initiated at the November 7, 2024 Board meeting, where the Board had asked staff to review current campground regulations and potential changes.

Mr. Geouge said that as a result, staff had conducted research and prepared Attachment 3, which included a detailed report, recommendations, and a drafted ordinance amendment for the Board's consideration. He said that staff was seeking the Board's direction on these potential ordinance amendments. He said that to begin, he would provide a brief overview of current regulations, and the next few slides would summarize the information in Attachment 3.

Mr. Geouge said that currently, their zoning ordinance defined a campground, as well as related terms such as a camping unit, campsite, and recreational vehicle. He said that according to Section 28-35, campgrounds were permitted as a by-right use in the A-1 district, which was the only district where this was currently listed. He said that the A-1 district also required a conditional use permit for travel trailer and RV parks.

Mr. Geouge said that notably, A-1 was the only district with this listed use. He said that there were no special regulations in the County code for campground uses, although state code, specifically Title 12, Chapter 450, imposed regulations. He said that the Health Department required a permit for campgrounds and conducted ongoing inspections.

Mr. Geouge said that a permanent campground would likely be permitted annually and inspected at least once a year. He said that state code also regulated general locations, location regulations, and density. He said that these regulations generally prohibited campgrounds in marshes or on top of landfills, and the limit for campsites per acre was 20.

Mr. Geouge said that in addition to the regulations on campsite size, there were also restrictions on the minimum width of 25 feet and a minimum size of 1,600 square feet. He said that there were numerous other regulations governing water supply and sewage disposal, as well as the number of sanitary facilities required, such as one dump station per 200 campsites. He said that regulations also applied to construction standards and finishings for service buildings, cabins, and rental units, as well as garbage disposal, insect and rodent control, safety, animal and pet control, and other factors.

Mr. Geouge said that to gain insight into how other localities regulated campgrounds, they had examined Fauquier County, Spotsylvania, Prince William, and James City. He said that all of these localities required a special exception or special use permit for campgrounds and that campground definitions were generally broad, with some localities aligning with state code. He said that they also looked at Page County, which had adopted special regulations for campgrounds, given the prevalence of camping in those areas.

Mr. Geouge said that they examined existing campgrounds in the region, including Aquia Pines Camp Resort, Fredericksburg, Washington, D.C. South KOA, and Rappahannock River Campground. He said that upon reviewing these facilities, staff observed that campgrounds were not considered a noxious use and could provide benefits to the community through recreational amenities. He said that however, there were planning considerations that should be evaluated, such as compatibility with adjacent properties and potential impacts.

Mr. Geouge said that notably, the local road network, particularly in the A-1 district, played a significant role in this assessment. He said that based on their findings, staff recommended considering these factors when planning a campground; however, staff did not believe that establishing special regulations for campgrounds was worthwhile, given the low volume of these facilities in their area.

Mr. Geouge said that however, they were recommending updates to definitions and permitted uses in the zoning ordinance based on these findings. He said that a draft ordinance amendment was included in the packet, and he would provide a brief overview of the proposed changes. He said that they were proposing to update the A-1 Agricultural Zoning District to require a Conditional Use Permit for campgrounds, while maintaining the 10-acre minimum requirement.

Mr. Geouge said that they were also removing travel trailer or RV park as a use requiring a Conditional Use Permit, in order to simplify the distinction between campgrounds and travel trailer parks or RV parks. He said that this change aimed to capture all campground-related uses and facilities under a single definition, providing clarity and consistency. He said that staff recommended updating the definition of campground and related definitions in the ordinance to ensure that these uses and facilities were properly accounted for.

Mr. Geouge said that Proposed Ordinance O25-07, Attachment 2, reflected these recommendations. He said that if the Board proceeded with this proposal, existing campgrounds in the County may become legally nonconforming, requiring them to obtain a Conditional Use Permit if they wished to expand.

Mr. Geouge said that the Board may also consider referring this ordinance to the Planning Commission to hold a public hearing and make a recommendation, as outlined in Resolution R25-

48. He said that the Board may want to consider whether this change would be suitable for other zoning districts.

Mr. Diggs said that regarding non-conforming piece for existing facilities, he was wondering if they moved forward with this plan for campgrounds that were currently in the process of being established, this would not affect them. He asked if they would continue to progress through the current process.

Mr. Geouge said that, similar to the data center discussion, it would depend on the provisions in the ordinance when it was adopted.

Ms. Vanuch said that she was very interested in how they would move forward. She asked how many site plans they had currently in process.

Mr. Geouge said that they currently had one in progress.

Ms. Vanuch asked if they would build language into the process to grandfather that particular site plan, similar to how they had done with other projects in the past.

Mr. Diggs said that it would be at the discretion of the Board.

Ms. Vanuch asked if this ordinance had given the Planning Commission the authority to amend as they deemed necessary.

Dr. Yeung said that they were submitting multiple items to the Planning Commission, so she was wondering when the Planning Commission's next meeting was scheduled to take place.

Mr. Geouge said the Planning Commission’s next meeting was scheduled for next week.

Mr. English said that he was comfortable with implementing staff’s recommendations and allowing the Planning Commission to guide the process, as they were best equipped to determine what needed to be done. He asked if the Planning Commission could fully address staff’s recommendations.

Mr. Geouge said that they would receive the ordinance as presented. He said that if they wished to make changes, they would have that ability.

Ms. Bohmke said that she was supportive of the current status, and she recommended sending it to the Planning Commission.

Mr. Diggs said that he supported the current language and he would support sending it to the Planning Commission for their review.

Ms. Vanuch said that she believed that in instances like this, where a business had submitted a site plan, they typically grandfathered it. She said that she would prefer that something be written down, as part of the resolution, that the Board had discussed the intent to grandfather site plans prior to the passage of the new ordinance. She said that this would ensure that they were not inadvertently stopping anything that had already been submitted to the County.

Mr. Diggs said that it would come back to the Board for the final decision.

Mr. Vanuch said that to avoid any confusion, they need to ensure that that message is conveyed in a clear and transparent manner, which would be best achieved by including it in the ordinance.

Mr. English motioned, seconded by Ms. Vanuch, to approve Proposed Resolution R25-48, with the stipulation that the County will grandfather in projects submitted prior to approval of the ordinance.

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

ITEM 9. PLANNING AND ZONING; R25-42; CONSIDER AUTHORIZING THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO CONSIDER GRANTING AN INGRESS-EGRESS EASEMENT ON COUNTY-OWNED PROPERTY, TAX MAP PARCEL NO. 47-39C, FOR THE BENEFIT OF TAX MAP PARCEL NO. 47-39I

Kathy Baker, Assistant Director of Planning and Zoning, said that this item is before the Board for consideration, as previously discussed, regarding authorizing a public hearing to grant an ingress and egress easement across County-owned property. She said that this easement is necessary for an existing driveway that serves an adjacent parcel.

Ms. Baker said that in 2017, the County acquired four parcels of land on Brook Road near the Crow's Nest Natural Area Preserve, totaling 124 acres, using donated funds and state matching grant funds. She said that following the acquisition, the Board authorized the conveyance of these parcels to the Virginia Department of Conservation and Recreation, which added the properties to the Preserve.

Ms. Baker said that however, prior to the conveyance, the County must address a driveway encroachment. She said that the DCR will not accept the properties unless this issue is resolved. She said that to clarify the location, the majority of the green area on the slide is the Crow's Nest Preserve, and the brown area to the left is the 124 acres. She said that there are four parcels in total, and the subject parcel tonight is approximately one acre.

Ms. Baker said that the County property, highlighted in yellow on the slide, has the driveway encroachment, while the Hill property, surrounded in green, is the property that the driveway serves. She said that an existing drain field across the front of the Hill property limits any potential relocation of the driveway. She said that the driveway has been in its current location since at least 1983.

Ms. Baker said that by adopting this proposal and authorizing the public hearing, the easement can be continued for use by the driveway. She said that the County Attorney has drafted the deed of easement, which has been reviewed by the DCR. She said that as required, a public hearing will be conducted to move forward with this proposal. She said that staff recommended approval of the Proposed Resolution 25-51, which authorizes the public hearing.

Ms. Vanuch motioned, seconded by Ms. Gary, to approve Proposed Resolution R25-51.

Mr. English said that he was wondering if it had been discussed whether the property owners could simply purchase the easement from the County instead of going through this process. He asked if the Hills could not buy the property and, in effect, own the land, thereby eliminating the need for these easements.

Ms. Baker said that they had discussed this earlier, but when the Board authorized the conveyance, it was with the intention that it was intended for public use and to provide access to Crow's Nest for open space.

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

ITEM 10. PLANNING AND ZONING; R25-05; A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A PURCHASE AGREEMENT AND DEED OF EASEMENT FOR THE PURCHASE OF DEVELOPMENT RIGHTS ON TAX MAP PARCEL NO. 56-112A, LOCATED WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT, AND TO BUDGET AND APPROPRIATE FUNDS FOR THE PURCHASE

Kathy Baker, Assistant Director of Planning and Zoning, said that this item was a quick correction to address a clerical error in a resolution passed last August, which authorized the acquisition of this easement. She said that the error was in misidentifying the tax map parcel number. She said that the corrected resolution is included in the package that was sent to the Board.

Ms. Allen motioned, seconded by Mr. Diggs, to approve Proposed Resolution R24-240(R).

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

CLOSED MEETING

Ms. Allen motioned, seconded by Ms. Gary, to authorize the closed meeting.

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

Resolution CM25-04 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Board desires to hold a Closed Meeting for consultation with legal counsel and briefings by staff regarding entering a public contract involving the expenditure of public funds and discussion of the terms or scope of such contract, which is a specific legal matter requiring the provision of legal advice by such counsel and where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the Board; and

WHEREAS, pursuant to Virginia Code § 2.2-3711(A)(8) and (29) such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 18th day of February, 2025, that it be and hereby does authorize discussion of the above matters in Closed Meeting.

CERTIFY CLOSED MEETING

Ms. Allen motioned, seconded by Dr. Yeung, to certify the closed meeting.

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

Resolution CM25-04 (C) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE
STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED
MEETING ON FEBRUARY 18, 2025

WHEREAS, the Board has, on this the 18th day of February, 2025, 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 18th day of February, 2025, 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

REPORTS BY BOARD MEMBERS

Mr. English – asked the County Administrator if a letter was to be sent Countywide, he would like for the Board members to receive a couple of days' notice before it was distributed and review the letter before it was released. He said that he was aware that they could not influence the Commissioner of Revenue's Office or the Sheriff's Office, but he was concerned about a recent letter that was sent, which he had received five complaints about. He said that he would like to know that such letters were being prepared in advance, so they could be aware of them before they were released.

Mr. Ashton said that they did send out a significant amount of transactional documents, such as those from the Utilities Department and Parks and Recreation Department. He said that their goal at the administration level was to centralize these documents so that they could review them for the Board. He said that he would need to confirm with staff whether or not they could provide those documents to the Board ahead of time.

Mr. English said that he was only referring to documents that were to be distributed County-wide.

Mr. Ashton said that he believed that what he was trying to convey was that they were currently focusing on handling the situation from an administrative standpoint and gathering information through their Communications team, so they could develop messaging that addressed the issue at hand.

Mr. English said that this was the second time this had happened, where some residents had not received a letter they were meant to.

Ms. Gary – hoped to soon receive an update on the Brook Road grant acceptance progress as soon as possible. She said that she believed this information would be beneficial to the Board and her constituents. She said that she appreciated any information regarding federal grants that may be affected by the current federal situation. She said that she also wanted to comment on the letter that was sent out. She said that she was aware of the letter and had reviewed it. She said that based on what she was hearing, it appeared that some individuals were taking issue with the mention of the LGBTQIA community in the letter.

Ms. Gary said that she believed this was an opportunity to provide additional support and resources to this community, as they faced unique challenges. She said that she thought it was essential that they acknowledged these challenges and ensured they were providing adequate care and inclusion. She said that she wanted to reiterate this point regarding the letter from Economic Development. She said that she also wanted to address the discussion about tax increases.

Ms. Gary said that she had been hearing concerns about a 30% tax increase over the past few years, and she wanted to ensure that they were considering the complexities of this issue. She said that they had been transparent about their funding, and she wanted to clarify that their funding included not only schools but also general government, public safety, and significant pay increases. She said that when the federal funding decreased, they had used their general funds, which were coming in from taxes, to cover the shortfall.

Ms. Gary said that she believed it was crucial to acknowledge this and provide context for their funding decisions. She said that regarding the scores and children's education and funding, she had seven children of her own, and she had made sacrifices to care for them because she cared deeply about their well-being. She said that she was concerned that there was often a push for people to have children without considering the responsibilities that came with it. She said that if they were going to bring human beings into this world, they must also be willing to provide for their needs, including education and basic necessities.

Ms. Gary said that she was troubled by the paradox of wanting children while not wanting to support their care. She said that she appealed to those who may be grappling with this issue and encouraged them to consider the complexities of this dilemma. She said that she appreciated it if they could sit with that information and reflect on their concern. She said that personally, two of her children had recently gotten engaged, so things had been a whirlwind. She said that there were some very good things going on and she hoped everyone stayed well and safe during the inclement weather.

Ms. Vanuch – thought that her colleagues had already touched on the Economic Development letter, but she also heard from constituents. She said that unfortunately, she was not aware of what Ms. Gary was referring to. She said that the concerns brought to her by constituents were primarily related to a potential violation of two different executive orders under the Trump administration, as well as a violation of Supreme Court law. She said that the County Administrator took swift action to address this issue, and she would like to thank him for his prompt response.

Dr. Yeung – stated she would provide her reports at the next meeting. She said that the only additional information she had was related to the Planning Commission, which she had previously mentioned. She said that the County Administrator and the Chair was currently looking at the Planning Commission's schedule, with the goal of determining when they would meet and whether they would take on the vaping ordinance that she was awaiting.

Ms. Allen – acknowledged the tremendous effort their staff, the Virginia Department of Transportation (VDOT), and Dominion had put in during this difficult winter season. She said that despite the challenges posed by road conditions, power outages, and limited access, their hard work had been invaluable to their residents. She said that she wanted to take a moment to express her appreciation for their dedication.

Ms. Allen said that as it related to the comments and questions raised today, she wanted to point out that the school district would have its own budget presentation to them during the process, allowing them to see exactly how they planned to allocate their funds and what they were requesting. She said that she encouraged everyone to attend or watch their budget sessions, which would begin after their County Administrator presented his budget in March.

Ms. Allen said that these sessions would be advertised, and they would be able to review the budget in detail on OpenGov. She said that all pages and line items of the budget would be available on OpenGov for them to follow along. She said that there were plenty of avenues for keeping this process transparent. She said that she would ask that their Communications team make a concerted effort to promote these sessions on social media, providing links to the OpenGov sources and budget work sessions, as well as the budget itself, to ensure transparency and prevent misinformation.

Ms. Bohmke – wanted to correct some points regarding the February 4 Board of Supervisors meeting. She said that during his public comment, the Chairman of the Stafford Democratic Party, Howard Rudat, made some not very nice remarks about her. She said that she must address this again, as she previously discussed it with the Chair of the Board. She said that she wanted to set the record straight on a few matters. She said that it was true that she had not responded to the email sent to her. She said that she was talking about this email with Ms. Allen, who had indicated she would respond instead.

Ms. Bohmke said that however, Ms. Allen did not respond. She said that Mr. Rudat obtained their text messages and emails through a FOIA request, and it was clear from their conversation that he could see their exchange. She said that she had nothing to hide in their text messages, and they were professional and above board. She said that despite this, he chose to publicly berate her. She said that she found this behavior to be unprofessional and uncalled for, especially since he had access to all the relevant information.

Ms. Bohmke said that she appreciated the opportunity to correct the record. She said that on a more positive note, she recently visited the new skate park at Brooks Park and was impressed by the large turnout. She said that she wished Mr. Brion Southall could have been present to hear her comments about the park. She said had started working on this project when Supervisor Bob Thomas was on the Board, and he had encouraged her to take it on because she loved sports.

Ms. Bohmke although it was in the George Washington District, she had continued to work on it, and it had been a resounding success. She was proud to say that young children were wearing helmets and having a great time, regardless of their abilities. She said that she wanted to assure the community that the skate park was open to everyone. She said that she was not sure if they would be having a ribbon-cutting ceremony or not. She said that she wanted to inform Mr. Ashton that there were a couple of signs over there indicating that the project was still under construction, and they may still have some items to complete.

Ms. Bohmke said that she thought it was possible that people may become frustrated when they saw the "closed" signs and sandwich boards, as they might assume the facility was not open. She said that she wanted to look into this matter further. She said that if they were a skater, she asked that they please check out the facility. She said that she would also like to extend her gratitude to the White Oak Fire Department Station 5 for their efforts in cutting down a very dangerous fallen tree.

Ms. Bohmke said that she also wanted to address the comments made by Mr. Watkins regarding the river crossing. She said that some of the members of the FAMPO Board needed to address this issue. She said that she was not sure how they should approach it, but she found it frustrating that the City of Fredericksburg had never disclosed the NEON project to them, despite them already paying $600,000 to an outside company to study the river project. She said that then, they had introduced their technology overlay district.

Ms. Bohmke said that regardless of who was on FAMPO, it was clear that the City had been making decisions without their input, particularly in light of their consultant's work. She said that the City was not fully disclosing their plans to them, which was concerning. She said that she felt they should consider returning the $600,000 to FAMPO, as much of the work may not be utilized. She said that she did not think this was the way they should treat their regional partners.

Ms. Bohmke said that Stafford had strived to be transparent and work together when possible. She said that she found this situation frustrating, and she was not sure how they could move forward. She suggested that perhaps the three of the Board's FAMPO members could discuss this separately at some point, and figure out a way to proceed.

Mr. Diggs – stated that he had a couple of topics he would like to discuss. He said that the first was the tax rate. He said that he had already had several constituents reach out to him and they had had positive conversations about it. He said that he would say publicly what he had said privately. He said that given the limited information available, he was not comfortable saying that they would not increase taxes until they had all the data.

Mr. Diggs said that he believed they were all in agreement that they wanted to keep taxes as low as possible, but they also faced several challenges that required a conservative approach. He said that therefore, he wanted to strike a balance between being cautious and not alarming the public. He said that if anyone had questions or concerns, they should not hesitate to reach out. He said that he would be happy to discuss them.

Mr. Diggs said that he would also like to highlight a few other matters. He said that first, the Ferry Farm Market was set to open soon in the George Washington District. He said that he had had conversations with the business owner, and it appeared to be an Exxon station. He said that additionally, the Dunkin' Donuts was still moving forward. He said that finally, he would like to address the removal of LGBTQIA+ content from their website. He said that he knew there were concerned community members, and as with anything, if it alarmed people or caused issues, it bothered him.

Mr. Diggs said that they must be aware of the environment they were in right now, but also while some may cloak it in executive orders or things of that nature, it read differently to other folks. He said that he had been getting some of the pictures of what people had written in, and it was homophobic, and it was disgusting. He said that he wanted to ensure that people knew that hate would not win. He said that he wanted everyone to get along; they were all different and equity was important. He said that people had the right to uphold their beliefs, but they must respect one another, so that was what he was calling for.

Mr. Diggs said that he had stated this several times, but he would reiterate: Stafford government was not anti-LGBTQIA+, nor was it anti-anyone. He said that they genuinely loved and respected everyone in their community. He said that he did not want anyone to use this situation for political gain. He said that they were simply working through the process and ensuring that everything was handled appropriately.

ADJOURNMENT

The Board adjourned its meeting at 9:00 p.m.

William H. Ashton, II	Deuntay T. Diggs
County Administrator	Chairman